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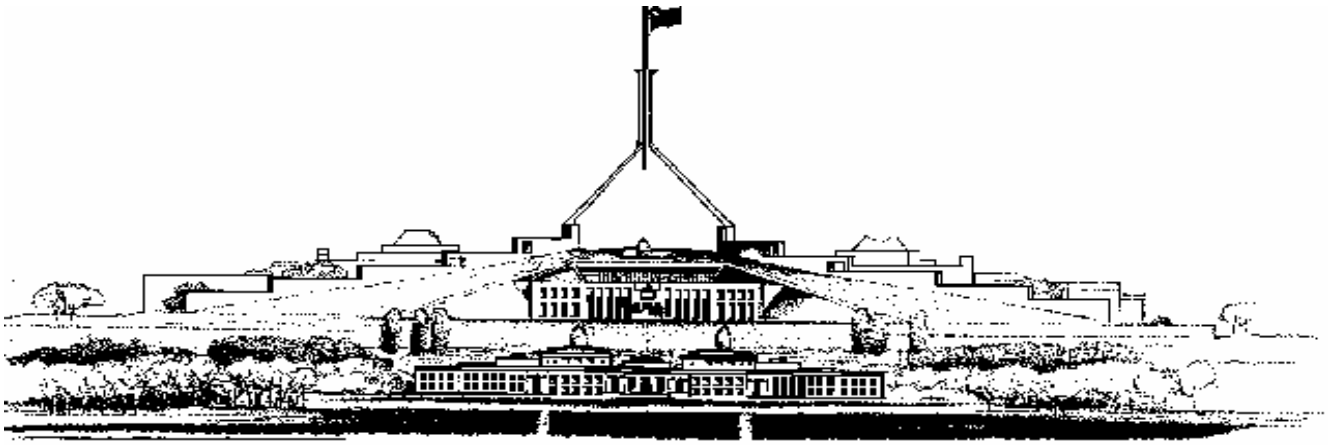

HOUSE OF REPRESENTATIVES

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No. 14, 2003

Thursday, 18 September 2003

FORTIETH PARLIAMENT
FIRST SESSION—SIXTH PERIOD

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

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SITTING DAYS—2003

Month	Date
February	4, 5, 6, 10, 11, 12, 13
March	3, 4, 5, 6, 18, 19, 20, 24, 25, 26, 27
May	13, 14, 15, 26, 27, 28, 29
June	2, 3, 4, 5, 16, 17, 18, 19, 23, 24, 25, 26
August	11, 12, 13, 14, 18, 19, 20, 21
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October	7, 8, 9, 13, 14, 15, 16
November	3, 4, 5, 6, 24, 25, 26, 27
December	1, 2, 3, 4

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BRISBANE	936 AM
MELBOURNE	1026 AM
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Thursday, 18 September 2003

The SPEAKER (Mr Neil Andrew) took the chair at 9.00 a.m., and read prayers.

SPECIAL ADJOURNMENT

Mr ABBOTT (Warringah—Leader of the House) (9.01 a.m.)—I move:

That the House, at its rising, adjourn until Tuesday, 7 October 2003, at 2 p.m., unless the Speaker fixes an alternative day or hour for the meeting.

Question agreed to.

MINISTERIAL STATEMENTS

Royal Commission into the Building and Construction Industry

Mr ABBOTT (Warringah—Minister for Employment and Workplace Relations and Minister Assisting the Prime Minister for the Public Service) (9.01 a.m.)—by leave—Problems in the construction industry mean higher prices, fewer jobs and a lower standard of living for everyone. Reforming the industry is not a matter of being 'pro' or 'anti' union. The challenge is delivering at least the same freedom, efficiency and value for money in the commercial construction industry as currently exists in the housing sector. The issue is tackling an industry culture which means that, for no good reason, building costs average 10 per cent more in commercial than in housing construction. Success means giving workers, managers and owners a fair return while delivering the best possible product at a reasonable price to Australian consumers.

Econtech, the respected analyst, has estimated that plastering the same wall in the same way costs 40 per cent more in a high-rise building than in a new home due to restrictions on who can do what and frequent work stoppages. Econtech also estimates that if labour productivity in commercial construction matched labour productivity in housing, the CPI would be one per cent lower, GDP would be one per cent higher and consumers would enjoy $2.3 billion in economic benefits every year. Commercial construction is a $40 billion a year industry. It is six per cent of the Australian economy. So problems in commercial construction affect everyone. They might not directly affect the homes people buy and the prices they pay—but they do affect the buildings where people work, the businesses which employ them, the wages those businesses can afford to pay and the prices those businesses charge. The construction industry would only need to be one per cent more efficient to unlock $400 million a year for more productive purposes. If the Australian government could save just one per cent on its annual $5 billion construction bill, there would be $50 million more every year to spend on schools, hospitals, roads and national security.

It would have been highly irresponsible of the Australian government not to tackle the problems of the construction industry. Despite comprising six per cent of the economy, the construction industry is responsible for about 60 per cent of all complaints of breach of freedom of association laws and 40 per cent of all days lost through strikes. Tenderers in Sydney typically allow one day lost through strikes every two months. Tenderers in Melbourne typically allow one day lost through strikes every two weeks. In early 2001, just before the establishment of the Cole royal commission, the NSW branch of the chief construction union, the CFMEU, was racked with corruption allegations and its national secretary had called for a federal investigation of criminal infiltration of the union.

The royal commission found that the commercial construction industry was characterised by illegal and improper payments, chronic failure to honour legally-binding agreements, regular flouting of court and

commission orders, and a culture of coercion and intimidation backed by occasional violence such as site invasions designed to remind everyone in the industry who is really in charge. When the royal commission released its final report, the CFMEU and its allies disputed the significance of its findings but not the facts. In an unguarded moment, the CFMEU boss, John Sutton, admitted that 'virtually everything we do breaches the Workplace Relations Act'.

Even so, there has been widespread scepticism about how much can really change. There is a temptation to conclude that industrial thuggery is inevitable in a physically tough industry not subject to the discipline of foreign competition and day-by-day public scrutiny. There is also a view that industrial racketeering might eventually go the way of the dinosaurs—but only after BLF organisers finally retire. Outside union officialdom, everyone wants the industry to change—but people invariably want someone else to change first lest they pay the price of challenging the union enforcers. This is a very human reaction but it means that people in the construction industry are denied the ordinary commercial freedom enjoyed by workers, businesses and customers in other industries.

The royal commission found that the unique features and distinctive problems of the industry mostly flowed from the union's determination to preserve its position as quasi-monopoly supplier of labour. Freedom of association rules are circumvented because the closed shop is the foundation of the union's power. Court and commission orders are broken because the union cannot accept that it is bound by laws it does not like, especially the law that says no-one can be forced to join. An undercurrent of violence is inevitable as the union deals with the handful of people who try to exercise freedoms which the law enshrines but, at least in this industry, largely fails to protect. Hence the chronic failure to respect the rule of law, which the royal commission identified as the industry's most besetting problem. Site invasions, hit men and secret pay-offs were the royal commission's headline-grabbing revelations but the underlying explanation is the union's determination to do whatever it takes to maintain the closed shop on which its power is based.

A gap in the Workplace Relations Act as it stands is its reliance on parties to enforce the law. Business is supposed to enforce the law against unions. Unions are supposed to enforce the law against business. The act is based on the assumption that it will be in the interests of parties to ensure that the law is respected and enforced. This is generally true in industries where companies have to be internationally competitive to survive. In these industries, unions use the law to moderate market reality and companies use the law to help ensure that they remain competitive. But parties do not, or feel they cannot, appeal to the law in industries where cost increases can always be passed on to consumers. In these industries, companies might win in court only to lose on site where bloody-minded unions have the capacity to create endless mischief.

In this respect, Australian workplaces resemble local communities with neighbourhood justice centres but no police force. Local justice centres are quite capable of sorting out disputes as long as everyone respects their authority. But with a serious neighbourhood bully, systems based on give and take and mutual respect just do not work because people eventually become too fatalistic to complain and the system has no leverage on troublemakers. The absence of a workplace 'cop on the beat' is not a problem in most industries but has led to virtual anarchy in the commercial construction industry, particularly in Melbourne and Perth, because the

CFMEU only keeps the commitments it likes.

That is why the royal commission's first report recommended the establishment of an interim building industry task force and that is why the final report recommended the establishment of a permanent industry watchdog with the power to investigate, prosecute and enforce judgments. The interim task force has been operating since October last year. So far, nearly 900 reports of possible unlawful conduct have been prepared, 13 briefs of evidence have been referred to other agencies for possible prosecution and the task force has commenced seven prosecutions of its own, involving five unions and three employers. The task force currently has more than 60 matters under active investigation with five briefs of evidence with lawyers for imminent court action.

Still, the task force is not the best long-term solution to lawlessness in the industry. It is not a statutory body and could be abolished by incoming governments, like the New South Wales and Western Australian building industry task forces. So far, a third of the task force's investigations have stalled because it lacks the coercive powers to gather evidence. Existing maximum penalties under the Workplace Relations Act of $2,000 for individuals and $10,000 for organisations are not an effective deterrent.

The president of the Victorian Institute of Building recently commented that the task force was working well but observed that the key difficulty in re-establishing the rule of law was people's reluctance to 'give evidence against those of the far-from-philosophical persuasion'. Only a much more powerful watchdog will be able to compel witnesses, seek heavier penalties and enforce court orders given the commercial payback, workplace sabotage and backstreet biffo deployed against people who challenge the culture of the industry. Most people in the industry will not dare to believe it is really changing until some prominent identities are prosecuted, convicted and punished.

There is a big difference between effective law enforcement and what is called 'third party interference' in workplace relations in the construction industry. The government wants an effective umpire to enforce the workplace relations rules—not a body which will take sides or dictate to people what is in their best commercial interests. This industry does not need a new body to facilitate negotiations—it needs a new entity to ensure that breaking the law has serious consequences.

Today, the government is releasing new draft building industry legislation providing for no strikes without secret ballots first, automatic cooling-off periods after two weeks industrial action, easier ways of calculating and enforcing damages, and an end to disqualified union officials obtaining right of entry under state law. The bill prohibits 'closed shop' clauses in certified agreements in the industry and prohibits head contractors mandating subcontractors' workplace arrangements. It establishes a federal safety commissioner to ensure that successful tenderers for federally funded work are exemplars of occupational health and safety best practice. This should help to ensure that safety is not a mask for industrial disputes. Most importantly, the legislation establishes a new agency, the Australian Building and Construction Commission, to build on the good work of the task force.

The draft legislation implements 120 of the royal commission's recommendations for workplace relations change. It is important to proceed with the workplace relations recommendations now because this is the one area where the industry is unique and where existing institutional arrangements are manifestly failing to cope. The government is not

neglecting the commission's other recommendations. Improved procedures for information sharing between the ATO, ASIC and state and territory revenue offices will help combat tax evasion, improve collection of workers compensation premiums and detect phoenix companies. Where the ABCC detects possible breaches of tax laws, failure to pay worker entitlements and neglect of safety regulations, these will be referred to the relevant federal or state agency. Although the industry has significant tax, safety and workers compensation problems, there are existing bodies to deal with them. What is missing from the industry is a workplace relations policeman with duties and powers over industrial lawlessness similar to those the ATO has in relation to tax avoidance.

The government has decided not to adopt the recommendation to give the ABCC parallel jurisdiction to enforce the Trade Practices Act in the construction industry. Instead the new commission will refer matters to the Australian Competition and Consumer Commission under a memorandum of understanding. The ACCC's recent action against three unions in relation to industrial stoppages at a Gippsland gas plant is a sign that the ACCC can be active and effective in the industry. In addition, the ACCC will investigate whether unregistered industry agreements in Victoria, Queensland and Tasmania breach the Trade Practices Act.

The construction industry often seems like a conspiracy between big unions and big business against small business and consumers. Subcontractors, especially, often seem like the meat in the sandwich, squeezed between politically motivated unions and profit-driven builders and developers. Some state governments have enacted security of payments legislation to address subcontractors' understandable concerns. The government is still considering whether to proceed with federal security of payments legislation, as the royal commission recommended, because it is concerned about the extra levies and rigidities which this might impose on business, consumers or taxpayers. There are ways to reduce risk such as COD work and commercial insurance which do not eliminate moral hazard. Nevertheless, the practice of demanding retrospective payment from subcontractors, which has been likened to the corporate equivalent of compulsory union levies, bears examination. The government will ask the ACCC for its advice on this practice and, in particular, whether this infringes the act's prohibition of unconscionable conduct against small business. The government has already announced that it will adopt the recommendation of the Dawson report to give small business more capacity to collectively negotiate with large business.

The royal commission conducted 171 days of public hearings and heard 700 witnesses. Its final report provides a compelling case for reform and its recommendations are the foundation of this bill. The bill is now publicly available as an exposure draft. Over the next month, the government will consult further with workers, managers, owners and customers of the industry. The government will carefully consider all submissions which address the need for structural and cultural change but is not prepared to conclude that there are no problems in the industry that talking cannot fix. The government will seek to have the draft bill referred immediately to a Senate committee so that legislation can be introduced into the House of Representatives in the first week of November and, with the cooperation of the Senate, dealt with by the parliament before Christmas. The rule of law must apply on building sites no less than in residential neighbourhoods. New institutional arrangements are needed to uphold the rule of law if the honest workers, owners and consumers of Australia are to have the clean

construction industry they deserve. I conclude by presenting the following paper:

Royal Commission into the Building and Construction Industry—Ministerial Statement, 18 September 2003.

and move:

That the House take note of the paper.

Mr McGAURAN (Gippsland—Deputy Leader of the House) (9.17 a.m.)—by leave—I move:

That so much of the standing and sessional orders be suspended as would prevent Dr Emerson speaking for a period not exceeding 15 minutes.

Dr EMERSON (Rankin) (9.18 a.m.)—The political enemies of the Minister for Employment and Workplace Relations within the government have done him over on his big day out: they have leaked details of the sealed volume of the Cole royal commission—information that he had at his disposal but chose not to share with the Australian public. Commissioner Cole says in the sealed volume that the way the government set up the inquiry required him to make findings about conduct or practices that 'might' have broken the law—those were his words. He says:

Most of the matters investigated by the commission 'might' have constituted a breach of civil or criminal law. If I did not make any findings in relation to such matters, then the number of findings that would have been open to the commission would have been very small. That would not have been satisfactory, because it would have unduly limited the evidential material to which I could make references in explaining the need for reforms that I have recommended.

In other words, the commissioner is saying—if these reports are correct—that, in order to make recommendations that were consistent with preconceived conclusions from the minister and from the government, he had to follow a particular course of action. The minister did not want that particular volume and those paragraphs to see the light of day. He knew what was in them, just as—relevantly—his colleagues in the cabinet knew what was in them. Certainly, the unions did not know what was in the sealed volume and the opposition did not know what was in the sealed volume. So it is clear that the minister's enemies, on his big day out, have leaked these damning conclusions of the Cole royal commission in the sealed volume.

It is in these damning words that Commissioner Cole has formally let the cat out of the bag—and what an expensive animal it is: $60 million for a political stunt. If the government had a spare $60 million, it could have used that money to help this industry. As a political stunt designed purely to stitch up the building unions, it is a lost opportunity for this industry and for the three-quarters of a million Australians who work in it. The draft legislation is disappointing but unsurprising. It is unsurprising because it comes from this particular minister. Its origins lie in the standard operating procedure of the Howard government—that is, when it is in deep political strife, it creates a diversion. Just ask the asylum seekers whom the government falsely and maliciously claimed had thrown their children overboard.

If we wind the clock back to early 2001, petrol prices had gone through the roof, the Treasurer's 'streamlined new tax system for a new century' was proving to be anything but streamlined, Liberal Party President Shane Stone had described the government as 'mean and tricky' and 'out of touch', Peter Reith was going down the gurgler because of his uniquely Liberal approach to the use of telecards, Labor had won the Western Australian and Queensland elections, and Labor's Leonie Short had captured the Liberal jewel in the Queensland crown—the blue-ribbon seat of Ryan. Already, the minister had been frothing at the mouth in the parlia-

ment, spraying Labor MPs with vitriol about our links with the trade union movement.

And so he returned to the old conservative formula of union bashing as the government's desperately needed diversion. He established a royal commission into the construction unions, disguised as a royal commission into the construction industry. It was a royal commission that had skewed terms of reference and skewed inquiry processes. But I recall the last time a federal Tory government tried to smear the labour movement through a royal commission—it was through the Costigan royal commission into the painters and dockers union. That royal commission blew up in the then government's face, exposing rampant tax evasion through the notorious bottom-of-the-harbour schemes—schemes in which prominent Liberals were involved up to their snorkels.

Now, as Prime Minister, John Howard has learned from the royal commission that blew up in the government's face 25 years ago when Treasury was producing telephone books of advice trying to close down these bottom-of-the-harbour schemes. He did not want a royal commission delving into tax scams in the building industry. Who knows which donors to the Liberal Party might get implicated in that process? This royal commission needed to focus squarely on the activities of building unions, brushing lightly over tax evasion and the avoidance of employee obligations through phoenix companies. The government did not want to alarm employers, so the minister wrote a letter of comfort to them, providing an assurance that the commission was 'not inquiring into any particular company' and that the focus of the inquiry would be on the unions. This same minister authorised a payment to the Office of the Employment Advocate on behalf of two people who gave evidence against the CFMEU in Federal Court proceedings and whose conduct the court described as reprehensible and deceitful.

Is it any wonder that the commission did not find one instance of tax evasion in this industry? Is it any wonder that, in an industry that averages one workplace fatality a week, the Cole royal commission found only two breaches of occupational health and safety by employers Australia wide? In its warm embrace of crony capitalism, the Howard government does not want to shine a light on the tax evasion and shonky practices of phoenix companies—and this is despite having spent $60 million of taxpayers' money on a politically motivated royal commission, which, I point out, is three times the amount the government spent on the collapse of insurance giant HIH.

Minister, a cooperative reform package would have a much greater chance of success than your conflict-ridden approach. But this minister does not want a successful outcome for the industry. To prove himself to his boss as a right-wing ideologue and a viable candidate for the Liberal leadership from Sydney, the minister's political aspirations are best served by a waterfront style dispute with the building unions. He is trying to emulate the efforts of his predecessor, Peter Reith. But never mind the cost to the construction industry.

Why spend $60 million targeting this industry? Is this an industry which is struggling, faltering economically or not performing compared with other industries? No, it is not. On a range of economic indicators, this industry is doing well. The minister cites Econtech and the observation that it costs more to put a wall of plaster in a high-rise building than it does in a house. So it should; high-rise buildings are dangerous. You need to have some recognition of the danger of falling off these buildings. You do need to recognise that occupational health and safety

is very important in this industry. We do need to minimise fatalities in this industry instead of saying, 'We really need to equalise the cost of putting up plasterboard in a house compared with that in a high-rise building.' That just underlines the approach of this minister.

But I go back to this industry. Is it failing? No, it is not. In May 1997, there were 575,000 people working in the building industry; in May 2003, there were 737,000. That is an extra 160,000 jobs in this industry. What about labour productivity, to which the minister refers? Of the 12 industry groupings for which the Productivity Commission provides productivity estimates, where is the construction industry on this list? If you believed the minister, you would think it was last. It is not last; it is not even in the bottom half. It is the fourth most labour efficient industry in Australia, according to the Productivity Commission. These figures do not justify the minister's response in setting up this royal commission or the exposure draft he is tabling today. This economic performance is not just a result of what the Treasury this week called the housing 'bubble'. Statistics specific to non-residential building are also very healthy. For example, the value of non-residential building approvals has been trending upwards, with a further 2.3 per cent rise in July 2003.

These statistics are also backed up by the fantastic success of the construction of the Sydney Olympics facilities—a project of huge expense and complexity, which was constructed on time and within budget. There was one fatality, although that is one too many. The minister would have to be the only person in Australia who is disappointed with the effort of the construction unions and the New South Wales government in producing these magnificent facilities on time and within budget and with fatalities having been limited to one, but that is still one too many. I now draw the attention of the minister to what is going on in Athens. The Olympic facilities in Athens are being built with non-union labour—that is the minister's dream come true. They are behind time, over budget and have suffered 20 fatalities already, compared with the one fatality in Sydney. That is the minister's model: non-union labour. Twenty fatalities are completely unacceptable. It is behind time and over budget. Is that the model that you want for the Australian construction industry?

The minister's motivation is very simple. The unions in the construction industry are strong, and the idea of strong unions is complete anathema to this government. It cannot stand the idea of strong unions; if it sees a strong union, it wants to bust it. But having strong unions does not mean that anything goes. Like unions, Labor will not tolerate corruption, extortion or criminal behaviour in the building industry; but neither will we allow Tony Abbott to assault the legitimate rights of building unions to protect and advance the wages, conditions and safety of their members.

There are areas of legitimate concern in this industry, most of which—sadly but predictably—were glossed over or ignored completely by the Cole royal commission. Not surprisingly, yet again it appears that the minister will not tackle some of the most serious issues in this industry: non-payment of workers compensation premiums; non-payment of superannuation; non-payment of employee entitlements; the use of phoenix companies to avoid these obligations; the use of phoenix companies to avoid or evade obligations to pay tax; and occupational health and safety in this industry where, on average, one fatality occurs per week. In Chatswood, near the minister's own electorate, a construction project is under way. Subcontractors are being done out of hundreds of thousands of dollars. If the minister were fair

dinkum, he would get involved in that and find out what is going wrong and why subcontractors are being denied their legitimate entitlements. I urge him to have a look at that particular example.

The minister said in his statement just a while ago that he will do these things later. But we know that that is not going to happen. The minister's philosophy is: why put off till tomorrow what you can put off forever. That is what he has done. For example, two years ago the government said it would change the order of priority of creditors; it would put employees ahead of secured creditors to improve the prospects of employees getting their due entitlements. That commitment was given two years ago—but no, nothing has happened.

The minister claims he needs IR reforms in a hurry because there is no mechanism to enforce the Workplace Relations Act. That is not true. There are people specifically appointed to enforce the act—they are called 'inspectors' under part 5 of the act—and they are employed by the minister's own department. Instead, this draft bill repeats much of what the government has put forward before in Peter Reith's second wave bill in 1999. Compulsory secret ballot provisions have already been rejected by the Senate. Confining such amendments to one industry does not change the fact that they are unacceptable. Secret ballots can already be ordered by the Industrial Relations Commission when and where they are appropriate or necessary. But making them compulsory every time is both unwieldy and unreasonable. And what if a union wants to end a strike earlier than was originally planned? Its members would have to get back together and have another secret ballot. All that can do is prolong disputes rather than reduce their duration. Is that what the minister really wants?

The draft bill would impose a maximum of two weeks on any strikes. But building industry disputes and stoppages tend to go for a day or two and not two weeks, so that is just a bit of propaganda. It is the three-, four- and five-month lockouts by employers in other industries that need a time limit, but the minister is not lifting a finger on the lockouts that are going on in Australia. Instead of giving the Industrial Relations Commission the power to resolve these long and difficult disputes, this legislation suggests that what workplaces need is more involvement by the Australian Competition and Consumer Commission. Australia has a unique custom-built institution designed specifically to deal with industrial relations issues—that is, the Australian Industrial Relations Commission.

On the eve of the 100th anniversary of the establishment of this tribunal, it is sad but predictable that the Howard government has come up with yet another way of undermining it—by proposing that the ACCC, instead of the AIRC, should deal with difficult industrial relations issues in the building industry. Labor are not just concerned about the impact of this legislation on the building industry; we know that it is a stalking horse and just the start of yet another attack on the rights of working Australians to bargain collectively.

We know the Howard government would love to see this legislation apply across the board to all workplaces; we know it because they have already tried to do it through the Senate. Australians have every reason to fear that the Howard government has in mind not a watchdog but an attack dog—a coercive scheme of regulations and regulators, programmed with the government's ideological values, intruding to inflame disputes. Australians want the government to provide the means to settle industrial disputes, not to inflame them, so that work can continue.

The minister talks about consultation. He says this is not antiunion legislation, but he has not said that he will consult with the unions—with workers but not with the unions. Labor will not allow the minister and the Prime Minister to use this construction industry legislation as a stalking horse to strip away the remaining protections for working Australians and their rights to bargain collectively.

Debate (on motion by **Mr Abbott**) adjourned.

PERSONAL EXPLANATIONS

Mr ABBOTT (Warringah—Minister for Employment and Workplace Relations) (9.33 a.m.)—Mr Speaker, I wish to make a personal explanation.

The SPEAKER—Does the minister claim to have been misrepresented?

Mr ABBOTT—I do.

The SPEAKER—The minister may proceed.

Mr ABBOTT—In the statement that the member for Rankin has just made, he claimed that I knew all about the contents of the confidential 23rd volume of the Cole royal commission report. I did not. I have not seen this volume, I do not intend to see this volume and it has never been made available to cabinet. I think it is important to put that on the record.

TELECOMMUNICATIONS INTERCEPTION AND OTHER LEGISLATION AMENDMENT BILL 2003

First Reading

Bill presented by **Mr Williams**, and read a first time.

Second Reading

Mr WILLIAMS (Tangney—Attorney-General) (9.34 a.m.)—I move:

That this bill be now read a second time.

The bill amends the Telecommunications (Interception) Act 1979, the Crimes Act 1914 and the Financial Transaction Reports Act 1988.

The bill has two purposes. The first is to amend Commonwealth legislation to confer appropriate law enforcement powers on the proposed Western Australian Corruption and Crime Commission and the office of the Parliamentary Inspector of the Corruption and Crime Commission. The second is to amend the interception act to allow law enforcement agencies, including the Australian Federal Police, to obtain warrants under the act to assist in the investigation of offences involving people-smuggling aggravated by exploitation, slavery, sexual servitude and deceptive recruiting.

In February 2003, the government of Western Australia announced its intention to establish a new body, the Corruption and Crime Commission, to address corruption and organised crime in Western Australia. The establishment of the commission, which will eventually replace the existing Anti-Corruption Commission, will implement a recommendation of the royal commission into the Western Australian Police Service undertaken by the Hon. G. A. Kennedy AO, QC. The Parliamentary Inspector of the Corruption and Crime Commission, also to be established by the Western Australian government, will in turn investigate and report on allegations of misconduct directed at the commission.

The government believes it is appropriate for the proposed Corruption and Crime Commission to be provided with those law enforcement powers which are necessary to carry out its functions. The proposed powers are consistent with those available to the Anti-Corruption Commission, the body it will replace.

The amendments will enable the commission to receive information collected by telecommunications interception conducted by other agencies relevant to the performance of the commission's functions. The amendments will also enable the commission to be declared an agency for the purposes of the interception act, allowing it to apply for and execute telecommunications interception warrants in its own right. The declaration of the Corruption and Crime Commission as an agency under the interception act is a separate process that may be initiated by a request from the Premier of Western Australia and cannot occur until I am satisfied that state legislation subjects the new body to appropriate record-keeping requirements and accountability measures. Telecommunications interception has proven to be an extremely valuable investigative tool for law enforcement agencies and anti-corruption bodies. These amendments will ensure that the commission receives relevant intercepted information and in due course is able to seek declaration as an agency for the purposes of obtaining and executing warrants in the conduct of investigations by the commission.

The amendments will also allow the Parliamentary Inspector of the Corruption and Crime Commission to receive intercepted information relevant to the performance of its functions. The parliamentary inspector does not require the ability to apply for and execute telecommunications interception warrants in its own right and it is not intended that that office become an agency under the act.

The bill also amends the Crimes Act to allow authorised officers of the Corruption and Crime Commission to acquire and use evidence of an assumed identity in the course of investigating corruption and serious criminal activity.

Finally, the bill amends the Financial Transaction Reports Act to allow the Commission to access financial transaction reports information from AUSTRAC.

Access to this information is a valuable investigate tool in the fight against serious and organised crime and corruption.

The second object of the bill is to amend the interception act to allow law enforcement agencies, including the Australian Federal Police, to obtain warrants to assist in the investigation of offences involving people-smuggling aggravated by exploitation, slavery, sexual servitude and deceptive recruiting set out in the Criminal Code. The trafficking of people into Australia and the exploitation of those people is an issue of significant concern to the government. The government has been working to develop a strategy to arm law enforcement agencies with the capacity to investigate these offences and to facilitate prosecutions where evidence of illegal activity is uncovered.

The nature of trafficking means that victims often fear that speaking out will result in action against either themselves or their family. The availability of telecommunications interception warrants will provide law enforcement agencies with a valuable tool to assist in the collection of information that may not otherwise be available in relation to these very serious offences.

The government recognises that telecommunications interception is an intrusive method of investigation and reaffirms its commitment to protecting the privacy of individuals using the Australian telecommunications system. The amendments contained in the bill represent practical steps on the part of the government to assist in the investigation by state bodies of serious and organised crime and corruption, as well as a response to the growing problem of people trafficking. I commend the bill to the House

and I present the explanatory memorandum to the bill.

Debate (on motion by **Ms Roxon**) adjourned.

SPAM BILL 2003

First Reading

Bill presented by **Mr McGauran**, and read a first time.

Second Reading

Mr McGAURAN (Gippsland—Minister for Science) (9.40 a.m.)—I move:

That this bill be now read a second time.

The Spam Bill 2003 provides a direct response to a groundswell of business and community resentment and anger that the tidal wave of unsolicited commercial electronic messages, or 'spam', is causing to their online activities. The government is taking strong and decisive action to protect Australian online users from the growing, costly and disruptive occurrence of spam. This bill is one key element of the government's strategy to deal with spam.

Spam is often sent to millions of recipients at a time worldwide. It is a common vehicle for promotions that are often illegal, offensive, unscrupulous or use tactics that would not be commercially viable outside the electronic environment. Some of the key issues raised by spam include invasion of privacy, misleading and deceptive trade practices, illegal or offensive content and the cost and distress it causes recipients. The large volume of spam threatens the effectiveness and efficiency of electronic communication and legitimate online business.

Significant privacy issues surround the manner in which electronic addresses used in spamming are collected and handled without the knowledge or consent of the address owners. Lists of electronic addresses are flagrantly traded over the Internet, as are the means to generate them. This activity contributes to the indiscriminate nature of spam, and the automated and repeated sending of messages causes disruptions to electronic messaging networks.

Spammers employ a range of misleading and deceptive methods of disguising their identity. They do this by altering or falsifying the point of origin of their messages to make it appear that the author is legitimate. They can also hijack an account and send spam messages from that account. Spam is diverted through a string of 'open relays'—essentially non-secure servers—through which large volumes of spam can be routed, typically without the owners knowledge and often across different countries.

The dominant categories of spam are pornography, financial scams and promotions for dubious 'health' products, and we are seeing a disturbing emergence of virus-borne spam. This is of particular concern to the Australian community and the government because the nature of spam means that messages with pornographic, illegal or offensive content are sent indiscriminately, including to minors. Many people find that escaping this deluge is well-nigh impossible and have to resort to changing their electronic address.

The extremely low cost of sending spam, coupled with the ease of sending large volumes, has led to hundreds of millions of spam messages sent around the world each day. It has reached the point where there is as much, or more, spam email as there is legitimate email.

The cost to business is substantial—around $900 per employee per year. It can cause a loss of productivity, damage to reputation, and loss of customers and business opportunities.

This bill shows the government is serious about addressing the problem—both in Australia and by working with other governments as part of an international effort.

The key features of the proposed legislation include:

- a consent-based, or 'opt-in', basis for commercial electronic messaging;
- a recognition of existing customer-business relationships;
- restricted, and appropriate, recognition of implied consent, where people advertise their electronic address;
- a requirement for accurate sender's details and a functional unsubscribe facility;
- support for the development of complementary industry codes; and
- a flexible and scalable civil sanctions regime for breaches.

The bill will ban the supply, acquisition and use of address harvesting and address list generation software for the purpose of sending spam, as well as the lists produced using that software.

Courts will also be able to compensate businesses who have suffered at a spammer's hands, and the courts will be able to recover the financial gains made from spammers.

Enforcement of the legislation will be undertaken by the Australian Communications Authority (the ACA). This is a careful and deliberate choice. The ACA has a good understanding of the telecommunications sector, prior experience in conducting investigations and enforcing legislation, and experience in working with industry to develop appropriate codes of practice—all essential qualities for the successful implementation of this initiative.

To ensure that the ACA have the means to effectively enforce the legislation, they will be able to issue formal warnings, seek injunctions and seek investigative and monitoring warrants from the courts. At the lower end of transgressions, an infringement notice scheme will provide an efficient and cost-effective way of providing a fast and fair decision. For those organisations that choose to ignore the law, the penalties could be significant, as the courts can award damages of up to $1.1 million per day in the most severe circumstances.

Enforcement will be just one of the ACA's roles. They will also participate in education campaigns to inform individuals and businesses about options and tools available to minimise spam and research issues relating to spam. In concert with other government agencies, they will also be able to help tackle 'the big picture'—working to develop global guidelines and cooperative mechanisms to combat spam. This bill enables recognition of international agreements, treaties or conventions that include provisions relating to spam.

To enable sufficient time for persons or businesses to ensure their behaviour or practices are within the law, the bill provides that the penalty provisions will come into force 120 days after receiving royal assent. This will coincide with the commencement of significant educational and public awareness programs coordinated by the National Office for the Information Economy, NOIE, and involving many representative organisations.

Limited exemptions will apply to messages sent by government bodies, registered political parties, religious organisations and charities. As well as ensuring that there are no untoward restrictions, for example on government-to-citizen communications, it will also avoid any unlikely, but unforeseen, impacts on the charitable sector. This in no way gives governments a 'license to spam'—we remain bound by, and committed to, the Privacy Act.

The bill is the result of extensive consultation. The National Office for the Information Economy has provided both an interim and final report on the problem of spam and con-

sulted widely in preparing both. This consultation has continued in preparing this bill, including a detailed examination of an exposure draft of the bill by a diverse group of key community and industry peak representative groups. This has been invaluable in crafting this bill.

A challenge, and a driver, for this legislation is that it must be both technology neutral and able to be adapted to new situations as they arise. The bill allows for the making of regulations for certain provisions to enable the legislation to remain relevant for future technologies and situations. To ensure that the framework remains optimal in this dynamic medium, it is proposed that a review of the operation of the legislation take place 24 months after the commencement of the penalty provisions.

The Spam (Consequential Amendments) Bill 2003, which accompanies the Spam Bill, makes amendments to the Telecommunications Act 1997 and the Australian Communications Authority Act 1997 to enable the effective investigation and enforcement of breaches of the Spam Bill.

This bill will send a powerful message to those engaged in the activities associated with sending spam. It tackles head-on the problem of Australian originated spam and sends a strong message to overseas spammers. Coupled with relevant industry codes of practice, it defines acceptable future conduct and demonstrates the seriousness of Australia's intent in seeking to develop international cooperation to achieve longer term solutions to a growing worldwide problem.

I commend the bill to the House and present the explanatory memorandum.

Debate (on motion by **Ms Roxon**) adjourned.

SPAM (CONSEQUENTIAL AMENDMENTS) BILL 2003

First Reading

Bill presented by **Mr McGauran**, and read a first time.

Second Reading

Mr McGAURAN (Gippsland—Minister for Science) (9.50 a.m.)—I move:

That this bill be now read a second time.

The Spam (Consequential Amendments) Bill 2003, which accompanies the Spam Bill 2003, makes amendments to the Telecommunications Act 1997 and the Australian Communications Authority Act 1997 to enable the effective investigation and enforcement of breaches of the Spam Bill. The main elements proposed include:

- a framework for spam related industry codes to be established and registered;
- appropriate powers for the ACA to investigate possible breaches of the Spam Bill; and
- monitoring and investigatory warrants relating to compliance with and breaches of the Spam Bill.

I present an explanatory memorandum.

Debate (on motion by **Ms Roxon**) adjourned.

MARITIME TRANSPORT SECURITY BILL 2003

First Reading

Bill presented by **Mr Anderson**, and read a first time.

Second Reading

Mr ANDERSON (Gwydir—Minister for Transport and Regional Services) (9.51 a.m.)—I move:

That this bill be now read a second time.

This is a very important step indeed. The Maritime Transport Security Bill (MTSB) is of vital importance to Australia's national

interests. It is crucial to the protection of Australian citizens, trade by sea and maritime transport infrastructure.

Devastating world events and terrorist acts continue to shape the global security environment. Industry, consumers and governments are being forced to reconsider the ways in which they do business.

Internationally, there are increasing concerns that the shipping sector is an attractive target for terrorist action. The disabling of the French oil tanker, the *Limberg*, off the coast of Yemen in 2002 confirms that terrorists are increasingly focusing on shipping as a potential target.

Disruption and destabilisation of seaborne trade would have serious economic consequences for the international economy, and Australia is especially vulnerable. Australia has just over 12 per cent of the world's shipping task, and the value of Australia's export trade carried by sea is around $100 billion per annum. A recent report from the OECD on the economic impact of potential incidents emphasises that any major breakdown in the maritime transport sector would fundamentally cripple the world economy.

Commercial shipping, by its very nature, is an international industry. A ship could be owned by a company in one country, flagged to another country, crewed by another country, carrying cargoes from any number of countries, traversing through the territorial waters of any maritime nation in the world. With 80 per cent of the world's trade transported by sea, the maritime sector must incorporate preventative security into its day-to-day business thinking. However, nation states cannot deal with maritime security in isolation from the rest of the world.

To that end, the International Maritime Organisation (IMO) moved quickly in the wake of the 11 September 2001 terrorist attacks in the United States to establish an international preventative security regime for the maritime transport sector.

In December 2002, at the IMO diplomatic conference, 104 contracting governments, including Australia's major trading partners, agreed to amendments to the Safety of Life at Sea Convention, or SOLAS, to which Australia is a signatory. Amendments were made to chapter XI and a new chapter, XI-2, was developed and adopted.

The new chapter sets out the International Ship and Port Facility Security Code. Contracting governments, such as Australia, will need to be compliant with its provisions by 1 July 2004, which is not far away. The challenges here are going to be very considerable indeed, and we will need the cooperation and goodwill of all involved in the maritime sector—the ports, the shipping companies, the state and territory governments and the various agencies and authorities responsible for security across the nation. The code sets out a robust framework for the establishment of an effective preventative security scheme for the international maritime sector.

The code places clear obligations on contracting governments to implement preventative security arrangements, and the consequences arising from noncompliance are significant. Key trading partners, most notably the United States, have clearly indicated that they will be adopting a zero tolerance approach to international ships which do not comply with maritime security requirements. The implications for our international trade from any noncompliance would be, indeed, significant.

At the Australian Transport Council meeting in May 2003, transport ministers agreed to the establishment of a nationally consistent preventative security framework consistent with the ISPS Code and expressed a clear commitment to meeting the international deadline of 1 July 2004.

In recognition of the importance of a national approach to reducing the vulnerability of our maritime transport sector to terrorist attacks, it was also acknowledged that the Commonwealth Department of Transport and Regional Services should assume the role of maritime security regulator. The Australian government has allocated additional funding to the department to fulfil this very important regulatory responsibility.

The Australian government would like to commend the state governments, the Northern Territory government, and industry for their cooperation in moving forward on this important preventative security regime.

The Maritime Transport Security Bill 2003 provides the legislative basis for the implementation of the ISPS Code into Australia. It establishes an outcomes based preventative security framework that enables the maritime industry to develop individual security plans that are relevant to their particular circumstances and the specific risks that they face.

The bill also sets out a nationally consistent enforcement regime, supported by appropriate penalties. It is imperative that certain offences carry significant penalties in light of our reliance upon the maritime industry for our trade and the public harm that could result from an incident. The enforcement regime will enable government and industry to effectively control the new security arrangements and will help ensure broad compliance with the new measures.

Significant decision-making power—and fiscal control—is given to port, port facility and ship operators to develop security measures that are commensurate with the risks they face. This flexibility will be balanced in some areas by the need for more prescriptive standards to ensure national consistency—for example, in the area of passenger screening.

Individual security plans for Australian ports, port facilities and Australian regulated trading ships on interstate and international voyages will need to be approved by the Department of Transport and Regional Services to ensure that desired national maritime security outcomes, including adherence to certain minimum requirements, are achieved. Effective audit and compliance arrangements will be put in place to ensure that industry is complying with their approved plans.

The bill takes account of the complex jurisdictional responsibilities for maritime operations across the country, and it has the flexibility to deal with the wide variety of different structural and operating arrangements that exist in the industry. The operational detail of the preventative security scheme will be outlined in regulations, and these will be drafted in consultation with the states, territories and industry stakeholders.

The Department of Transport and Regional Services will be responsible for the verification of compliance by foreign flagged ships with the international security arrangements when they are in Australian waters. Foreign flagged ships that ply the Australian coast will have to hold a valid international ship security certificate issued by their flag state and provide important pre-arrival security information before being allowed to enter Australian ports.

In the event that foreign ships are found to be noncompliant, or if we have reasonable grounds to suspect they are noncompliant, the bill allows control measures to be imposed on these ships, including potential expulsion from Australian waters. We have a reputation of being tough on foreign ships that do not comply with international safety and environmental rules, and it will be the same with security.

The preventive maritime security regime embodied in the bill will complement and

strengthen existing border protection legislation. It is preventative in nature and will complement existing Commonwealth, state and territory government response mechanisms to unlawful incidents, including those embodied in the national counter-terrorism arrangements.

In Australia the new arrangements will affect around 300 port facilities in about 70 ports and 70 Australian flagged ships involved in international and interstate trade. Consistent with the existing arrangements for protection of our critical infrastructure generally, the maritime industry will be responsible for funding the security measures identified in their security plans. While the Australian government recognises that the cost to the maritime industry will be significant, security costs are now part of the normal cost of doing business in the changing global environment.

Overall, the bill strikes the right balance between prescription and flexibility while enabling our national security objectives to be met. It will ensure that our reputation as a safe and secure trading nation is maintained. I present the explanatory memorandum to this bill.

Debate (on motion by **Ms Roxon**) adjourned.

FAMILY AND COMMUNITY SERVICES AND VETERANS' AFFAIRS LEGISLATION AMENDMENT (2003 BUDGET AND OTHER MEASURES) BILL 2003

First Reading

Bill presented by **Mr Anthony**, and read a first time.

Second Reading

Mr ANTHONY (Richmond—Minister for Children and Youth Affairs) (10.00 a.m.)—I move:

That this bill be now read a second time.

This bill gives effect to most of the Family and Community Services and Veterans' Affairs 2003 budget measures that require legislation. The bill also gives effect to a 2001 budget measure upon which the 2003 measure relating to recovery of overpayments arising from lump sum foreign pension payments depends. Finally, the bill makes a small number of non-budget minor policy or technical changes.

Compensation payments made by Germany or Austria to victims of National Socialist persecution are currently excluded under the social security and veterans' entitlements income tests. This bill will exclude any such payment from the income test, regardless of the country making it. Ex-gratia payments are being made now in anticipation of the legislation.

Centrelink continues to target social security fraud, particularly where people use the cash economy and false identities to evade detection. This bill will allow limited access to newly available sources of data on taxation and financial transaction activities to combat this fraud.

In a related non-budget measure, the bill will restore access by the Child Support Agency—part of the Department of Family and Community Services—to financial transaction information held in the AUSTRAC database. The agency lost this access when it ceased to be part of the Australian Taxation Office following the 1998 changes in administrative arrangements. The restored access is for the administration of the child support legislation.

From 1 July 2004, responsibility for the operation of the Assurance of Support Scheme will be transferred from the Department of Immigration and Multicultural and Indigenous Affairs to the Department of Family and Community Services. The Assurance of Support Scheme will be established

under the social security law and administered by Centrelink.

The new arrangements will improve the administration of the scheme and minimise assurance of support debts. Under the new arrangements, the immigration department will continue to decide when an assurance is needed. However, Centrelink will administer the scheme, including assessing proposed assurances, accepting or rejecting them and, should the need arise, recovering debts. Centrelink will become a single point of contact for assurers. Centrelink's extensive customer network will provide assurers with easy access to comprehensive information about their financial commitments, in their preferred language. No assurance will be accepted without an assurer having the nature of the commitment explained in a face-to-face interview. All this will enhance awareness on the part of assurers, resulting in fewer migrants needing to claim income support.

From 1 July 2004, Centrelink will be able to suspend payment where a person leaves Australia without notifying their departure and they are receiving a payment, or part of a payment—for example, rent assistance—that has limited portability. Depending on the outcome of a review of the person's case, payment would either be fully restored or cancelled.

The social security debt recovery provisions will now allow for full recovery of overpayments that arise when a foreign pension payment is made as a lump sum in arrears. The new rules will apply if a person receives a foreign pension payment in arrears for a period during which a social security payment was paid to the person. The amount by which the person's social security payments would have been reduced if the arrears had been paid as periodical payments will be a debt. The effect will be similar for the person's partner, because half of the person's arrears payment is counted as the partner's income.

From 1 July 2004, the allowable period of temporary overseas absence for portable social security payments will be reduced from 26 to 13 weeks. The changes will apply to absences from Australia on or after 1 July 2004. The new portability period will not affect age, wife and widow B pensions, which currently have unlimited portability, but the changes will apply to disability support pension. However, it will be possible to grant unlimited portability to a severely disabled disability support pensioner who returns overseas after a short visit to Australia.

A person's rate of family tax benefit may also be reduced or stopped if the person or an FTB child of the person is absent from Australia for longer than 26 weeks. This allowable period of absence will also be reduced to 13 weeks. The secretary will still be able to extend a person's portability period in defined circumstances—for example, where a person is unable to return to Australia because of serious illness of the person or a family member, or a natural disaster in the country where the person is.

This bill also contains some minor technical amendments. I commend the bill to the House and present the explanatory memorandum.

Debate (on motion by **Ms Roxon**) adjourned.

PARLIAMENTARY ZONE

Approval of Proposal

Mr TUCKEY (O'Connor—Minister for Regional Services, Territories and Local Government) (10.06 a.m.)—I move:

That, in accordance with section 5 of the Parliament Act 1974, the House approves the following proposal for works in the Parliamentary Zone which was presented to the House on 17 Septem-

ber 2003, namely: Installation of a commemorative plaque to the victims of the Bali atrocity.

This motion proposes the installation of a commemorative plaque for the victims of the Bali atrocity in the 'northern hedged room' of the formal gardens of the parliamentary precincts. The plaque will list the names of those Australians who lost their lives and will be located to the east of the House of Representatives entry and adjacent to Parliament Drive, as it provides public access but also affords space for quiet contemplation.

Under section 5 of the Parliament Act 1974, the Presiding Officers are responsible for works within the parliamentary precincts and the Minister for Regional Services, Territories and Local Government is responsible for other works in the parliamentary zone. Accordingly, this motion is moved on behalf of the Speaker and the President.

The works are expected to cost in the vicinity of $10,000. The National Capital Authority has given works approval. Given the minor nature of the works, the Presiding Officers did not consider it necessary to refer the matter to the Joint Standing Committee on the National Capital and External Territories for inquiry and report.

I commend the motion to the House.

Question agreed to.

COMMITTEES

Public Works Committee

Approval of Work

Mr VAILE (Lyne—Minister for Trade) (10.08 a.m.)—I move:

That, in accordance with the provisions of the Public Works Committee Act 1969, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Construction of a new chancery for the Australian High Commission, New Delhi, India.

Question agreed to.

Approval of Work

Mr VAILE (Lyne—Minister for Trade) (10.09 a.m.)—I move:

That, in accordance with the provisions of the Public Works Committee Act 1969, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Refurbishment of staff apartments at the Australian Embassy Complex, Paris.

Question agreed to.

Publications Committee

Report

Mr RANDALL (Canning) (10.09 a.m.)—I present the report from the Publications Committee sitting in conference with the Publications Committee of the Senate.

Report—by leave—adopted.

MIGRATION LEGISLATION AMENDMENT (IDENTIFICATION AND AUTHENTICATION) BILL 2003

Second Reading

Debate resumed from 26 June, on motion by **Mr Ruddock**:

That this bill be now read a second time.

Ms ROXON (Gellibrand) (10.10 a.m.)—I rise to speak on the Migration Legislation Amendment (Identification and Authentication) Bill 2003 to set out Labor's views about this proposal for a very significant change to the immigration regime in this country. Labor's concerns are not with the intent of this bill, which is to address a serious issue of identity fraud and look for better ways to be able to identify and authenticate those who seek to come to this country. But what Labor does have great concerns about, and what I want to spend some time addressing today, is the way that this legislation has been structured—the complete reliance on using regulation in changing the system in a very sig-

nificant way—and the lack of information and debate about the reasons for introducing provisions to cover such an extensive range of people.

This legislation seeks to amend the Migration Act by defining a range of personal identifiers or biometric data that can be collected from non-Australian citizens entering or exiting the country at official migration points and also arriving unauthorised. It will provide a framework for how this information can be collected, stored and used. These personal identifiers include things that we already use to check people's identity when they come into our country, such as photographs and signatures on passports and visa applications.

But it also adds a whole new list of identifiers, such as fingerprints and handprints, measurements of height and weight, audio and video recordings—including 3D photographs—iris scans and other as yet unknown identifiers that can be added at a later date by regulation. The only identifiers that are specifically excluded in this legislation are those that involve intimate forensic testing, such as the taking of blood samples or DNA swabs.

The stated purpose of these legislative changes is to clarify and extend the powers available to immigration officers to combat identity fraud at our borders. As I have already made clear, Labor are happy to support the government in this objective. Obviously, it is a No. 1 priority for any Australian government to want to protect our country and to be confident that the people that we are allowing to come to our country as visitors, as businesspeople, as family members, as students or as those seeking asylum are the people they say they are. We support moves to try to properly identify visitors to our country.

However, what we are very concerned about is whether the legislation as proposed actually goes to this stated intention. We are concerned that evidence of identity fraud at our land, sea and air borders has not been properly explored by the government and we are not sure of the extent of the problem that the government is trying to address. We are also very concerned that, having expressed our concerns about this bill to the government, the matter was referred with their agreement to a Senate committee for a very quick review of the legislation. But I am particularly concerned that that report has not yet been tabled. In fact, it is due to be tabled today, but after the debate on this bill is likely to be finished.

Labor are specifically reserving our right to support or disagree with those recommendations when they become public, depending on what they are, and to seek to amend this legislation if necessary—possibly significantly—in the Senate. We are concerned that, when there are such serious matters to be dealt with in this legislation, we have not had the benefit of at least the brief committee inquiry work done in the Senate being before this House.

I want to go through in a little more detail what the bill actually does. It identifies some particular purposes for obtaining these personal identifiers. These include: to identify and authenticate the identity of any noncitizen now or in the future; to improve the future integrity of Australia's entry programs; to improve procedures for assessing visa applications; to identify noncitizens who have a criminal history, who are a character concern or who are a national security concern; to combat document and identity fraud; and to detect forum shopping by asylum seekers.

As I have already said, Labor welcome these moves, these objectives and the attempts to formalise and codify some of our mechanisms for better identity checks, particularly where they may enhance the immi-

gration department's ability to identify noncitizens who may be security risks or have criminal histories that might be of relevance or fundamental significance to their visa applications or entry into this country. But we do have serious concerns that, particularly because this legislation seems to have been drafted in such haste, many of the basic issues you would expect to see covered in such important legislation have not been addressed. These include the fact that the substantial details of how the system will actually work are being left up to future drafting in the regulations and that many of the practical international and privacy concerns around the collection and use of this personal information have been sidestepped or ignored.

Whilst the importance of protecting our borders and minimising identity fraud is critical, and a principle that Labor support, we are not convinced that the bill the government is presenting today, in its current form, is either comprehensive or detailed enough to meet its stated objectives. As I have said already, given that the Senate committee has been asked to investigate technical aspects of the bill and will only table its report later today, it is impossible for us to add their considered views as part of this debate. I would flag that we may well be seeking further scrutiny through the Senate committee or other processes depending on the report that is tabled today and after we have had an opportunity to see what recommendations have been made and how significant those recommendations might be in terms of necessary amendments.

We are particularly concerned that the regulations that are going to form part of this package have not been written. We have not seen them and they have not been provided to the public or to the committee for any analysis. We understand, in fact, that they are a long way off being drafted. When asked, the department and the minister are quite open about the fact that many of the questions that will need to be answered before those regulations can be drafted have, in fact, not been answered; yet the government is determined to introduce this framework legislation and just leave the detail till later. This arrangement does give the government and the minister significant extra power to determine the way in which identification and authentication of noncitizens, including permanent residents and tourists, is going to be handled in the future. This—given our recent experience of this minister specifically drafting regulations relating to another migration matter so that this House was unable to scrutinise those significant proposed changes at all—gives us cause for great concern. This makes it fairly difficult for us to swallow the 'trust us' pleas of the minister and the department. They swear that these regulations will be in order and will contain no surprises. When such significant changes are being talked about, we believe that putting the changes in primary legislation is preferable.

It was, in fact, our concerns from the start about the use of regulations—and about the significant impact this could have on the flow of tourists, business visitors and family visa holders in and out of this country—that prompted our request that this matter be referred to the Senate Legal and Constitutional Legislation Committee for further consideration. Because of the short time frame given to the committee for reporting, it has only had a limited period to call for public submissions and organise public hearings. In a very hasty committee hearing—lasting, I understand, only about two hours—the provisions of the bill, and particularly the heavy reliance on regulations, was extensively questioned by both government and non-government senators. In fact, at the hearings, the chair of the committee, Liberal Party

Senator Marise Payne, commented, and I quote:

> This committee takes very seriously its role in examining legislation, but what we are presented with in this case ... is not a series of legislative measures at all; it is a fairly hollow package that gives some indication of intent but does not allow us to examine the decisions and the steps that the government is intending to take.

It is, as I have said, therefore ironic that the government has chosen to go ahead with this debate on the legislation before we have had a chance to look at the recommendations that flow from that committee's report. Labor Senator Nick Bolkus also made some comments during the course of the public hearings, and I quote:

> I have enormous difficulties with endorsing legislation which is indefinite, uncertain and vague in respect to the identifiers—how they are used, by whom, how they are kept, how they are destroyed, what is destroyed and on whom they are kept. To me, that is an enormous range of blank cheques that makes this, I must say, one of the most dangerous and lazy exercises I have seen before the parliament.

These fairly strong comments were made during the course of the Senate hearing, and I expect that, when we see the committee's report, we may make some strong recommendations that are consistent with those.

Another major concern that Labor have is that the Australian government, by seeking to introduce this legislation, is committing the Australian people to setting up its own system of collecting and formulating databases of personal identifiers, even though there is no international framework for the establishment of such databases—or use of those already established—and there is no guarantee that our system will be internationally compatible with the systems used overseas. We understand that Europe is trialling a fingerprint database called Eurodac—for the purpose of ensuring that asylum seeker claims are processed in the first European country where a claim has been made and to combat forum shopping within Europe—but other such systems are yet to be established or used according to agreed guidelines. Clearly this is of great relevance to us. For the introduction of these measures to have any real security impact for Australia, our data would presumably need to be able to be compared against some sort of international database. When countries that Australia may need to deal with regularly on these security issues have not implemented, or even proposed to implement, complementary systems it does seem that we might be getting ahead of ourselves.

Countries like Canada, the UK, France and the US are seriously considering issues relating to the collection of personal identifiers. Interestingly, they are looking at domestic identity fraud as well, and, as yet, none have legislated. All sorts of domestic issues have been debated. For example, Britain's Cabinet Office produced a brief on identity fraud in July 2002 which sparked significant debate. The issues dealt with in that report included health fraud, tax fraud and a range of other issues that apply equally to citizens and noncitizens. Canada has undertaken three years of consultation and has received extensive community response and debate on these issues. So some countries are discussing the use of these sorts of personal identifiers in passports for all citizens, not just noncitizens.

By choosing to introduce these measures through immigration legislation and perhaps some national security legislation, the government has made it clear that its interests are only in noncitizens, not in any issues of identity fraud that might relate to citizens. There are many people in this parliament who have been through previous debates about this and know that the Australian community have some reservations about the

collection of identifiers on them. But I think that, when we are talking about serious issues of people movements in the future, it is something that should at least be considered in the debate.

A G8 group was set up in May 2003 to look at the broad use of biometrics. As yet, we are not aware of any recommendations that have come from that group. We are very concerned that there has not been any domestic debate of significance on the introduction of such measures and that, so far, the process through the Senate committee has not enabled any extensive public debate either. I am aware—and there have been several reports in the media—of Qantas trialling some of these measures, particularly face-scanning identification processes at airports. Regular travellers are a good group to start with, and all results so far have shown that the technology we have is if not an abject failure then close to it. Clearly, we need to deal with the technological issues that will have to support the proposals that the government has put forward. That information, frankly, is not yet available or being provided to the public.

Labor are concerned that, if we were able to deal with the technology issues and establish this database, we might end up with a very technologically impressive database—whether of fingerprints, iris scans or other material—that is of no use to us if it is not comparable with material being collected in other countries. If Indonesia, Syria, Pakistan or a number of the countries through which people travel to Australia do not have databases that we can compare our information against, what use will our database be? It might prevent the re-entry of someone who has caused problems in Australia on an earlier visit, but we would then be making an investment in a very long-term plan; we would not actually see significant changes early in this process. It does seem to us that it would completely defeat the purpose of having a system of improved checking if, actually, we were not going to be able to check against anything. It makes us wary that the true purpose of this legislation might be to build the database, rather than implement any security measures at this point.

I have already flagged that there are serious questions about the reliability of the technology currently available to undertake some of the more complex identification procedures. Not surprisingly, much of the technology for things like facial and fingerprint scanning is still under development. It has been suggested that the systems that have the highest compatibility ratings are those that still have the highest relative error rates. The danger of legislating and regulating to introduce new and expensive systems before they are fully tested or even practically available for wide-scale implementation should be of concern not only to the Minister for Immigration and Multicultural and Indigenous Affairs but also to the Treasurer and the Minister for Finance and Administration, who will presumably be required to sign off on this very large investment.

Let me address the issue of who would be affected by this legislation, as I think the breadth of people affected is something that will concern the community. Basically, anyone who is entering or potentially leaving Australia and is not a citizen will be affected by this legislation. The framework identifies that a person might be required to provide personal identifiers when applying for a visa, when entering the country at immigration clearance, when travelling on an overseas vessel from one port to another, when departing Australia, when an immigration officer knows or reasonably suspects them to be an unlawful noncitizen and when they are detained as a noncitizen by Immigration under section 192 of the Migration Act, pending an investigation into the cancellation of their

visa. This would mean that, as well as unauthorised boat arrivals—who have received the most attention as people who might arrive without papers and without a known identity—the legislation will affect all tourists to this country, all overseas family or business visitors. Even George Bush, when he arrives in a couple of months, might be required to submit himself to providing this range of personal identifiers at our borders.

One of our objections is that, while the legislation is very broad, it will require a decision by regulation for any category of people to then be covered. That is not a very effective or adequate way for the parliament to have a say or a debate on any new category of people who might have these more stringent requirements put upon them. Let me hasten to say that we do not object to people who are seeking to travel in and out of our country being required to properly identify themselves. But we do think we should have a community debate on this issue, given that we are so reliant as a country on tourism money. The Minister for Trade, who is at the table, would know how reliant we are on businesspeople from overseas being able to come in and out of the country. We want to make sure that the measures are proportionate—that we do deal with the security and fraud issues—but also that we do not put people off coming to Australia for legitimate family, business or study purposes. At the moment, the way the legislation is drafted we do not know to whom or what, when or how it is going to apply. Many on this side of the House—and, I suspect, on the government benches as well—do not believe it is good enough, when we are being asked to consider such a radical change to our immigration system and the way that we control and enforce our system, to not be able to address each of these issues specifically as they come up.

The bill also specifically covers the arrangements by which immigration officials gather personal identifiers from immigration detainees and would have the effect of formalising and clarifying steps that can be and are currently being taken to gather information on identity in the absence of other documentation. There are some new protections built into the legislation for this process, and we welcome the fact that there are now safeguards both for the detainees and for the officers involved in undertaking these tests. However, it is important to note that the immigration detainees form a very minor group of people potentially affected by this legislation compared to the millions of visitors and other visa applicants who could also be affected.

The bill does set out some protections for people who could potentially be covered by this legislation in the collection methods of personal identifiers. They must be taken by an authorised officer, except where prescribed otherwise. I think people should note that our advice on this would be that that could include a delegated official such as an officer, for example, of ACM or Group 4 at a detention centre. These methods must be carried out in circumstances affording reasonable privacy; they must not be carried out in the presence or view of a person whose presence is not necessary; they must not involve the removal of more clothing than is necessary; they must not involve more visual inspection than is necessary; and they must not be carried out in a manner that is cruel, inhuman or degrading or that fails to respect human dignity. Additional safeguards apply for immigration detainees, who must be informed in a language that they understand of their right to have tests taken by an officer of the same sex. Also, to avoid the systematic use of testing as a management tool in detention centres, the bill includes restrictions on

retesting of immigration detainees—a provision which does not currently exist.

We are concerned in particular that we do not have any useful information or estimates from the government or the department about how big a problem the issue of identity fraud at our borders is and therefore about the size of the problem that we are trying to combat. The government and the minister have pointed to the growing problem of identity fraud on a worldwide basis but admit that they have no accurate or useful figures to show us the scale of the problem here. All we do know is that in the year 2000-01 there were 143 cases of fraudulent travel documentation, including nonexistent travel documentation, which this bill would not necessarily assist. I think the 143 known cases of fraudulent travel documentation out of the more than five million visits to this country give people a sense of proportion on the issue. As I said, the potential impact on tourism is one issue that we do not believe the government has adequately canvassed in its considerations to date, particularly in an environment where Australia's tourism industry is already under significant pressure. I think that the very real possibility that these new measures—particularly if they are implemented poorly and before the technology is capable of giving accurate results—could act as a disincentive for people to travel to Australia or apply for other visas to Australia must be considered more carefully.

Labor also questions the government pursuing this bill so quickly in light of a number of other problems that the government faces in this area that it has not been so speedy to act on. One issue I want to briefly mention which could have been covered more thoroughly as part of this legislation package is the 60,000 illegal workers in this country. Although the bill does deal with noncitizens and some of its powers could apply to people who are suspected of working here illegally, it does not address the issue of people working here illegally who arrive and cross our borders lawfully and with proper identification documents.

It seems to us that Labor's proposal, which has been in the community as an issue for debate, to establish a green card where you would be able to identify people who are noncitizens with working rights and those who are noncitizens without working rights would be the very type of measure that could sensibly be included in a package like this. However, we believe the government are more determined to look at issues where they have not proved that such an extensive problem exists—and therefore the level of difficulty we have with illegal workers in our community is not addressed. So it seems strange to us that there is urgency in the introduction of this bill, without any evidence of how extensive the problem is, but in an area where we know there is an extensive problem the government have not chosen to include measures to address that in this bill.

We believe that the green card policy launched by Labor at the end of last year is a sensible measure to ensure compliance and to identify foreigners with work rights and those without work rights. We have proposed a comprehensive measure that includes changes to tax file numbers and picks up a number of the issues that are being debated in other countries where they are looking at the use of personal identifiers and other biometric measures. From our perspective, apart from suffering perhaps some loss of face, we cannot see any reason why the Howard government would not seriously look at this policy and an opportunity to pick it up and implement it as part of this package. We will continue to press the government to do that.

I also think this bill is a curious place to start when the government has admitted in other debates that it does not even use the

information and international databases that are in existence to check against noncitizens who arrive in this country. The most infamous case at the moment would be that of Mr Dante Tan. Although he was the Philippines' most wanted criminal, the minister has said in this place that no international criminal record checks were done because Mr Tan was already in the country. That seems to us an extraordinary thing—it is a little silly that we are concerned about checking who is entering this country but that, if we have already let people in and are about to give them permanent residency or a visa to stay, we do not use the existing international databases to check if there are any reasons or warnings that might cause us to say, 'Hang on a second; this isn't necessarily the sort of person we want to stay in this country.'

Finally, I would just like to say that we are concerned that the minister seems to be entering into a pattern of behaviour in terms of the parliamentary scrutiny he believes is appropriate to the legislation in his area. We are seeing more and more proposals coming forward that establish framework legislation but leave significant detail to be dealt with in regulation. We do not believe that it is appropriate with such major changes to simply have that approach—that the delegated instruments are an appropriate way for us as a parliament to deal with these significant issues.

Labor want to again make clear that we support the intent of this legislation, we support proposals to tighten up existing legislation where it makes a positive contribution to the better protection of our borders and we support the new legislation where we can be confident that the measures will be effective. We need to have the right technology, we need to be sure that there will be compatible databases and we need much more work done for us to be confident that the measures proposed in this bill will actually contribute to that.

But this aim of being able to protect our borders, properly identify people and ensure that Australia is increasingly secure from threats around the world must be balanced and proportionate to the need for us to ensure and protect the rights and liberties of noncitizens that we want to encourage, in other portfolio areas, to visit this country. It seems crazy for us to have the minister for immigration stand up and say, 'We want to make sure that we make it difficult in all these ways for people to come, because we are concerned about security and fraud issues,' and then have the Minister for Trade, the Minister for Foreign Affairs, the Minister for Education, Science and Training or any of the other ministers—the Minister for Small Business and Tourism, of course—stand up here trying to encourage people to come to Australia. We think that it is a significant enough measure to require a whole-of-government approach. We are not convinced that those issues have been dealt with properly yet in this debate.

As I said, we will be supporting the passage of this bill through the House, but we are clearly reserving our options for action to be taken in the Senate—or here, if the matter returns. We are reserving our options specifically in relation to the report from the Senate committee, as well as the possible need to do much more work to satisfy ourselves of the efficacy of the measures that are being proposed in this bill. Given the serious comments that I mentioned at the start of my speech and reservations that have been expressed in the other place by senators from both sides, we are expecting significant recommendations to be made and we flag our intention, if necessary, to speak to the minister about significant redrafting if proposed amendments are not an appropriate way to

deal with the issues that have been raised through the Senate committee.

Mr DUTTON (Dickson) (10.39 a.m.)—I rise today to speak on the Migration Legislation Amendment (Identification and Authentication) Bill 2003. The measures contained in this bill are important and necessary to strengthen Australia's ability to protect our borders, thwart the illegal entry of terrorists and prevent identity fraud. This bill is about advancing what is a balanced approach to migration policy by this government. I read an article in the *Australian* newspaper yesterday concerning the Minister for Immigration and Multicultural and Indigenous Affairs. Last financial year, I am very proud to say, this country had 108,070 people migrate here—a 46 per cent increase on 1996-97 when, under the ALP government, only 74,000 people came to this country by proper means.

This government takes nothing more seriously than its responsibility to ensure the safety and security of the Australian people against potential threats. That is why we have a balanced approach. We take our concerns in relation to border protection very seriously and we balance it with appropriate levels of immigration into this country. We have repeatedly seen, over the past 10 years, that Australia has been a frequent target for illegal immigrants. We have seen, in the terrible atrocities of September 11 and the Bali attacks, that we are not immune to the horrors of terrorism.

The bill we are debating today is about protecting Australians in a world where terrorists use false identities to enter countries and wage a terrible, brutal war against innocent civilians. The government have already responded to these new threats with a comprehensive package of strong counterterrorism legislation, the bulk of which was passed by the parliament in July last year. We have dealt with the listing of terrorist organisations and the ability of the Australian Security Intelligence Organisation to question people with information about terrorism.

When the terrible terrorist attacks of the past two years occurred, the government acted quickly and decisively to introduce a package of antiterrorism legislation designed to ensure Australian law enforcement and intelligence agencies had the right tools to combat terrorism. Today we are introducing the migration legislation amendment bill to provide Australia with the ability to collect certain identifying information on noncitizens. The bill will clarify and enhance the government's ability to accurately identify and authenticate the identity of noncitizens at key points in the immigration process. Make no mistake about it: this ability is important to combat identity fraud, prevent the entry of terrorists into Australia and further protect our borders. At the same time, these new measures will be implemented in a way that is consistent with the current requirements of the act for proof of identity.

This bill also provides a series of safeguards to provide protection for noncitizens who are required to provide their personal identifiers. By way of background, this bill amends the Migration Act 1958 to strengthen and clarify existing statutory powers to identify noncitizens. Events over recent years have highlighted the increased importance of ensuring that we accurately identify persons who seek to enter and stay in Australia. We know that identity and document fraud facilitates the movement of terrorists and transnational crime to Australia. There are also risks if these fraud issues are not combated upfront. Various levels of government and financial systems rely upon the identities established by DIMIA to confer various benefits and entitlements. Strong border security and enhanced proof of identity requirements are therefore critical to Australia's national

security and to the integrity of its services and programs.

This bill is part of a whole-of-government approach to tackling the growing incidence of identity fraud worldwide. It seems to strike a balance between the need for robust identification-testing measures in an immigration context and the protection of individual rights. The bill amends the Migration Act to provide a framework for the collection of personal identifiers—such as photographs, signatures and fingerprints—from certain noncitizens at key points in the immigration process. The Migration Act already enables the collection of some personal identifiers from noncitizens in certain circumstances. Firstly, photographs and signatures are required in order to make a valid visa application for some classes of visa. Secondly, prescribed identity documents are required to be provided on entry to Australia in order to obtain immigration clearance. Thirdly, an authorised officer can photograph or measure an immigration detainee for identification purposes.

However, the act as it stands does not define a personal identifier, the circumstances in which a personal identifier may be required or how it is to be provided—nor does it contain safeguards for retention and disclosure. So this bill sets out the following types of personal identifiers that can be collected from certain noncitizens: fingerprints and handprints; photographs or other images of the face and shoulders; measurements of height and weight; audio or video recordings; signatures; iris scans, very importantly; and, finally, other identifiers as prescribed in the regulations.

Allowing new types of identifiers in the regulations will permit us to keep pace with new technologies in an environment that is developing rapidly. It will also allow the government to respond to new risks or concerns as they arise. Under the bill, the following noncitizens may be required by regulation to provide specified types of personal identifiers where appropriate and necessary: immigration detainees, visa applicants and persons to be granted visas, noncitizens who enter and depart Australia or travel on an overseas vessel from port to port in Australia, noncitizens in questioning detention and persons in Australia who are known or reasonably suspected to be noncitizens.

I heard part of the member for Gellibrand's argument earlier, where she spoke about the possibility of putting one of these categories aside because it may be inconvenient for people coming into this country. That really sums up Labor's approach to border protection: it wants the best of both worlds. We know the Labor Party likes to walk both sides of the street and we know that when it comes to decision time the Labor Party finds it very hard to come down on the side of the Australian people. The member for Gellibrand has demonstrated how split Labor is again on border protection. What the Australian people want from this bill, what they want from this government and what would appeal to them from the ALP is some sort of definite process—some sort of an opinion—instead of this equivocal nonsense that is constantly put up by the ALP. Border protection is a classic example, because the ALP remains completely driven in two directions in this debate. We heard the member for Gellibrand saying before that it is a case that—

Ms Roxon—Mr Deputy Speaker, I raise a point of order on relevance. I do think that it is necessary for the member for Dickson to somehow vaguely relate his comments to what is proposed in the bill or what is even being discussed by Labor on these issues. He knows what he is saying is actually—

The DEPUTY SPEAKER (Mr Lindsay)—The member for Dickson will come back to the substance of the bill.

Mr DUTTON—What I was saying was directly related to the bill that is before the House because it relates to the argument that the member for Gellibrand put in her speech only minutes ago in this parliament. It summed up for me the view of the Australian Labor Party and, I think, the view that the Australian public has of the ALP on the issue of border protection and migration policy. Very simply, the ALP's view, as the member for Gellibrand put it, is: 'We would like to accept and support the government's bill in this case but with some equivocation.' Why can't the ALP listen to what the Australian people want? The Australian people want strong border protection. They want border protection not just from this government but also from the opposition. They believe that this is a time when the opposition should be supporting the government in protecting our borders and providing a balanced approach to migration policy.

In my opening remarks I spoke about the fact that this government has increased by 46 per cent the number of people legally coming to this country. It is important that in this bill we provide the proper identifiers so that we can rule out people of undesirable character who apply to come to this country. The ALP have been hamstrung for many months now—in fact, for a couple of years—on this issue and they are going off in separate directions without any guidance or leadership from the Leader of the Opposition. It really does send another message to the Australian people that Labor are completely at sea again on the issue of border protection. It is embarrassing, I am sure, for the member for Gellibrand that, even under her guidance in recent months, there has not been the presentation of a consolidated and forward-looking view on border protection and balance in this very important area of public policy. Can I say it is envisaged that photographs—

Ms Roxon—Once a copper, always a copper.

Mr DUTTON—'Once a copper, always a copper,' the member for Gellibrand says.

Ms Roxon interjecting—

Mr DUTTON—What have you got against the police of this country? What are you trying to say? I do not understand what your argument is.

The DEPUTY SPEAKER—Order! The member for Gellibrand will observe standing order 55.

Mr DUTTON—The interjections from the member for Gellibrand really do go to the substance of the opposition's argument, which is that there is no balance and no understanding of the complexity of this issue. If the member for Gellibrand had any understanding of identity fraud, which is a big problem not just in this nation but right across the world, then she would see her way clear to trying to bring the Labor Party caucus on board to back the government's policy in this direction. It is very important to understand how serious the issue of identity fraud is and how it provides an opening for terrorists to enter countries such as Australia, as they certainly enter the UK, the US and other ports of call right around the world.

Under this bill it is envisaged that photographs and signatures will continue to be required for most visa applications, including applications for visitor visas and most permanent visas, and rightly so. In these cases, a noncitizen will be able to provide those personal identifiers to an officer of the department by attaching their photograph to the visa application and signing and submitting it to the department. In the case of protection visa applications, it is likely—likely—that fingerprints, photographs and signatures will

be required. There will be some visa applications for which it is unlikely that any personal identifiers will be prescribed—for example, electronic travel authority visas. I hope the member for Gellibrand is listening, because this is about a balanced approach.

As I mentioned previously, this bill will provide a range of safeguards to noncitizens who are required to provide these personal identifiers. Firstly, the bill specifically excludes the use of intimate test procedures. The equivocal position of the ALP on this matter and their raising the issue of personal identifiers as being dangerous is a load of nonsense. The regulations cannot prescribe a new type of personal identifier if it involves an intimate test procedure. This provision is essential because of technological advances, which is a basic concept that escapes not just the member for Gellibrand but the ALP on this issue. The inclusion of personal identifiers and the safeguards surrounding them that we have provided on a balanced approach in this bill really do take into consideration the technological advances which are occurring on a day-to-day basis.

As the member for Gellibrand said, we have seen the rapid advancement of iris identification. We cannot envisage today what sort of advances in technology in a couple of years time will be of assistance in this important area. So why should we be providing a bill and legislation in this country which is proscriptive and does not provide for any understanding or facilitation of future advances in technology? That is why this bill is important and why it provides safeguards. That is why it goes to the extent of not providing for intimate test procedures. We are not talking about DNA testing or the taking of blood. We are talking about non-intimate test procedures that could provide positive proof of identity one way or the other.

The bulk of Australians, whom the member for Gellibrand and the Australian Labor Party do not understand, hold the basic philosophy that if you come to this country and you have nothing to hide then you have nothing to fear. So what is wrong with trying to provide some sort of flexibility in this bill? It will exclude, for example, the taking of blood and saliva samples—again, it is about the issue of not providing for intimate test procedures. Also, a noncitizen in immigration detention will always be offered the opportunity to have an independent person present during the conduct of an identification test. If requested, the test must be conducted by an authorised officer of the same sex as the noncitizen. If a noncitizen in immigration detention who is required to provide their personal identifier refuses to do so and all reasonable measures to carry out the test without the use of force have been exhausted, reasonable force may be used to collect the personal identifier. But reasonable force will only be used as a measure of last resort and only if authorised by a senior authorising officer. It cannot be used on a minor or an incapable person. If reasonable force is to be used to obtain the personal identifier from an immigration detainee, an independent person must be present at the test. All identification tests will be conducted in circumstances that afford reasonable privacy to the noncitizen, and identifying information will be treated in accordance with the Privacy Act 1988.

The bill gives special provisions for minors and incapable persons. For example, minors younger than 15 and incapable persons can only be required to provide photographs of their face and shoulders and measurements of their height and weight. They cannot be required to provide any other type of personal identifier. In certain circumstances, minors and incapable persons who are not in immigration detention centres can-

not be tested without the consent of their parent or guardian or an independent person. No minor or incapable person can be tested unless their parent or guardian or an independent person is present. Importantly, the bill will protect the privacy of noncitizens by placing limits on the access to and disclosure of identifying information, as provided under the act.

We need this bill to strengthen our ability to combat the global problems of terrorism, illegal immigration and identity fraud. No example illustrates the importance of this more than the September 11 terrorist hijackings. According to testimony by the Inspector General of the United States Social Security Administration, at least five of the September 11 terrorist hijackers used false identifying documents to obtain entry to that country. Also, in citizenship cases this bill will allow us to ask applicants to provide their personal identifiers. These identifiers will be crossmatched with information held by the department. This will reduce the incidence of identity fraud related to activities in citizenship processing. This is an important protection for this government to provide, as it is anticipated that identity fraud will become an escalating global problem as technology enables individuals to produce increasingly sophisticated forgeries. Identity fraud has massive financial implications, particularly because of its ability to facilitate illegal work and social security abuse. In the first five months of this year alone, 14,000 Australian passports were reported lost or stolen; their potential to be used in identity fraud will be diminished by the measures contained in this bill.

In conclusion, this bill will enhance Australia's ability to combat identity fraud and improve the integrity of migration processes. Other countries have already responded to the growing incidence of fraud in the immigration context by enhancing their identification and client registration powers. Problems with fraudulent documentation and the need to track histories of identities in client processing has led many countries to introduce identification-testing measures similar to those proposed in this bill. It is crucial that Australia have the opportunity and ability to participate internationally in combating immigration fraud using current and evolving technologies. In this international environment, Australia cannot afford to be seen as a soft target by terrorists, people smugglers, forum shoppers and other noncitizens of concern, as would be the case under a Labor government in this country. This bill will contribute to a system which affords protection for our national security while still upholding the rights of the noncitizens to which it applies. The ALP need to support this bill in the Senate. They do not need to continue on their path of obstructionism. They need to support strong border protection for the benefit of the Australian people. *(Time expired)*

Mr HATTON (Blaxland) (10.59 a.m.)—For the edification of the member for Dickson, the comment 'once a copper, always a copper' relates to the narrow way in which he perceives the ALP's approach to all legislation—the narrow, blinkered black-and-white way he perceives the divide between the government and the opposition. He has no capacity to imagine an opposition response based on our experience in government and our experience of what the Liberal Party has really been about in terms of border control over a period not just of weeks, months or years but of decades.

The question of identifying people properly has not just been around in 2003; it is not just prospective. The question of appropriately identifying people has been one that governments in the past have dealt with. For the edification of the member for Dickson, as he strides from the chamber, about 14,000

people in 1975-76 were introduced into Australia by the then Liberal government through the travel company run by Karim Kisrwani, and there were no police checks, no security checks and no identifiers. All you had to do to get a ticket was to stand in one of the hotels in Cyprus and pay the money that was required to get onto the list of the 14,000 who could come to Australia. Every hotel in Cyprus was, in fact, taken up by Karim Kisrwani's travel company.

Just a couple of weeks ago a constituent of mine—having the relevant qualifications and capacity, he came to Australia under his own steam—told me that an offer had been put to him as he had stood in one of the hotels in Cyprus. He was told that he could pay money in order to get onto the list that Karim Kisrwani was putting together; in fact, he saw other people paying money to get onto the list. Those people were told that it would not cost them anything for the ticket because the Australian government was paying the total cost. But there was also no cost for the checking of personal identifiers, because no checking was done—inclusion on the list depended simply on the ability to pay. Those people are currently in Australia. Their identities were not checked. They did not have a police check or a security check, and they have been here now for more than 30 years.

In dealing with this bill, which is about the use of a range of new possible identifiers, the question of what is right and proper and what should be done by a government must be put into context. The member for Gellibrand quite rightly said, in responding to the member for Dickson and the manner in which he attacked her as Labor spokesman, that the legislation was narrowly focused, unimaginative and did not go to the core of the rights of citizens and people who come to Australia as visitors to be treated in a way that is reasonable and sensible, and did not abrogate their rights as human beings. An opposition has to always be mindful of its obligations when it comes to government and of what the past can tell us about these very matters that need to be dealt with. The strongest case of the lack of use of identifiers at all is the fact that the Liberal Party sanctioned one individual to draw up the lists and to have the total coverage of bringing into Australia 14,000 people out of the civil war in Lebanon. They did that without any controls whatsoever, to the great detriment of our society.

When the member for Dickson, a former policeman, takes a policeman's attitude to this—black-and-white, without any scope or imagination—he should be dealt with in terms of identifying his lack of a clear understanding of what this bill is about. Every member of this House in dealing with this bill would have to know not only that the question of how we secure our borders is important but also that when the government introduces a bill of this significance it has the responsibility to get it right. It should not just slip this bill in as fast as it can without any real consultation with regard to the measures involved and without any real consultation with the community at large or with the senators who will have to vote on this legislation.

We have seen a very quick review of related matters. This bill was introduced before a Senate committee dealing with the technical aspects of this bill could report. We are debating it without the ability of knowing what the senators, in a very quick review, have said about the difficulties. The people who wrote the *Bills Digest*—those who had to lay out what the bill was about and had to draft the legislative papers and so on—would know and understand, particularly from past practice, that you may slip in a bill which is really about propagandising, you may slip in a bill that is about the next election and you may put in a bill that is to be used as a mechanism to argue that the government is

stronger on national security than the opposition, you may put in a bill where most of the provisions cannot be brought to bear for some years and where it openly says, 'We don't really know how we are going to put this together, because we do not really know how well the biometric sensing mechanisms that are at the foundation of trying to identify people by their irises or fingerprints will work in the broad.'

We know—and, as a past detective, I am sure the member for Dickson has had experience with this—that the taking of fingerprints can be an absolute identifier. But it is always the case that people approach with caution the taking of that particular identifier from people who are noncriminals—those who have not been convicted of a criminal act and who have not been suspected of performing criminal acts. Equally, it is a question of how well the systems can work. If it is just a quick slash past a biometric sensor, it will not work particularly well.

As the Deputy Speaker can attest, having tried out the Compaq iPAQ that we have just been issued with—and, progressively, people in the parliament will be issued with it—you can actually access the Compaq iPAQ with a password or by biometric sensing. So, if you train it and you put your fingerprint into it, entry can be controlled by using that biometric information. But, even after you have trained it, you cannot be sure that you can get it to quickly recognise you properly every time. You get a lot of false positives where it says that it is not you when it really is—the thing is there but you have not actually registered that correctly.

Part of the problem with biometric sensing is that it is not as precise as it might be. Technologically, it is still in its infancy. One of the things that the member for Dickson failed to understand—although he approached it in his concluding comments—is that it is the very technological advances over the last decade, particularly over the last five years, which are being used to create false identities far more readily than people could in the past, which are leading towards a response such as this; that is, a response such as that envisaged rather than effectively put into place in Britain, in France, in Europe generally, and in the United States. Because people now have more capacity—because of the proliferation of computers and the ability to turn material into digital form—they can more readily take digital material and manipulate and change it. That is why it is a lot easier to engage in identity fraud.

If you want to engage in identity fraud and steal a person's money and goods and get access to their bank accounts and so on, it can happen. It happened to my wife some years ago. She was at an ATM in Westfield Shopping Centre and somebody stole her purse. Within 30 minutes the person had been up to the bank in Westfield Shopping Centre and had falsely signed my wife's signature. That person was able to get money out of the bank with a false signature—when there had been only a bit of preparation—and then went off to a series of shops. That person was stopped only because the shopkeepers had a great deal of experience with people falsely presenting themselves and falsely using credit cards.

There is a great deal of identity fraud in Australia—the government's estimate is that it is in the order of $4 billion a year—and most of it is of that sort of nature. People can physically knock off credit cards, as in my wife's case. The reason the person was picked up so quickly and the fraud stopped so readily was that the person was a heroin addict and was known to work within that complex—but, seemingly, was not picked up by the police and not stopped from doing this. The people who wanted to make sure

that this person did not do this any more were the people running the shop.

In the past, the ability to establish a person's identity has largely gone to the question of signatures and other identifiers with which we are familiar, including photographs. In terms of photographic evidence being an identifier, people thought that, if you had a photograph of a person, you could use it and that it would provide some safety in terms of fraud not being able to be committed. But there is a famous case of a photo of a dog being put on a card and a person producing that at a bank to identify themselves. The fact that the dog was not human, the person presenting the photograph was human and there was no actual physical resemblance between the dog and the human was not taken into account, and the bank passed the money over. So the question of fraudulent use can go to the question of whether the people in the banks, the people in other organisations and the people behind immigration counters are alive to the fact that they have to be switched on mentally and they have to be doing their job.

The capacity for immigration fraud is strong, as we know from past experience in a number of our embassies overseas. In one particular embassy, up to 80 per cent of the identity documentation and associated documentation that had been produced was fraudulent—it had been falsified in one way or another. This fraud went largely to the qualifications people had and the amount of money they had in their bank, in an attempt to gain entry into Australia by using false documentation—not in terms of a person's identity but whether or not they would actually have the points to get into Australia.

Establishing who a person is is critical in a number of areas. It is critical, as the bill indicates, for people who come to Australia by boat or for people who, in their thousands, come to Australia by plane and end up staying in Australia—who probably will not be caught by this—who refuse to properly identify themselves. We had experience of this in government. Prior to changes to the Migration Act in, I think, 1990, the lawyers could simply advise people not to say anything for three months and the government could not do anything about it. The government could not begin the process of trying to establish the person's identity because of the noncooperation of that person on the basis of the legal advice that they were given. We changed that by greatly foreshortening the amount of processing time that was required, because we compelled people to provide identifying data.

The core of what is being asked for here in respect of providing biometric identification rather than just the old forms of photographic identification which can now readily be manipulated and abused is not beyond the realms of imagination in terms of an extension of what is necessary as a result of technological advances. This is in fact not in front of the technological advances; it is a response to those technological advances. In that sense, the Labor Party has said, quite rightly, that it recognises that the series of things that are being proposed here have as a foundation the fact that effective border control and effective control of illegals may be enhanced by the use of these identifiers but—as an opposition mindful of what governments have the power to do and what governments have a responsibility to do—we have raised a whole series of questions.

We have said that there is no certainty whatsoever that these biometric sensors and abilities to use biometrics as analysts of whether people are who they say they are have not come to full maturity and fruition. The bill is in advance of most of the technological means by which a government, not someone who would perpetrate a fraud,

would seek to stop a fraud. The fact that the bill is as open as it is in terms of the means that would be used really relates to the fact that the maturity is not there for most of the identifiers that have been sought.

I, and other members of the communications committee that I am involved with, have seen the work that the CSIRO has been doing in terms of the electronic gateway and the ability to try and pick up iris scans and to use facial recognition technology to pick people in a crowd. The ability to do that is critical. If the United States had had the capacity and ability to recognise people and do it 100 per cent effectively when people boarded the planes to make the attacks on Washington and New York, some of those attacks may have been avoided. The ability to pick people from the mass of a crowd is really significant. But we know that the work done by the CSIRO, as groundbreaking as it is, is not yet there. It is not fully ready. It is not in a position to be put totally into place.

I have nothing against using our technological capacities to build our defences against people who would attempt to defraud the Commonwealth in a range of ways and use identity fraud to break our capacity to control our borders. But there are significant things that are not included here. There are a minimum of 60,000 people who are working illegally in Australia. Not one of them will be touched by this legislation, because this legislation effectively grandfathers all those people who are currently here.

The bill basically provides for a series of regulations. The Minister for Immigration and Multicultural and Indigenous Affairs can determine, through regulation, to bring in a whole range of measures, and therefore there will not be effective parliamentary control, because it is delegated legislation beyond the effective control of the parliament. That is another key problem that Labor has identified, and it is a problem that needs to be discussed in detail in the committee and in the Senate. We need a full and deep view of what is involved in this bill before we come to a full determination of whether it should be entirely supported. The shadow minister indicated that introducing the bill prior to the Senate bringing down its report on the technical aspects of the bill was not a very smart thing to do, and that this has made it difficult for the opposition to agree with what the government has said, except in principle, because the details are not there.

As all members know, often it is a case of the devil being in the detail. That is why we have committee scrutiny of government action. That is why we have House of Representatives committee, Senate committee and joint committee scrutiny: to ensure that we get proper outcomes and, particularly, to ensure that the thing that we have been elected to do—to defend and guard the people of this Commonwealth—is not done in a way that abrogates their fundamental rights but done in a way that ensures the fundamental rights of everyone because of the kinds of measures that we take as a community. Cutting out identity fraud is important not only in a general sense of saving people from having their savings ripped off but also to protect our borders and our control of our immigration program totally. But you have to do it on the basis of a well-established set of understandings and principles, and you also have to establish that the delegated legislation will not rip away from that. *(Time expired)*

Mr PROSSER (Forrest) (11.19 a.m.)—I rise in support of the Migration Legislation Amendment (Identification and Authentication) Bill 2003 to amend the Migration Act 1958 to provide a legislative framework for the collection of personal identifiers, such as photographs, signatures and fingerprints from certain noncitizens at key points in the migration process. The measures proposed in

this bill are important and necessary developments in migration law. With the ratification in May 2003 by the International Civil Aviation Organisation of measures for facial biometrics to be used as the international standard for travel documents, this government believes that using such biometric identifiers would strengthen border protection through robust identification and reduce the risk of passport fraud.

For those who do not know, biometric identification is captured by a digital image of a person's face and stored in a microchip in their passport. The digital image allows a computer to check the person's face more accurately, to ensure the person carrying the passport is who they claim to be. Biometric systems can also reduce patterns in a person's fingerprints, irises, voice or other characteristics to mathematical algorithms that can be stored on a chip and be machine readable. When arriving travellers put their fingers into biometric scanners or stand in front of a face recognition camera, a computer will check whether the patterns it detects match the ones the subjects gave when they were first scanned. The system will also check whether visitors appear on a watch list of suspected terrorists or immigration violators. More immediately, people applying for new passports will have to meet tougher checks to ensure they are who they say they are, and biometric visas and passports will certainly be harder to fake.

DIMIA has identified instances of identity fraud in all aspects of its processes but particularly amongst protection visa applicants and detainees at the entry stage and visa application stage. The bill will clarify and strengthen existing proof of identity provisions and enable DIMIA to conclusively identify its clients at each stage of immigration processing, such as in relation to applicants for protection visas. The bill will allow DIMIA to identify asylum shoppers and double dippers where claims are made under multiple identities and identify applicants who have disappeared into the community. In relation to unauthorized and undocumented arrivals, the bill will assist DIMIA to better identify these persons and take appropriate removal action, which will also help to reduce time in detention.

In relation to immigration processing at our borders, in 1999-2000, it has been reported, 32 per cent of people refused immigration clearance at Australian airports provided either bogus or no travel documents at all and many of these people attempted to disguise their identity. This bill strengthens our ability to collect personal identifiers at the border and better determine appropriate action and resolution, be it turnaround or detention.

DIMIA already routinely collects photographs and signatures from visa applicants. However, this does not prevent the presentation of fraudulent identities and claims, and does not allow for the collection of fingerprints. This bill will enable such identifiers to be collected and allow for better identification and authentication of the identity of applicants, including those of character concern or terrorist concern.

Personal identifiers under this bill include fingerprints or handprints, measurements of weight or height, photographs of the face and shoulders, audio or video recordings, iris scans and signatures but exclude intimate test procedures such as the taking of blood or saliva. The requirement to provide personal identifiers will allow for the enhancement of DIMIA's systems to capture and store personal identifiers that will serve to register an applicant's unique identification. In the flow-through of the immigration process from initial application to grant of citizenship, the provided personal identifiers can be cross-matched with information held by the de-

partment. This will reduce the incidence of identity fraud related activities in citizenship processing.

The amendments proposed under this bill will permit the adoption of new technologies in a rapidly developing environment and will also allow the government to respond to new risks or concerns as they arise, apply future technological advances to the accurate identification of persons seeking to enter Australia, and keep abreast of measures being introduced in other countries. Australia faces the challenge of being able to quickly and accurately identify those who seek to enter and remain in Australia. This challenge is heightened by the issue of identity fraud, which is becoming increasingly serious both in Australia and worldwide. Other countries have already responded to the growing incidence of fraud in the immigration context by enhancing their identification and client registration powers. Problems with fraudulent documentation and the need to track histories of identities in client processing have led many countries to introduce identification-testing measures similar to those proposed in this bill.

Many of my constituents in the south-west of Western Australia in my electorate of Forrest are constantly raising with me their safety and security concerns relating to the procedures for allowing non-citizens into this country, especially in the wake of previous boat arrivals, September 11 and the Bali bombings. I have reassured them that this government is in control of whom we allow into this country and that the identities and characters of all permanent visa applicants and temporary protection visa holders have satisfied Immigration's strict guidelines. My constituents had the opportunity to speak directly with our Minister for Immigration, Multicultural and Indigenous Affairs recently when he visited my electorate, and I must say he left a lasting impression in the minds of my constituents that this government is serious about our borders and our international and internal security.

I would like to digress for a moment and bring to the attention of the House the fact that next week the member for Berowra, the honourable Philip Ruddock, our Minister for Immigration, Multicultural and Indigenous Affairs, will celebrate 30 years in federal parliament. I wish to congratulate the minister on his longstanding contributions to this government and his fair and just stewardship as the very respected head of our immigration policies since 1996, the implementation of which has proven to our critics—as Janet Albrechtsen in the *Australian* commented yesterday—that controlling immigration does not mean opposing immigration. Indeed, I champion the government's tough stand on illegal immigration and note that since December 2001 only one boat has arrived in Australia. With the introduction of this bill we will be able to more quickly process applicants as well as reduce the time necessary in immigration detention.

I acknowledge that the immigration department has a difficult job in processing visa applications from around the world, ensuring to the best of its ability that the identities and bona fides of all applicants are genuine and that the applicants are who they say they are. However, the immigration department has a continuing requirement and responsibility to ensure that the increasing numbers of visitors and temporary residents are not a threat to the Australian community and are authorised and entitled at all times to be in Australia. But, as no system is fraud proof, it is necessary to continually improve procedures, keep pace with advances in anti-fraud technology in use or being proposed in other countries and to stay in step with emerging international responses to the global problems of immigration fraud, people-smuggling and asylum shopping.

There are risks to government and the community if these fraud issues are not confronted up-front, as various levels of government and private sector administrative and financial systems rely upon the identifiers established by DIMIA to confer benefits and entitlements to people in the community. Stronger border security and enhanced proof of identity requirements are therefore critical to Australia's national security and to the integrity of its services and programs. A recent study of the refugee and special humanitarian case load processed by DIMIA's post in Nairobi has revealed significant concerns about the levels of fraud encountered in that case load. Many people who fail to meet the criteria for migration, and/or who experience difficulty in obtaining personal documentation due to local conditions, simply and easily resort to fraud to meet their objectives, generally in the form of non-genuine claims of identity, family composition or reason for persecution.

There is also operational evidence that the protection visa case load is associated with: frequent absence of verifiable identity documents; the use of multiple identities or variations of a real identity in order to support spurious claims, to avoid detection of a previous successful claim for protection in another country and/or to make multiple applications for a protection visa; a change of identity by a successful applicant for a protection visa, through freedom of information requests or during citizenship processing, in order to perpetrate fraud in Australia; and use by some refused applicants of a protection visa for a new identity to facilitate further entry to Australia.

The use of fraudulent identities in the immigration context is not limited to protection visa applicants. The department has also identified cases where persons deported from Australia, for a range of reasons, have been able to obtain a new passport in their home country through legal name change procedures and re-enter Australia using the new passport. There is national and international evidence to indicate that those who are in detention are more likely to attempt to return to Australia under other identities. As such, it is imperative that the identity of detainees can be checked against histories of identities in immigration processes to detect identity fraud. Some detainees also refuse to identify themselves accurately in the hope that they will not be removed. In those circumstances, the collection of personal identifiers from detainees would facilitate their removal from Australia.

More enhanced identification powers to match those in place in Canada, the European Union, the UK and the US will provide opportunities for information exchange to combat the movement of illegal migrants, terrorists and transnational crime into Australia. This will help to ensure that we can identify noncitizens who exploit refugee and immigration provisions by assuming false identities and those who attempt to conceal the fact that they have effective protection in another country—that is, their first country of asylum, to which they will be returned. We will also be helped to detect and hinder those who attempt to re-enter Australia under fraudulent identities, thereby preventing Australia from being seen as a soft target by terrorists, people smugglers, asylum shoppers and illegal migrants. Therefore, the identification provisions proposed in this bill are essential to Australia's ability to regulate entry and stay in Australia and to identify and prevent entry by those who may be of criminal or security concern.

The dynamic nature of the global environment presents an important challenge to ensuring the integrity of Australia's borders and the delivery of the programs administered by the Department of Immigration and Multicultural and Indigenous Affairs. The

challenge includes growth of global technology, trade and international travel, which continue to create opportunities for people smugglers; growth in the level and sophistication of fraud; increased security risks due to the threat of global terrorism; continued growth in numbers of people seeking entry to Australia; changing administrative and operational strategies associated with technological change; and requirements to ensure that increasing numbers of visitors to Australia do not present a threat to the Australian community and are authorised to be in Australia. With this in mind, Australia can ill afford not to keep up with advances in technology to authenticate the identity of our migrants. For the reasons I have outlined today, I support this bill. I commend the bill to the House.

Mr ORGAN (Cunningham) (11.34 a.m.)—The purpose of the Migration Legislation Amendment (Identification and Authentication) Bill 2003 is, as stated by the minister, to strengthen and clarify existing statutory powers to identify noncitizens. It provides the framework for the collection of biometric data by Immigration officials.

Current Australian and overseas immigration regimes routinely require photographs and signatures as proof of identity. This bill seeks to expand the powers to include the collection of other biometric information, including fingerprints, iris scans, facial scans and body measurements, from noncitizens in particular circumstances. This bill also sets out a regulatory framework to create a database or databases for the storage of this information once collected.

The government claims it is compelled to introduce this legislation in order to tackle the growing incidence of document fraud worldwide. Elements in the government's approach to combat identity fraud include proposals beyond the immigration context. Firstly, the government is undertaking a feasibility study into a nationwide 'electronic gateway' that would allow instant verification and crossmatching of documents such as birth and death certificates, drivers licences, passports and immigration records. Secondly, the Department of Foreign Affairs and Trade is considering the addition of a biometric identifier in the next Australian passport series. Thirdly, the government is trialling photo-matching technology at Sydney international airport. And, fourthly, a discussion paper was released earlier this year regarding the establishment of a national set of powers for cross-border investigations into serious and organised crime, including the use of assumed identities.

One of the key issues with regard to this bill is whether the use of biometric databases in relation to noncitizens in a non-criminal context is proportionate to the size of the currently undetected identity fraud by noncitizens and how the information collected will achieve these purposes. It is important to note that biometric information does not of itself identify an individual. The usefulness of the biometric record is when it can be identified as belonging to an individual by some additional information or when it can be compared against a similar record or records. It is also important to note that, in an immigration context, the collection of noncitizen biometric information would be useful if the noncitizen subsequently committed or attempted to commit identity fraud or if their data could be checked against equivalent data overseas.

The precise measurement of the extent of identity fraud is difficult. Detected fraud can be measured, but extrapolating that into any total figure involves a degree of guesswork. In Australia, it is even more difficult as there has been no public study of identity fraud per se, although the Australian government has estimated the total cost of identity fraud to be

around $4 billion per year. In addition, it is unclear what part of this is perpetrated by the hundreds of thousands of noncitizens who enter Australia annually.

The Greens are opposed to this bill for a range of reasons. From the outset, it is important to say that, before Australia considers implementing a regime of biometric data collection in relation to our current immigration policy, at the very least the proposal for such a regime should be well justified by statistical data, particularly in an immigration context.

Even if such information were available, the Greens would not necessarily be tempted to support such a regime, as we are concerned by the human rights implications of the proposal. We are especially concerned that the government is pursuing this proposal, given its current unfair and unnecessarily harsh approach to immigration matters. The government demonstrates at the very least an inconsistent and unreliable approach to human rights issues. The fact that it has put forward this proposal for the collection of biometric data is of concern to the Greens. We also question the motivations behind the need for such an identifying regime.

Given the controversial nature of the bill, on 20 August this year the Senate referred the provisions of the bill to the Senate Legal and Constitutional Legislation Committee for inquiry and report by 11 September. The report was extended to 18 September—today. As such, we would have appreciated time to consider the findings of the Senate committee with regard to the provisions of this bill. I am disappointed that the bill reentered the House on the same day the committee was reporting. The Greens consider this poor democratic process, to say the least.

This especially concerns the Greens given that submissions to the Senate inquiry have blasted the proposals contained in the bill as unnecessary and an infringement on human rights. Principal concerns expressed by submissions to the inquiry indicate that: there is inadequate supervision of the collection, storage, use and destruction of the data; biometric tests could be taken by force if necessary; and the disclosure of information to other countries could result in further persecution of rejected asylum seekers.

The President of Liberty Victoria made the following comments about the proposed legislation:

> We wish to emphasise, in particular, our concern at what seems to be the quite excessive degree of delegation to the Minister—either expressly or by utilisation of the "prescribed circumstances" device—of the power to decide when, against whom and in respect of which identifiers the provisions can be applied.
>
> The use of personal identifiers is always a sensitive issue. The process is often invasive and may, as the draft indicates, involve the use of force. In the view of Liberty Victoria, it is unacceptable in principle for Parliament to abdicate to the Executive what amounts to the legislative function of deciding how, when and in what circumstances the legislation is to apply. This is particularly so when the technology for recording biometric information is developing so quickly. The appropriate legislative response to future developments is a matter for Parliament not the Minister.

The Victorian Bar has also expressed concerns with the bill in a submission to the inquiry, highlighting that the supervision of the database in the collection, storage, use and destruction of information was not adequately provided for in the bill.

The Federal Privacy Commissioner, Malcolm Crompton, said:

> … indefinite retention of some data increases the possibility that the information may be used for purposes unrelated to the purpose of collection, perhaps years after that collection.

He also said:

… there is scope for more careful regulation of the situations in which personal information may be disclosed to foreign countries and entities.

He further said:

Australia has a Privacy Act that gives people certain rights. But when you send material out of the country you've lost control.

According to the Federal Privacy Commissioner, some of his accountability recommendations had not been incorporated into the bill and he reiterated the need for a legislative requirement to review the bill's operation after two years.

The United Nations High Commissioner for Refugees also had comments to make regarding the proposed legislation. According to the UNHCR:

The proposed legislation could provide additional safeguards to seek to prevent any adverse physical or psychological effects on the individuals concerned. Asylum seekers may possibly be recognised as refugees. Refugees in many cases, suffer from trauma because of the persecution that they have experienced in their country of origin, or due to the circumstances of their flight. Requiring them to undergo biometric tests may aggravate their already precarious psychological or mental state. It would therefore be useful for the proposed legislation to include adequate safeguards to prevent such adverse effects, notably through the provision of professional care and counselling, both prior to, and after, the testing.

The UNHCR also goes on to say:

The proposed legislation does not refer to the scientific reliability of each of the biometric tests. We do understand that the reliability of each test may vary, thus resulting in different legal implications, e.g., in regard to evidentiary weight.

The UNHCR has stated that the proposed legislation should be clearer on this matter. The UNHCR goes on to make various other points about the legislation and one further point of particular concern to the Greens:

The proposed legislation provides for a broad scope of discretion on the part of responsible officers. UNHCR believes additional safeguards should be specified.

The Greens strongly support this call. The submission made by the Public Interest Advocacy Centre—PIAC—has stated that the bill would 'abrogate fundamental individual human rights'. The submission by PIAC goes on to say:

… the government has failed to articulate a compelling need for this legislation … the measures that are introduced are in breach of Australia's international obligation to protect the right to privacy.

One of PIAC's primary concerns is the absence of safeguards for the destruction of biometric identifiers. The point was made by PIAC in their submission that they welcomed the referral of the proposed legislation to an inquiry, but they stated that they were:

… concerned about the short period for public consultation which may prevent public and community organisations with limited resources to prepare a full submission. PIAC believes that this Bill warrants considerable scrutiny, and recommends that further time should be allowed to enable thorough review of the powers which the Bill grants the Minister, and the effects on individual rights and liberties and children if the Bill is implemented in its current form.

In the short time PIAC has had available to undertake a preliminary review [of] the Bill, it has identified a number of concerns relating to the Bill. PIAC's primary concern is that there has been a failure to articulate a compelling need for this legislation.

PIAC's other key concerns include:

- potential breaches of Australia's international human rights obligations, in particular the right to privacy;
- the reliance upon delegated legislation to delineate significant powers;
- the absence of safeguard provisions relating to destruction of personal identifiers;
- the absence of provisions relating to supervision of information; and

- the process as a whole and the effects that it will have on asylum seekers and other immigrants seeking to enter Australia.

PIAC goes on to say:

Whilst PIAC recognises that there is a need to accurately identify those who seek to enter and remain in Australia, this must be balanced with the need for protection of individual rights and the utility of the proposed process.

PIAC has stated that, while it acknowledges the importance of having measures in place to accurately identify people who come to and seek to remain in Australia:

… the main purposes of the Bill appear to be based on two untested assumptions:

i. that identity fraud is being committed by non-citizens; and

ii. that the information proposed to be collected could be compared to data in other countries.

As has been mentioned previously, PIAC says:

Precise measurement of identity fraud committed by asylum seekers is difficult. In Australia there has not been a public study of identity fraud. Further, Minister Ruddock did not, in his second reading speech, present any clear basis for his assertions in relation to the scope of this problem.

In PIAC's opinion, and we support this assertion:

The government has not … presented sufficient evidence of the nature and extent of the problem to warrant passing such invasive legislation. In order to interfere with the fundamental human rights of asylum seekers and others entering Australia, a clear and substantiated justification must be articulated.

Such a justification has not been provided. PIAC also state in their submission—and, again, we support this—that even if they were to accept that there is a pressing need for this legislation, which they do not, they doubt whether it would have the impact claimed. PIAC further state:

To assess whether the amendments in the Bill will achieve their purpose it is necessary to know whether the data collected under the Bill is compatible with that collected in other countries. It is also essential to know whether arrangements have been made to facilitate the sharing of information between countries before the Bill is passed.

There is evidence that other western countries such as the United States, Canada, United Kingdom and countries within the European Union collect personal identifiers, particularly fingerprints, signatures and photographs. However that is not where the majority of asylum seekers originate from. Prior to the Bill being passed it would be useful to ascertain whether countries such as Iran, Afghanistan, Syria and Jordan collect personal identifiers that could be compared with information proposed to be collected in Australia. In PIAC's experience, these are the principal countries in which it is alleged that asylum seekers could have claimed effective protection.

PIAC also says:

… the Bill provides that a purpose of obtaining personal identifiers can be to assist in the identification of non-citizens ***in the future***. This allows information to be collected in cases where there is rarely if ever, immigration fraud, "just-in-case". In PIAC's view this is not a proportionate or justifiable response when there is no evidence as to the scale of identity fraud by non-citizens.

According to PIAC:

As currently drafted, there are significant gaps in the Bill. The Bill contemplates for example, that the Minister will prescribe at a later date the circumstances in which personal identifiers are required and the exceptions to these circumstances. New personal identifiers may be prescribed in regulations, and regulations may also prescribe the manner for carrying out identification tests. The application of the regime is potentially extremely broad.

Whilst PIAC gains some comfort from the knowledge that any delegated legislation will be scrutinised by the Senate Regulations and Ordinances Committee, PIAC considers that it is inappropriate that legislation which affects the fundamental human rights of individuals should be enacted with such lack of clarity. … the Human

Rights Committee's General Comment provides that legislation interfering with the right to privacy must specify in detail the precise circumstances in which such interferences may be permitted. It is also well established that, in interpreting legislation, courts are reluctant to impute to the legislature an intention to interfere with fundamental rights unless that intention is manifested by clear and unmistakable language.

In PIAC's view the provisions in the Bill relating to the destruction of personal identifiers are hollow, and provide little protection. … In relation to information that is not exempt, the Bill … requires the destruction of the identifying information, but not the sample itself. Further, identifying information can be indefinitely retained if the person to whom it relates has, for example, ever been in immigration detention, had a visa cancelled or refused, or overstayed a temporary visa.

PIAC considers that these provisions are unsatisfactory, and recommends that a time limit be set for the destruction of ***all*** information (including both the sample and identifying information). In this regard PIAC refers the Committee to the Eurodac system which has been recently introduced in the European Union (EU). This system only collects anonymous fingerprints, and all samples are destroyed after 10 years, or upon a grant of citizenship. PIAC considers this might be an appropriate precedent for Australia to follow.

PIAC also states:

PIAC is concerned that the Bill, as currently drafted, does not provide for the supervision by an independent authority over data collection, storage, use and destruction.

By way of comparison, PIAC again refers the Committee to the Eurodac as a precedent. To ensure there is no misuse of the system, a national supervisory authority in each participating state monitors independently the lawfulness of the processing of data. As a further safeguard, a joint (EU and participating states) supervisory authority ensures that the rights of data subjects are not violated. This will shortly be replaced by an independent supervisory authority, the European Data Protection Supervisor, a position being established by the EU. As a final safeguard the European Commission will submit to the European Parliament and to the council of the EU, an annual report on the management and working of the Eurodac.

PIAC recommends that this Bill be amended to include supervisory powers of a similar nature [being] given to an independent authority, such as the Ombudsman. PIAC considers this is a vital requirement in order to enhance protection against arbitrary or unlawful interferences with personal information.

PIAC is of the view that the proposed data collection process will be:

… invasive and demeaning and will have the effect of further de-humanising and alienating asylum seekers arriving in Australia, regardless of whether their claims for refugee status are legitimate. Many asylum seekers have fled from repressive and destructive regimes. The cumulative effects of—

for example—

mandatory detention, patrol by guards … and now a regime of requiring personal identifiers is punishment, particularly in light of the fact that the Bill allows the use of reasonable force in carrying out identification procedures.

If this Bill is passed, it will have the psychological effect of treating asylum seekers like criminals. In this instance they will be treated more harshly than criminals. Under the ***Crimes Act***…, for example, identification material is confined to prints of a person's hands, fingers, feet or toes, recordings of the persons voice, samples of the persons handwriting, photographs or video recordings. The types of identifiers provided for in the Bill go further than this to include height and weight measurements, iris scans and identifiers which are yet to be prescribed. Further, the ***Crimes Act*** provides that identification material must be destroyed '… as soon as practicable' if a period of 12 months has elapsed since the information was collected and proceedings have not been instituted or have been discontinued, or if a person is acquitted or no conviction is recorded. In contrast, as has been discussed …, this Bill provides that personal identifiers can be retained indefinitely in certain circumstances.

PIAC has serious concerns about this bill, and the Greens echo these concerns. In PIAC's opinion, the government has failed to articulate a compelling need for legislation of this kind. The bill does not appropriately balance the need to accurately identify persons entering Australia with the need to protect individual rights. PIAC also considers:

> … there is a lack of verifiable evidence that this Bill will be effective in achieving its purpose of combating identity fraud and that the measures that are introduced are in breach of Australia's international obligation to protect the right to privacy.

Further, there is inappropriate use of delegated legislation and an absence of provisions relating to destruction and supervision of information collected. PIAC and the Greens are also concerned about the effects the measures will have on asylum seekers. Accordingly, PIAC is of the opinion—and the Greens support this opinion—that the bill should not be passed in its current form.

Mrs ELSON (Forde) (11.54 a.m.)—I rise to support the Migration Legislation Amendment (Identification and Authentication) Bill 2003 which is particularly aimed at amending the Migration Act 1958 so that the existing statutory powers to identify noncitizens are strengthened and clarified. But it is more than that; it is part of a bigger picture. To understand the importance of this legislation, let us first of all take a quick look at the big picture into which it fits. This bill is part of a whole-of-government approach aimed at tackling the growing problem of identity fraud. The problem of identity fraud is, of course, not confined to Australia; it is an international problem, so we need to be aware of the technologies and processes other countries are using so that we can choose the best and most appropriate tools with which to tackle the problem.

Why is it so important to control identity fraud? It is important to minimise the opportunities for identity fraud because it does not just impact on the integrity of our immigration program. At an organised level, it is linked to international terrorism and organised crime. It endangers Australian safety and security. The best way to deal with fraud is to prevent it happening in the first place, rather than mop up the mess afterwards. This means that, if we wish to keep Australia safe, ensure the integrity of our continuing immigration program and keep out terrorism and organised crime, we need the tools to combat identity fraud quickly and accurately without causing undue delays or inconvenience to the public. We need to be able to quickly identify persons seeking to enter and remain in Australia, whether they are entering through the normal visa processes or attempting to enter without documentation. Unfortunately, we cannot ignore the fact that many of the latter people have deliberately destroyed their documents to avoid accurate identification, for whatever purpose.

If we need to identify these noncitizens—if we need to authenticate someone's identity—what personal identifiers and tools can we use? First of all, there is the possession of particular identifying documentation such as passports, licences or certificates. As well as documented evidence—which of course can be fake or stolen—there is biometric information, which includes face and iris scans, signatures, fingerprints, handprints and voiceprints. This type of biometric information does not in itself identify an individual. Its usefulness is that, when it can be identified by other means as belonging to an individual, it can be compared against similar records as a means of verifying those records. To authenticate someone's identity often not one but a combination of personal identifiers are used; and that is the crux of this legislation. While the Migration Act 1958 provides the capacity to collect personal identifiers, it does not actually define

what a personal identifier is, how it is to be provided or under what circumstances it may be required. The aim of this bill is to address that lack of definition.

This bill specifies what personal identifiers are and when and how they can be used. It enables such identifiers to be collected from visa applicants, from persons entering Australia and from persons in immigration detention. It is not about changing the meaning or the focus of the act but rather about clarifying and enhancing the government's ability to authenticate the identity of noncitizens at key points in the migration process, in a way that is entirely consistent with the current requirements of the act. While the bill specifically identifies and clarifies these processes, it also inserts protections for those required to verify their identity. Once again, while the Howard government seeks the security and protection of Australia and Australians, it is also very conscious of the need to balance rights and responsibility, to balance accuracy and fairness and uphold human dignity.

Let us look at exactly what is in this bill. Item 11 inserts a new section 5A which defines the meaning of personal identifier. It says:

> ***personal identifier*** means any of the following (including any of the following in digital form):
>
> (a) fingerprints or handprints...
>
> (b) a measurement of a person's height and weight;
>
> (c) a photograph ... of a person's face and shoulders;
>
> (d) an audio or a video recording ...;
>
> (e) an iris scan;
>
> (f) a person's signature;
>
> (g) any other identifier prescribed by the regulations, other than an identifier the obtaining of which would involve the carrying out of an intimate forensic procedure...

Leaving aside the last of these items for a moment, surely none of these identifiers—fingerprints, photos, heights and weights or signatures—should prove objectionable to any genuine person wishing to prove his or her identity. These are simply routine identity authentication procedures. To obtain a drivers licence you need to provide documentary evidence of your identity, plus a photo, your height and signature. Nobody objects to that.

The last item on the list—'any other identifier prescribed by the regulations'—simply allows the list to be expanded by regulation in future, if necessary, to incorporate new needs or new technology. Other countries have already enhanced their identification procedures in response to the growing incidence of immigration fraud. It is crucial that Australia also has the ability to use these current and evolving technologies or it will be seen as a soft target by terrorists, people smugglers, forum shoppers and other noncitizens of concern.

However, this flexibility to regulate the provision of new identifiers comes with many safeguards. The bill specifically disallows the use of intimate forensic procedures—it excludes, for example, blood or hair sample tests from being prescribed. It goes on to list criteria that the minister must ensure are met before any new identifier is introduced. Those criteria cover both the type and the purpose of the test, and must be met for both.

Any new identifier must be an image, measurement or recording of an external part of the body and must be used for one or more of the following straightforward purposes: to assist in the identification of any noncitizen as required under the act; to improve the integrity of entry programs, includ-

ing passenger processing at Australian borders; to improve visa procedures and ensure a visa holder's access to his or her rights; to improve procedures for determining protection under the refugee convention; to help identify noncitizens with a criminal history or who are a national security concern; to combat document and identity fraud in immigration matters; to complement anti-people-smuggling measures; and to inform the government of a foreign country when a person is to be deported back to that country.

We have looked at the crux of this bill and the definition of personal identifiers which can be used to authenticate a person's identity where that identity needs to be proven under the existing act. But let us look at the balance of the bill. While the bill is aimed at safeguarding Australian security and the need to be diligent and responsible in doing so, it balances that with the need to protect the dignity and human rights of those people whose identity must be verified. A large part of the bill is aimed at carefully ensuring their protection. It deals with the authority of officers to obtain personal identifiers and it sets out general rules for the identity tests. Not only must the noncitizen be given specific information about the reason for the test, how it will be done and his or her rights in the matter but they must be given information in a language they are reasonably fluent in and therefore able to understand.

The bill stipulates that identification tests should not be carried out in a 'cruel, inhuman or degrading manner' and must treat the person 'with humanity and with respect for human dignity'. It also says that the tests must be carried out in reasonable privacy; must not be carried out in the presence or view of a person whose presence is not necessary; must not involve the removal of more clothing than is necessary for the test; must not involve more visual inspection than is necessary; and must allow for the person to request someone of the same sex to perform the test. There are also built-in safeguards for minors who are under 15 years of age and for incapable persons. The only identifiers anyone in either of these categories can be required to provide are height and weight measurements and a photograph or image of his or her face and shoulders. Even these can only be taken after informed consent is given by a parent or guardian, or by an independent person if the parent or guardian is not readily available.

The bill talks about obtaining information, and we need to ensure that such information is safeguarded, that it is treated with respect and that it is only used for its specified purposes. For this reason, the bill contains penalties of two years imprisonment or 120 penalty points, or both, for anyone accessing or disclosing identifying information without authority. It also sets out what information may be retained and what must be destroyed and when. Information can be released to a foreign country, police force, law enforcement body or border control but only with the written authority of the secretary. Such a disclosure cannot be made if the information relates to an applicant for a protection visa or for refugee status relative to that country or if the officer making the disclosure is not satisfied that the country or body to whom he or she would give the information will not reveal it to such a country.

I want to place on the record my disappointment at the negative inferences in the remarks made by the Labor members for Blaxland and Gellibrand about the police profession. Such negative stereotyping of our police men and women is very sad and very inappropriate. The Australian public would expect more from these Labor members, and they should take every opportunity possible to thank these brave men and women who put their lives at risk to protect our people and our communities.

If a stranger knocks on our door and asks to come into our home for whatever reason—to use a telephone, check the power, look for an intruder or examine a pool fence—you would want to know who they were and you would probably want them to verify their identity in some way before you let them inside your house. Just because that person says he is from a telephone company, the council or the police does not mean he is telling the truth. You have the right to politely ask for more information or more evidence to prove his or her claim. It does not mean that most people are untruthful, but it does mean you need to be aware, you need to be careful and you need to take steps to verify people's identity before allowing them to enter your home. You need to protect yourself from fraudulent entry.

In the same way, we need to know who is entering Australia. It is not unreasonable to expect that. We need to be able to verify their identity—we need to know who they are and that they are not trying to fraudulently enter this country. It is not that we think most people have ulterior motives, but if we are not aware—if we are not diligent in taking security measures—then we become a soft target for immigration fraud, people smugglers, international terrorism and organised crime. Of course, we do not want to be, or be perceived to be, a soft target for such groups.

The bill allows us to seek personal identifiers from noncitizens to verify their identity when they wish to enter or remain in Australia. Those identifiers are reasonable, noninvasive and non-threatening. They simply include biometric information such as fingerprints; hand, voice or iris prints; photos; external measurements; and signatures. But the bill goes further than that. I believe it achieves a balance between security and respect. It insists that, while such information is essential for our security, it must be obtained in a manner that is always conscious of human dignity and the rights of those whose identity must be verified. I commend the bill to the House.

Mr MURPHY (Lowe) (12.07 p.m.)—I rise this afternoon to support the concerns about the Migration Legislation Amendment (Identification and Authentication) Bill 2003 raised by the shadow minister for population and immigration—my colleague and good friend—the member for Gellibrand, Nicola Roxon. She has clearly identified a number of inconsistencies that are latent within this bill, both within the provisions themselves and within the context of operability and enforcement.

It must be said that this legislation is yet another example of where it appears too little thought has been given to the nature of the legislation or due regard paid to current international developments in this field of data collection of forensic information to assist in the identification of people. The international community is only just coming to grips with the extent of the problem of illegal people movements. For example, the issue of compatibility arises in the compilation of biometric databases of persons arriving in Australia. This government demonstrates its typical superficial and cynical introduction of such legislation without due consideration.

Let me say from the outset: this legislation will not and cannot work if the biometric data collected in Australia is incompatible with international databases. Like any other forensic examination of the identity of a person who is under suspicion of fraud a cross-check must be performed on that person in other jurisdictions, including the last known departure point from which that person entered Australia.

With respect, this bill is yet another example of the government pandering to populism and the pervading sense of fear and loathing held by a majority regarding—

Mrs Gallus interjecting—

Mr MURPHY—The Parliamentary Secretary to the Minister for Foreign Affairs is puffing and blowing here, and I will say something because—

Mrs Gallus—Puffing and blowing? Can you see any puffing and blowing going on? I can't!

Mr MURPHY—I can observe them, Parliamentary Secretary—

Mrs Gallus interjecting—

Mr MURPHY—I will put you on notice—

Mrs Gallus interjecting—

Mr MURPHY—No, my vision is 20/20.

The DEPUTY SPEAKER (Mr Wilkie)—The member for Lowe will refer his marks through the chair and cease replying to interjections across the table.

Mr MURPHY—It is a bit hard to ignore the interjections, Mr Deputy Speaker, when I want to make a point. I will say something later on about the forthcoming double dissolution election next year, because one of the triggers germane to this bill before the House this morning is the Migration Legislation Amendment (Further Border Protection Measures) Bill 2002.

Mrs Gallus interjecting—

Mr MURPHY—No, I am not calling it but your cynical Prime Minister will call it—probably for 18 September. I will say something about that because it is relevant to this bill in that one of the triggers already there is the bill I have just mentioned.

Mrs Gallus interjecting—

Mr MURPHY—Parliamentary Secretary, if you wait I will answer all your questions. I will take them without notice and I will do my best to answer them and to tell you why we are going to have a cynical double dissolution election—after I have made my lasting and invaluable contribution on this bill.

As I was saying, this bill is an example of the government pandering to populism in Australia because there is a pervading sense of fear and loathing held by a lot of people regarding two highly topical issues: terrorism and those we sometimes refer to as boat people. The increasing incidence of international terrorism and its impact upon Australia is clearly high on the agenda at the present time, and this policy area is a major driver of the bill before the House this afternoon. The second policy area driving this bill is the arrival of boat people in Australia. Significantly, this second driver is perhaps more directly relevant to this bill because of the fact that some 80 per cent of boat people arrive in Australia without any travel or other documentation. They are nameless people with no identity documentation of any kind.

The incidence of documented identity fraud has been an ongoing problem for many years in Australia. Yet again, I cannot hide my cynicism regarding the government's belated and half-hearted interest in this field. There are an estimated 60,000 illegal workers in Australia, and none of these people will be subjected to the purported policy and power protections afforded by this bill. Further, no real action has been taken by the government to address the obvious lucrative benefits in Australia from illegal work. One particular area that is directly relevant to this debate, and also high on the agenda, is what is called people trafficking, particularly in the area of prostitution, in Australia.

This government and the governments of the states and territories capitulate on the general laws of prostitution. I am appalled by this double standard being exhibited today by the government. One of the few powers that the public has in reducing or curtailing the activities of brothels and other disorderly

houses in Australia is through the Commonwealth government's immigration powers. Such policy direction is simply too tempting for desperate women seeking money at any cost. Prostitution goes hand-in-hand with money laundering and drug trafficking. These activities are very much part of the debate here today, for there is a high correlation between identity fraud and the organised people-trafficking syndicates that systematically undermine Australia's border protection program.

This bill recognises that the combined incidence of social liberalism and permissiveness, coupled with these laws of identity fraud, create an environment where there is a very great attraction to illegally come to Australia and work. I am staggered by the data provided by the Minister for Immigration and Multicultural and Indigenous Affairs in his fact sheet No. 74, which states that only 173 cases of travel document fraud were identified in 2000-01. That is a drop in the ocean. That figure of 173 cases tells me one thing: this government has failed yet again to adequately equip our border protection service agencies with the staff necessary to screen even an adequate number of flight and boat arrivals in Australia.

This is particularly true for the Australian Customs Service. The ACS is unable to screen more than one in 10 aircraft arrivals in Australia—that is a fact. It is only in the last two years that the number of unlawful arrivals by sea exceeded the number of unlawful arrivals by air. Therefore, those unlawful arrivals by air constitute the bulk of the estimated 60,000 unlawful workers here in Australia today. I ask: what has the government done about these unlawful workers?

This bill will not address this flagrant attack on the Australian job market and industry protection, to say nothing about the border protection and national security implications for Australia. Equally, the message is well out in the international community that Australia is and remains an open door through which a person may freely enter with minimal surveillance and an excellent chance of doing so without detection. This is further exacerbated by the fact that the Commonwealth government does not perform routine criminal record checks. This is how Dante Tan was able to enter Australia. What a farce! Mr Tan simply resumed his criminal activities in Australia, as he had previously done in the Philippines and China—and, I might add, with a lot of help from his friends in high places.

Like anything that has a social impact or causes social harm, the solution to the problem is more about prevention than cure. I note again that the two main drivers of the government's policy shift are terrorism and the increasing number of arrivals of boat people. It is too late to attempt identity checks on people after they have arrived here in Australia. The golden solution is to deter and prevent such people from arriving in the first place. I again refer to *Bills Digest* No. 14 of 2003-04, which makes an interesting comparison with the issues surrounding England's Heathrow airport. The *Digest* notes:

> … a UK Cabinet Office report entitled Identity Fraud: A Study released in July 2002 states that 50 cases of fraudulent travel documentation were detected every month at Heathrow Airport Terminal 3. It estimates that at least 10 times that number … were not detected.

The economic reasons for arriving in England or Australia are well known. However, this bill does exactly the opposite of what is being recommended in other policy areas. The laws must be consistent; so too must the policies.

The mantra that has been heard again and again with respect to drug trafficking is: 'Well, you'll never eliminate the use of drugs, so you may as well legalise and regu-

late them'—or words to that effect. These are puerile arguments. I say again: with people trafficking comes drug trafficking, money laundering and, predictably, organised international crime—precisely the sorts of activities that the Australian public does not want. There is also a very clear link between the incidence of organised crime, such as opium production, and international terrorism. This House is well aware that these activities are inextricably mixed and linked.

This policy conflict cannot continue. All governments—Commonwealth, state and territory—must unite to prevent the overwhelming proliferation of prostitution, drugs and money laundering. In the more general area of illegal work and those economic refugees simply seeking a more lucrative lifestyle, it is equally a case of a concomitant increase in industry protection powers. Again, this bill is window-dressing and does not face the reality that, whilst the policy conflicts and contradictions of the types I have described in areas such as prostitution continue, Australia will remain a 'crook magnet' for organised crime and people trafficking.

It was during the 1990s that this government consistently allowed border protection agencies like the ACS and the Australian Quarantine Service to run down. What is not said is that the reason for this running down of border protection was pressure from powerful business lobby groups in the airline, tourism and hotel industries, who complained incessantly about undue obstruction by such agencies. These industry groups—dare I say these captains of industry—pressured this coalition government into making more and more concessions, to the point where Australia was indeed an open door, which it remains.

The Senate Legal and Constitutional Legislation Committee report on this bill unfortunately is not being tabled until later today in the Senate. We have been reliably informed that there will be significant recommendations for redrafting this bill and, consequently, amendments proposed.

Mrs Gallus—I hope not; it is a confidential report.

Mr MURPHY—We will see about that. Parliamentary Secretary, you want to interject, so I will just enlighten you with respect to your earlier interjection—

The DEPUTY SPEAKER—I remind the member for Lowe to refer his remarks through the chair.

Mr MURPHY—Okay, Mr Deputy Speaker. I want to talk about the smorgasbord of double dissolution triggers and potential triggers, because there is one that is germane to this debate, as I was pointing out to the parliamentary secretary in response to her interjections: the Migration Legislation Amendment (Further Border Protection Measures) Bill 2002. I confidently predict that in the second half of next year the Prime Minister will go gangbusters with his smorgasbord of double dissolution triggers.

Mrs Gallus—Can you give us a date?

Mr MURPHY—I will give you the date. It is 18 September. That is when the next federal election—

Mrs Gallus interjecting—

Mr MURPHY—I am grateful for some advice that I received earlier today from Mr Scott Bennett from the Department of the Parliamentary Library on prospective scenarios and dates for a double dissolution. I note that the last possible date for the dissolution of both houses is Wednesday, 11 August. I do not believe the Prime Minister is a masochist; I will give him credit for that. He could have the double dissolution election, including this Migration Legislation Amendment (Further Border Protection Measures) Bill

2002, as early as 18 September, and that is the date I think he will have it on; I am ready for 18 September. Or, if he were a masochist—and I think he has probably learned from the experience of Bob Hawke's 1984 campaign—the latest possible date could be Saturday, 16 October 2004.

Why do I say that, Parliamentary Secretary? Because I believe that the Prime Minister is cynical enough to leave it to the last possible moment to have a double dissolution election. I remind you that, in addition to the Migration Legislation Amendment (Further Border Protection Measures) Bill 2002, there is one that I have a big interest in—and your Minister for Communications, Information Technology and the Arts made it quite clear last week and this week he was going to bowl up to the Senate again with it—the Broadcasting Services Amendment (Media Ownership) Bill 2002, which we should all be very concerned about in this House because it is going to concentrate media ownership in Australia.

There is also the Family and Community Services Legislation Amendment (Disability Reform) Bill (No. 2) 2002, the National Health Amendment (Pharmaceutical Benefits—Budget Measures) Bill 2002, the Trade Practices Amendment (Small Business Protection) Bill 2002, the Workplace Relations Amendment (Fair Dismissal) Bill 2002, the Workplace Relations Amendment (Secret Ballots for Protected Action) Bill 2002—

Ms Gambaro—Mr Deputy Speaker, I rise on a point of order relating to relevance. I ask what relevance there is in the member referring to all of the bills. I understand we are here to speak on the Migration Legislation Amendment (Identification and Authentication) Bill 2003.

The DEPUTY SPEAKER—The member for Petrie raises a point of order in relation to relevance and I draw the member for Lowe's attention to the need to refer to the bill.

Mr MURPHY—That is correct. But, with great respect to my friend the member for Petrie, my comments relate to and are at the invitation of the interjections by the parliamentary secretary. The parliamentary secretary interjected earlier in my speech about when the election will be held, and a potential trigger for the election is the Migration Legislation Amendment (Further Border Protection Measures) Bill 2002.

Mrs Gallus—Just pass the legislation and there won't be one. That's all you have to do.

Mr MURPHY—Those bills are unacceptable, as is the last potential trigger, the Workplace Relations Amendment (Termination of Employment) Bill 2002, not to mention the sale of Telstra and Dr Nelson's higher education changes. I am very confident that there is going to be a double dissolution election. You asked me for my date and I have given you 18 September. But Australia will be waiting for the definitive opinion piece with regard to the prophecy of the date for the next federal election. That will come from Dennis Shanahan, the political editor of the *Australian*, who is extremely reliable when it comes to cabinet decisions before they are actually announced, particularly as to when elections are going to be held. We will all look out for Dennis Shanahan, because you can bet your life that he will be on the money.

I want to make it quite plain in relation to border protection that the Labor Party will be spending $600 million on an Australian coastguard. We have five new important steps to better protect Australia that we will take when we are elected to government on 18 September next year. We will introduce a US style green card to crack down on illegal workers and ensure they are not stealing Australian jobs and undermining the pay and

conditions of Australians. We will smash onshore and offshore people-smuggling rings through tougher policing, including stationing more Australian Federal Police officers in Indonesia. We will impose harsher penalties, including million-dollar fines, for people smugglers. We will focus on eradicating people trafficking for the purposes of sexual or other exploitation as well as people-smuggling. Also, we will better protect our airports and seaports.

In relation to a green card to crack down on illegal workers, we believe that the largest immigration challenge facing Australia is the more than 60,000 people who are here illegally. More than a quarter of these people have been here for more than 10 years, and 30,000 people are working illegally. That is a very serious matter, and Labor are serious. When we get into government we will do something about it in a practical way, not cynically as with this bill before the House today.

In conclusion, I will await the Senate Legal and Constitutional Legislation Committee report on this bill. That will be tabled later today in the Senate. We can reasonably expect that there will be significant recommendations coming from that report. There is likely to be a redrafting of the bill and amendments proposed. I look forward to making a contribution in speaking on those amendments when they come before the House.

Ms GAMBARO (Petrie) (12.26 p.m.)—It is always very interesting to follow the member for Lowe. Apart from his giving us a wide and divergent view on when the next federal election will be held and what the triggers will be and offering up an insightful date, he did actually come back to what we are discussing today, which is security at airports. I found his contribution quite far-swinging in many regards. He says that he and his party are for better and stronger protection at airports and seaports, and yet he offers objections to many different aspects of the Migration Legislation Amendment (Identification and Authentication) Bill 2003.

The upholding of national security is one of the things that, as citizens, this government is absolutely committed to. Any government that aspires to anything less than protecting its national and international borders quite frankly does not deserve to be in office. There are few members here who would argue with Thomas Jefferson's famous phrase:

> Eternal vigilance is the price of liberty.

Indeed, all in this House who lay claim to membership of the Returned Services League of Australia will proudly quote it as their national motto. John Curran, Lord Mayor of Dublin in 1790, said:

> It is the common fate of the indolent to see their rights become a prey to the active. The condition upon which God hath given liberty to man is eternal vigilance; which condition if he break, servitude is at once the consequence of his crime and the punishment of his guilt.

It was quite interesting to listen to the member for Lowe. We have to fight against transnational identity fraud and terrorism. It is not okay to be warm and fuzzy about this sort of stuff and to think that 'she'll be right' strategies will help us get through this; nor is it okay to oppose this particular bill that is before us.

The sophistication of modern identity fraud and its growth prove that there are many who start from a position of distrust of the laws of this country and there are those who uphold those laws and their intentions. People who breach national borders show a bloodcurdling lack of concern for those who trust them with their lives. The boats that people smugglers use are never the latest generation state-of-the-art marine technol-

ogy; they are criminally unsafe rust buckets. Nine times out of 10, they are unseaworthy floating deathtraps, whose cheapness reflects exactly how little those who cram them full to the gunwales really value human life.

When you are ingenious, unscrupulous, dishonest or intent on abusing the trust of others, you really have a head start. You can buy a ticket. You can board a plane. You can fill in a form. You can assume a name. You can assume another person's identity. You can bypass the time-consuming protocols and procedures required by law. You can also apply to welfare and for jobs to which you are not legally entitled—all the things that Australians freely give to those who follow rules, take their turn through the proper legal channels and do not abuse the trust of the Australian people and laws. Worse, you can threaten the very physical safety, the lives of those who trusted you. That is the real terror of terrorism—not just of the deed but of the mentality behind it.

This legislation equips us with the technology we need in order to combat identity fraud. It allows us to use personal identifiers, like photographs and signatures, from non-citizens in order to quickly and accurately identify those who seek to enter and remain in Australia and to do it at an integrated Commonwealth and state agency level. The mobility of the modern world, with globalised and international trade, is perfect for people smugglers and terrorists.

As at December 2001, Australia's resident population was 19.6 million. The 2001 census revealed that 22 per cent of those people were born overseas. So one in four people living permanently in Australia have entered the country using documents of identity which were accepted by DIMIA as verifying their identity. Millions of people travelled to Australia on identities they provided as part of those visa-processing procedures.

It is difficult to determine the number of people seeking to enter Australia using fraudulent identities or identity documents at any one time. But, between July 2001 and July 2003, DIMIA staff in New South Wales identified 132 cases of people who had applied for a protection visa in Australia and whom the department could not identify from movement records under the names provided in their applications. In some cases investigations revealed that they had entered Australia under their true identity but claimed protection under a false identity to disguise previous protection applications in other countries. Another study of protection visa application data for the period of 2001-02 revealed that there was immigration and identity fraud among applicants who purported to be citizens of the Republic of Korea but who were in fact citizens of the People's Republic of China of Korean ethnicity. This activity is subject to ongoing investigation.

There are a number of methods of identity fraud, including the absence of verifiable identity documents, which occurs quite frequently; the use of multiple identities or variations of a real identity in order to support spurious claims or avoid detection of a previous successful claim for protection in another country; multiple applications for a protection visa; use of constructed identities or nationalities to avoid detection; change of identity by successful applicants for a protection visa, through freedom of information requests or during citizenship processing in order to perpetrate fraud in Australia; and use by some refused applicants for a protection visa of a new identity to facilitate entry into Australia. The department has identified cases where persons deported from Australia for a whole host of reasons have been able to obtain a new passport in their home country through legal name change procedures and then re-enter Australia using the new pass-

port. People have found many ingenious ways of getting into Australia by avoiding detection of their true identity.

The term 'personal identifier', as defined in section 5A of the bill, includes fingerprints or handprints; measurements of weight or height; photographs of the face and shoulders; audio or video recordings; iris scans and signatures; and other identifiers prescribed by the regulations, provided they are not identifiers that would involve the carrying out of an intimate forensic procedure within the meaning of section 23WA of the Crimes Act 1914 and provided they meet the description of an image, measurement or recording of an external part of the body. In the above cases the absence of a unique identifier, such as that provided by a fingerprint or facial image, means that DIMIA's ability to identify noncitizens relies largely on overseas documentation that they present. By introducing a framework for the collection of personal identifiers in prescribed circumstances, the bill will provide a mechanism for confirming the identity of noncitizens.

A number of other countries have already responded to the growing incidence of fraud in the immigration context. This legislation enables Australia to coordinate and exchange information to combat terrorism and people-smuggling and to fight immigration fraud. It will also prevent Australia from being seen as a soft target by terrorists, people smugglers, forum shoppers and other noncitizens of concern.

The measures in the bill protect the privacy of noncitizens by placing limits on the access to and disclosure of identifying information provided under its provisions. Identifying information will not be disclosed to a foreign country if that noncitizen has made a protection visa application to that country. However, this prohibition on disclosure will not apply if the person requests or agrees to return to that foreign country. It will also not apply if the noncitizen's application for a protection visa is refused and finally determined.

There are also sections in the bill—sections 261AL and 261AM—that provide that minors aged 15 and under and incapable persons will only be required to provide height and weight measurements and photographs of face and shoulders and that minors under 15 years of age can only be required to provide certain personal identifiers. New subsection 261AL(1) applies only to those minors who are under 15 years of age. It provides that a noncitizen under 15 years of age, whether or not in detention, can only be required to provide the measurement of his or her weight or height or a photograph or other image of his or her face or shoulders as a personal identifier. The age of 15 was chosen because this is consistent with international comparisons in the migration context.

Subsections 261AL(5) and (6) deal with persons to be present during identification tests concerning a minor and provide that a parent, guardian or independent person—if the minister is the minor's guardian—must be present during identification tests concerning a noncitizen minor, whether the minor is in detention or not. That is a very important measure contained in this bill. New subsection 261AL(2) provides that a noncitizen minor must not be required to provide a personal identifier by way of an identification test carried out by an authorised officer under subsections 40, 46, 188 or 192 unless a parent or guardian consents to the minor providing personal identifiers.

Listening to some of the previous speakers, you would think that this government were introducing something totally radical and absolutely beyond the rest of the world. We do have to keep pace with global technology and we have to ensure that we work

with other countries. A number of countries are looking at personal identifiers and Australia is not unique. Some moves have been made, particularly in this country, to increase security with regard to passports. The Department of Foreign Affairs and Trade will soon be issuing passports featuring a hologram-like floating kangaroo which will have biometric information. That will ensure that biometric information of a digital image of a person's face is stored in a microchip in a passport. That is in progress. The image will allow a computer to check a person's face more accurately to ensure that the person carrying that passport actually owns it.

The United States is also working in this particular area and has basically said that Australians visiting the United States will require visas if a program which has this biometric information available for passports has not been introduced into Australia by next October. So if anyone is applying to visit the United States they will have to apply for new passports and they will have to ensure that that biometric information is available. If it is not, the United States is requiring that visas now be sought. So around the world—starting with the United States—you have stricter passport and visa requirements and you have more and more countries that are looking at biometric information.

I see that the Parliamentary Secretary to the Minister for Foreign Affairs, Mrs Gallus, is in the chamber. She introduced measures recently so that, when people require a new passport, they now have to have a change-of-name certificate, such as a marriage or divorce certificate, as statutory declarations are no long sufficient. I applaud her for taking those measures, because the world is now a less safe place and we have to become more vigilant. Passport security is a foundation of that international movement.

I have mentioned the United States, but I also want to speak about some other countries. Mexico has, for years, been using recognition files to prevent people from registering to vote more than once in an election. But, because of the movement of people across Mexican borders and also into the United States, there will be considerable work in this area as well. Biometric systems are being used all over the world and, clearly, it is something that we as a country need to look at as well. Homeland Security is expected to start taking fingerprints and digital pictures of incoming travellers to the United States at air- and seaports in January. Biometric scans at land borders with Mexico and Canada, which handle 80 per cent of America's 440 million annual inspections, are due to begin in 2005. And many other countries are looking at this technology also.

In England, millions of would-be visitors to Britain will now be fingerprinted or undergo iris scans before being given visas. The aim is to tackle the huge number of people who are given temporary permission to enter Britain each year—whether they are students or people who are visiting relatives—and never go home. Some lodge asylum claims, and many overstayers are caught destroying travel documents and claiming asylum or inventing new identities to cover their tracks. It is very difficult to deport to another country anyone without relevant travel documents. Up to 90 per cent of asylum seekers present themselves in England without travel documents, and officials will now be able to use fingerprints, taken as part of the visa process, to identify those who are lodging claims. These measures have been trialled in Sri Lanka, where anyone going to the UK is obliged to be fingerprinted. These fingerprints are stored electronically and they are compared with the prints taken from people later claiming asylum.

These measures are not new; we are not doing something that is totally revolutionary. We have to keep up with technology. The world of international terrorism and people smugglers is becoming much more sophisticated. People are using electronic means and devices in ways never before used. Technology has ensured that the ways around things are becoming much more ingenious. We really do have to look at using technology to its best advantage. I fully support this bill, because I believe that we must ensure that we provide absolute security to not only our residents but also those who are travelling to Australia. We must ensure that we maintain the highest levels of security for this country.

Mrs HULL (Riverina) (12.44 p.m.)—Today I rise to support the Migration Legislation Amendment (Identification and Authentication) Bill 2003 because I believe that it will strengthen and clarify the existing powers currently legislated under the Migration Act 1958. The changes proposed by this bill will enable the Commonwealth government to deal with identity and immigration fraud, while making the immigration process far more efficient for the many people who enter Australia each year. Many of those people who enter Australia under an immigration process end up in my electorate of Riverina, particularly around the very richly multicultural areas of Griffith and Leeton and even further out around Hay and other communities. So it is indeed of concern to me that we ensure that the integrity of this process is always retained.

Currently, the act allows certain personal identifiers to be collected from noncitizens to enable identification and verification. Importantly, through the introduction of this bill the government is acting now to put in place a framework that will enable future developments in identification technology to be adopted quickly, ensuring Australia continues to keep pace with developments in the international community. Safeguards will be included in the legislation to protect noncitizens and their personal identifiers, particularly in relation to the access, storage, use and disclosure of this sensitive information. While we all wish we could return to the comfort and innocence of pre September 11, the reality is that the world has changed. In order to protect our borders, our infrastructure and, most importantly, our citizens and those people who would live in Australia, we must continue to keep pace with the rest of the world and adopt identification measures to ensure that those people who enter our country are who they say they are.

The recent terrorist attacks that changed our view of the world and heightened our awareness of our security have elevated issues of terrorism and the international movement of terrorists to a new level of importance. Allowing terrorists to continue participating in identity fraud, document fraud and irregular migration greatly affects Australia's ability to protect its borders. Therefore, improved border security and proof of identity requirements, including biometric identification, are absolutely critical. The introduction of biometric testing measures will enable Australia to fall in line with similar developments in many other countries, which I will come to later. Like many countries throughout the world, Australia faces the challenge of being able to quickly and efficiently identify the people who seek to enter and stay in Australia. It is imperative that we know who enters this country.

While this bill recognises the importance of protecting Australia and its citizens from illegal and terrorist access, it also establishes measures to protect noncitizens who provide personal identifiers. For example, the bill prohibits collecting personal identifiers that involve the use of an intimate forensic procedure, such as blood tests or hair or saliva samples. The types of personal identifiers

that we are talking about here are fingerprints—as the member for Petrie indicated—handprints, photographs or other images of the face and shoulders, weight and height measurements, audio or video recordings, signatures and iris scans. They are all perfectly acceptable and non-invasive procedures. In addition to security issues, the accurate identification of noncitizens is essential to ensure the integrity of migration programs. By combating document and identity fraud in immigration matters, we will accurately identify noncitizens who have a criminal history or who are of national security concern, we will detect forum shopping by visa applicants, and Australia will remain at the fore in border security and migration.

We are a country that has a very rich history of migration. I am a very lucky member in that in my electorate I have that beneficial, rich history in the cultural and dynamic communities of Griffith, Leeton and others. Those communities have primarily been established in and border the fastest and most prosperous growth areas in the nation, which has been due to the rich cultural diversity that has come into this country through migration, through people choosing to leave their mother countries and come to Australia to start new lives. It is a very important process, it is a great history and it delivers great cultural benefits to the Australian people.

It would be preferable for our migration program to continue as it has done for many years—to allow people to be reunited with their family or to make a fresh start in a new country. In order for our migration program to continue to be a success, it needs to be strong on security and ensure that people entering Australia are genuine in their intentions. This bill also protects those same people in the event of future arrivals who may threaten their own lives and wellbeing. What we are doing is putting in place a process. This is not discriminatory. This is not to ensure that we are able to screen people through a selective process. It offers a very secure future for those people who want to come into this country and start a new life, who have no criminal conviction and who have no reason why they should not be living in Australia and being a family in Australia. In the future, those same citizens who have settled here will be protected by this very bill. Their livelihoods, children, loved ones and families will be protected by this very bill that we are putting in place now.

As I said, I am very supportive of the process that we are undertaking now. While it may be very tempting to simply close our doors in fear, out of a desire to protect ourselves, this is not the way to stop identity fraud or people who are a security concern. The implementation of systems to accurately identify people is a much better way not only to ensure that those who enter Australia are doing so with good intentions but to ensure that those people who are living here have protection. The noncitizens who will be required to provide personal identifiers include noncitizens in immigration detention, noncitizens who apply for visas or who are to be granted visas, noncitizens who enter and depart Australia, noncitizens in questioning detention and persons in Australia who are known to be or are reasonably suspected of being noncitizens.

In this international environment, Australia—we as a nation—cannot afford to be seen as a soft target by terrorists, people smugglers, forum shoppers and other noncitizens of concern. By adopting these measures, identification powers here will come into line with similar measures already in place in Canada, the United Kingdom, the United States and the European Union. This will enable opportunities to exchange information in relation to counter-terrorism and forum shopping. Not only will it allow Australia to contribute to global terrorism issues

but it will enable our intelligence and security agencies to receive information that may assist in our own border security. By sharing this information with other nations, Australia will have a much greater pool of resources by which to identify people seeking to enter Australia, whether it is those applying for visas, those seeking refuge or those associated with terrorist organisations. By assisting the government to more accurately identify noncitizens in immigration detention, it will also assist to minimise the amount of time that detainees spend in detention.

For those seeking to come into this country legally, the adoption of such measures will allow for more efficient visa application processing and legitimate access to rights and entitlements for visa holders. The measures we are introducing with this legislation will protect all Australian citizens and all people on Australian shores. As I have indicated, those people who will have to undertake this regime will be the very people who will also receive the protection in future years. Our world has changed: the events of September 11 and the dramatic Bali bombing have brought changes by which Australians feel that they need to look at security for themselves and their loved ones.

The aim of this bill is not to increase fear or reduce individual rights and privacy but simply to enable us to ensure the identity of people arriving in our country, and that certainly is not too much to ask and is a very responsible measure indeed. There is a change in our lives that many Australians accept after all of the things that have happened in the last two years, such as the incident in Sydney where commuters were searched before entering railway stations and boarding trains. People have come to accept that, in this post September 11 world, increased security and means of identification are part of our lives—a part of our lives, unfortunately, that needs to be put in place and is here to stay. I know entering through metal detectors and X-ray machines before boarding a plane provides me with a greater sense of wellbeing. It provides a sense of security, knowing that the people sharing a flight with you or working in the same building as you are as secure as possible and are correctly identified.

Not passing this legislation would present a risk to the government in that various levels of government and private sector administrative and financial systems rely on the identities established by DIMIA to confer various benefits and entitlements. What this bill before us today will do is strike a balance between the need for effective identification and testing measures and the protection of individual rights. The Migration Act already allows for the collection of some personal identifiers from noncitizens in certain circumstances. These collection measures include that photographs and signatures are required to make a valid visa application for some classes of visa, identity documents are required on entry to Australia in order to obtain immigration clearance, and an authorised officer can photograph or measure an immigration detainee for identification purposes.

Also included in the legislation before the House are special provisions for minors and incapable persons. This includes minors aged less than 15 years. Incapable persons are only required to provide photographs of their face and shoulders and measurements of their height and weight. They do not have to provide any other type of personal identifier. There are six generic types of biometric data in use today: face, iris, fingerprint, hand, signature and voice. This legislation provides the framework for the collection of biometric data by Immigration officials. Current Australian and overseas immigration regimes routinely require photographs and signatures. The bill expands the powers available to col-

lect other biometric information, including fingerprints, iris scans, facial scans and body measurements from noncitizens, and sets out a regulatory framework for the databases to be established. The current act does not contain safeguards for retention and disclosure.

In contrast to the current regime, the Migration Legislation Amendment (Identification and Authentication) Bill sets out a definition of a personal identifier, the number of circumstances in which it may be required, how it is to be provided, stored and used, and the circumstances in which it must be destroyed. It lifts the departmental instructions into primary legislation.

Identity fraud not only impacts on the integrity of the immigration program; at an organised level it may be linked to future terrorism and organised crime, including money laundering and credit card skimming. At an individual level, identity fraud could include taxation and social security fraud. I remember being part of the House of Representatives Standing Committee on Economics, Finance and Public Administration when we looked at the abundance of tax file numbers and the ability to perpetrate fraud with respect to those numbers. How many times have we seen tax file numbers on display at various outlets across the nation with regard to work rights? So I think this bill is a very sound and sure bill, and one that really does need to be supported. The Australian government estimates the total cost of identity fraud to be about $4 billion each year. In Australia there were 143 cases of fraudulent travel documentation, including nonexistent travel documentation, in 2000-01.

I cannot commend this bill to the House highly enough. I think the majority of people within Australia, and those who are yet to travel to Australia to make this country their home, would be willing to accept the introduction of these measures before the House due to this changing world. For the better protection of our nation we should be willing to accept increased measures of identification, which will be used by security agencies to prevent all of those things that could go wrong and in future could jeopardise the safety of Australian people. I support the bill.

Mr RUDDOCK (Berowra—Minister for Immigration and Multicultural and Indigenous Affairs and Minister Assisting the Prime Minister for Reconciliation) (12.59 p.m.)—by leave—I take this opportunity to thank the members who have spoken in this debate. We have had the members for Gellibrand, Dickson, Forrest, Forde, Petrie, Riverina, Cunningham, Blaxland and Lowe. To all of them, except for the member for Riverina, whom I did have the opportunity to hear, I apologise that I was not here for the whole of the debate. But I have been following it as I can and I have some comments that I would like to make about the importance of the Migration Legislation Amendment (Identification and Authentication) Bill 2003.

Australia, like many other countries, faces a challenge of being able to accurately define and identify persons who seek to enter and remain here. There is a growing incidence of identity fraud worldwide and this is a problem that not just Australia is facing. We are not immune from it. The cost to the wider Australian community of identity fraud is measured not just in millions or hundreds of millions of dollars but potentially in billions of dollars. We know that identity fraud is also a cost to government and that it systematically tests government programs.

The role of the Department of Immigration and Multicultural and Indigenous Affairs is particularly important because the department is the gateway for noncitizens to establish their identity in Australia. Government and private sector administrative and finan-

cial systems rely upon identities established by my department to confer various benefits and entitlements, and so DIMIA has a very important responsibility to be able to accurately identify noncitizens.

Identity document fraud also facilitates the movement of people who can be quite undesirable. Terrorists have been known to use fraudulent documentation. Border security and enhanced proof-of-identity requirements are critical to Australia's national security as well as to the integrity of the services and programs that operate in this country. It is in this context that this bill has to be seen, as part of a whole-of-government approach to confront identity fraud and to respond to a new framework in which technologies are developing and emerging and where there is a need to be able to respond flexibly.

From the outset I think it is important to note that the Migration Act already provides for the collection of personal identifiers. This is not a new task; it has been done over a long period of time, in the sense that we have taken photographs and signatures in order to make a visa application valid. We have had prescribed identity documents that people have to produce in certain cases. These can include passports, but they can also include other forms of documentation. An authorised officer can photograph or measure an immigration detainee, for instance, for identification purposes. But the act as it stands does not define a personal identifier. It does not deal with the circumstances in which a personal identifier may be required or how it is to be provided, nor does it presently contain safeguards for retention and disclosure. So this bill is to implement a more comprehensive and transparent legislative framework for requiring noncitizens to provide those identifiers that we need at various points in the visa and entry process. But it also provides a range of safeguards for noncitizens who are required to provide them.

Other countries are responding in a similar fashion and are introducing identification testing measures for exactly the same reasons that we are—to combat identity fraud. The European Union member states have established Eurodac, which is a centralised system for comparing fingerprints of asylum seekers. The United States will soon require all travel and entry documents to include a biometric identifier. In the United Kingdom there is provision for developing regulations to require noncitizens to provide external physical characteristics data as well as iris scans. So this bill is consistent with what is happening internationally.

The types of identifiers and the circumstances in which they must be provided will be set out in regulations. I am conscious that this part of the bill has drawn some criticism. It has been suggested that the bill will provide for a broadening of powers and that, even though there are safeguards included in it, these matters ought to be dealt with only in legislation rather than in delegated legislation. It flies in the face of the sorts of processes that all governments are faced with in terms of being able to respond quickly and flexibly if you seek to put everything into a legislative framework and ignore the capacity to outline the general principles that would operate in primary legislation and then deal with detail later in regulations which can be changed more flexibly. Of course, changing regulations still requires parliamentary approval. It is not as if the parliament will not be involved. If you introduce regulations, they are still the subject of very important parliamentary scrutiny, so it does not absolve us of parliamentary scrutiny. I stress that these are the normal sorts of arrangements that governments of all political persuasions recognise are important in order to have legislation that is flexible

enough to deal with an area where change is likely to occur with some frequency.

I stress again that the immigration department already requires provision of personal identifiers, usually in the form of a photograph attached to a visa application, or an identity document such as a passport, which includes a photograph, and so it is likely that, under this legislation, initially those arrangements that operate now would continue to be in place. But the regulations will provide that applicants for certain types of visas must provide additional evidence of their identity. Personal identifiers can be required as part of an application process. For example, in relation to protection visa applicants, regulations may provide for the collection of identifiers such as a facial image or fingerprints in order for a valid application to be made. That is important because it does enable you to work with other countries in identifying people who may have been making multiple claims, who may have already been considered for refugee status in another country and had their claims rejected, where that information was not being provided to you.

It is not intended that a lack of documentary evidence or identity on the part of an applicant for a protection visa, for example, would prevent them from being able to make a valid claim. I ought to say that because the member for Cunningham suggested that there may be some ulterior motive in relation to this. I do know that other countries are looking at requiring people who want to make protection claims to actually produce certain identification. Other countries have looked at those sorts of issues and are implementing those sorts of arrangements, but in this particular measure that is not what is being sought or asked for.

This bill provides for a personal identifier such as a photograph or fingerprints to be collected from the person, at the time they lodge the application, for the purpose of establishing and later authenticating their identity. I think those are the important points to be made. Providing, in the regulations, for circumstances where the provision of a personal identifier may be required will allow technological developments and situations that might vary in the future to be addressed. For instance, facial recognition technology, using an automated kiosk to facilitate the expeditious or unobtrusive processing and verification of passengers at airports, is being looked at and is something that we may well be moving to fairly soon. Collecting facial images in relation to migration applications at the time of the lodgment of an application is part of the associated medical and skills assessment to ensure that the person being assessed for a medical purpose is the same person who has made the application. That is one reason why you might want to have the capacity to collect facial images at different points in the process.

The ability to authenticate the identity of a suspected non-lawful citizen during compliance operations is also a very important matter. The member for Gellibrand suggested that this legislation was not dealing with the problem of people working unlawfully. While this legislation does not deal directly with the issue of penalties for those who are found to be working unlawfully or penalties for those who employ them—and other legislation may well deal with that in the near term—it does enable us to more effectively identify people who are working unlawfully. Our compliance operations will be enhanced by having in place legislation like this, which will give us a better capacity to identify those who are unlawful.

Providing in the primary legislation for a wide range of possible circumstances could of course make the act very cumbersome and unwieldy, given the large number of visa

classes and subclasses that are administered by DIMIA. Providing in the regulations for such a range of circumstances allows a more targeted response that is appropriate to the risks of identity fraud associated with a given circumstance. Guidelines will be developed to cover scenarios where third parties such as medical practitioners and English-language testing agencies collect photographs on behalf of the department. The guidelines will include information on cultural and religious sensitivities in terms of the way in which photos are taken. They will specify the size and quality of the photos and will stipulate that the photo must be limited to the face.

More importantly, the bill will provide for a range of safeguards to protect noncitizens who are required to provide those identifiers. For example, all identification tests will be conducted in circumstances that afford reasonable privacy to the noncitizen, and any identifying information will be treated in accordance with the requirements of the Privacy Act. In circumstances where reasonable force is required to carry out identification tests—on a detainee, for instance—it may only be used as a measure of last resort and must be authorised by a senior officer.

In addition, the bill will protect the privacy of non-citizens by placing limits on access and disclosure of identifying information. It will be an offence to disclose identifying information unless it is permitted, as it may be for disclosure. For example, a permitted disclosure includes disclosure to a law enforcement agency or border control body of a foreign country to inform their government of the identity of a person being removed or deported. Further, this bill contains provisions to ensure that identifying information will not be disclosed in certain circumstances. For instance, identifying information will not be disclosed to a foreign country if a person has made a protection application, unless the person requests it or agrees to it.

In relation to the retention of information, the bill provides for some circumstances where an individual's identifying information will be kept indefinitely. One of these circumstances is where the minister is satisfied that the noncitizen is a threat to the security of the country, or issues a certificate to that effect. However, identifying information obtained under this bill will generally be retained in the same manner as all other information retained under the act—that is, in accordance with the Archives Act.

The proposals contained in this bill are important. However, I should take up a number of the points made in the debate which I do not think refer directly to the legislation. The member for Blaxland made some comments about the immigration arrangements of many decades ago. He did that in the context of the Lebanese concession, as it was known, in the early 1970s. The Lebanese concession was invoked at the time because of the extraordinarily difficult circumstances facing the Lebanese in the context of civil war, where people were seen to be in refugee-like situations. There were people in Australia with relatives who were adversely affected, and arrangements were put in place to assist in relation to that.

That was not unusual. There have been other times when concessional arrangements have operated. This has occurred under governments of different political persuasions and at different times. For instance, Australia continued to take Vietnamese people from camps in Asia, without testing their entitlement to a refugee outcome, right up until 1989. I remember the involvement of former Senator Peter Rae in bringing to a conclusion arrangements which, broadly, had operated with little scrutiny and, I might say, without regard to some of the safeguards that we would regard as fundamental today.

I made some inquiries because the member for Blaxland sought to relate his comments to certain contemporary events. Mr Kisrwani, whom he mentioned, was one of the people in the Lebanese community who, from time to time, spoke to me about what he saw as the rather general way in which the provisions were able to operate. He was of the view that there should have been far more developed controls over the Lebanese concession than there were. To try to impugn his integrity by linking him with the operation of the Lebanese concession of almost 2½ decades ago is certainly inappropriate.

I would further say that I find there is in these matters—particularly in the context in which they were offered—an unfortunate stereotyping of the Lebanese community. If it had been raised by a member on this side of the House in relation to any particular community, there would have been outrage—I suspect confected outrage—on the other side, as outrage at stereotyping is something that I have seen frequently pursued. I must say I would be very surprised if members of the opposition were involved in stereotyping communities but on this matter I think that has occurred. The fact is that, on the advice given to me, health and character checks were required for those who accessed Australia at that time, contrary to the assertion made by the member for Blaxland. So I simply make the point that, if he was suggesting that the operation of the Lebanese concession 25 years ago was without integrity, on the advice that was given to me that is a flawed view. If he was suggesting that you could in some way stereotype the Lebanese community because they accessed Australia without health and character controls, I think that is a very unfortunate implication to draw.

I conclude my remarks by simply saying that, during the course of debate on of this bill, reference was made to the fact that a Senate committee is deliberating on this matter. I have no problem with a Senate committee deliberating on such matters but, in my view, the progress of bills before this House cannot be held to the program of the Senate. The Senate organises its own program. It deliberates as it sees fit and it is entitled to do that, but this chamber cannot wait on its deliberations. Obviously, senators may have some views to put. It may be that the opposition will want to take into account whatever views they form and it may be that this House will have to address these issues again.

This legislation is important. If there were issues that arose in relation to identity which we could have addressed because of certain technological changes that were occurring—if we had a capacity to identify more effectively people who posed risks to Australia —but we put it off, I think we would be derelict in our responsibilities. It is important that we give those who are required to deal with theses issues for us effective tools to be able to work at properly identifying those people who seek to come here and to be able to work with other nations, particularly with other law enforcement organisations, to address situations where people may be seeking to disguise their identities and when their ulterior motives are quite detrimental to the interests of Australia. I urge the chamber to support the bill. If there are issues after the Senate committee's report that it is believed ought to be looked at, obviously we can address those at an appropriate time.

Question agreed to.

Bill read a second time.

Third Reading

Mr RUDDOCK (Berowra—Minister for Immigration and Multicultural and Indigenous Affairs and Minister Assisting the Prime Minister for Reconciliation) (1.19 p.m.)—by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

MINISTER FOR EMPLOYMENT AND WORKPLACE RELATIONS

Censure Motion

Dr EMERSON (Rankin) (1.19 p.m.)—I move:

That so much of the standing and sessional orders be suspended as would prevent the Minister for Employment and Workplace Relations immediately coming into the Chamber to make a statement explaining:

(1) why the Minister has not read the secret Chapter 23 of the Report of the Cole Royal Commission into the construction industry, that sets out allegations of criminal behaviour;

(2) how the Minister prepared the Exposure Draft of the Construction industry legislation in response to these allegations; and

(3) whether he proposes to refer the leaking of the secret Chapter to the police for investigation.

On the minister's big day out someone has rained on his parade. He gave a personal explanation—

Mr ROSS CAMERON (Parramatta—Parliamentary Secretary to the Minister for Family and Community Services) (1.20 p.m.)—I move:

That the member be not further heard.

Question put.

The House divided. [1.24 p.m.]

(The Deputy Speaker—Hon. I.R. Causley)

Ayes……	71
Noes……	60
Majority……	11

AYES

Abbott, A.J.	Anderson, J.D.
Anthony, L.J.	Baird, B.G.
Baldwin, R.C.	Barresi, P.A.
Bartlett, K.J.	Billson, B.F.
Bishop, B.K.	Bishop, J.I.
Brough, M.T.	Cadman, A.G.
Cameron, R.A.	Charles, R.E.
Ciobo, S.M.	Cobb, J.K.
Draper, P.	Dutton, P.C.
Elson, K.S.	Entsch, W.G.
Farmer, P.F.	Forrest, J.A. *
Gallus, C.A.	Gambaro, T.
Gash, J. *	Georgiou, P.
Haase, B.W.	Hardgrave, G.D.
Hartsuyker, L. *	Hawker, D.P.M.
Hockey, J.B.	Hull, K.E.
Hunt, G.A.	Johnson, M.A.
Jull, D.F.	Kelly, D.M.
Kemp, D.A.	King, P.E.
Ley, S.P.	Lindsay, P.J.
Lloyd, J.E.	Macfarlane, I.E.
McArthur, S. *	McGauran, P.J.
Moylan, J. E.	Nairn, G. R.
Nelson, B.J.	Panopoulos, S.
Pearce, C.J.	Prosser, G.D.
Pyne, C.	Randall, D.J.
Ruddock, P.M.	Schultz, A.
Scott, B.C.	Secker, P.D.
Slipper, P.N.	Smith, A.D.H.
Southcott, A.J.	Stone, S.N.
Thompson, C.P.	Ticehurst, K.V.
Tollner, D.W.	Truss, W.E.
Tuckey, C.W.	Vaile, M.A.J.
Vale, D.S.	Wakelin, B.H.
Washer, M.J.	Williams, D.R.
Worth, P.M.	

NOES

Adams, D.G.H.	Albanese, A.N.
Beazley, K.C.	Bevis, A.R.
Burke, A.E.	Byrne, A.M.
Corcoran, A.K.	Cox, D.A.
Crosio, J.A. *	Danby, M. *
Ellis, A.L.	Emerson, C.A.
Evans, M.J.	Ferguson, L.D.T.
Ferguson, M.J.	Fitzgibbon, J.A.
George, J.	Gibbons, S.W.
Gillard, J.E.	Grierson, S.J.
Griffin, A.P.	Hall, J.G.
Hatton, M.J.	Hoare, K.J.
Irwin, J. *	Jackson, S.M.
Jenkins, H.A.	Katter, R.C.
Kerr, D.J.C.	King, C.F.
Latham, M.W.	Lawrence, C.M.
Livermore, K.F.	Macklin, J.L.

McClelland, R.B.	McFarlane, J.S.
McLeay, L.B.	McMullan, R.F.
Melham, D.	Mossfield, F.W.
Murphy, J. P.	O'Byrne, M.A.
O'Connor, B.P.	O'Connor, G.M.
Organ, M.	Plibersek, T.
Price, L.R.S.	Quick, H.V. *
Ripoll, B.F.	Roxon, N.L.
Rudd, K.M.	Sawford, R.W.
Sidebottom, P.S.	Smith, S.F.
Swan, W.M.	Tanner, L.
Thomson, K.J.	Vamvakinou, M.
Wilkie, K.	Zahra, C.J.

* denotes teller

Question agreed to.

The DEPUTY SPEAKER (Hon. I.R. Causley)—Is the motion seconded?

Mr LATHAM (Werriwa) (1.28 p.m.)—I second the motion. What is it about this minister and secrecy? A secret slush fund and now a—

Mr ABBOTT (Warringah—Leader of the House) (1.28 p.m.)—I move:

That the member be not further heard.

Question put.

The House divided. [1.30 p.m.]

(The Deputy Speaker—Hon. I.R. Causley)

Ayes……	71
Noes……	60
Majority……	11

AYES

Abbott, A.J.	Anderson, J.D.
Anthony, L.J.	Baird, B.G.
Baldwin, R.C.	Barresi, P.A.
Bartlett, K.J.	Billson, B.F.
Bishop, B.K.	Bishop, J.I.
Brough, M.T.	Cadman, A.G.
Cameron, R.A.	Charles, R.E.
Ciobo, S.M.	Cobb, J.K.
Draper, P.	Dutton, P.C.
Elson, K.S.	Entsch, W.G.
Farmer, P.F.	Forrest, J.A. *
Gallus, C.A.	Gambaro, T.
Gash, J. *	Georgiou, P.
Haase, B.W.	Hardgrave, G.D.
Hartsuyker, L. *	Hawker, D.P.M.
Hockey, J.B.	Hull, K.E.
Hunt, G.A.	Johnson, M.A.
Jull, D.F.	Kelly, D.M.
Kemp, D.A.	King, P.E.
Ley, S.P.	Lindsay, P.J.
Lloyd, J.E.	Macfarlane, I.E.
McArthur, S. *	McGauran, P.J.
Moylan, J. E.	Nairn, G. R.
Nelson, B.J.	Panopoulos, S.
Pearce, C.J.	Prosser, G.D.
Pyne, C.	Randall, D.J.
Ruddock, P.M.	Schultz, A.
Scott, B.C.	Secker, P.D.
Slipper, P.N.	Smith, A.D.H.
Southcott, A.J.	Stone, S.N.
Thompson, C.P.	Ticehurst, K.V.
Tollner, D.W.	Truss, W.E.
Tuckey, C.W.	Vaile, M.A.J.
Vale, D.S.	Wakelin, B.H.
Washer, M.J.	Williams, D.R.
Worth, P.M.	

NOES

Adams, D.G.H.	Albanese, A.N.
Beazley, K.C.	Bevis, A.R.
Burke, A.E.	Byrne, A.M.
Corcoran, A.K.	Cox, D.A.
Crosio, J.A. *	Danby, M. *
Ellis, A.L.	Emerson, C.A.
Evans, M.J.	Ferguson, L.D.T.
Ferguson, M.J.	Fitzgibbon, J.A.
George, J.	Gibbons, S.W.
Gillard, J.E.	Grierson, S.J.
Griffin, A.P.	Hall, J.G.
Hatton, M.J.	Hoare, K.J.
Irwin, J. *	Jackson, S.M.
Jenkins, H.A.	Katter, R.C.
Kerr, D.J.C.	King, C.F.
Latham, M.W.	Lawrence, C.M.
Livermore, K.F.	Macklin, J.L.
McClelland, R.B.	McFarlane, J.S.
McLeay, L.B.	McMullan, R.F.
Melham, D.	Mossfield, F.W.
Murphy, J. P.	O'Byrne, M.A.
O'Connor, B.P.	O'Connor, G.M.
Organ, M.	Plibersek, T.
Price, L.R.S.	Quick, H.V. *
Ripoll, B.F.	Roxon, N.L.
Rudd, K.M.	Sawford, R.W.
Sidebottom, P.S.	Smith, S.F.
Swan, W.M.	Tanner, L.

Thomson, K.J.	Vamvakinou, M.
Wilkie, K.	Zahra, C.J.

* denotes teller

Question agreed to.

Original question put:

That the motion (**Dr Emerson's**) be agreed to.

The House divided. [1.33 p.m.]

(The Deputy Speaker—Hon. I.R. Causley)

Ayes……	59
Noes……	69
Majority……	10

AYES

Adams, D.G.H.	Albanese, A.N.
Beazley, K.C.	Bevis, A.R.
Burke, A.E.	Byrne, A.M.
Corcoran, A.K.	Cox, D.A.
Crosio, J.A. *	Danby, M. *
Ellis, A.L.	Emerson, C.A.
Evans, M.J.	Ferguson, L.D.T.
Ferguson, M.J.	Fitzgibbon, J.A.
George, J.	Gibbons, S.W.
Gillard, J.E.	Grierson, S.J.
Griffin, A.P.	Hall, J.G.
Hatton, M.J.	Hoare, K.J.
Irwin, J. *	Jackson, S.M.
Jenkins, H.A.	Kerr, D.J.C.
King, C.F.	Latham, M.W.
Lawrence, C.M.	Livermore, K.F.
Macklin, J.L.	McClelland, R.B.
McFarlane, J.S.	McLeay, L.B.
McMullan, R.F.	Melham, D.
Mossfield, F.W.	Murphy, J. P.
O'Byrne, M.A.	O'Connor, B.P.
O'Connor, G.M.	Organ, M.
Plibersek, T.	Price, L.R.S.
Quick, H.V. *	Ripoll, B.F.
Roxon, N.L.	Rudd, K.M.
Sawford, R.W.	Sidebottom, P.S.
Smith, S.F.	Swan, W.M.
Tanner, L.	Thomson, K.J.
Vamvakinou, M.	Wilkie, K.
Zahra, C.J.	

NOES

Abbott, A.J.	Anderson, J.D.
Anthony, L.J.	Baird, B.G.
Baldwin, R.C.	Barresi, P.A.
Bartlett, K.J.	Billson, B.F.
Bishop, B.K.	Bishop, J.I.
Brough, M.T.	Cadman, A.G.
Cameron, R.A.	Charles, R.E.
Ciobo, S.M.	Cobb, J.K.
Draper, P.	Dutton, P.C.
Elson, K.S.	Entsch, W.G.
Farmer, P.F.	Forrest, J.A. *
Gallus, C.A.	Gambaro, T.
Gash, J. *	Georgiou, P.
Haase, B.W.	Hardgrave, G.D.
Hartsuyker, L. *	Hawker, D.P.M.
Hockey, J.B.	Hull, K.E.
Hunt, G.A.	Johnson, M.A.
Jull, D.F.	Kelly, D.M.
Kemp, D.A.	King, P.E.
Ley, S.P.	Lindsay, P.J.
Lloyd, J.E.	Macfarlane, I.E.
McArthur, S. *	McGauran, P.J.
Moylan, J. E.	Nairn, G. R.
Nelson, B.J.	Panopoulos, S.
Prosser, G.D.	Pyne, C.
Randall, D.J.	Ruddock, P.M.
Schultz, A.	Scott, B.C.
Secker, P.D.	Slipper, P.N.
Southcott, A.J.	Stone, S.N.
Thompson, C.P.	Ticehurst, K.V.
Tollner, D.W.	Truss, W.E.
Tuckey, C.W.	Vaile, M.A.J.
Vale, D.S.	Wakelin, B.H.
Washer, M.J.	Williams, D.R.
Worth, P.M.	

* denotes teller

Question negatived.

STATISTICS LEGISLATION AMENDMENT BILL 2003

Report from Main Committee

Bill returned from Main Committee without amendment; certified copy of the bill presented.

Ordered that this bill be considered forthwith.

Bill agreed to.

Third Reading

Mr ROSS CAMERON (Parramatta—Parliamentary Secretary to the Minister for Family and Community Services) (1.39 p.m.)—by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

STATES GRANTS (PRIMARY AND SECONDARY EDUCATION ASSISTANCE) AMENDMENT BILL 2003

Second Reading

Debate resumed from 26 June, on motion by **Dr Nelson**:

That this bill be now read a second time.

Ms MACKLIN (Jagajaga) (1.40 p.m.)—The States Grants (Primary and Secondary Education Assistance) Amendment Bill 2003 is another jarring reminder of this government's failings when it comes to schools policy. The purpose of the bill is to provide funding for capital projects in non-government schools and for targeted programs for schools in both the government and the non-government sectors. This apparently straightforward bill, however, discloses further evidence of this government's inequitable policies for schools in Australia. The bill provides funding of $41.84 million for capital grants to approved non-government schools over four years from 2004 to 2007. That will make it a total of $87.4 million. This is the same per annum amount that is set out in schedule 5 of the current act for each year from 2001 to 2004. So the funding in this bill will effectively restore the currently legislated amounts for 2004 to 2007 to the current per annum amount. This funding is indexed each year to protect the real value of the grants.

The opposition appreciate that school authorities do need time to plan for capital projects in the knowledge of their entitlements to funding, and we support the advance approval processes that the bill enables. In so doing, however, the bill pre-empts, in part, the allocation of funding for the next quadrennium. The government has reported, through answers by senior officers to Senate estimates questions, that the overall legislation for the 2005-08 quadrennium will be brought to the parliament by mid-2004. I might say that the government does not actually have a good record when it comes to the timing of important education legislation. We saw the minister for education finally bring the higher education bills into the parliament yesterday, four months after the government's announcement. So goodness knows when we will finally see the full detail of the schools bills but, on the information we have so far, we should get it in the middle of next year.

This bill says absolutely nothing about capital needs in public schools. Many of us have been entertained by the minister counting numbers and giving us detailed renditions of his capacity to remember streams and streams of numbers—not something I prefer to resort to, I must say. But it was very noticeable that, in his second reading speech, he only mentioned government schools a grand total of twice—just two mentions in the whole of his second reading speech. If the minister were in the mood to let fly with his usual beautiful sets of numbers, he would no doubt try to say that this represented 0.3 per cent of the points being made in his speech. But even that 0.3 per cent probably overstates this government's priorities when it comes to public schools in this country.

We have seen that this federal minister has refused to join state and territory ministers for education in supporting public schools across Australia as a national priority. It is pretty extraordinary that we have a federal minister who has refused to support public schools right across the country as one of our national priorities. All the other parties to the ministerial council on education have signed up to a framework of principles for schools resourcing—all except for one: the federal

minister refuses to sign this framework and refuses to make the commitment that I think is necessary from any federal minister for education from whatever side of politics, because from whichever side you come we do need a strong and vital public school system as well as support for non-government schools on a needs basis.

This minister has been alone in abstaining from supporting the principles for schools' resourcing agreed to by every other education minister in this country. Even the two mentions the minister made of government schools in his second reading speech were disingenuous. He tried to imply that government schools are receiving too much funding by pointing out that they will receive more than their enrolment share of capital funds, without saying anything about relative need for capital facilities. The minister might want to ignore it, but it is the case that government schools right across Australia have serious capital needs.

When we were debating a similar bill last year, I quoted from a 1973 report of the then Australian Schools Commission. The report said that the physical condition of many schools, especially schools attended by the children of the poor, were:

> ... a national disgrace and a sign of indifference towards the children who attend them.

That indifference is continuing under this government. Our public school system is hurting when it comes to capital facilities. Many of these schools have been serving the community for over 50 years, some for more than a century. In fact, I went to one of my local primary schools just last Saturday; it was having its 150th celebration. These schools need basic maintenance just to bring them back to their original functions. They also need refurbishment to cope with new demands—for example, digital media and information and communications technologies—and with new directions in curriculum, including vocational education and training and science. There are needs for new public schools in some areas in response to demographic change.

The minister may not have read the data on capital funding that was included in the *National report on schooling in Australia*. This report was endorsed by all ministers before publication. It revealed that expenditure on capital works in government schools in 2000 was around $350 per student. The same report indicated that expenditure on capital projects in independent schools in the same year was just over $1,500 per student from all sources—that is, students in independent schools enjoy capital facilities that are, on average, four times greater than in government schools. Capital expenditure per student in Catholic schools in 2000 was around $800—still more than twice the level in government schools. The figure for all non-government schools was just over $1,000 per student—nearly three times the level in government schools. These figures, of course, are averages. Some non-government schools have facilities that are much lower than the average and some much higher.

This is one of the key points that I want to make today. We do not know how the Commonwealth capital grants program is tackling these inequalities. We do know that, having received their recurrent grants from governments—Commonwealth and state—non-government schools can devote to facilities three to four times what is spent on the schools that are open to all. On both absolute and relative criteria, the needs of government schools for capital facilities are clear. This minister has a record, of course, of trying to shift the responsibility for government schools to the states and territories. I do not think anyone in the country thinks that that is the way to run our school system.

The federal government does give funding to government schools. It is around 12 per cent overall for recurrent and capital programs in total, but for capital expenditure alone the federal government provides around one-third of the total. The government needs to get very serious about its responsibilities to public schools in Australia, including the rejuvenation of capital facilities. We certainly do look forward to a change of heart in the legislation when it finally comes forward for the next quadrennium. I said earlier that the minister's second reading speech was indifferent to the role and value of government schools. Unfortunately, it also had nothing to say about the effects of its capital investment in schools or about educational substance.

This bill, as I said earlier, restores the total level of capital funding for non-government schools to over $87 million, so it is a lot of money that does have an educational effect, and we would expect the government to actually talk about it. Federal funding for capital works in non-government schools has been substantial now for three decades. Since 1974, successive federal governments have invested more than $2 billion in capital assets in non-government schools. Unfortunately, we do not know what has happened to this investment, nor where to go to find out.

A particularly worrying issue is whether the facilities supported by public funding for specified purposes are still being used for educational reasons. There is no readily available public information on how many of these properties have been sold, leased or transferred for non-educational purposes. We do not know if some school authorities have made capital gains on those facilities that have in fact been funded from the public purse. This is a very serious state of affairs, and I certainly look to the minister for a response on these issues and advice on how the public interest in relation to the value of properties supported by the capital program can be protected.

We also should have information—and we do not—on the kinds of projects being supported by federal funds. We certainly cannot tell from the official reporting on the legislation that is provided to the parliament under section 116 of the principal act. The latest report on the States Grants (Primary and Secondary Education Assistance) Act—that is this document here—provides just a half-page description of the total funding available and the way that it is distributed to non-government schools through block grant authorities. It then just provides a one-line report on the total funding for non-government schools in each state and territory. There is no information about the range of projects supported by the capital grants program, and there is nothing on the educational priorities being promoted by federal funding or on the educational benefits that they have produced. Without this much more detailed information, neither the government nor the public can make judgments about how to reposition this capital grants program for the future.

We also need to protect the integrity of the operation of the capital grants program. This would require much more explicit provision of information on how the projects supported by the program actually meet criteria relating to educational and financial need. There is some descriptive information in the formal accountability document for Commonwealth programs for schools, the *National report on schooling in Australia*. The report for the year 2000, for example, devotes some paragraphs to describing capital funding in the government, Catholic and independent school sectors, but that description, to say the least, is extremely general. For example, the entry for independent schools states that capital projects completed in 2000 included:

... classrooms for primary and secondary schools; home economics, science, music, drama, art,

computer and language facilities; libraries; administration areas; and staff facilities.

A similar description is provided for Catholic schools, but with a greater emphasis on new schools and specialist facilities. There is a small clue to possible emphases in the description for government schools. The report says:

... the most common types of ... facilities ... were the upgrading and/or provision of general-purpose classrooms ...

These general descriptions suggest that priorities for capital funding were for extensions and curriculum based refurbishments in independent schools, new schools and specialist facilities in Catholic schools, and general upgrades in government schools. That said, it is really only guesswork on my part, because the detail is simply not made available. The real point here is that people do have the right to know—the public has the right to know—what is happening to their money. Under the present system, they have no way of finding out. This is the stuff of indifference, I am sorry to say. This government should really be making sure that this information is made available.

In previous years the public reports of the Schools Commission and the Schools Council attempted to provide some strategic advice on these issues. A more recent evaluation by the Department of Education, Science and Training in its 2002 report on a survey of non-government schools infrastructure seems to be languishing on the department's web site and maybe even in its files. Earlier reports to the parliament at least itemised the funding provided to individual non-government schools. The 1990 report provided 213 pages of information, including payments made to each non-government school in each of the states and territories. The report provided similar information about government schools—certainly not full information, but if you compare the 10-page report that we now get with the very significant report that was available in 1990 you will see a very substantial difference. In these reports we are, of course, talking about public accountability for $7 billion of public funding for schools.

I notice in a media statement the minister put out on 10 September that he seems to have had a last-minute epiphany on this issue. He has said that the government does intend to include in the reports to parliament details of expenditure for capital projects for individual schools and locations. I am very pleased that the minister has said that, but in our view that does not go far enough. The public interest in capital funding goes beyond naming the schools that have been supported. Public accountability should also be assured through legislation, not simply by ministerial discretion.

I have received a letter from the Executive Director of the Independent Schools Council of Australia, Mr Bill Daniels, expressing some concerns about Labor's proposed amendments to this bill. One thing I am very pleased about in this letter is that the Independent Schools Council supports timely and transparent reporting of funding decisions made by the Commonwealth. I want to say to the parliament and to the Independent Schools Council that that is exactly what our amendments are about. Our amendments will not impinge on the role of block grant authorities in advising the minister of their recommendations for capital expenditure. The provision of more explicit criteria for educational and financial need could in fact help to expedite the approval process. Mr Daniels is right in pointing out that these principles should also apply to capital funding for government schools. This bill only relates to capital funding for schools in the non-government sector, but we would certainly be pleased to discuss accountability ar-

rangements for Commonwealth funding of capital works in government schools.

I think the concerns that the independent schools have raised in their letter have been addressed. I hope they will agree that there is a need for more explicit provision in the bill for enhanced accountability for capital funding that is both timely and necessary. We do need much more information on the record about public investment in our schools. People have the right to know and need to be able to find out how public money is being spent. Labor's amendments, which I will move later on, will certainly be consistent with these principles. I would be very happy to discuss them with the minister.

The bill also provides further funding for programs that target students who need special assistance. These amendments effectively restore funding to this year and next year, with some minor variations. The grants will be supported by the opposition. I will have more to say about the educational needs supported by these programs at a future date. I want to comment very briefly on the national literacy and numeracy program. This program provides national research and development in literacy and numeracy support, and of course that is very important. We would like to see schools benefit directly from this program, but we do understand the need for strategic development as well to make sure that schools improve their practice in the interests of their students. The guidelines for this program, however, are very general, and I suggest that they be tightened up.

The SPEAKER—Order! It being 2.00 p.m., the debate is interrupted in accordance with standing order 101A. The debate may be resumed at a later hour and the member for Jagajaga will have leave to continue speaking when the debate is resumed.

MINISTERIAL ARRANGEMENTS

Mr HOWARD (Bennelong—Prime Minister) (2.00 p.m.)—I inform the House that the Minister for Ageing will be absent from question time today. The minister is travelling to Adelaide to open a new aged care facility. The Minister for Education, Science and Training will answer questions on his behalf.

QUESTIONS WITHOUT NOTICE

Medicare: Bulk-Billing

Mr CREAN (2.00 p.m.)—My question is to the Prime Minister. Does the Prime Minister agree with these recent remarks by his Minister for Health and Ageing:

> The claim that emergency rooms are filled with non-emergency patients who cannot access GPs is wrong and has been rejected by doctors.

Does the Prime Minister agree with this? If this is the case, can the Prime Minister explain why someone in his office, when contacted by a mother who was unable to find a bulk-billing doctor for her three asthmatic children, advised her to go to the emergency department of her local hospital?

Mr HOWARD—I have not seen the context of the minister's comments; but, generally speaking, I can say to the House that it is the view of sections of the medical profession—and, in fact, of a spokesman for a group of the medical profession concerned about intensive care in public hospitals—that that claim about it being filled is wrong. I do not know whether anybody contacted somebody in my office, but the two statements are not mutually exclusive.

Opposition members interjecting—

The SPEAKER—The Prime Minister has the call.

Mr HOWARD—It is perfectly possible for an individual to use an emergency ward—

Mr Crean interjecting—

The SPEAKER—The Leader of the Opposition is defying the chair!

Mr HOWARD—without those wards being filled to overflowing.

Transport: Alice Springs to Darwin Railway

Mr TOLLNER (2.02 p.m.)—My question is addressed to the Deputy Prime Minister and Minister for Transport and Regional Services. Would the Deputy Prime Minister update the House on recent developments in the construction of the Alice Springs to Darwin railway line? What benefits have and will flow from this government's vision to create a national rail network?

Mr ANDERSON—I thank the honourable member for his question and note his very real and localised interest in this. Today is quite a historic day for transport in Australia: it is the day the missing link in the Australian rail network has been found, delivered and put in place. As we speak, the final weld joining the two great lines is taking place, and the Alice Springs to Darwin railway—one of Australia's biggest infrastructure projects—has happened. This has come about through a very considerable leadership role exercised by this government, with a contribution of $191 million—$178 million of which has been paid to date; $100 million of that, in turn, was a grant from the Federation Fund money.

This is a pretty fitting project to mark the Centenary of Federation. I think we would all say that our forefathers got most things right, but one thing that they perhaps did not get quite right was rail. Indeed, we are making tremendous progress there, with all the capital cities right across the nation now hooked up by rail and the very real likelihood that the Commonwealth, through the Australian Rail Track Corporation, will shortly be operating a seamless interstate track network covering all of the capital cities. In addition to the financial contribution, the government donated the Tarcoola to Alice Springs line, with a replacement value of $400 million. The track, which should be finally nailed down and completed next week, links Darwin into the national grid; and, on Thursday, 25 September, the nation will see the goal of this linkage of all cities finally completed.

Construction of the line has been a massive undertaking: 1,420 kilometres of earthworks and track, 146,000 tonnes of rail, and the construction of no fewer than 90 bridges. The benefits of the new railway will be enormous. It is estimated that, over the course of its life, it will boost Australia's gross domestic product by nearly $4½ billion. In the short term, it has created 1,500 direct jobs during construction, with more than $1 billion in contracts going to local companies. It creates a new trade route to the vital regions to our north, in Asia, and it has led to the development of new businesses and industries in the region already.

Extensive testing will be undertaken over the next little while; and a date to note is 15 January next year, when Freight Link will operate the first train out of Adelaide, destined to arrive in Darwin on 17 January. The inaugural *Ghan* trip to Darwin—I understand one of my predecessors, Tim Fischer, will be on it—will leave Adelaide on 1 February 2004. That promises to be one of the great passenger links and one of the more romantic train journeys that anybody could undertake. Indeed, the member for Grey looks like he is going to be on that trip as well. We hope you have a great trip.

Medicare: Reform

Ms GILLARD (2.06 p.m.)—My question is to the Prime Minister. I refer to his comments when launching his so-called A Fairer Medicare package on 28 April. He said:

I don't think there is anything in this package to encourage doctors to inflate their fees.

Is the Prime Minister aware that the Department of Health and Ageing has stated that it has done no modelling on the impact of the government's proposed changes to Medicare on the increase in out-of-pocket charges to patients who do not have a health card, the changes to bulk-billing rates as a result of the package, or the inflationary impact of the package? On what evidence did the Prime Minister base his conclusion that nothing in his package will cause doctors to increase their fees? Given the Prime Minister's apparent confidence in the government's package, will the Prime Minister guarantee that the government's package will not lead to an increase in doctors' fees?

Mr HOWARD—I stand by the statements I made. I certainly do not intend to retract those statements. I am grateful that the member for Lalor has asked me a question about the veracity of claims concerning Medicare because I have in my possession the latest example of ALP push polling. It is on the subject of Medicare and bulk-billing, and this is what was said by none other than the member for Lowe, who I had always thought was a cut above in terms of candour. He nods; he really is, yes.

Mr Latham—Mr Speaker, I rise on a point of order. As you know, the member for Lowe is an outstanding member of this House. But he was not the subject matter of the question that was asked of the Prime Minister. The Prime Minister should in fact be relevant to the matters that were raised by the member for Lalor.

The SPEAKER—The member for Werriwa would be aware that I was listening closely to the Prime Minister's answer. There have been many instances in which members who were not the subject matter of a question have nonetheless been involved in the question.

Mr HOWARD—I think the member for Werriwa ought to be beating up on Bob Carr over stamp duty and not John Singleton.

The SPEAKER—The Prime Minister will come to the question.

Mr HOWARD—This pamphlet, which has come out under the signature of the member for Lowe, has the heading 'Medicare and bulk-billing'. It makes this assertion: 'Now the federal government wants to charge a $20 fee for every time you visit your doctor.' That is downright wrong. It totally misrepresents our policy. I invite the member for Lalor to ask a few more questions and we can expose the Labor Party for having in other areas misrepresented the extent of the policy changes.

The government remains strongly committed to the maintenance of Medicare. The government remains strongly committed not only to the maintenance of Medicare but also, unlike the Labor Party, we will retain in full the 30 per cent tax rebate for private health insurance. The Labor Party asked me for a guarantee. I ask the Leader of the Opposition to give a guarantee.

Ms Gillard interjecting—

Mr Crean interjecting—

The SPEAKER—Order! Member for Lalor! Leader of the Opposition!

Mr Abbott interjecting—

The SPEAKER—Minister! The minister might have to listen more closely or follow the *Hansard* record.

Mr HOWARD—I ask the Leader of the Opposition to give a guarantee that if he were to become Prime Minister of this country—

Mr Crean—Mr Speaker, I seek leave to answer the Prime Minister's challenge.

The SPEAKER—The Leader of the Opposition will resume his seat. It is a frivolous point of order.

Mr Crean interjecting—

The SPEAKER—The Leader of the Opposition will resume his seat!

Honourable members interjecting—

The SPEAKER—Order! I point out to the Leader of the Opposition that the style of answering questions by asking rhetorical questions is not outside the standing orders and has been used by members on both sides of the House in the time that I have been in the House.

Mr HOWARD—The Leader of the Opposition has had numerous opportunities to guarantee—

Honourable members interjecting—

The SPEAKER—The Prime Minister has the call!

Mr HOWARD—that the existing private health insurance arrangement will be maintained in full—

Mr Baldwin interjecting—

The SPEAKER—The member for Paterson will resume his seat!

Mr HOWARD—and he has repeatedly passed up those opportunities.

Mr Randall interjecting—

The SPEAKER—The member for Canning!

Mr HOWARD—The Labor Party is intent on running a campaign of fear and distortion about Medicare. We remain committed to Medicare. We also remain committed to the maintenance of private health insurance. We have also massively increased money to the states for public hospitals. The package we announced a few months ago is for a fairer and an even better Medicare, which has been the result of this government's policies over the last 7½ years.

Mr Abbott—Mr Speaker, I rise on a point of order.

Honourable members interjecting—

The SPEAKER—The minister will resume his seat.

Mr Cadman interjecting—

The SPEAKER—The member for Mitchell will resume his seat.

Mr Latham interjecting—

The SPEAKER—The member for Werriwa! The minister is seeking the call, is entitled to the call and is entitled to be heard in silence, including by those behind him. I call the Minister for Employment and Workplace Relations, Leader of the House.

Mr Abbott—Mr Speaker, I raise a point of order. I was listening intently to the Prime Minister's answer and I was unable to hear the Prime Minister's answer because of the constant interjections—the constant yapping—of the Leader of the Opposition. I respectfully request that standing order 55 be upheld.

The SPEAKER—If the Leader of the House checks the *Hansard* record of events over the last seven minutes he will find there were a number of interventions of which he was unaware.

Workplace Relations: Building Industry

Mr CADMAN (2.13 p.m.)—My question is addressed to the Minister for Employment and Workplace Relations. Would the minister update the House on action the government is taking to implement the findings of the Cole royal commission? How will a better building industry benefit the Australian economy?

Mr ABBOTT—I thank the member for Mitchell for his question and I know—

Dr Emerson interjecting—

The SPEAKER—The member for Rankin!

Mr ABBOTT—how seriously he takes the concerns of people in this industry, particularly the subcontractors living in his electorate. I can inform the House that today I released an exposure draft of legislation designed to implement the principal recommendations—

Dr Emerson interjecting—

The SPEAKER—The member for Rankin!

Mr ABBOTT—of the Cole royal commission. It is important to restore the rule of law in this industry because industrial bloody-mindedness is imposing much higher costs on the Australian public than are necessary. This is a $40 billion industry. It employs 700,000 people. It is six per cent of the Australian economy and it is important that the rule of law be restored to it.

Because of restrictive practices and frequent stoppages the respected analyst Econtech estimates that doing the same job in the same way costs 10 per cent more on average in the commercial construction industry than it would in the housing industry.

Econtech estimates that, if labour productivity in the commercial construction industry matched that in the housing industry, our CPI would be one per cent lower, our GDP would be one per cent higher and there would be $2.3 billion a year in economic benefits to Australian consumers. If there was just a one per cent saving in the Commonwealth's $5 billion-a-year construction bill, that would liberate $50 million a year more to be spent on things like schools, roads, hospitals and national security. As the royal commission found, the industry's problems mostly stem from the insistence of some unionists on a 'no ticket, no start' culture and the consequent coercion and intimidation which denies ordinary Australian workers their rights at law.

Most importantly, the draft legislation establishes an Australian building and construction commission, a new industry watchdog—a cop on the beat, if you like—with powers to gather evidence, prosecute offences and enforce judgments. I want to make it very clear that this industry does not need more negotiations; what it needs are new institutional arrangements to ensure that breaking the law has serious consequences. The government will be taking public submissions on the exposure draft for the next month, and I want to assure all members of the House, on the government side and on the opposition side, that we welcome all submissions from people who are seriously trying to ensure that the honest workers and the honest businesses of Australia get the clean construction industry they deserve.

Australian Defence Force: Health Services

Mr ZAHRA (2.16 p.m.)—My question is to the Minister Assisting the Minister for Defence, and I refer to her announcement last year about outsourcing the health care of our troops in Victoria to the Mayne Group Ltd. Can the minister confirm that, after nearly 12 months of fruitless negotiations, the Mayne Group Ltd is pulling out of the deal, having also indicated its withdrawal from Puckapunyal? Hasn't the minister's own department warned, 'Defence will now have major problems providing health care in Victoria'? Minister, despite repeated warnings from the ADF and the department, why has the government gone ahead and jeopardised this vital defence health capability?

Mr Tanner interjecting—

The SPEAKER—Order! The member for Melbourne is warned.

Mrs VALE—I thank the honourable member for his question. On 1 September the Mayne Group Ltd did notify Defence of their withdrawal from negotiations as the preferred tenderer for the provision of de-

fence health services in Victoria. This was a disappointing development. The benefits of this contract were expected to include a more rational and productive use of ADF health assets. It was expected to include some significant cost savings and, more importantly, it would release more uniformed personnel to the sharp end of our defence forces. Despite the opposition's opportunistic claims, the decision of Mayne Group Ltd does not reflect a bungled attempt to outsource health services in Victoria, nor has this process degraded the medical capacity of our services to our personnel.

The government remains committed to a policy of market testing services, such as non-operational health support. This is only done where it is appropriate to do so. This policy has already seen a significant increase in the delivery of uniformed personnel to the sharp end of our defence. I also assure all Victorian based ADF personnel that they will continue to have access to the top-quality health care that they deserve. I am now considering a number of options for future health care delivery in Victoria. In the meantime, I can guarantee that the services will continue under existing arrangements.

Mr Kelvin Thomson—Mr Speaker, pursuant to standing order 321 I ask the minister to table the document from which she was quoting.

The SPEAKER—Was the minister quoting from a document?

Mrs VALE— Yes, I was quoting from a confidential document.

The SPEAKER—My next question to the minister was going to be, 'Was the document confidential?' She has indicated that it was.

Mr Zahra—Mr Speaker, I seek leave to table a Defence document highlighting concerns over the impact of the failed bid to outsource health services.

Leave not granted.

Aviation: Air Traffic Control

Mr CAUSLEY (2.20 p.m.)—My question is directed to the Deputy Prime Minister and Minister for Transport and Regional Services. Would the Deputy Prime Minister inform the House of recent initiatives in airspace management? What benefits will these bring for the aviation industry?

Mr ANDERSON—I thank the honourable member for his question. I am pleased to be able to say that this morning at the annual Safeskies conference, which has become quite a notable event on the aviation calendar—it brings together the best expertise in all areas of aviation from right around the world—I was able to take the opportunity to launch the second edition of the Australian Air Traffic Management Strategic Plan, and I think this is worthy of some note. Australia has always been a leader, if not the leader, in air traffic management. Today we are finding that our expertise and our capacities are winning considerable markets internationally. Indeed, we are determined to maintain our technological leadership, and the plan launched today will help ensure that we do. I have an overview of the plan here and I will table it for anyone who is interested.

The strategic plan is the result of a lot of work between government agencies and the aviation sector. It will see us take advantage of the rapid emergence of new communication, navigation and surveillance technologies. Under the plan we will, amongst other things, be able to replace the existing fixed aviation routes around the country with a system where airlines can fly directly—which they often cannot do now. For example, to get from Sydney to Brisbane, they go over Casino; that is not a direct route. Under the new arrangements, airlines will be able to fly directly to their destination with the same level of safety that they enjoy now through

the use of satellite navigation technology, data links between aircraft and the air traffic management system. Over the next few years this will actually make quite a difference. It will reduce flight times on some major routes in Australia and on a lot of minor routes as well; lower operating costs; lower fuel usage, with attendant benefits in emissions and pollution outcomes; reduce aircraft maintenance requirements; and help us cope with the congestion at our airports.

As an important step towards implementing the plan, I also announce today that, as part of this, Airservices will establish 20 ground stations across Australia for a new air traffic control technology. That will give complete coverage of the mainland. Conversely, we have never had air traffic control radar coverage across the whole continent, particularly in the outback and far-flung regions where not many planes fly, because of the immense cost of radar and the vast size of Australia. But under this new approach the system will cover virtually the entire continent at a fraction of the cost of installing and operating radars. Initially, particularly for flights operating at over 30,000 feet, it will enable pinpoint accuracy in tracking all aircraft movements. That will increase safety, as air traffic controllers will be able to pinpoint precisely all aircraft equipped with the system. It will reduce air traffic control delays, and it will ensure that controllers are able to space aircraft more closely, which enables better safety and better congestion management.

This is another area where we can proudly say we genuinely lead the world. I think we are all proud of that. I certainly commend everyone in the Australian aviation sector who has put us into that position. With the new CASA coming on stream, with airspace reform, with liberalised skies and with the successful, or largely successful, rewrite of the nation's aviation regulations, I think we are set for a welcome and strong surge in growth in the aviation sector in this country.

Defence: Property

Mr KELVIN THOMSON (2.24 p.m.)—My question is to the Minister Assisting the Minister for Defence. I refer to the government's plan to lease defence department land at Point Nepean to commercial developers for a period of up to 50 years. Is the minister aware of comments by the Treasurer on ABC radio on Monday, 25 August, when he said:

> ...the Lord Mayor's camp just further down the Portsea area ... is our preference for the site.

Isn't it the case that only one tenderer, ES Link, can meet the Treasurer's preferred outcome? Minister, hasn't the Treasurer compromised the defence department's tender process by indicating the government's preferred outcome?

Mrs VALE—I thank the honourable member for his question. On 25 August 2003 the Parliamentary Secretary to the Minister for Defence announced that the government had decided to close the Defence expression of interest for the process of recognition of the site's unique environmental and heritage values, instead of offering a strictly controlled lease for the 90-hectare portion of the site. I am unaware of the Treasurer's comments, but I am happy to inform the honourable member that on 25 August this year the government announced the Commonwealth's decision to open up and return the Defence land owned at Point Nepean to the people of Australia.

The 90-hectare portion of Defence land at Portsea that includes a number of heritage buildings will be offered for lease for 40 years plus a 10-year option. Under the lease, the 90-hectare site will remain in Commonwealth government ownership, which will ensure maximum preservation of the heritage values—including, I might add, Aboriginal heritage—and protection of the environment.

Land uses will be restricted to education, recreation, community and tourism. The 12 key aspects of the draft community master plan will be achieved through public ownership of the site, the exclusion of residential development, restoration of public access—

Mr Crean—What about the Treasurer compromising the tender?

The SPEAKER—The Leader of the Opposition!

Mrs VALE—conservation of significant habitats and the management of heritage buildings. A call for tenders for the lease will occur early this month—

Mr Crean—The Treasurer has already compromised it.

Mrs VALE—and all information will be publicly available on the Defence web site.

The SPEAKER—I had already drawn the Leader of the Opposition's attention to the obligations he has under standing order 55. His persistent interjection on the minister is not acceptable. Has the minister concluded her answer?

Mrs Vale—Yes, Mr Speaker.

Mr Kelvin Thomson—Mr Speaker, pursuant to standing order 321, I ask that the minister table the document from which she was quoting.

The SPEAKER—Was the minister quoting from a document?

Mrs Vale—Yes, Mr Speaker.

The SPEAKER—Was the document confidential?

Mrs Vale—Yes, Mr Speaker.

Australian Labor Party: Centenary House

Mrs BRONWYN BISHOP (2.28 p.m.)—My question is addressed to the Minister for Employment and Workplace Relations, representing the Special Minister of State. Would the minister inform the House of attempts to renegotiate a Commonwealth agency lease in Barton? What is preventing the federal government from renegotiating a lease which, as it currently stands, is unfair to Australian taxpayers?

Mr Latham—Mr Speaker, I rise on a point of order. This is a question that has already been asked in question time this week. Clearly, a question that has already been answered cannot be revived and asked a second time. For that reason, it is out of order.

The SPEAKER—As the member for Werriwa is aware, I attempt to note each question in question time. I am aware that this question was asked—I think it was yesterday. What was not asked yesterday was: what is preventing the signing of the various leases? In that context, it is in order.

Mr Latham—Mr Speaker, on a point of order: if part of the question was asked yesterday, shouldn't it be ruled out of order and doesn't only that part which is an original question before the House stand in order according to your ruling?

Mrs Bronwyn Bishop—Mr Speaker—

The SPEAKER—I will deal with the point of order, and if the member for Mackellar is unhappy with my ruling I will then recognise her. I point out to the member for Werriwa that there are numerous instances in which a question has been asked that bears resemblance to a question asked and answered earlier in the week but has a different emphasis and is therefore allowed to stand.

Mr Fitzgibbon—Mr Speaker—

The SPEAKER—In fairness to the member for Mackellar, I should not recognise the member for Hunter before recognising the member for Mackellar if she wants to raise something on the same point of order. I thought the matter had been dealt with.

Mrs Bronwyn Bishop—Mr Speaker, I was content with your ruling. I was merely going to point out that standing order 146 refers to a question fully answered. This is a different question and requires a different answer.

Mr Fitzgibbon—Mr Speaker, I rise on a point of order. The question asked by the member for Mackellar clearly seeks a legal opinion and, on that basis, should be ruled out of order.

The SPEAKER—I can reassure the member for Hunter and all other members of the House that, if the question had been seeking a legal opinion, I would have already had at least a glance from the Clerk.

Mr ABBOTT—I thank the member for Mackellar for her question and I acknowledge the tenacity she has shown in nailing this long-running scam. As the House knows, taxpayers are paying more to rent an office in Barton than they would pay to rent an office in midtown New York, thanks to the dodgy deal negotiated between the Keating Labor government and the Australian Labor Party. This is a rolled gold rip-off and is costing taxpayers $3.5 million a year.

I have some new information which I would like to share with the House about the so-called obstacles to renegotiating this lease. In March 2002, the Australian Audit Office wrote to John Curtin House asking for a review of the terms of the Centenary House lease. On 28 August last year, Mr Paul Wilkinson, the Secretary of John Curtin House, responded:

> The directors are, of course, willing to give consideration to your request.
>
> However, I must advise that the view we provided in April of last year to a similar request is likely to remain.
>
> As you would be aware, the company's mortgagee, Macquarie Bank Limited, was heavily involved in the original lease negotiations and the structure of the borrowing was based on the certainty of the future cash flow generated by the agreed fixed rental increases.
>
> Any variation to the rentals would create difficulties for the company in meeting its obligations to the mortgagee.

There are three facts alleged by the Australian Labor Party: first, that they got the lease deal and then borrowed the money; second, that they needed the lease deal to repay the money; and, third, that they could not possibly renegotiate the lease because then they could not afford to meet their debt.

I am now in a position to let the House know the true situation. Information revealed through the Senate estimates process shows that the mortgage was in fact taken out 18 months before the lease deal. That is lie No. 1. The Keating government signed this deal to bail the Labor Party out of serious financial trouble. The escalation clause is nine per cent and the mortgage interest is just 7.74 per cent. That is lie No. 2. They do not need the nine per cent escalation clause to survive. John Curtin House made an after-tax profit last year of nearly $3 million. It gave $2.4 million to the Australian Labor Party. That is lie No. 3. They do not need the lease deal to survive.

This functionary of the Australian Labor Party, Mr Paul Wilkinson, has made the directors of John Curtin House party to a series of lies. Who are the directors of John Curtin House? They are Michael Field, the former Labor Premier of Tasmania; Gerry Hand, the former Labor federal minister; Robert Pearce, a former state Labor cabinet minister; and Geoff Walsh, a former ALP national secretary. I call on the Leader of the Opposition to make honest men of the directors of Centenary House by renegotiating this lease. If the Leader of the Opposition had the slightest shred, the merest skerrick, of respect for the taxpayers of Australia, he would be content with a commercial rent. I call on

the Leader of the Opposition to give back the money. Give back the $3.5 million you are ripping off every year from the honest taxpayers of Australia!

Mr Martin Ferguson—Why don't you give Kisrwani's money back?

The SPEAKER—The member for Batman!

Mr Martin Ferguson interjecting—

The SPEAKER—The member for Batman is defying the chair.

Social Welfare: Debts

Mr SWAN (2.36 p.m.)—My question is to the Prime Minister. It concerns the tactics used by his Minister for Family and Community Services to recover debts from age pensioners. Does the Prime Minister stand by Senator Vanstone's comments to *A Current Affair* on 22 August when she was asked about pensioners who could not repay their debts? The transcript reads:

Interviewer: So you would be prepared to sell up their family homes?

Vanstone: Well I would be.

Does the Prime Minister stand by his minister's comments last night confirming that pensioners are often told to take out a loan against their house to repay moneys? Does the Prime Minister stand by his government's policy that now sees pensioners' funeral savings garnisheed to repay moneys?

Mr HOWARD—It has long been my habit not to take on face value representations from the other side as to what people have said. Let me simply say that I have every confidence in Senator Vanstone. I think she is doing a first-class job, and during her time as minister a number of very significant reforms have been undertaken. I point out to the member for Lilley that, if you look at the movement in income support under this government, if you look at the family assistance policies of this government, you will find that in the 7½ years that we have been in office there have been significant enhancements in all areas.

Trade: Free Trade Agreements

Mr PYNE (2.38 p.m.)—My question is addressed to the Minister for Trade. Would the minister inform the House of the importance of the free trade agreement being negotiated between Australia and the United States? How does Australia's pursuit of free trade agreements relate to our role at the World Trade Organisation?

Mr VAILE—I thank the member for Sturt for his question. The member for Sturt, coming from South Australia, would recognise that the FTA we are negotiating with the United States is of significant importance to all Australians for the future generation of economic growth and wealth in Australia, particularly in South Australia, given that a lot of Australia's auto industry is located there—up in your part of South Australia, Mr Speaker—as well as the great Australian wine industry. I understand that the United States is almost about to pass, if it has not already passed, the United Kingdom as Australia's No. 1 destination for wine exports.

The question was about the importance of what we are negotiating. It gives us an opportunity to pursue bilaterally what we might not be able to achieve multilaterally. We know that historically the Australian Labor Party has preferred to have all its eggs in the one basket, and it still holds this view. It just wants to focus on the multilateral agenda and continue to pursue that. As a government, we have not been prepared to take the risk of that going on the slow track as it did last week in Cancun. Interestingly, we had a representative of the Labor Party in Cancun. We took a broad based delegation, and a representative of the Labor Party was with us. Of course, he was back in the parliament yesterday saying that it was a failure of the gov-

ernment's trade policy that Cancun stumbled last week. If the charge is the government looking after the national interest, then we are guilty as charged. We remember that the outcome of the Uruguay Round—and mind you, Mr Speaker, there were at least two meetings that stumbled during the Uruguay Round—was not a fantastic deal for Australian farmers.

Mr McMullan interjecting—

Mr VAILE—It was done by the Labor Party. The President of the NFF, the National Farmers Federation—

Mr McMullan interjecting—

Mr VAILE—put the cap on this when he said—and this is in response to the allegations made by the Labor Party:

> While we were frustrated and disappointed, at the end of the day a situation where we don't get a result is better than being faced with a bad result.

That was a direct reference to what came out of the Uruguay Round of negotiations.

Mr McMullan—They supported the Uruguay Round!

The SPEAKER—The member for Fraser chooses to defy the chair!

Mr VAILE—It was a bad result for Australia's farmers. We are not prepared to pursue a bad result just to get a result in the negotiations. If it takes more time and more energy to get a decent result out of the multilateral agenda, we will do it. But at the same time we have the ability to pursue negotiations bilaterally that will deliver early benefits to Australia's exporters.

At the outset of our government's policy position on this, we did have some support from the Labor Party. The then shadow spokesman, Senator Cook, and the then Leader of the Opposition, Kim Beazley, supported the concept in principle of pursuing a free trade agreement with the United States. The member for Rankin, when he became the shadow minister, then led the Labor Party right off the field on this issue. We live in hope that the new spokesman on trade, Senator Conroy, might bring the Labor Party back on track to help deliver an outcome that will deliver benefits and jobs to many Australians.

Taxation: Families

Mr SWAN (2.42 p.m.)—My question is directed to the Prime Minister and it concerns revelations today that his department has alarming figures on the tax and benefit disincentives faced by families when they earn extra money. Prime Minister, do you stand by Minister Vanstone's comments on ABC radio on 14 May this year where she commented that there is nothing wrong with effective marginal tax rates of up to 100 per cent when families earn extra? And do you agree with her subsequent comments in a 7 July speech entitled 'The needy and the greedy' that people who feel angry about high effective marginal tax rates are 'greedy' and have an 'entitlement attitude'? Prime Minister, do you stand by your minister or do you believe families are justified in their anger about paying effective tax rates of 60 per cent or more for their hard work and overtime?

Mr HOWARD—I thank the member for Lilley for the question. Effective marginal tax rates is an expression that describes a combination of the impact of the withdrawal of a benefit and the actual tax paid on your taxable income. The truth is that effective marginal tax rates, as so defined, have existed under Labor governments and Liberal governments and no attempt was made by Labor in office to abolish them. The reality is that unless this country is willing to have a completely non-income tested welfare system—and I do not hear the Australian Labor Party advocating that—you will always have a situation where, as people's incomes rise

and if those people are in receipt of benefits or family tax payments, once they reach certain points of income the value of those benefits will decline and ultimately disappear. That is the ordinary operation of the welfare and benefit system. It is quite dishonest of anybody in this House to try and suggest that there is some new revelation about that. When Labor was in office, it made a virtue of targeting, on an income-tested basis, welfare payments and family allowances. The reality is that that has been a policy followed by both sides of politics for a very considerable period of time.

Mr Swan—Mr Speaker, I rise on a point of order on relevance. I asked the Prime Minister about Senator Vanstone's comments and whether he agreed with them or not.

The SPEAKER—The member for Lilley is well aware that the Prime Minister's answer was relevant.

Mr HOWARD—Because the question relates to the position of families under the Australian tax and welfare system, I would like to inform the opposition of the results of some analysis carried out by the federal Treasury of the impact of the new tax system—that is, analysis of the disposable incomes of Australians before the new tax system was introduced and a year after the introduction of the system. This analysis found that all family types—all family types, Mr Speaker—had a greater real disposable income 12 months after the introduction of tax reform. The increase in real disposable income was generally significantly higher for couples with children and for sole parents than for households without children.

The analysis found—contrary to what the Labor Party is trying to allege—that couples with children in the bottom income quintile received a real increase in average disposable income of $36 a week. Couples with children in the second bottom quintile received a real increase of $51 a week. Couples with children in the top income quintile received an real increase in average disposable income of $32 a week. Sole parents across all income quintiles received an average real increase of between $34 and $46 a week. Working families in the lower income quintiles saw greater proportional increases in their disposable incomes than those in the highest income quintiles. The Treasury notes that its analysis did not include the additional benefits from improved child-care subsidies, which would significantly add to the benefits I have outlined. What those figures demonstrate conclusively is that under this government the real value of benefits, both tax and otherwise, to Australian families has increased significantly.

Mr Swan—Mr Speaker, I ask the Prime Minister to table that document provided by the federal Treasury from which he was quoting.

The SPEAKER—Was the Prime Minister quoting from a document?

Mr HOWARD—It is marked 'confidential'.

Environment: Greenhouse Gas Emissions

Mrs ELSON (2.48 p.m.)—My question is addressed to the Minister for the Environment and Heritage. Would the minister advise the House of progress made in reducing Australia's greenhouse gas emissions? How are Howard government initiatives helping to combat climate changes and are there any alternative policies?

Dr KEMP—I thank the honourable member for Forde for her question. This morning I released the 2001 national greenhouse gas inventory, which shows that Australia remains on track to reach the target of 108 per cent of 1990 emissions by 2010. The inventory shows that over the last year we have actually moved closer to the target, with projections for 2008-12 coming down from

111 per cent to 110 per cent. This is a very satisfactory result.

The first implication of this, of course, is that the current greenhouse gas measures—towards which the government has put almost $1 billion—are working; these measures are delivering. The latest estimate is that the existing measures will reduce Australia's emissions by some 67 million tonnes by 2010. That is up from 60 million tonnes last year and is equivalent to taking all vehicles off the road. The second major implication of these figures is that under the Howard government we have begun the process of decoupling greenhouse gas emissions from economic growth. While the economy continues to grow strongly, by the end of the decade greenhouse gas intensity is expected to be 44 per cent lower than it was in 1990. That means that for every dollar of GDP the level of greenhouse gas we emit is lower year by year. In fact, in 2001 greenhouse gas emissions were no higher than they were in 1990.

This does not mean that we can relax, but it does mean that Australia has no need to go down the job-destroying, industry-destroying track that Crean Labor wants it to go down. It is no wonder that the Labor premiers have dissociated themselves from the policy of federal Labor. I remind the House that, last year in September, Peter Beattie, the Premier of Queensland, said that ratifying the Kyoto protocol would cost jobs in Queensland. When a journalist challenged Premier Beattie on this point and said, 'That is what John Howard is arguing as well,' Mr Beattie replied:

> Well, it's true. I mean, I'm just telling what the truth is.

And it was the Western Australian Premier who said:

> I'm not happy about the Commonwealth just signing up …

So, on such an important matter as greenhouse gas emissions, the Leader of the Opposition is not even able to carry the whole of the Labor Party with him. Even his own party does not believe the policy that he is advocating. The real difference between Labor and the coalition is that we are doing the hard policy yards, putting the resources into cutting back on greenhouse gas emissions and reducing land clearing. It is not by ratifying a flawed international agreement that you are going to solve this problem; it is by practical and effective measures, by proper community and industry partnerships, and by a global framework—and that is what Australia is working towards.

Employment: Statistics

Mr ALBANESE (2.51 p.m.)—My question is addressed to the Minister for Employment Services. I refer to his comments to the *Canberra Times* on 23 August:

> … we have about 60,000 people who are about to be suspended or are responding to letters on suspension from Centrelink …

Minister, are you aware that Senator Vanstone has just informed the Senate that the real figure is a maximum of 11,000 or less than a fifth of the minister's figure? In light of these new facts, will the minister now cease his campaign of vilifying the unemployed and accept that the financial crisis that has required a $2.1 billion bailout of the Job Network is due to his own maladministration?

Dr Emerson interjecting—

The SPEAKER—The member for Rankin! For the fourth time!

Mr BROUGH—I am aware that Senator Vanstone has received a question in the Senate, as she did yesterday. But my understanding is that, like many things that come from the member for Grayndler, this is somewhat distorted from what actually happened. To address one of the points that was raised, in

the appropriations this government have made it quite clear that we intend to expend some $2.1 billion on helping Australians into work over the next three years. It was appropriated in the budget; it is there in the papers. The member for Grayndler and the Labor Party call this a bailout—spending the money that has been appropriated for the purpose it was designed to be spent on. There has been no bailout of the Job Network. It simply seems that the member for Grayndler and the Labor Party are fixated on trying to nitpick and not on getting to the basis of driving unemployment down, which is what this government are focused on.

I will go to the specific allegations. The 60,000 people that I referred to are job seekers that in August had not attended interviews. That number was correct at the time and those figures can be substantiated. In other words, there have been 1.6 million appointments made for job seekers to come in to be helped by the Job Network, and there have been approximately 900,000 of those not taken up. This is a serious issue and one that this side of the House takes on as its responsibility—to ensure that unemployed people come in and receive the services that are payed for by the taxpayer to help them get into work.

As I have informed the House in the last few weeks, since the introduction of Job Network 3 there have been some 6,000-plus jobs created for long- and short-term unemployed people—welfare recipients—by the Job Network. Centrelink will continue to work with the Department of Family and Community Services and my department, DEWR, to ensure that people who are not turning up to appointments are given every encouragement to do so and that, if they do not, the appropriate action is taken by that department. We as a government stand by that policy.

Mr Albanese—I seek leave to table the *Canberra Times* of Saturday, 23 August 2003.

Mr McGauran—It is old news!

The SPEAKER—The Minister for Science! The requirement is simply that the chair ask whether leave is granted.

Leave granted.

Landcare

Mr PROSSER (2.55 p.m.)—My question is addressed to the Minister for Agriculture, Fisheries and Forestry. Would the minister advise the House of how the government, communities and volunteers are working together through Landcare for the benefit of Australia's agricultural industry and the preservation of our environmental heritage?

Mr TRUSS—I thank the honourable member for Forrest for the question. Many Landcare groups operate very successfully in his electorate and, indeed, right across Australia. The Commonwealth is supporting approximately 4,500 Landcare groups around Australia and there are about 100,000 Australians involved in the thousands of Landcare projects that are occurring around our nation. Forty per cent of farmers are involved with Landcare, and around three-quarters of farmers say that they have received advice from Landcare about the way in which they should care for their own resource base and develop improved management practices.

This government has provided around $335 million to Landcare, and that is money in addition to what is provided through the Natural Heritage Trust and the national action plan. The special thing about Landcare is the way in which it is a community driven program. It involves the mobilisation of community effort towards achieving priority local initiatives. It is a model that has attracted interest around the world; many other

countries are interested in setting up Landcare-type programs.

Over the next three years, this government is committed to a further $122 million in Landcare funding. All of that is in addition to the $3 billion commitments that have been made towards the national action plan and the Natural Heritage Trust. Some of the specific projects that we will be funding under the Landcare initiative over the next 12 months include $1.5 million to support innovative and sustainable production practices, $25 million towards on the ground sustainable natural resource management activities, $700,000 to develop new drought and flood warning systems and also funding for 70 Landcare coordinators to support this network. The key element is that the Landcare movement has delivered a great deal to rural management over recent years. A current review of its activities reflects the enormous public support that Landcare has around Australia.

In the past, Landcare has enjoyed a great deal of bipartisan support. It has been therefore somewhat unfortunate to hear all the scaremongering and negative comments by the opposition about Landcare over recent times. When it comes to new natural resource management initiatives, Labor is the driest of dry gullies; there will be no initiatives coming from it. But surely it could at least enthusiastically support what Landcare is achieving throughout rural Australia.

Political Parties: Donations

Ms ROXON (2.58 p.m.)—My question is to the Minister for Immigration and Multicultural and Indigenous Affairs. It follows on from his answers to my questions yesterday. Can the minister now advise on what date he made the decision to withdraw from proceedings cancelling Mr Tan's visa, thereby granting him permission to stay in Australia and ultimately gain citizenship in Australia?

Mr RUDDOCK—I believe that in relation to these matters I have fully addressed those questions. I will check the answers I gave in the last parliamentary session and see what information I provided then.

Youth

Mr TICEHURST (Dobell) (2.59 p.m.)—My question is addressed to the Minister for Children and Youth Affairs. Would the minister inform the House how the government is supporting and listening to young people? Are there any alternative approaches?

Mr ANTHONY—I thank the member for Dobell for his question and his keen interest in representing and also listening to young people. It was not so long ago that I was at the Oasis Youth Centre in Wyong, where a very large group of young people were telling us about some of the good things the coalition are doing and we were taking on their advice of areas of improvement. As I mentioned yesterday, the best thing you can do for a young person is to give them a job, but along the way you have to give them financial incentives. That is where programs like Youth Allowance, which was introduced by the coalition government, have been extraordinarily successful.

Under the old Austudy when the Labor Party was last in power, there was a positive disincentive to go on to further study. It was easier to get the dole than to go on to further study. With Youth Allowance today over 380,000 young Australians are taking up further education and training, and many of them are also eligible for rent assistance that they never had under the old Austudy proposal. Indeed, I am talking about not just students in the mainstream but also young Australians who could be at risk in programs like Reconnect.

I was recently in the member for Hinkler's electorate talking to the Roseberry Youth

Service and in the member for Deakin's electorate talking to Eastern Access Community Health. They were very complimentary about the Reconnect program. As the program suggests, it is all about trying to help young people in particular who may be at risk of homelessness or who are homeless to reconnect with their families or employment. A good example of how the government is listening occurred last week, when many members of the parliament attended the Youth Roundtable—and I thank those members who attended. Fifty young Australians came to Canberra and gave the parliament their wisdom and ideas, which the coalition government took on board.

But the member for Dobell asked an interesting question: are there any alternatives? I am very pleased to see that the shadow minister for children and youth, Senator Jacinta Collins, had some very interesting insights into how the Labor Party has failed to listen to young people and is continuing to disregard them. I get a strong sense of déjà vu, but just yesterday I was complimenting her on her praise of the Prime Minister and how he inspires young people—and of course it is the policies of this government. Her comments in the *Age* of 22 August are particularly interesting. In giving some interesting pieces of advice to her Labor Party colleagues, she said:

> The ALP needs not only the enthusiasm and hard work of young people; it needs the ideas of young people.

Fair enough. She continued:

> It is hardly surprising that so many young people are deserting Labor in favour not only of minor parties such as the Greens but in favour of the conservatives, when the national president of the ALP, Greg Sword, will not defend the rights of young people in the ALP.

I have to say that the pen is mightier than the sword! This is just a clear example again of where Senator Jacinta Collins is being upfront and honest about how the Australian Labor Party has failed to represent, let alone listen to, young people. Indeed, it is the coalition government that is acting and listening to Australia's young people.

Political Parties: Donations

Ms ROXON (3.03 p.m.)—My question is again to the Minister for Immigration and Multicultural and Indigenous Affairs. I refer to comments made by Mr Kisrwani on SBS TV where he said:

> When Phillip Ruddock announces his election campaign open in his office, I always go there and Dante went with me and he gave $10,000.

Will the minister now advise when he first discussed or became aware of the $10,000 donation, or the intention to make a donation, from Mr Tan to his election campaign?

Mr RUDDOCK—I dealt with this issue yesterday when I made it clear that, in relation to this issue, the comments that Mr Kisrwani made on television were flawed. The donation was not made at that time; it came to the conference in January. I also made it clear that, in relation to that matter, there was no inconsistency in what I have said on these issues over time. The point I have made is that I became aware of the donation when these matters were raised. I do not get people handing me a list of those people who make donations to the Berowra conference.

An opposition member—You do.

Mr RUDDOCK—I do not. The office bearers of my conference fulfil their obligations as they are required to do under the act. I neither seek information from them nor am I provided with information. I became aware of this issue when it was debated in the last session and when it was brought to my attention that this information had been included in the party's return. That is the reality. That is what happened.

Mr Kisrwani offered a view. I said that his recollection must have been faulty when he spoke about the campaign launch. On the advice that I was given by the party treasurer, the matter of when a payment was made was revealed to me. He wrote after the television program to tell me that the payment was received by cheque on 2 January 2002. As I commented yesterday, the further return which the honourable member for Gellibrand tabled yesterday was a reconstruction. It was clearly a reconstruction, because the document was dated October 2002.

Dr Emerson interjecting—

The SPEAKER—I warn the member for Rankin!

Mr RUDDOCK—I simply make the point that everybody is asked whether or not they wish to confirm that they have made a donation and information is sought by the electoral office. That was sought in that particular case and obviously tabled. It was a reconstruction then and the recollection of Mr Kisrwani was faulty on television. I think that answers the question.

Employment: Job Network

Mr CAMERON THOMPSON (3.07 p.m.)—I address my question to the Minister for Employment Services. Is the minister aware of other nations following Australia's lead in implementing innovative employment services? Are there any alternative proposals in Australia?

Mr BROUGH—I thank the member for Blair for his question and his ongoing interest in employment issues. Most members of this House would be aware that the OECD conducted a very extensive inquiry into the Job Network and reported on that for the benefit of not only this country but countries throughout the OECD. That report stated that the Job Network was efficient and that it actually delivers better results at a lower cost than employment services of the previous Labor government. It also made some very pertinent points about Working Nation. It said that the impact of Labor's Working Nation on employment was probably negative. Just remember that $3 billion was spent by the then employment minister, the now Leader of the Opposition, on Working Nation. Yet the OECD—not any branch of the Liberal or National parties or anything to do with the Australian government—in a totally independent report stated that the impact of Working Nation was in fact probably negative; in other words, Labor's policy of helping the unemployed actually stopped them from getting jobs. Since the OECD report—

Mr Crean interjecting—

Mr BROUGH—The Leader of the Opposition interjects, 'How did we create a million jobs?' The Leader of the Opposition, when he was in government, created a million unemployed. We had 11 per cent unemployment, with over a million unemployed Australians. There have been 1.2 million Australians who have gained employment in the 7½ years since the Howard government has been in office. That is a record that we on this side of the House are proud of. What other countries are taking our lead? The Netherlands is now implementing similar programs. We have Germany expressing interest in NIES. The German employers association is very interested in workplace structural changes. I am asked: are there any alternative programs put up by the Labor Party? If you look at their web site, you see that the answer is: no, not one.

On ABC radio in Adelaide on 15 August, after bagging out the Job Network and the fine job that organisations like Mission Australia and Salvation Army Employment Plus are providing each and every day—commitment to the unemployed—we had the member for Grayndler stand up and go on and on with a lot of diatribe, with a lot of

baseless information about the Job Network. He was asked the pertinent question by the interviewer:

So you will take back, you will do away with the privatised network and you will bring all of these functions back into government if elected?

Mr Albanese answered:

No, certainly not.

The interviewer asked:

Oh, you're not?

Mr Albanese said:

Certainly not. That's not what we're arguing at all.

That led the interviewer to say:

That's the great Labor cop-out, Anthony Albanese.

That is exactly what he is—a total cop-out. He has deserted Labor. He has no friends over there. They have no policy on the web site. Yet here we have a party that pretends to represent the worker. Our party has put 1.2 million Australians into work and we represent the workers of this country.

Political Parties: Donations

Ms ROXON (3.11 p.m.)—My question is again to the Minister for Immigration and Multicultural and Indigenous Affairs and it concerns comments that he made on the *7.30 Report* on 3 July this year where he stated:

Let me make it very clear that I have made it known over a very long period of time that no individual has greater capacity to access me than any other. Yes, I have heard some people assert that Mr Kisrwani may well have been holding himself out to be able to access me where other people couldn't get access. If he was doing that it was wrong.

Is it not true, Minister, that Mr Peter Knobel from your office has admitted that he speaks to Mr Kisrwani several times each week about various migration matters?

Mr Crean—What—a travel agent!

The SPEAKER—The member for Gellibrand has the call and she will be heard in silence, including by the Leader of the Opposition.

Ms ROXON—Minister, given that this means that Mr Kisrwani would have spoken to the minister's office over a thousand times since the minister took on this job, does this not indicate that Mr Kisrwani has special access?

Mrs Bronwyn Bishop—Mr Speaker, I raise a point of order. It has become a practice of the member, it seems, to ask lengthy questions. I would refer you to page 527 of the *House of Representatives Practice*, where it says that questions:

... may not become lengthy speeches or statements and they may not in themselves suggest an answer.

In every case the member's question does precisely that and I would ask you to rule it out of order.

The SPEAKER—It has been the practice for questions to be much too lengthy for probably the last 15 years. It would be helpful if they were shorter. However, the question asked by the member for Gellibrand did not go beyond what has become tolerated practice.

Mr RUDDOCK—I stand by the comments I made on the *7.30 Report*. I have absolutely no control over how many times people ring me or who rings me.

Tourism

Mr BALDWIN (3.14 p.m.)—My question is addressed to the Minister for Small Business and Tourism. Would the minister update the House on any recent measures designed to boost the Australian tourism industry?

Dr Emerson—One bookend to the other.

The SPEAKER—I suspect the member for Rankin has forgotten the status in the

House that the member for Grayndler had earlier.

Mr HOCKEY—I thank the member for Paterson for his question and congratulate him on encouraging Virgin to fly from Newcastle to Melbourne direct at fares as low as $69. It is just a shame no-one in the Labor Party was lobbying Virgin. Well done to the member for Paterson!

Opposition members interjecting—

The SPEAKER—The member for Holt is out of his seat! The minister has the call. The member for Hunter!

Mr Rudd interjecting—

Mr Gavan O'Connor interjecting—

The SPEAKER—The member for Griffith chooses deliberately to simply ignore the chair. The member for Corio has enjoyed a great deal of licence throughout the entirety of question time.

Mr Gavan O'Connor—I didn't say a thing.

The SPEAKER—The member for Corio is warned! The minister has the call. He will be heard in silence.

Mr HOCKEY—There was a great and positive announcement from the Australian government this morning: we are going to increase the duty-free allowance for every traveller to and from Australia from $400 to $900. That will be warmly welcomed by travellers—by the more than three million Australians who travel every year and the nearly five million international travellers who come to Australia every year. We are going to more than double the general concession for adults from $400 to $900 and for minors from $200 to $450. We are also going to double the alcohol allowance, so that now people can bring into Australia 2.25 litres of alcohol—that is, three bottles of wine or two 1.125 litre bottles of alcohol. It is terrific for families, because it means they can—

Honourable members interjecting—

The SPEAKER—The minister has the call. The member for Bendigo! The member for Oxley!

Honourable members interjecting—

The SPEAKER—It is quite obvious that any warning from the chair is immediately ignored. The minister has the call. He will be heard in silence, or I will deal instantly with those who defy the chair.

Mr HOCKEY—That is a great initiative for families that travel, because now the average family of four has a duty-free allowance of up to $3,000 to spend. It will be warmly welcomed by the various parts of the tourism and transport industry. It means a significant windfall for the airports, when they have been doing it pretty tough. They rely heavily on duty-free—

Mr Fitzgibbon interjecting—

The SPEAKER—The member for Hunter will excuse himself from the chamber!

The member for Hunter then left the chamber.

Mr HOCKEY—Duty-free is an important part of the revenue for airports around Australia. This is a more than doubling of the allowable duty-free expense. Therefore, they will be big beneficiaries. A number of small retailers are also going to benefit from this, and airlines are of course going to benefit, because the airlines have onboard duty-free. This is a substantial injection of cash into the Australian transport industry.

There is one little catch: we need the states to sign up to the deal now, because there is a GST implication. The Assistant Treasurer has today written to the premiers, asking them under the GST agreement to sign up to this deal. We want the deal in place by the beginning of the Rugby World Cup, when so many people are going to be

coming here. We want people to be able to spend more on Australian made souvenirs when they come out for the Rugby World Cup. It is important that the state Labor premiers sign up.

The member for Werriwa is always keen to pass commentary. Whether it be a ringside commentary on the Carr versus Singo bout or whether it be on some other event, he is always keen to pass commentary. But, when it comes to getting Labor's mates in the states to lift their pens and do something for Australians or Australian small business, you can never rely on the Labor Party to do anything. Here is a challenge for the member for Hotham and the member for Werriwa: instead of providing a running commentary on Bob Carr, now is your chance to do something for Australian business. Get out there and get the Labor states to sign off on a deal that is going to be a significant windfall for Australian travellers and Australian small business.

Mr Howard—Mr Speaker, I ask that further questions be placed on the *Notice Paper*.

QUESTIONS WITHOUT NOTICE: ADDITIONAL ANSWERS

Medicare: Bulk-Billing

Mr HOWARD (Bennelong—Prime Minister) (3.19 p.m.)—Mr Speaker, I seek the indulgence of the chair to add to an answer.

The SPEAKER—The Prime Minister may proceed.

Mr Bevis interjecting—

The SPEAKER—The member for Brisbane is warned!

Mr HOWARD—I refer to an answer I gave to the Leader of the Opposition when he asked me a question in relation to a claim by the Minister for Health and Ageing denying that emergency rooms are filled with non-emergency patients. The President of the Australasian College for Emergency Medicine, Dr Ian Knox, has said:

> Overcrowding in emergency departments is due to a 15 per cent reduction across the board in the number of acute hospital beds in the last decade, without any alternative being put in place to manage the demand.

It is the disappearance of beds at the hands of state governments that has created the overcrowding. The Australian Medical Association has rejected Mr Carr's proposal about co-location of GPs, saying that it would make no difference to overstressed emergency departments as just four to five per cent of emergency department patients are suitable for GP treatment—four to five per cent. That completely explodes that proposition. Also in answer to that question, can I inform the House that petitions being lodged by members of the Labor Party regarding Medicare contain a statement which is literally and inexcusably inaccurate, when it says—

Mr Latham—Mr Speaker, I rise on a point of order. The Prime Minister is going well beyond the licence that would normally be extended to a minister adding to an answer, because this is not a matter that was raised in the original question. This is not relevant to the original question, and on that basis it should not be included in the addition to an answer at the end of question time.

Mr HOWARD—Mr Speaker, may I speak to that point of order?

The SPEAKER—The Prime Minister may speak to the point of order, as may any other member of the House.

Mr HOWARD—Mr Speaker, the question asked by the Leader of the Opposition was based upon the claim that bulk-billing rates were declining, and the very thing that I am about to mention goes directly to that issue. Mr Speaker, the—

The SPEAKER—I need to rule on the point of order, Prime Minister.

Mr HOWARD—Yes.

The SPEAKER—While the member for Werriwa was raising the point of order, I was checking my notes of the questions directed to the Prime Minister, one of which spent some time on A Fairer Medicare and on inflated fees, and I believe he is entirely relevant. I call the Prime Minister.

Opposition members interjecting—

The SPEAKER—I have ruled on the point of order. The Prime Minister has the call.

Mr HOWARD—We have been regaled this week by the Leader of the Opposition on the basis of truth and honesty. In this petition—and I apprehend that I see large volumes of them in the House today—there is a statement which is just a straight misrepresentation of the government's policy. That is the strongest language I think I am allowed to use in this place. It says that families earning more than $32,300 will be denied access to bulk-billing. That is as shabby, dishonest and shonky as you can get in debate. It is a complete shonky—

Mr Latham—Mr Speaker, I rise on a point of order. The *House of Representatives Practice* provides that additions to answers at the end of question time are to concern matters of fact—matters where ministers have made an error that they wish to correct for the parliamentary record and the benefit of the House. The Prime Minister has now totally abused the capacity to add to an answer by launching into an attack on the opposition, which is not relevant to the question that was asked in the first place, and for that reason he should be ruled out of order.

The SPEAKER—The Prime Minister's response was relevant to the question asked, and I had so ruled. The Prime Minister indicated that he had another answer he wished to add to.

Social Welfare: Debts

Mr HOWARD (Bennelong—Prime Minister) (3.24 p.m.)—Mr Speaker, in question time today I was asked a question by the member for Lilley regarding some comments of Senator Vanstone's in relation to the question of recovery of Centrelink debts. I have been advised that there have been no cases where people have had to sell the family home to repay debts to Centrelink.

Mr Swan—Mr Speaker, I seek leave to table the report of Senator Vanstone's comments about requesting pensioners to take out loans and garnisheeing their funeral benefits.

Leave not granted.

Immigration: Visa Approvals

Mr RUDDOCK (Berowra—Minister for Immigration and Multicultural and Indigenous Affairs and Minister Assisting the Prime Minister for Reconciliation) (3.25 p.m.)—Mr Speaker, on 5 June, I was asked a question in relation to Mr Tan. I informed the House then:

> The assessment was based upon Mr Tan's completed business skills monitoring survey form which detailed his business activities in Australia. Mr Tan provided the detailed supporting documentation requested in the survey form. That demonstrated a genuine attempt to be involved in business activity in Australia, which is the requirement of the monitoring. The material that Mr Tan provided was reviewed by my department, and an Australian Securities and Investment Commission check was undertaken which independently verified his ownership of a business. That led to the department withdrawing from the AAT review on 25 March 2002.

In relation to that let me just simply say, as I think I did later that day in a censure debate, that my involvement in that was normal in the sense that, if the department is involved

in resisting a matter in the AAT or before a court and the advice is that they are in an unwinnable position, the minister's view is sought as to whether one should continue litigating a matter which one is going to lose or whether one should withdraw with grace and save the taxpayer money. I offered advice—

Ms Roxon—When did you make that—

Mr RUDDOCK—It would have been shortly before 25 March. That is the only point I was making; it was quite clear.

Ms Roxon—How shortly?

Mr RUDDOCK—I do not know how shortly before—

The SPEAKER—The minister will address his remarks through the chair.

Mr RUDDOCK—but I know that I deal with most of these issues simply a matter of a few days before the actual implementation of that. As I said, the department withdrew on 25 March 2002.

PERSONAL EXPLANATIONS

Mr QUICK (Franklin) (3.27 p.m.)—Mr Speaker, I wish to make a personal explanation.

The SPEAKER—Does the member for Franklin claim to have been misrepresented?

Mr QUICK—Yes, I do.

The SPEAKER—Please proceed.

Mr QUICK—The Prime Minister a few moments ago asserted that on my desk and on the desks of the member for Fowler and the member for Throsby were 'dodgy' Medicare petitions. In fact, they are one-seventh of the child custody inquiry submissions, and I was busily working through them, as were the other two members.

The SPEAKER—I thank the member for Franklin.

Mr HOWARD (Bennelong—Prime Minister) (3.28 p.m.)—Mr Speaker, can I say to the member for Franklin, for whom I have considerable respect, that if that is the case then I apologise to him.

Opposition members interjecting—

Mr HOWARD—I do, yes. If I have got that wrong, I apologise, Harry.

The SPEAKER—Let me respond to the member for Franklin and say that I was aware of the fact that he and the members for Throsby and Fowler were working through what has been an additional workload of which the Speaker and the President of the Senate are aware and for which, as the members would be aware, additional resources have been made available in an effort to assist the committee. I am grateful to the three of them for the work they are doing, and it struck me that there are a number of other members of the House whom I could usefully employ during question time to help them further with their inquiry.

Mr CREAN (Hotham—Leader of the Opposition) (3.29 p.m.)—Mr Speaker, I wish to make a personal explanation.

The SPEAKER—Does the Leader of the Opposition claim to have been misrepresented?

Mr CREAN—Yes, I do.

The SPEAKER—Please proceed.

Mr CREAN—Today in question time the Minister for Employment Services misrepresented my record as employment minister. He argued that, in that time, I had been responsible for the loss of a million jobs. The minister walks out now. But in my 26 months as Minister for Employment, Education and Training, 542,000 jobs were created—at a rate of nearly 21,000 jobs per month. This compares with 13,340 jobs per month under the Howard government.

The SPEAKER—The Leader of the Opposition will be well aware that, in terms of a personal explanation, while the first part of

the explanation was entirely in order, the latter reference to the government is beyond the normal bounds.

Mr CREAN—In the 26 months that I was minister for employment, 61 per cent of the jobs were full-time jobs—or 331,000 full-time jobs created, at a rate of 12,735 full-time jobs per month. While I was employment minister, in just 26 months, the unemployment rate fell by two per cent.

Mr DUTTON (Dickson) (3.30 p.m.)—Mr Speaker, I wish to make a personal explanation.

The SPEAKER—Does the member for Dickson claim to have been misrepresented?

Mr DUTTON—Yes, indeed.

The SPEAKER—Please proceed.

Mr DUTTON—During debate earlier today in the chamber on the issue of the Migration Legislation Amendment (Identification and Authentication) Bill 2003, the member for Blaxland stated:

> When the member for Dickson, a former policeman, takes a policeman's attitude to this—black-and-white without any scope or imagination—he should be dealt with in terms of identifying his lack of a clear understanding—

and it goes on. I want to make it very clear that that is a misrepresentation of my position on the matter, and it is also a gross slight on the attitudes of police across this nation.

The SPEAKER—The member for Dickson will resume his seat.

Mr ALBANESE (Grayndler) (3.31 p.m.)—Mr Speaker, I wish to make a personal explanation.

The SPEAKER—Does the member for Grayndler claim to have been misrepresented?

Mr ALBANESE—I do.

The SPEAKER—Please proceed.

Mr ALBANESE—Today in question time, in response to a question from me and also in response to a question from his own side, the Minister for Employment Services suggested that I had got it wrong in suggesting that his statement about 60,000 job seekers being breached was wrong. In fact, the minutes of a Centrelink agency executive forum, chaired by Sue Vardon, on 8 September 2003—the senior meeting of Centrelink officials—say that there have been some statements that 60,000 job seekers did not attend a Job Network appointment without a valid reason and that Centrelink analysis of this information has found only 3,000 job seekers slipped through the net. In fact, it is very clear that not only do I think the minister has got this wrong but also his own government is saying that he got it wrong in this statement.

Mr McMULLAN (Fraser) (3.33 p.m.)—Mr Speaker, I wish to make a personal explanation.

The SPEAKER—Does the member for Fraser claim to have been misrepresented?

Mr McMULLAN—Indeed.

The SPEAKER—Please proceed.

Mr McMULLAN—The Minister for Trade, in response to a question today, claimed that the agreement that was entered into at the end of the Uruguay Round was less successful than it should have been, less successful than he would have wished, and less successful than the National Farmers Federation would have supported. Could I say three things. The first is—

The SPEAKER—Member for Fraser, could I interrupt you to say that, as you would be well aware, I need to discover where you have been misrepresented.

Mr McMULLAN—He said that I had been the person who negotiated it. He said it had been negotiated by me.

The SPEAKER—If I missed that, I apologise. I was not sure that that had been said.

Mr McMULLAN—It was said by the minister, but I had not said it. I am sorry, Mr Speaker; you are correct. There are three things. Firstly, it was the first trade agreement ever to include benefits for Australian farmers. All the agreements made by the National Party before that had had none. Secondly, it received the total support of the National Party in the parliament at the time, including the support of the now Minister for Trade. Thirdly, it received the support of the National Farmers Federation at the time.

Ms ROXON (Gellibrand) (3.34 p.m.)—Mr Speaker, I wish to make a personal explanation.

The SPEAKER—Does the member for Gellibrand claim to have been misrepresented?

Ms ROXON—Yes, I do.

The SPEAKER—Please proceed.

Ms ROXON—It has been reported to me that remarks that I made earlier today about the member for Dickson may have been interpreted as a slight on the police force. May I assure the House that my remarks were directed entirely at the member for Dickson and not towards operational members of the police force, for whom I have the highest regard.

The SPEAKER—I am not certain that the member for Gellibrand had been misrepresented, but I will check the record.

Mr MURPHY (Lowe) (3.35 p.m.)—Mr Speaker, I wish to make a personal explanation.

The SPEAKER—Does the member for Lowe claim to have been misrepresented?

Mr MURPHY—Yes.

The SPEAKER—Please proceed.

Mr MURPHY—The Prime Minister knocked me over early in question time today. Specifically, the Prime Minister misrepresented me in two areas. Firstly, the Prime Minister said that I had been push polling my electorate over Medicare and bulk-billing. On this point, some 18,000 constituents replied to my letter and my Medicare petition. My writing a letter to my constituents about Medicare is not push polling.

The SPEAKER—The member for Lowe will come to his next point.

Mr MURPHY—That is the first point. The second point, Mr Speaker, with great respect, is: my claim to my constituents that, under the government's proposed Medicare policy, a patient will pay a $20 charge every time they visit a doctor was not denied by the Prime Minister.

The SPEAKER—I will raise this matter later with the member for Lowe. It must be clear that he has been misrepresented. If I have heard him in error I will take that up with him as well. I just make the point that that did seem to be a more literal use of personal explanations than is normally tolerated by the chair.

Mr HATTON (Blaxland) (3.36 p.m.)—In terms of misrepresentation, I am in a similar position to that of the member for Gellibrand. A previous speaker—

The SPEAKER—The member for Blaxland has been a member of this chamber for seven years. He must be aware that the custom over seven years has been for someone to seek leave to make a personal explanation.

Mr HATTON—Thank you. I will indicate that I believe that I have been misrepresented—

Honourable members interjecting—

Mr HATTON—Mr Speaker, I seek leave to make a personal explanation.

The SPEAKER—Does the member for Blaxland claim to have been misrepresented?

Mr HATTON—Yes, I do. Grievously so.

The SPEAKER—The member for Blaxland may proceed.

Mr HATTON—In this House in a debate that occurred earlier today the member for Dickson indicated that I had in fact attacked the police force and all members of the police forces in Australia. I want to indicate very simply and very clearly that what I was attempting to do at the start of my speech was to explain the reasons for interjections for the member for Gellibrand. Any aspersions—

The SPEAKER—The member for Blaxland must indicate where he has been misrepresented—

Mr HATTON—I will.

The SPEAKER—He has indicated he was misrepresented by the member for Dickson. I have heard that point. He may indicate where the member for Dickson has misrepresented him but we cannot go beyond that point.

Mr HATTON—He has misrepresented me in arguing that I was speaking about the police forces in Australia broadly. Any aspersion cast was on the member for Dickson and the member for Dickson alone.

QUESTIONS TO THE SPEAKER

Medicare: Bulk-Billing

Mrs IRWIN (3.38 p.m.)—Mr Speaker, I was wondering if you could convey to the Prime Minister that I accept his apology and also that I have been working in the chamber today? These are 300 of 1,500 submissions. I have not received any more than 300. I am in the Northern Territory, South Australia and Western Australia next week. I do not know what organisations or individuals will be coming before our inquiry.

The SPEAKER—The member for Fowler has a question to me and the question is that I convey her sentiments to the Prime Minister, which I am happy to do. Beyond that I suspect we are pushing the bounds of questions to the Speaker.

PAPERS

Mr McGAURAN (Gippsland—Deputy Leader of the House) (3.38 p.m.)—I present papers on the following subjects, being petitions which are not in accordance with the standing and sessional orders of the House.

Asylum seekers and refugees in Australia—from the member for Sydney—1,067 Petitioners

War in Iraq—from the member for Barker—217 Petitioners

MATTERS OF PUBLIC IMPORTANCE

Medicare

The SPEAKER—I have received a letter from the honourable member for Lalor proposing that a definite matter of public importance be submitted to the House for discussion, namely:

The Government's attack on Medicare.

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

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

Ms GILLARD (Lalor) (3.39 p.m.)—I want to talk to the House today about what will be known as 'Patterson's curse'—that is, the government's plans to destroy Medicare. What we know is that Medicare around this nation is in crisis and in need of emergency surgery. That is thanks to a combination of wilful neglect and a deliberate frontal assault by the Howard government.

I want to take a minute to paint the dimensions of the crisis. Statistics released less than three weeks ago for the June 2003 quarter and the last financial year showed that

bulk-billing remains at its lowest level in a decade. The quarterly rate of bulk-billing for GP services for June 2003 is 68.5 per cent. Over the financial year, the slump in bulk-billing rates was 5.4 per cent. Since the election of the Howard government the rate of bulk-billing by GPs has fallen by over 12 percentage points.

Why is bulk-billing and access to a GP important? Because at the end of the day it is not about those statistics; it is about people. It is about families. It is about Australians who wake up on a Sunday morning not wondering what is on the Sunday morning current affairs shows but saying to themselves, 'I hope my kids don't get sick today, because I can't afford to take the day off tomorrow.' If the kids do get sick, then those Australians need to be able to find a GP who bulk-bills. They need to be able to get a prescription filled so the kids have the medicine to take. The Howard government's plans in all of these areas are to destroy bulk-billing for ordinary families and to make the medicine that Australians take and that they get for their children more expensive.

Why is the price of a GP's services important? Not all Australians can wait and make sure that their kids get sick on payday. People are already being asked for extraordinary amounts of money to go to the doctor. When the Labor Party advertised the Medicare crisis on TV both the Prime Minister and the Minister for Health and Ageing pretended that it was not replicating the dimensions of the Medicare crisis. They pretended that people were not being asked for those sums of money when they went to the GP. That is simply not true.

Let me tell you about the Bateman's Bay Medical Centre in the seat of the member for Eden-Monaro, who is not in the House at the moment listening to this debate. The centre does not bulk-bill and charges $48 for a normal consultation, $45 for a health care card holder and $37 for a pensioner consultation. In order to see a doctor, a patient must make an appointment one week in advance and then wait 90 minutes in the practice before being seen. A constituent in Eden-Monaro advised that she was charged $144 on a weekday for her two children to be seen.

Or what about the GP service in Alice Springs that charges $50 for a standard consultation—that is for people with health care cards—and $70 for the same consultation for people without health care cards? What about the woman on the NSW Central Coast, in the electorate of the member for Shortland, whose friend was sick with pneumonia and who was told that a doctor would not come unless she had $58.80 up front?

What about another woman on the Central Coast, a single mother on a disability pension, who was recently told that she would need to pay $110 before a doctor would come to her home to treat one of her children who had chicken pox? Or, in the member for Paterson's seat, what about the young woman who had to travel from Maitland to Broadmeadow—a 40-minute car trip or more than an hour by train—with her three children to find a bulk-billing doctor?

They are the human faces of the Medicare crisis that this government has created—bulk-billing falling by 12 per cent nationally and in some parts of Australia by more than 30 per cent in the last two years. While the rates of bulk-billing have gone down, if you have to get to see a GP and pay for the consultation because you cannot find one who bulk-bills the cost of seeing the GP has gone up. What we know is that the amount that a patient has to pay to see a GP has gone up by 59 per cent during the life of the Howard government.

What happens when bulk-billing goes down and patient co-payments go up? What happens when people have to pay more to see the doctor? This is what happens. As co-payments go up—the blue line—the number—

The DEPUTY SPEAKER (Hon. I.R. Causley)—The member for Lalor would be well aware she is not allowed to display—

Ms Gillard—of consultations at the doctor go down. That is the chart, Mr Deputy Speaker. I can tell you are very interested in that.

The DEPUTY SPEAKER—The member for Lalor is defying the chair.

Ms GILLARD—That is showing you and I that if the price of seeing a doctor goes up then people do not go to the doctor because they cannot afford to. There were three million fewer consultations at the GP in the last financial year compared to the one before. That is three million people who presumably needed to see a doctor but did not go because they could not find one who bulk-bills and because the charges to see one who does not bulk-bill have gone up and up. No-one should be surprised that this is happening under the Howard government. Let us remember that the Prime Minister has always been mean and tricky when it comes to Medicare. Starting as long ago as 1984, when Medicare came into being, John Howard became its greatest enemy. He declared his opposition to Medicare in the following terms. He said it was 'a miserable, cruel fraud', a 'scandal', a 'total and complete failure', a 'quagmire', a 'total disaster', an 'unmitigated disaster', a 'financial monster', a 'human nightmare' and—my personal favourite I have to say—that it had 'raped the poor in this country'. That was the Prime Minister's statement on Medicare. He subsequently threatened to pull Medicare right apart and get rid of the bulk-billing system, which he described as an absolute rort. His 1987 election commitment stated:

> Bulk-billing will not be permitted for anyone except the pensioners and the disadvantaged. Doctors will be free to charge whatever fees they choose.

Ms Plibersek—That is one promise he has kept.

Ms GILLARD—The member for Sydney is absolutely right. Despite all the pretence in the meantime that he had changed from being Medicare's greatest enemy to a friend—that was all bogus—he is now going about implementing that 1987 election commitment through the so-called A Fairer Medicare package, which is straight out of the ministry for truth. The Prime Minister does not even seem to understand this package—or maybe he just does not want to be clear about it, because he certainly was not today. The package has very small incentives to get doctors to bulk-bill concession card holders. It then facilitates co-payments by everybody else. There is not one word in the government's package that would give an incentive to a GP or require a GP to bulk-bill a family, say, on $34,000 a year with two kids. Indeed in the package's full implementation that family would always pay when it went to the doctor because the incentives to be bulk-billed are only there for concession card holders. Let us not get too carried away about those incentives. We know that there is nothing to stop doctors who sign up to the package—doctors who say, 'Yes, I will take the incentive for seeing concession card holders and I will bulk-bill them'—from putting the bulk-billed patients at the end of the queue whilst they put the moneyed patients who pay at the beginning of the queue. What kind of promise to be bulk-billed is it if the doctor can just say, 'You wait and wait and wait and wait until I've got a free slot.' If you think that is not happening, you are wrong—it is happening in Melbourne and

Sydney as we stand here today. That is the government's Medicare package for you.

We know that the community supports Medicare, and today the Labor Party produced more than 160,000 signatures on petitions showing that people want Medicare—they want it retained, they want bulk-billing and they want a universal health system. The Prime Minister, in what he said today about the member for Lowe, and Senator Patterson, through her media adviser—who has been stalking the media gallery all day—have been trying to say that Labor is misrepresenting the government's position when it says that the government is about destroying Medicare. Either you just do not get it or you are not telling the truth about it—because Medicare is a universal access system. Medicare is about treating everyone who goes to a doctor in the same way. That means we all have an interest in making sure the system works. That is Medicare. What you want is a private system where you pay and where you have made a grudging nod to the needs of the poor. That is not Medicare. You want to destroy Medicare—

The DEPUTY SPEAKER—The member for Lalor will address her comments through the chair.

Ms GILLARD—No amount of spin by Senator Patterson's media adviser and no amount of misrepresentation by the Prime Minister of the member for Lowe's work in his electorate is going to change that fundamental fact. Alongside the destruction of Medicare what do we have? Unfortunately we have the most incompetent health minister in living memory. Less than three weeks ago people in the health industry made the following comments to separate journalists about Senator Patterson. These are not my words—do not take my judgment for it—these are the words of people in the health industry. These are their quotes: 'the worst health minister ever', 'has no big picture vision for the health system', 'lacks clout with her cabinet colleagues', 'nothing short of embarrassing', 'very little idea of what is happening', 'lack of knowledge quite staggering', 'suggestions go over her head', 'pathetic', 'very Monty Pythonish', 'captive of her department'. A number of pharmaceutical, consumer, medical and other groups gave her a mark between one and five—but the test was out of 10. No-one scored her as a pass. They gave her marks between one and five yet the test was out of 10. That is what medical consumers think of the current health minister. We know it suits the Prime Minister to have the current health minister there—it means he gets to personally run the destruction of Medicare because he is in a position to impose his health agenda on a weak minister.

I want to give you a couple of examples of the kind of incompetence that besets this minister as she tries to run health in this country. I want to talk about the $27 million wasted on the Pharmaceutical Benefits Scheme advertising campaign currently on our TVs. The minister paid a market research company $32,000 for market research with a sample size of 55—that is $6,000 per person. That is amazing, absolutely amazing—it probably breaks all records. So $32,000 was spent on market research with a sample size of 55.

Mr Gavan O'Connor interjecting—

The DEPUTY SPEAKER—The member for Corio has already been warned in question time.

Ms GILLARD—Then of course we had the campaign with the explanatory booklet. The only problem was that when you turned to the non-English-speaking bit you discovered that it had Greek letters in random order—they did not actually spell any Greek words; they were in random order. An error

sheet had to be issued because it was a completely stupid error. The taxpayer was put to the extra expense of building a mock-up pharmacy because, instead of consulting with the Pharmacy Guild and asking to use one of their pharmacies, the government went to the expense of purpose-building one. What is even worse is that, because of the lack of consultation with pharmacists, the advertising campaign gives incorrect medical advice and suggests patients make their own decisions about whether or not to fill their repeat prescriptions when any doctor would tell you that they issue repeat prescriptions because they want people on that medication and they want them to complete the course.

Advertising for the Pharmaceutical Benefits Scheme costing $27 million, an error sheet, a mock-up pharmacy that needed to be purpose built, the most expensive market research known in human history and incorrect medical advice are not the complete summation of what the minister has been up to lately. She is continuing to engage in the farce on lifestyle benefits in the private health insurance area—that is, the gym shoes, the CDs, the tents and all the things the minister said she would get out of private health insurance ancillary benefits in February this year. In May this year the private health insurers wrote to her to say: 'Minister, we can't do this by self-regulation. Do you think you could regulate for us? We'd really like you to do that by 30 June this year, because we think that would be consistent with community expectations.' Here we are, all these months later, and the minister has finally said, 'Yes, I will regulate by 31 December.' But when asked in the Senate this week what was going to be in and out of the regulations she had absolutely no idea. I am not sure how the minister is going to regulate by 31 December if she cannot answer a simple question about this.

The amount of waste while the minister has dithered is probably in the order of $24 million, which would have funded almost a million bulk-billed GP services. When the history of this government and the current Minister for Health and Ageing is written, this time will be known as the age of Patterson's curse. We need to make sure that Patterson's curse does not eradicate and destroy the Medicare system which has served Australians so well and which is so supported by Australians. In order to stop Patterson's curse, we have to reject the Howard government's so-called A Fairer Medicare package and endorse Labor's $1.9 billion package as a down payment to save Medicare and get doctors bulk-billing again. Australians do not want Patterson's curse. *(Time expired)*

Ms WORTH (Adelaide—Parliamentary Secretary to the Minister for Health and Ageing) (3.54 p.m.)—I remind the shadow minister, in case she is unaware of it, that Paterson's curse is also known as Salvation Jane. The opposition spokesperson and others opposite think that if they print and say something often enough the public might believe it. This is desperate campaigning at this stage, because they know, accurately, that everyone is concerned about their health. That is very important. But to claim that this government is about attacking, dismantling or ruining Medicare—whatever adjectives they like to use—is absolutely, 100 per cent untrue. I firmly put it on the record now, as the Prime Minister has done in the past and as we did in the lead-up to the 1996 election, that we are absolutely committed—100 per cent—to maintaining Medicare. We are committed not only to maintaining Medicare but also to improving it. If you have something good and never do anything about it, never foster it or add to it, then it will fail. We are about making a fairer Medicare system; we are not about letting it run down.

The shadow minister made quite a few claims, and I will try to deal with some of them. One was about how much is spent on GP visits and the fact that there are fewer people visiting GPs now than there were in the past. That is not necessarily a bad thing. The medical benefits expenditure on GP services for the 2002-03 financial year was higher than that for the 2001-02 financial year. It was the highest amount ever paid to GPs in the history of the Medicare system, despite the fact that there were fewer services. While service numbers are lower than last year, this is a direct result of the initiatives of this government which are rewarding doctors for providing longer consultations—spending more time with their patients—and managing chronic diseases. This has many more benefits for the patient than just rushing them through the door, in and out again. Doctors were perhaps asking patients to come back for some pathology results or for another prescription, instead of providing repeat prescriptions. The shadow minister is shaking her head about that; she seems to think that, if a doctor gives you a repeat prescription, it is going to be good for your health to always use it. That is not the case.

Ms Gillard—The doctor decides.

Ms WORTH—The doctor can absolutely decide. The doctor can give repeat prescriptions and say, 'Stop taking the medication if you're better by then, but keep taking it if you're not feeling better.' That does not apply in all cases—not if the prescription is for blood pressure medication or antibiotics—but for a lot of things it is good medicine, and it means that the patient does not have to come back through the door again.

The shadow minister is on the attack, which I suppose one should expect. But she should be honest enough to say what Medicare is all about. Medicare is not about GP visits and it is not about bulk-billing. Medicare is about free access to a public hospital; receiving a rebate for visiting a GP or a specialist, whether that be in a doctor's rooms or in a hospital; receiving a rebate for services such as pathology and radiology—of 85 per cent if that is out of hospital and 75 per cent if it is in hospital, with private health insurance making up the other 25 per cent of the schedule fee—and, of course, getting subsidised medicines through the PBS. As I said, the government are absolutely committed to Medicare, and we will not deviate from that commitment.

We are also, of course, committed to making private health insurance more affordable through the 30 per cent rebate. That is a commitment that the opposition have been unable to give, no matter how many challenges they have been given. They have not committed to keeping the 30 per cent rebate for private health insurance, and you will notice that the opposition spokesperson did not do that today. That is because it cannot be guaranteed. The Australian public should be alarmed about that. The Australian public and this government understand that we need a very strong public system and a very strong private system working together, because that is in the best interests of the public.

Others besides the shadow minister and her colleagues have had a few things to say about Medicare, bulk-billing and emergency departments. I will place on the record some of those comments. In 1987, Dr Blewett said:

> What we mostly have in this country is not doctors exploiting bulk billing but compassionate doctors using the bulk billing facility to treat pensioners, the disadvantaged and others who are not well off or who are in great need of medical services, which was always the intention.

More recently, in May this year on ABC Radio, Trevor Mudge, then Vice President of the AMA, said:

Doctors are not going to suddenly charge large amounts to patients who can't afford to pay. They never have and they never will.

Dr Rob Walters, President of the Australian Divisions of General Practice, was in my office earlier this week, and he said very similar things. He would argue that doctors are being maligned when it is put that they will not know their patients; they will not know who is least able to afford. I think that is something opposition members should bear in mind. In 1983, Dr Blewett said:

Medicare will restore the right of access to health care. It is the comprehensive, universal, equitable, scheme that we see as essential to guarantee that access within the limits of a fee-for-service system.

The shadow minister will note the phrase 'within the limits of a fee-for-service system'. Again in 1983, Dr Blewett said:

Where the doctor agrees, direct billing will be available to everyone, so that the patient does not have to claim a refund for the cost of medical treatment. But this is a choice left to the doctors.

At the Adelaide public hearing of the Senate Select Committee on Medicare, Dr James Moxham, President of the Australian College of Non Vocationally Registered General Practitioners, claimed:

The main driver of the bulk-billing rate is the number of doctors. It has nothing to do with rebates. Rebates do not influence bulk-billing. The rate of decline in bulk-billing will be almost halved by an extra 150 training places.

During question time—and the Prime Minister dealt with this very well—claims were made that there is overcrowding in state public hospital emergency departments because of the lack of access to bulk-billing. In an article in the *Courier Mail*, Dr Ian Knox, the Australasian College of Emergency Medicine President, said:

Overcrowding in State hospital emergency departments had nothing to do with GP-type patients and everything to do with a lack of beds.

On 28 August this year, in an interview with Anna Patty of the *Daily Telegraph*, John Vinen, Emergency Support Service Director at the Royal North Shore Hospital, said:

We are spending 50 per cent of our time on code red. Blaming the flu and the lack of bulk-billing is nonsense. We see virtually no GP patients.

There are people with other points of view and other arguments, which members of the opposition would do well to take on board before they make public inaccurate statements. The Prime Minister has already chastised the member for Lowe for that, but he is not the only one. The member for Scullin and others from the Labor Party have been claiming that families who earn more than $32,000 a year will be denied access to bulk-billing. This is said in urging people to sign a petition. Of course, that is absolutely downright wrong, as is the claim in material soliciting signatures on Labor Medicare petitions by the member for Lowe and others that there would be a $20 fee to visit a doctor. It states:

Now the Federal Government wants to charge a $20 fee every time you visit your Doctor. This will hurt families and seniors.

I suppose some people would argue that this is just fear politics. My personal belief is that when we are discussing the health of the people of this nation we should be more responsible. Labor has not always been perfect. In fact, the shadow minister mentioned today that the number of doctors' visits being bulk-billed was going down. They have gone down slightly but they are still nowhere near as low as they were some time ago.

Labor's opposition to private health care has put Medicare and our public hospital system under extreme and unsustainable pressure. Under the previous Labor government, private health insurance premiums grew by a rate of 11.3 per cent a year. Under this government, premiums have increased

on average by less than five per cent a year. I cannot stress strongly enough that, until the Labor Party commits to maintaining the 30 per cent rebate under a future Labor government, the people of Australia should remain very scared, because that high level of increase would be adding $750 on average to their private health insurance costs.

By contrast, we are absolutely committed to keeping private health insurance and making it more affordable through the 30 per cent rebate—and that is the key. It represents a substantial benefit for almost nine million Australians. The nine million Australians with private insurance will be very concerned that the shadow minister has failed yet again to confirm that any Labor government would maintain this very precious part of our medical system.

Claims have been made about how we are wrecking Medicare. How can it be claimed that we are wrecking Medicare when we are spending an extra $917 million on the A Fairer Medicare package and when we have already announced 234 additional medical school places to be based across Australia and bonded to rural and regional areas? GP training places will be increased, with an additional 150 places every year over four years. Incentives for doctors to bulk-bill pensioners and concession card holders have been announced. There will be 457 additional full-time nurses for GP practices located in outer metropolitan areas of work force shortage, benefiting around 800 GP practices. There will be new safety nets to protect against high out-of-pocket medical costs.

The Howard government has also introduced a number of other measures to improve the supply of medical practitioners in the short term. One hundred and ninety-five practitioners are currently enrolled in the five-year scheme designed to encourage extra overseas trained GPs to work in rural districts with work force shortages. In addition, in December 2002 changes to the immigration arrangements enabled graduating Australian trained international medical students to stay on and work in public hospitals during their intern year and beyond. In 2003, over 100 additional interns were working in public hospitals due to this measure. Negotiations are under way with states and territories to enable this measure to continue on a permanent basis.

In the 2002-03 budget, the government announced the More Doctors for Outer Metropolitan Areas program to improve access to medical services for people living in outer metropolitan areas of the six state capitals. There are 105 doctors participating in the scheme so far. This $80 million package over four years aims to get an additional 150 GPs into outer metropolitan areas by providing them with a relocation incentive to address the imbalance in health care delivery compared to their inner metropolitan neighbours.

The Australian government is doing all it can to get additional nurses into universities. An allocation of 210 new nursing places has been made for 2004. This will increase to 574 over four years until 2007. Regional campuses were identified as the priority for new nursing places in 2004. However, we should not forget that a major problem for health services throughout Australia is the retention of trained nurses. The employment, pay and conditions of nurses must be looked at to help reduce the number of nursing shortages. These are areas of responsibility for the state governments.

The Australian government will also be providing the states and territories with $42 billion over the next five years to help them run their public hospitals. This is $10 billion more than previous agreements and a 17 per cent increase over and above inflation. Now

that the agreements have been signed through the health reform agenda, the Australian government, together with the states and territories, will be looking at how to better spend the $40 billion that the Commonwealth and states spend on health care. This will include streamlining cancer care, improving safety and quality and easing the pathway of patients from hospital to care in the home.

We have heard claims about hospital emergency departments, which I have dealt with. The premiers have been playing games. We know, for instance, that seven out of 10 services are still being bulk-billed. In the last six years of the Labor government, the Medicare rebate for a standard GP consultation increased by less than nine per cent. Mr Deputy Speaker, I think you will agree that the government is doing everything to save Medicare. *(Time expired)*

Ms JANN McFARLANE (Stirling) (4.10 p.m.)—I feel almost sad to stand here today and speak on this matter of public importance about Medicare but, because the issue is so important to my electorate of Stirling—the families and the individuals—as well as to many other Australians, I can only add my comments to those of the member for Lalor and say that the government's attack on Medicare is disgraceful.

I want to bring to the attention of the House an email that I have received from a family who have experienced a severe health problem that has also brought them a severe financial problem. This is because the government's failure to fund Medicare, the health system and the state and territory governments adequately has led to this kind of situation. The subject on the e-mail is 'Medicare and Health Services'. It says:

Dear Mrs McFarlane,

I would hope you take the time out to read this letter, which is in two parts, and is something that is a very real concern to us. About 6 weeks ago, my partner for 10 years … received the news that she has an Acoustic Neuroma, (brain tumour). Besides the immediate shock that the news has and the impact it has had on [her], myself and the 2 children …, we find other things beyond our control, to be just so totally wrong.

[My wife] is having the tumour removed. At best, [my wife] will suffer 100% hearing loss in one ear, have short term balance problems (short term being up to 6 months), the obvious pain associated with such an operation and other things we are unsure of. At worst, well we just don't discuss that. Adding to this shock is our "out of pocket" medical bills covering gaps that top private health insurance and Medicare do not allow for. Up until now, we have paid $500 in gaps, the initial GP, the appointment with a neurosurgeon, the CAT SCAN, the MRI, the appointment with the ENT surgeon, the hearing test. This is all prior to the operation.

The ENT surgeon has quoted an "out of pocket" expense of $3470 over the scheduled fee—

I will repeat that: '$3,470 over the scheduled fee'—

bearing in mind this is a life saving operation. There will be a further anaesthetist gap of approximately $1200 - $1500. The GP initially referred [my wife] to a neurosurgeon who does not charge any gap for his part in the operation – and for this we are very thankful. [My wife] has had top private health insurance for 23 years, and I did as well prior to us living together. We pay a Medicare levy, a gap, and health insurance.

How is this so? We really need someone to explain to us how it has become like this. Why are we so heavily penalized for doing the right thing?

We are at the total mercy of surgeons doing this operation and apparently they can charge what they like. How does a person think rationally when they are in such a vulnerable position?

We are very happy with the level of care we will receive, but it really is the same level of care a public patient would be getting and paying nothing for.

… … …

As our Member of Parliament, would you please take the time to look at this, and please explain to us how this can happen to us, and obviously other people in the same situation.

There is obviously not only problems with the Medicare system, but the health system overall in this country.

This story shows why Labor has received 160,000 signatures from Australians who want to defend Medicare; they want to be Medicare defenders. This family is confused and, as they have stated, extremely vulnerable. It is a terribly sad indictment on our health system that any family should have to write to their member of parliament pointing out their situation in such a personal and detailed way. I am sometimes embarrassed and ashamed to be a member of parliament, because every day I am faced with this reality.

I would like to draw on what the member for Lalor said about the Australian health care agreements that were negotiated with the states and territories. Yes, I agree with the government that the amount of money was increased. But I also understand that, because of the difficulties that arose during the negotiations, basically there is going to be a $1 billion shortfall that will impact severely on the ability of the states and territories to run their public hospital services properly. What the government has done is disgraceful.

Can I go back to what Medicare is. A lot of people do not really understand Medicare; they think it is just about bulk-billing. Medicare is:

… the Commonwealth funded health insurance scheme that provides free or subsidised health care services to the Australian population. It covers both in-hospital services for public patients in public hospitals, through Australian Health Care agreements with the States [and territories] and provides subsidised or free access to doctor's services.

As I said, it is not just about doctors bulk-billing. That said, I agree with the point made by the member for Lalor about bulk-billing. Bulk-billing is a reflection of what is happening in the health system. I am not saying it is the doctors' fault. I can only speak strongly and warmly about the doctors in my electorate, who are struggling to maintain bulk-billing services to the people and families of Stirling. I do not very often get letters from my local doctor, but I would like to read out a letter I received from one of my local medical centres, which is in one of the not so affluent parts of my electorate. It says:

I am writing to you to protest that additional burdens have been placed on General Practitioners in this country with the introduction of the new regulations pertaining to the provision of Authority Prescriptions on the PBS.

The result is we find ourselves spending more time waiting to talk to a clerical officer and more time talking to a clerical officer to get the prescriptions our patients need. Not only does this interrupt unhelpfully our consultation, it prolongs the consultation. This increase in bureaucracy will only have the effect of reducing the ability to bulk bill or as it is now being called offer compassionate discounts.

I hope that you will pass this complaint on to the relevant authorities.

Around here the government is the relevant authority, and I am passing the complaint on. I will be writing to the doctor to send him a copy of my speech and say, 'Your complaint is lodged.' I just hope that the complaint is listened to.

Along with the member for Lalor, I can only say that not only is the government's attack on Medicare a disgrace but Senator Kay Patterson as the minister—her behaviour, her outlook, her attitude in the negotiations—is disgraceful. She threatened to withhold public hospital funding if the states did not sign up to a five-year deal that will take money out of the Australian health care

agreements. What about the GP shortfall? As has been pointed out to us, the government does have a package there. But not increasing the schedule fee to a decent level will cause more doctors to drop out of bulk-billing. GPs and doctors tell me they are dropping out because they cannot afford to run their practices. It is not because they do not care about people; they do care about people, but they cannot afford to run their practices and pay their fellow staff unless they get a reasonable income.

So what will Labor do? Labor have a plan. The government may laugh at us and our plans but, hey, we were the creators of Medibank, which was the mother of Medicare, and we did it well. People respected us for it and appreciated it. The first thing we have done is set up Labor's Save Medicare hotline. It is a great strategy. It allows us to hear directly from people—from families and individuals—about what is happening in their lives. The number is 1800 006 269. Those who are fortunate enough to have a computer can email us on save.medicare@alp.org.au and tell us their Medicare story.

Labor are out of government, but we will be in government again. And when we are, we will propose increasing the rebate by about $5 to 100 per cent of the schedule fee. There is nothing to stop this government doing that now. When Dr Trevor Mudge of the AMA, whom the government has mentioned, came to visit the Labor social policy committee, he told us exactly what he had told the government: 'We want an increase in the schedule fee to make it viable for doctors to continue bulk-billing.' The AMA pointed out to us that bulk-billing rates were going down. They also surveyed their members and they know how many doctors are dropping out.

In my electorate alone there are 62 doctors and medical centres. Four years ago, 40 of them bulk-billed; three years ago, 30; and last year, 26. Now it is down to 20. How do I know this? My staff rang every one of the medical centres and GPs in my electorate and we put together a bulk-billing pamphlet, which we recently mailed out to 40,000 households in my electorate. This government defies logic. The government's attack on Medicare is disgraceful. The people deserve and want better. The government needs to do what the community wants—get real and work in a bipartisan way with Labor to save Medicare, and give the states and territories a fair health agreement.

Mrs DRAPER (Makin) (4.20 p.m.)—As the chair of the government's backbench policy committee on health and ageing I am pleased to have the opportunity to participate in this debate. Let there be no mistake: Medicare is safe with the Howard government. The health and wellbeing of Australian families is the No. 1 priority of this government. For the opposition to indulge in political games on this issue just shows how shallow, policy free and policy bankrupt they have become. During the member for Lalor's recent excursion, there was not one hint of Labor's possible alternative health policy in this most important MPI—not a single skerrick, not one policy outline, just personal attacks on the Minister for Health and Ageing. I guess that is their new health policy. That is the new health policy they will be taking to the next federal election: personal attacks on the health minister.

It is the Labor Party which is threatening to destroy the fabric of Australia's health system by refusing to support the retention of the 30 per cent private health insurance rebate. I regularly consult my constituents in Makin on all matters of importance, and their support for the government's 30 per cent health rebate has been overwhelming. Since

the Howard government introduced the 30 per cent private health insurance rebate in January 1999, an extra three million Australians have taken out private health cover. Today, almost nine million Australians have private health insurance. Private health cover allows Australians the freedom to choose their own doctor and hospital, and helps take the pressure off our public hospitals. But the Labor Party, wearing its ideological blinkers, wants to take all of this away. Labor would oversee the collapse of the private health system so that everything could be controlled by the state. It is not happy with the balance between public and private which has delivered Australians one of the best health systems in the world.

If the 30 per cent private health insurance rebate were to be abolished, many working families would not be able to afford to pay their health insurance premiums. If they were to consequently drop out of health insurance, there would be no way they could afford the costs of treatment in a private hospital and they would then be forced to join the queues of people awaiting treatment in our public hospitals. If some think that the public hospital system is under pressure now, we had better start praying that Labor stays in opposition, because the queues of the sick and those desperately in need of surgery would otherwise grow at an enormous rate.

It was Labor that started this problem in the first place. When they last held the reins of government they almost destroyed the private health insurance industry, and now they want to complete what they started. When Labor defeated the coalition government in 1983, nearly 65 per cent of Australians were covered by private health insurance. By 1996, this proportion had plummeted to below 34 per cent. It was Labor's own then health minister, Graham 'Richo' Richardson, who warned in 1993 that if the numbers of those privately insured continued to drop the entire health system would collapse. That was the Labor Party then.

This government's policies have helped to lift the number of people with private health insurance to 44 per cent, and it is this government—the Howard coalition government—which is the true protector and standard bearer of Medicare. I want to make one point very clear: I not only support Medicare, I support the Howard coalition government's policies to improve it to ensure that all Australians, regardless of their social or financial situation, have access to the best possible health services. Where you live in this great country of ours should not determine the quality of health care you receive. That is why I strongly support the A Fairer Medicare package being implemented by the Minister for Health and Ageing, Senator the Hon. Kay Patterson. The minister is doing a fantastic job, because she is not afraid to stand up against vested interests or to implement policies which strengthen Medicare and the availability of top quality health care to all Australians.

The $917 million A Fairer Medicare package strengthens Medicare by increasing the number of doctors in areas where they are most needed and by supporting the provision of bulk-billing through extra incentives available to all GPs throughout Australia. To deal with the problem of doctor and nurse shortages in some parts of the country, the government has increased training numbers by providing an additional 150 places for each group over four years. The minister has also announced 234 additional medical school places to be based across Australia and bonded to rural and regional areas. Over 100 additional interns are currently working in public hospitals, thanks to the government's decision to allow graduating Australian-trained international medical students to stay on and work in public hospitals in the country.

In the 2002-2003 budget, the government announced the More Doctors for Outer Metropolitan Areas measure to improve access to medical services for people living in outer metropolitan areas of the six state capitals. So far, these communities have benefited from an additional 105 doctors as a result of this program. Also, an allocation of 210 new nursing places has been made available for 2004 and this will increase to 574 over the four years until 2007. There will be an additional 457 full-time nurses for GP practices located in outer metropolitan areas where there are existing work force shortages, which is expected to benefit around 800 GP practices and the communities they serve. The government has also funded approximately 25,000 new Commonwealth supported places in nurse training institutions throughout Australia. There are people in some areas of Australia who have never been bulk-billed, but under this government all Australians will be eligible to be bulk-billed.

If you were listening to Labor's shadow health spokesperson earlier and were not aware of the facts, you could be forgiven for thinking that few doctors bulk-billed anymore anywhere. In fact, almost seven out of 10 services are still bulk-billed, and the government subsidises all Australian visits to GPs—to the tune of almost $2.8 billion in the last calendar year. It is interesting to note that in the member for Lalor's own electorate the bulk-billing rate for the past 12 months to the year ending in March was 82.9 per cent.

Mrs Bronwyn Bishop—Unbelievable!

Mrs DRAPER—It was 82.9 per cent in the member for Lalor's electorate! Nearly 40 per cent of people in the member for Lalor's electorate, which is over 49,000 people, also have private health insurance.

An attack is being made on Medicare and it is being led by the opposition leader, Simon Crean, and the Labor Party. As the supporters and defenders of Medicare, the Howard government is the best hope for its survival. In the last six years of the Hawke-Keating Labor government, the Medicare rebate for a standard GP consultation increased by less than nine per cent, or $1.70. The Howard government has increased the rebate by 20 per cent, or $4.20, over the past six years, and overall funding for general practice has increased by 30 per cent in that time. Medicare expenditure has increased by $2 billion during our tenure on the government benches, and total health expenditure in 2003-04 is expected to increase to $32 billion—up from a measly $18.6 billion during Labor's last year in office.

Despite public hospitals being the responsibility of state and territory governments, the federal government is providing them with $42 billion over the next five years to help them run their hospitals. This is $10 billion more than previous agreements and a 17 per cent increase over and above inflation. My home state of South Australia will be receiving an extra $800 million as part of this agreement. As I said a moment ago, an attack is being made on Medicare, but it is being led by the opposition leader, Simon Crean, and the Labor Party, who are bereft and bankrupt of any policies to take to the next federal election. They are the destroyers of Medicare, and the Howard government is the defender.

The SPEAKER—The time allotted for the debate has expired.

BILLS RETURNED FROM THE SENATE

The following bills were returned from the Senate without amendment or request:

National Residue Survey (Customs) Levy Amendment Bill 2002

National Residue Survey (Customs) Levy Amendment Bill (No. 2) 2003

National Residue Survey (Excise) Levy Amendment Bill 2002

National Residue Survey (Excise) Levy Amendment Bill (No. 2) 2003

ADJOURNMENT

The SPEAKER—Order! It being 4.30 p.m., I propose the question:

That the House do now adjourn.

Medicare: Payments

Mrs IRWIN (Fowler) (4.30 p.m.)—This afternoon I want to draw the attention of the House to a problem which leaves thousands of Australians out of pocket as a result of an uncaring, bureaucratic procedure. My constituent, Mr Alan Drake, received treatment in a private hospital and was discharged on 15 April this year. On 17 April, Mr Drake received a bill from his specialist dated 16 April for the sum of $100 but offering a cash discount, making the amount payable $69.35 if the account was paid in 30 days.

The bill was received the day before Good Friday and Mr Drake, who was at the time still recovering from surgery, was not able to present his claim to Medicare until Tuesday, 22 April. At 9 a.m. on 22 April, Mr Drake lodged his claim at the Liverpool Medicare office. By 12 May, 20 days after Mr Drake lodged his claim, as he was worried that he may have to pay an extra $30.65 he called at the Liverpool Medicare office to ask if the cheque had been sent. He was told that the cheque had not been issued.

On the 16 May, 30 days after receiving the bill, Mr Drake contacted the Ombudsman's office and was directed to contact the New South Wales Medicare complaints and customer service manager. The manager informed him that the cheque had been issued on 12 May—20 days after the claim was lodged. When he asked why he had not received the cheque, he was told that cheques were sent by off-peak mail and that delays could occur. When he told the manager that he would be required to pay the full $100 as the 30 days had expired, she suggested that when the cheque arrived he should send only the Medicare cheque and include a letter explaining the reason for the delay and requesting that the additional amount be waived.

Mr Drake again contacted the Ombudsman's office and was informed that there was a legislative requirement of a 16-day delay in the processing of claims but that the office would look into why off-peak mail was used. The cheque finally arrived on 19 May—27 days after the claim was lodged and three days overdue to claim the discount. Fortunately for Mr Drake, his specialist accepted the Medicare cheque as full payment. But I am not sure that all providers may be so generous and that in other circumstances patients may simply have to pay the full amount despite the reason for the delay being entirely in the hands of Medicare.

I raised this issue by way of a question on notice and, in reply, the Minister for Ageing, representing the Minister for Health and Ageing, agreed that he was aware of the discount for payment within 30 days. The minister also confirmed that there is a statutory minimum payment time of 16 days, although no reason was given for the need for this delay or why it needs to be 16 days. As to why the Health Insurance Commission uses off-peak mail, the minister pointed to the discounts offered by off-peak delivery.

But this is the catch-22 for people making claims on Medicare: having held up the cheque for 16 days, the Health Insurance Commission wants to save a couple of cents by using off-peak delivery, but saving those few cents could have cost Mr Drake over $30. I am sure that in other cases people have had to pay out even more than that, because of the policies and processes of the administration of Medicare. Why does the Health Insurance Commission have to wait

16 days—more than half the time allowed to claim a discount from providers—before it sends a cheque, when it was only 10 days when Labor was in government? Why does it send the cheque by off-peak mail when it takes up to a week to reach the person waiting to pay their bill? The last thing that people who have just had medical treatment need is the worry of waiting for a cheque in the mail. Surely the Health Insurance Commission can do better—and it should be doing a lot better.

Environment: Blackberries

Ms LEY (Farrer) (4.35 p.m.)—I rise tonight to speak of the enormous blackberry problem that is affecting the tableland areas of the Farrer electorate, especially across Kosciusko National Park in the Tumut and Tumbarumba shires. These weeds have caused inaccessible infestations and are choking creeks and flats. Whilst costly control chemicals are being applied today and have a cosmetic effect for a time, I fear the battle is being lost—blackberries continue to spread rapidly.

The communities in the east of my electorate can attest to the dangerous hindrance these weeds caused firefighters when trying desperately to combat the Kosciusko National Park fires in January of this year. Following the bushfires, it was the blackberry that was the first plant out of the ground.

The blackberry is, as we know, an aggressive perennial woody weed that is proclaimed noxious throughout the Australian continent. It can reproduce from seed, root parts or cuttings. I understand the roots take over the soil and inhibit the growth of fungi and micro-organisms that transfer nutrients to native plants through the root systems of the native plants. So native plants are inhibited and, if they do get going, they have great difficulty getting up through the canopy of thick blackberry in order to reach the light.

Since its introduction in the 1850s, the blackberry has spread through southern Australia. Today it occupies large proportions of state forests, national parks, crown lands and private lands, and it is still spreading. Blackberries are the single biggest plant threat to southern Australia. The economic cost of blackberry alone is enormous. It dominates pastures and native ecosystems and invades urban areas. I know that farmers who border national parks are forced to spend huge sums of money either on aerial spraying, usually by helicopter, or by manually spraying the weeds. We really feel for farmers who spend hours on summer days dragging heavy hoses uphill, wearing hot, uncomfortable face masks and applying chemicals such as diazanon, whose long-term effects on the body are not necessarily known. I can imagine how, on these occasions, they must curse our state based parks and national parks bodies who inflict this nuisance on them.

I wish to pay tribute to those in the Talbingo and District Bushwalkers Club, who are based in the Tumut area and spend time walking in, understanding and caring for the Kosciuszko National Park. They have noticed how the blackberry is spreading from the lower creek areas, where it completely cuts off access to creeks as it grows along their banks, making them impenetrable even up on the higher ground. Marjery Smith, the secretary of the bushwalkers group, and others have expressed concern to me about just where we are going with this weed and how we really must tackle new methods of controlling it.

Reduction in crop and pasture yields from weed competition, illness in livestock, disruption in water flow in irrigation channels as well as physical damage to urban infrastructure are just some of the economic impacts that are caused by this weed. A result of all these impacts is a desperate need for weed control programs. The challenge is to

determine ways of reducing spread. Each year the infestation spreads further into the mountains and also reinfests farming land through the spread of its berries by foxes, feral pigs, native birds and English blackbirds.

Blackberry leaf rust was brought into Australia and assessed as a possible biological control agent. Some strains were released illegally in Victoria at Easter in 1984 and an additional strain was widely released in temperate Australia in 1991 and 1992. Research is being carried out in New South Wales and Victoria looking at the effectiveness of the rust. It has not worked as well as has been hoped, especially in drier areas. It appears that the present strains require a specific climate and are highly moisture dependent. The rust requires weekly rainfall and low temperatures and it is not so effective in dry years. It is not effective in areas with rainfall of less than 700 millimetres per annum.

There are 14 different strains of rust that have been brought into the country over recent years and assessed. They will start to be released into the wetter areas from October this year and over the next few years. CSIRO indicates that researchers are working hard on the rust as a biocontrol agent. However, given that there are at least 40 genotypes, much work is yet to be done.

There is no comprehensive biological control program at present in Australia. Such a program would require funding of the order of $100,000 to $200,000 per annum over 10 years. New South Wales, Tasmania and Victoria are looking for organisations to provide funds. Such a program would look at biological control agents that would be effective in drier areas. Some possibilities would be a leaf clumping mite, sawflies to damage the blackberry canes, as well as root organisms.

Blackberry was included in the inaugural list of weeds of national significance published in June 1999. A blackberry strategy was developed and released in 2001. That proposed that a national blackberry task force be established. It has not been to date and I think it needs to be. Weeds remain and will continue to remain one of the most important land management issues in Australia—a point that remains underappreciated by the public. Weeds probably cost more and are a greater threat to Australia's agriculture and biodiversity than many other things. It is not fair to leave future generations with enormous control costs and a badly damaged environment.

La Trobe University: Funding

Ms MACKLIN (Jagajaga) (4.40 p.m.)—I am very privileged to have La Trobe University in my electorate. It is a great university, with around 25,000 students. The last time I was there, not very long ago, was to hold a forum with students about the government's proposed university changes and to talk to them about Labor's alternative. The students were very concerned about what the government has in mind for them. Many of them said that if, when they started university, fees had been as high as the government is now proposing, they would have been put off going to university. Many of the students are very worried about what the changes will mean for their younger brothers and sisters.

The staff I spoke to at the university are also concerned about the impact of the government's proposed changes. They are not only worried about students being put off going to university but also concerned about the impact of the inadequate levels of funding and what that means for the standards and quality of education that are provided at the university.

La Trobe's submission to the current Senate inquiry into the government's unfair university changes includes a serious warning for the government. La Trobe University is

unequivocal in its concern about full fee places for Australian undergraduate students. A statement from the university calls them 'inequitable and unnecessary'. It also warns that increasing HECS is likely to 'act as deterrent to at least some students'. La Trobe is concerned that the government's proposed fee hikes could push more Australians overseas to study.

La Trobe is also concerned about the impact of the government's proposed university changes on the quality and international competitiveness of Australian degrees. I think this is a very important criticism that the government should be mindful of. Universities in Australia should be congratulated for their success in attracting many international students. The danger is that our universities are now very heavily dependent on the fees paid by these students to fill the gap that the Howard government's $5 billion funding cuts to our universities have made. Since 1996 La Trobe's income from international students has nearly tripled, amounting to over $25 million last year. Any decline in this income would have serious implications for the university. The university is rightly concerned that international students may become less willing to pay for an Australian degree when inadequate levels of funding mean concerns about quality. It says in its submission to the Senate inquiry:

> Many of the countries whence Australia derives international students are investing heavily in infrastructure (notably Singapore and China) so that in qualitative terms their facilities are often superior to those in many Australian universities.

On another issue, La Trobe says that the end of universal membership of student organisations would be 'the death of campus life', that it would make the university experience less appealing for both Australian and international students. The other impact of the government's proposed legislation on voluntary student unionism would in fact see 67 jobs lost in the La Trobe University student union.

Ms Panopoulos—It would give students choice; you don't want to give them choice, do you?

Ms MACKLIN—These are very serious warnings to the Howard government, which clearly the member for Indi does not want to listen to, which are jeopardising the quality and the reputation of our universities. Labor does understand La Trobe's concerns. Under Labor's $2.34 billion plan for universities and TAFEs, La Trobe University would receive $11 million in additional funding for quality and standards from a new indexation measure alone. There is no indexation measure in the government's package.

I am pleased to say that La Trobe can be sure that Labor have heard their message and we have acted. La Trobe's staff and management are in touch with their students' concerns about increased fees. They are passing those concerns on to the government, but clearly the minister and this government are out of touch and not listening.

Australian Broadcasting Corporation: Funding

Mr DUTTON (Dickson) (4.45 p.m.)—I rise tonight to speak out against the misplaced priorities of the ABC when it comes to allocating taxpayer funds to television programming. The ABC has decided to do away with one of the longest running and most effective Australian educational programs ever developed. At a relatively low cost of $800,000 per annum, *Behind the News* has educated children for years, providing a valuable and interesting supplement to the daily studies of young students. It is shameful and disappointing that the board of the ABC has chosen to axe this great program.

In keeping with their cheapjack, opportunistic nature, many Labor MPs have tried to

blame the axing of *BTN* on the government. Members, like the member for Ballarat, have used parliamentary speeches to try to score cheap political points and mislead Australians about the true nature of the decision to cut *BTN*. Funding allocation decisions in the ABC are made by an independent board. Labor know this and would be the first to cry foul if the government interfered in any way, shape or form with the independence of that board.

Let us set the record straight. *BTN* was cut by the ABC board in one of the most shameful misdirections of taxpayer funds in recent times. This shame is compounded when you look at some of the programs the ABC continues to fund. A prominent journalist reported in Melbourne's *Herald Sun* today that the ABC directs $1.4 million of taxpayer funds a year to David Marr's *Media Watch*. According to the *Herald Sun* column, Mr Marr and a team of around 24 full-time and part-time employees produce just 15 minutes of television a week, much of which is dedicated to getting square with Mr Marr's personal and ideological enemies. Is that good value for the ABC? Let us assume that the program airs for 50 weeks of the year—and thank goodness it does not. That works out to about $2,000 a minute of on-air time—almost $28,000 per program.

I remember when *Media Watch* was a useful program for highlighting poor journalistic standards, from foolish mistakes through to the blatant fudging of the facts behind a story. As the column in the *Herald Sun* reports, under David Marr, *Media Watch* has become a pale shadow of what it was meant to be. To quote the report, David Marr:

> ... rushes through a few trivial criticisms of spelling mistakes in some country paper, or a silly caption on some music show. And then ... gets stuck into—

his—

real agenda—attacking the Right.

According to the *Herald Sun*, Mr Marr's show has attacked conservative, or right wing, media figures around 72 times but only criticised his fellow left wing media comrades on 17 occasions. This is an incredible feat when you consider that in Australia today there is only one conservative journalist for every 17 left wing journalists. Thus, $1.4 million a year is spent to fund the left wing soapbox of a man who attacked the censorship of *Ken Park*, a movie that boasts depraved sexual violence.

It is not surprising that we have not heard one member of the Labor Party criticise this blatant misallocation of funds by the ABC—not one! I challenge any member of the Labor Party to call on the ABC to stop funnelling taxpayer funds into David Marr's weekly whinge against his opponents. I challenge any member of the Labor Party to stand up for the interests of young schoolchildren. We know that, under the weak leadership of Simon Crean, the left need any mouthpiece they can get, but I call on the ABC to get its priorities right, to recommit funding to *BTN*, to stop propping up David Marr's weekly left wing digest and to put the savings of $600,000 to proper use.

Roads: Ipswich Motorway

Mr RIPOLL (Oxley) (4.49 p.m.)—The issue of the Ipswich motorway has been debated for many years. I myself have been campaigning for an upgrade of this vital federally funded road for at least five years and probably since the Ipswich motorway began to become congested and a real traffic problem. Five years ago, the Ipswich motorway was in dire need of repair, and it was well on the way to needing a serious upgrade. In 1998, the Labor Party promised funding to do some urgent repairs if we came into government. Of course, that was not to be, and the road was ignored. The road has been ig-

nored since that time. The federal government has chosen to put this issue aside as being too difficult. It is in the too-hard basket. The Ipswich motorway is the only major road link between Ipswich and Brisbane, but it also links Toowoomba and Warwick, and it funnels traffic from the Cunningham and Warrego highways as well. It is really a vital road link for all of south-east Queensland and is very important to the local economies. No-one disputes the importance of this critical road to Queensland, to our local economy, to our social structures or to our demographic growth in the area.

A couple of years ago, the federal government—and I have to thank the federal government—gave $2 million to the state government to do a project, a study, a report on a master plan to upgrade the Ipswich motorway. I and many other people were extremely excited, because we believed that this was stage 1 of fixing the Ipswich motorway. Alas, it was not to be. What we ended up with was a fantastic project: a motorway consultation unlike any other we had seen before. It was fantastic in that it took 12 months—12 months not because it was slow but because it consulted the whole community; 12 months because it looked at all the options; and 12 months because the $2 million was extremely well spent to ensure that the master plan that the state government department would put forward was a solution for the region, a solution for the Ipswich motorway and something that would carry the local region well into the future.

The problem that came out of that, and which was not supported by the federal government, was that the possible cost of doing that would be, let us say, between $500 million and $600 million. I do not debate that this is a lot of money, because it is a lot of money. But the reality is that that is what it costs to fix the road and fix it properly. Currently the road carries 85,000-plus vehicles every single day, and it is fast approaching the 100,000 mark. There are not too many alternatives as to what to do about the road. It is not just about the dense traffic flow but about the unsafe nature of the road. It is about the fact that the right lane merges into the fast lane. It is about the curvature of the road. It is about a whole range of issues that need to be addressed. There is some money from the federal government to look at urgent emergency repairs, and the state government will be using that money as soon as it is given to them. So far in the budget only $10 million of the $66 million has actually been made available to the state government, but once that is done the road will at least get some urgent repairs that it much needs.

The issue I want to raise today is not just about the road but about the campaign being put together by this government, and particularly the member for Blair, Cameron Thompson, whose most recent *Thompson Tribune* is a special one on the Ipswich Motorway. He says on the front page: 'Ipswich motorway: let's all work for a better solution'. What he really means is: 'Let's all work to find a delay tactic and a strategy that will mean this government never has to pay for the road.'

What the government have done now is to say that there should be an alternative road. It is fine to say that there should be an alternative road, but who is going to pay for it? Not the federal government. They are going to try and push the responsibility away from their federally funded road to the state. They will look at any alternative—any other solution; anything at all—as long as it does not have the words 'federally funded' in it. So it is not a solution. It is not all of us working together for a better solution; it is all of them working together to make sure that the issue is confused enough that people start looking away from the road and at other alternatives.

I want to mention a couple of points that the member for Blair raises in his document. He says that he has been campaigning for years. He has, but he says in here that it is to the state government. The state government is not responsible for the Ipswich motorway. He says that the state government has run out of options to fix the problem. It has not run out of options; it has one on the table and is waiting for funding from the federal government. The federal government should get up and do something about it. He lists a whole heap of issues that are all delaying tactics. *(Time expired)*

Workplace Relations: Union Movement

Mrs MOYLAN (Pearce) (4.54 p.m.)—I would like to draw attention to some deep concerns about practices in the Western Australian building industry. The former Court government in Western Australia did a great deal to redress some of the worst practices on Western Australian construction sites. Sadly, the Gallop Labor government has overturned many of those reforms, and this has allowed anarchy to reign once again on Western Australian building sites. The Western Australian public should be deeply concerned about the findings of the Cole royal commission, which was called by our federal government. They should be very concerned as they learn about the kinds of practices that have been exposed by the commission.

In a country that highly values the 'fair go' philosophy, denying a man or woman the right to work because they do not wish to be a member of a particular industry organisation runs counter to that fair go principle. While, technically, freedom of association is enshrined in law, the problem is that people are being bullied and threatened on Western Australian building sites if they are not members of a particular union. This sort of thuggery has prevailed for far too long on Perth building sites, and the deliberate flouting of court and commission orders has given rise to the dangerous principle of one rule for the union organisation and another for the rest of the population.

One man in Western Australia has had the courage to take on the unions in Western Australia. While he and, indeed, many of us on this side of the House believe that responsible unionism has a very important role to play in any industry work force, people should not be compelled to join an organisation or be brutalised and denied work because of that choice. We are talking about bricklayers, tilers, carpenters, plasterers, painters, suppliers—a whole range of small businesspeople and individuals who service the building industry. There are times when these people are denied the right to work simply because they have chosen not to be part of the union organisation. It seems that everyone except the union wants things to change, but the fact is that few have had the courage to take on the worst of these practices and take on the powerful unions in Western Australia.

But there is one man, Gerry Hanssen, who has. Despite the personal cost, he is determined to allow workers on his sites freedom of choice—he is happy to take people if they belong to a union, but he is also happy to take them if they do not. The only measure is the quality of the work they do, and that is how it ought to be. Many of us take those freedoms for granted, and I do not see why we should be putting up with the kind of thuggery and terrible behaviour that goes on in the industry to deny these people work. Australia in the 21st century must free itself from blatant acts of industrial thuggery, industrial racketeering, illegal and improper demands for payments, and lack of respect for the rule of law. When you talk to people in the Western Australian building industry, it seems like the law is unable to act. I am told that, when union members enter construction

sites in Western Australia without good cause and create problems, the police in Western Australia appear to be powerless to act. It is a bit like domestic violence: they just do not want to get involved.

So we owe a great debt of gratitude to Gerry Hanssen for continuing his very courageous battle on WA building sites, because to allow these practices to go on unchallenged undermines and costs tradespeople, businesses and the public a great deal. You can imagine how much these practices add to the cost of construction. Many in Western Australia will welcome the minister's statement in the parliament today and the ensuing debate. I congratulate the minister for the considerable work he has done to uncover the unsavoury and costly problems undermining legitimate construction industry work and, indeed, for establishing the Cole royal commission, which has demonstrated to us that there are indeed some very unsavoury practices going on in work sites all over the country.

Australian Broadcasting Corporation

Mr MURPHY (Lowe) (4.59 p.m.)—I condemn the member for Dickson's appalling attack on the ABC, and in particular his attack on Mr David Marr's *Media Watch* program.

The SPEAKER—Order! It being 5 p.m., the debate is interrupted.

House adjourned at 5.00 p.m.

Thursday, 18 September 2003

The DEPUTY SPEAKER (Hon. I.R. Causley) took the chair at 9.40 a.m.

STATEMENTS BY MEMBERS

Human Rights: Child Labour

Mr BRENDAN O'CONNOR (Burke) (9.40 a.m.)—This morning I rise to touch upon something very important that the CFMEU have made happen. We very often hear from the government that unions, in particular unions like the CFMEU, are not in the best interests of this nation—of course we know that is not true. However, what we rarely hear about are some of the things they do beyond their core interest, which, of course, is directly representing their members in their industries.

I would like to bring to the attention of the House the fact that eight years ago the International Labour Organisation established six schools in a one-year pilot project to determine whether an education program to teach illiterate and semi-illiterate children from disadvantaged families in India could succeed. The CFMEU responded to the call and contracted with the International Federation of Building and Wood Workers to provide recurrent funding for the continued operation of three of the schools established by the ILO for a six-year period. The objectives of this project obligate local communities and national and international unions to raise awareness amongst communities, governments and industry of the need to seriously address child labour exploitation, to develop a capacity for parents and local project partners to financially contribute to the schools' operation, to lobby state governments for recognition and funding of the schools, and to develop financial self-sustainability for each of the schools.

About 100 million children are currently exploited throughout the world. Child labour is an endemic problem that has not been properly confronted by us as a nation or, indeed, by the international community at large. I will just cite one example. This year a four-year-old child was removed from a brickmaking industry in a child labour exploitation workplace in the Bahir state in India. With the support of her parents and the Child Labour Schools Company, which is one of the companies that are being sponsored by the CFMEU and others, this child is now enrolled in a school and is learning to read and, indeed, is now gaining basic literacy and numeracy skills as a result.

I bring this matter to the attention of the House because I think it is a worthy cause. It is something that I think all members would be interested in. I also do so to balance the argument against what quite often is an attempt to vilify people who work in the trade union movement and, in particular, in unions such as the MUA and the CFMEU. I think this is a worthy cause. We have to stamp out child exploitation and this is one way to go about it.

Flinders Electorate: Community Groups

Mr HUNT (Flinders) (9.43 a.m.)—I rise to recognise the activities of community groups in Hastings, Somerville and Cowes. In Hastings recently, a town which has done it hard over the years but which is now going through a renaissance, a new theatre group has been established. The Pelican Theatre Company was established by people who for the most part had no experience of the theatre. They were from the town and they came together and recently produced a magnificent performance which was written, directed and composed by them. I pay

tribute in particular to the founder of the company, Gordon Gribbin, and to all those who are involved, especially Wayne Smith. Wayne Smith came to my office earlier this year with a chronic injury that was causing enormous pain. He has overcome that injury and has gone on to become one of the stars in the Pelican Theatre's inaugural production of *The Man from Snowy River*. So that is a tremendous example of a town acting to take care of itself and to create a new sense, an ethos, in the town.

The second community group I want to commend is the Somerville Community House. The Somerville Community House, under the leadership of Dyane Bain, runs a range of courses and programs, many of them for free and many of them at extremely low cost to help people throughout that town. Somerville is a growing town. It has a tremendous range of people. These courses provide an opportunity for them to come together. The Somerville Community House gives people a focus, a central point and a capacity to act together. I cite a particular example: commencing within a week the Somerville Community House will be hosting a public speaking course for people from throughout the area who have never spoken publicly before. It is about building confidence and giving people an opportunity.

The third group which I wish to speak about is in Cowes. Cowes, which is on Phillip Island, is a magnificent town. There they have built an extraordinary Work for the Dole program for people who are low in self-confidence, under the guidance of PICAL, a group which takes care of the needs of those on Phillip Island who are disadvantaged, and in particular under the leadership of Jill Broomhall and Pauline Grotto. PICAL has put together a Work for the Dole program in screen-printing. It gives people who have not experienced control over their own lives for a number of years—by their own statements and definitions—the capacity to build a profession and to build their capabilities. This has culminated in a fantastic exhibition. To see the pride on the faces of people such as Tim and Cindi, and other participants in the Work for the Dole project, was extraordinary. I commend these three groups: the Pelican Theatre, Somerville Community House and PICAL, on Phillip Island.

Health and Ageing: Accommodation Places

Mr GRIFFIN (Bruce) (9.46 a.m.)—I would like to bring the attention of the Committee to a recent article in *Choice* magazine regarding concerns about retirement villages. The article, which is in the most recent issue of *Choice*, highlights a range of concerns. As members are aware, we are heading into a time when there will be a larger ageing population. The fact is that retirement villages are becoming a major choice for elderly citizens who are considering how they will spend a significant part of their lives post-retirement, and that leads to the issue of needing more detailed levels of care. The article shows that there are a number of issues which need to be looked at to ensure that people make the right decision in choosing a retirement village and that, if they do not, it can come at a significant cost to them.

Of course, many operators in this area are doing the right thing. There is no argument about that. But there are significant examples of, and real concerns about, what can happen to elderly and frail residents in certain circumstances. Some of the issues that were highlighted point to the need to be really clear about what you are getting when you go into a situation like this. One issue that was raised in particular was that of departure fees. These are essentially fees that you may incur if you leave earlier than you would normally expect. I will read from the article a particular example which I think highlights this problem in some detail. It states:

The Retirement Village Residents Association of NSW provided this example to illustrate the impact of ongoing fees and departure fees.

A person moved into a village in November 1999, occupying a leased, two-bedroom, den, two-bathroom unit. His entry cost was $350,000. Monthly fees paid for village administration and maintenance were $400 (or $4800 per year).

Unfortunately he had to move out of the village and sell his lease after almost three years. Departure fee calculations were made on the basis of three full years as a resident.

He sold at $435,000, and his contract stated that he would be charged a deferred management fee and 50% of any capital gain.

The deferred management fee amounted to $26,250 (2.5% of $350,000 for three years). The capital gain cost was a further $42,500 ($435,000 less $350,000 = $85,000; 50% of $85,000 = $42,500). He was also charged $13,050 as an agent's fee, plus there were legal costs and the cost of replacing carpet and other items.

The resident ended up with $347,700—just less than the original entry price, but three years later. In other words, when considering ongoing fees and departure costs, he paid out a total of $101,700 or $33,900 per year to live in the village.

This was a self-care situation. The cost would be much higher if living in an assisted-care unit with food and cleaning provided.

This highlights some of the concerns here. I have raised the issue with Graeme Samuel at the ACCC. I believe it is something that they should be looking at, because it is an issue which is of concern to many residents throughout this country and will continue to be in the future. *(Time expired)*

Health: Mental Illness

Mr ROSS CAMERON (Parramatta—Parliamentary Secretary to the Minister for Family and Community Services) (9.49 a.m.)—I want to begin by congratulating my colleague Senator Helen Coonan, Assistant Treasurer and Minister for Revenue, for gathering together an extensive group of members and senators from both sides of the House today for breakfast to consider the issue of mental health in Australia. It was an excellent occasion, addressed by some of the leading thinkers and practitioners in the field. I note that Dr Grace Groom, Chair of the Mental Health Council of Australia, talked about the fact that no family is immune, that all of us are at risk and that mental illness is not something that picks and chooses between the poor and the rich, between men and women or between the young and the old. Professor Ian Hickie, Professor of Community Psychiatry at the University of New South Wales and Chief Executive Officer of beyondblue, the national depression initiative, also gave a lucid presentation in which he mentioned the fact that mental health outcomes were improving amongst older Australians but that amongst younger Australians there was deep concern that the incidence of mental illness was increasing.

I also want to mention the fact that Professor Hickie's remarks confirmed the contents of a discussion I had with a psychiatrist practising in Parramatta just last week in which he said to me that a very high proportion of his younger patients were also cannabis users. It is not my purpose today to go on a tirade against cannabis use. I merely note the risk, as he noted to me, that when we talk about harm minimisation there is a proportion of the population of young people in particular for whom there is an intolerance to cannabis use in terms of its linkage to schizophrenia. Professor Hickie referred this morning to the November 2002 edition of the

British Medical Journal, which contains a large Swedish conscript study which found an unequivocal link between cannabis use and schizophrenia. It also refers to a longitudinal study in Victoria, showing the link between cannabis use and schizophrenia in young Australian women.

Today, Parramatta mourns the death of Peter Poulson, the principal of the Parramatta college of adult and community education, the grandfather who went to the aid of his two grandchildren, both of whom were slain by their father earlier this week. The costs of mental illness are all around us and we have to work together to remove its stigma and find practical responses to it. *(Time expired)*

Fisher Electorate: Father's Day

Mr SLIPPER (Fisher—Parliamentary Secretary to the Minister for Finance and Administration) (9.52 a.m.)—At the outset, I would like to thank my colleague opposite for her courtesy. It was my pleasure recently to be involved in the annual Lifeline Sunshine Coast Doing Dads Proud celebration in my electorate. In fact, it is the largest Father's Day celebration in the country and some 8,000 to 10,000 people attended the celebration at Cotton Tree. The event held on Father's Day each year is a good opportunity to celebrate the role of fathers and, in particular, positive fathering in our community. A father's role in his child's life these days varies a great deal from family to family. There are part-time dads, foster dads, stepdads, new fathers and grandfathers who are the primary father figure in a child's life, but they all play a vital role in the upbringing of children. I do not agree with much the honourable member for Lilley says but what he did say, as Father's Day approached, was that fathers should give their children more of the best gift possible, and that is time.

As part of the celebrations, I was privileged to be present and to be able to make awards to the winners of an essay competition for Sunshine Coast children who had written essays explaining why their fathers were special to them. As a father of two, it was touching to hear the children read their essays and hear about why their dads were so important to them. The significant role fathers play in their children's lives was also highlighted last month when I met a delegation of five fathers from the Sunshine Coast who attended the Fatherhood Foundation's National Fathering Forum here at Parliament House. The forum looked at the role of fathers in our community, both historically and as the role has evolved in the 21st century. The forum also looked at fatherlessness—that is, the absence of an active, positive father influence on the lives of children—and the effects it has had in Western societies. A report to the forum said that in America, amongst families with dependent children, only 8.3 per cent of married couples were living below the poverty line compared with 47.1 per cent of households headed by females. Closer to home in Australia, the forum heard about a recent study of 500 divorcees with children aged between five and eight years which found that four in five divorced mothers were dependent on social security after their marriages dissolved.

Fathers have a very important role to play in the Fisher and Australian communities—a role strongly supported by the Howard government. Just one example of this support is the provision of close to $200,000 in funding in 2003-04 to Lifeline Sunshine Coast for a men and family relationship program. The funding through the Department of Family and Community Services is acknowledgment of the great work Lifeline Sunshine Coast does in providing vital support for men and their families in the area. The program, operating on the Sunshine Coast and in Gympie, provides relationship support for men experiencing difficulties in

family based relationships. It offers information and emotional support, as well as personal development programs to help individuals maintain healthy relationships with partners, former partners and their children. Today, more than at any other time, the service Lifeline Sunshine Coast provides is of vital importance to help to ensure that men are involved with their families and provide what is an essential role model for their children. *(Time expired)*

Calwell Electorate: Child Care

Ms VAMVAKINOU (Calwell) (9.55 a.m.)—I rise to speak about the Brotherhood of St Laurence Family Day Care Centre in Craigieburn, which is run by the very dedicated and caring manager, Eileen Buckley. In doing so, I want to speak about some of the great initiatives in my region and the devastating effects—unless resolved—that this government's current review of the child-care sector will have. Primarily a provider of family day care, the Brotherhood of St Laurence also offers emergency loan and counselling services, outreach programs run by Anglicare, a private psychologist and a parenting program. Community groups that utilise the site include an emergency response team, the Burners Community Play Group, the Historical Interest Group and Little Athletics. The brotherhood has received requests for the use of facilities from Vietnam vets and from other church groups. As you can see from its participants, it is very much a community hub which brings groups and services together in my electorate.

Most family day care services are auspiced by local government. The brotherhood is one of the few non-government provider services receiving funding from the Child Care Support Broadband Program, a Commonwealth government program, at $184 million per annum. This family day care service has six staff that support 68 registered care providers, some 368 families and over 500 children. It provides quality, affordable and flexible child care. For many children placed with carers this is a second family, providing a stable relationship in a small group that ensures individual attention. Children are placed in a comfortable family environment which becomes a home away from home for them. Support is also offered for parents and carers, backed up by regular on-site visits by staff of the Family Day Care Coordination Unit.

The manager of the service says that the carers have played an important role in identifying speech or physical impairment or sudden changes in behaviour that may indicate other problems, including sexual abuse. The Sunbury and Craigieburn offices have helped meet local child-care demand that has blown out to a six-month wait in some places. People providing family day care are accredited and trained, and are given security and occupational health and safety checks before being able to care for children. Some carers have cared for children for up to 20 years, and a generation that was once placed with the service has now approached the service to offer themselves in the role of carer for other children.

The child-care support broadband review announced in November 2002, which is being conducted by this government, has raised many concerns amongst professionals in the sector. We estimate that family day care providers will lose up to $54 million in operational subsidies, affecting 126,000 children of more than 60,000 Australian families using the service. Certainly my electorate will be seriously disadvantaged and our professionals, including local people, are concerned that this diluting and redirecting of funds will disadvantage ordinary families and possibly even jeopardise the quality of services that the government wants to target to special needs. If you undermine funding to the current administration structures, then

you are threatening the quality of the services and the benefits they provide—benefits such as welfare and counselling, and even early detection of learning and behavioural issues in young children.

The DEPUTY SPEAKER (Hon. I.R. Causley)—Order! In accordance with standing order 275A, the time for members' statements has concluded.

STATISTICS LEGISLATION AMENDMENT BILL 2003

Second Reading

Debate resumed from 26 June, on motion by **Mr Slipper**:

That this bill be now read a second time.

Mr COX (Kingston) (9.59 a.m.)—The main purpose of the Statistics Legislation Amendment Bill 2003 is to rectify a number of technical deficiencies in the Australian Bureau of Statistics Act 1975 that are an unintended consequence of previous sets of amendments by both this government and the previous one. In particular, the bill seeks to make some amendments which ensure that the secrecy provisions apply to people who retired or resigned from the Australian Bureau of Statistics prior to 1999.

I am not aware of any problems that have arisen with people not sticking to what they would have understood to be their secrecy obligations, and indeed the Australian Bureau of Statistics has an absolutely exemplary record in terms of maintenance of its secrecy provisions. I am always able to assure constituents who ring me when they are concerned about having to respond to ABS surveys that the information they provide will not be given to any other government agency or to any outside body and that their privacy will be totally protected.

The ABS also needs to be able to second people to the organisation to do supplementary work, particularly around census times, when there is obviously a huge workload. The bill ensures that seconded persons can do those collection activities, but they are not given any of the powers of compulsion that permanent officers of the Australian Bureau of Statistics have. These are totally routine amendments and I commend them to the House.

Ms JULIE BISHOP (Curtin) (10.01 a.m.)—When amendments are said to be mere technicalities or purely technical, I like to look behind them and see what the legislation is actually all about.

Mr Cox—Go for it.

Ms JULIE BISHOP—I will. I've got 20 minutes; come and sit down!

Mr Cox—I have got a committee meeting.

Ms JULIE BISHOP—As the member for Kingston has indicated, the Australian Bureau of Statistics is a venerable institution of the Australian government. Its antecedence lies in the individual statistical collection of the agencies of the pre-Federation colonial governments. After the initial effort at national coordination through the annual conference of statisticians—now there is a conference we could have attended!—these separate functions were complemented by a single national body, the Commonwealth Bureau of Census and Statistics, established in 1905 through the Census and Statistics Act. Here is a quiz night question: who was the first Commonwealth Statistician? The answer is Sir George Knibbs.

After three decades the various state governments came to the realisation that it was in their interests to wholly transfer statistical responsibilities to the Commonwealth bureau, and so it moved to Canberra from Melbourne with the transfer of the national capital. Yet it was not until the late 1950s that this consolidation process was completed. The next great institutional change was in 1974 when the Commonwealth Bureau of Census and Statistics was abolished and replaced with today's Australian Bureau of Statistics. This capped off decades of considerable change within Australia's statistical collection, most particularly the introduction of computer processing in the 1960s and the adoption of sampling techniques that allowed for a wider range of statistical surveys to be undertaken. Computerisation had a significant impact on the size and the scale of collections, and the complexity and sophistication of statistical methodology.

This potted history comes from the ABS web site: www.abs.gov.au. I encourage members and the public to visit the site not only to learn about the history and practice of the ABS but to access the public information provided by the bureau. It is a treasure-trove of details and information about our nation, our people and our lives. Today the over 3,600 staff of the ABS make a unique contribution to Australian public life. I say it is unique because the ABS fulfils two critical functions or, perhaps more accurately, obligations. The first of these dual obligations is effectiveness. The ABS's collection and analysis is central to policy making by governments but it also strongly influences public debate. The data that it produces is the stuff of Australian politics. More than that, the ABS's work also profoundly shapes Australian politics. As just one example, it is the population analysis of the ABS that determines the make-up of this place, through its role in electoral redistribution. The second obligation is in relation to fidelity. This is the basis for much of that effectiveness. Without a high level of propriety and secrecy in collection and analysis, the ABS's work would be severely compromised. This is why, for instance, ABS employees are expected to abide by stringent secrecy agreements that extend beyond the terms of their employment, thereby protecting the interests of those called upon to participate in ABS surveys. Thus the ABS is expected to be both effective and utterly trustworthy.

It seems that this dual obligation has been inadvertently undermined by amendments made to the Australian Bureau of Statistics Act 1975. These amendments were made in 1987 and 1999. The amendments in question have in fact thrown into doubt whether the secrecy provisions of the original 1905 act which bind ABS employees and ex-employees apply to all the persons to whom they were expected to apply. Thus this bill ensures that this coverage is universal, as has always been intended, and validates practices of the ABS since 1987 that may also have been thrown into doubt by this unfortunate situation. I note that the Parliamentary Secretary to the Minister for Finance and Administration is here. As he noted in his second reading speech—

Mr Slipper—It was a very good speech actually.

Ms JULIE BISHOP—It was a very good speech and I have drawn on it for much of the speech that I am making now.

Mr Slipper—Not plagiarism?

Ms JULIE BISHOP—Not at all, but I will quote you directly:

This will put beyond doubt the protection of ABS data absolutely, as parliament has intended.

A further aspect of the bill is its recognition that the ABS has an important role to play in the international community. Widely regarded as one of the 'world's best international statistical citizens', the ABS provides particular assistance to its counterparts in the Asia-Pacific region, including through collaboration with the Australian Agency for International Development. The ABS is also an active participant in the United Nations Statistical Commission. That commission was established in 1946. Its terms of reference are to assist the economic and social council of the UN in promoting the development of national statistics and the improvement of their comparability in the coordination of the statistical work of specialised agencies and the like. The UN Statistical Commission also plays an important global role through its development of the International Comparison Program. That allows for international economic comparison through purchasing power parity. This is a program that was established in 1968, interestingly as a joint venture of the United Nations and the International Comparison Unit of the University of Pennsylvania, with financial contributions from the Ford Foundation and the World Bank.

So the ABS has a role in the international framework of statistics collection and analysis. In fact, the International Comparison Program is a cooperative international statistical undertaking. It involves global, regional and national agencies. The agencies are all agencies with whom our ABS has a relationship: for example, the statistics division of the Asian Development Bank, the statistics division of the International Monetary Fund, the OECD, the United Nations Economic and Social Commission for Asia and the Pacific, and the World Bank group. Because of this role the ABS also seeks the input and participation of officials from other parts of the Australian government, and this bill will allow the ABS to second officers for these very important international purposes. The twin aspects of the bill will enhance the effectiveness and fidelity of the ABS operations—the dual obligations—and as such the amendments make a positive contribution to Australian public life and accordingly should attract the support of all members. I commend the bill to the chamber.

Mr SLIPPER (Fisher—Parliamentary Secretary to the Minister for Finance and Administration) (10.08 a.m.)—in reply—At the outset I would like to thank the member for Curtin and the member for Kingston for their strong support of the Statistics Legislation Amendment Bill 2003, which is an important initiative. As I noted in my second reading speech, the objective of the Statistics Legislation Amendment Bill 2003 is to rectify a number of technical deficiencies in statistics legislation. These deficiencies arose as an unintended consequence of previous amendments to the Australian Bureau of Statistics Act 1975. The amendments will ensure that the Statistician has, as was intended under the legislation, the power to engage supplementary staff for irregular collection activities, such as the population census, under the statistics regulations. Amendments to the ABS Act in 1987 have resulted in some doubt as to whether the power under the statistics regulations still exists. The amendments will also validate practices of the ABS since the deficiencies arose. The bill will also place beyond doubt that the secrecy provisions of the CSA apply for all previous employees of the ABS, regardless of the date of cessation of employment—again as intended under the legislation.

Finally, the bill makes provision for the Statistician to make arrangements to second persons from other agencies and authorities, both Australian and foreign, to assist in carrying out the functions of the Statistician. The bill ensures that seconded persons cannot exercise any of the powers of compulsion available to the Statistician. The member for Kingston referred

quite correctly to the exemplary secrecy record of the ABS, and I thank him for those remarks. The member for Curtin outlined certain relevant matters in relation to the role played by the ABS. This bill has no financial impacts and the amendments do not create any new obligations for business, and on that basis I commend the bill to the chamber.

Question agreed to.

Bill read a second time.

Ordered that this bill be reported to the House without amendment.

COMMITTEES

Joint Standing Committee on Foreign Affairs, Defence and Trade

Report

Debate resumed from 18 September, on motion by **Mr Baird**:

Mr ADAMS (Lyons) (10.11 a.m.)—I was interested to read the report from the Joint Standing Committee on Foreign Affairs, Defence and Trade following their inquiry and visit to central Europe. I had been on a previous visit to Hungary, Poland and the Czech Republic a few years ago and looked at a number of the trade areas, as well as Australia's relationship with that part of the world. I thought there were good opportunities developing, looking at Hungary, Poland and the Czech Republic coming out of the old Soviet bloc and into market economies, with their needs for building their economies. I must say at the start that I thoroughly endorse recommendation 7, which is to establish a Czech Republic Embassy. I found it odd that there had not been one for a while and, although ably served by the then Ambassador in Poland, not having a permanent ambassador did seem to limit what our country was doing in the Czech Republic. I think it is time that we had an ambassador and a full embassy in the Czech Republic.

Prague is a wonderful place to visit and I remember with great glee looking at the 16th century architecture throughout Prague. I note that glass was one of the largest minor import areas. While there, I visited a glass factory which had undertaken contracts with Waterford in Ireland because their crystal glass industry had been developed over many centuries in the Czech Republic. I noted that the working conditions there were pretty poor—they were still in fifties and sixties type factories as opposed to modern technology—but they were continuing their great skills. The crystal cutting was something that you had to note when you saw people working in that area. The dust in the air was of concern to me. I thought they would probably not survive into the future with that sort of working condition. However, it supplies local jobs. It is an industry that they have a lot of skill in and they have continued into the new era.

Both Hungary and Poland offered some quite considerable prospects for Australia. They had been involved in ongoing development and therefore provided an entry for Australia through those portals when those countries went into the EU. I think our private sector was a bit behind the times by not being there but there are opportunities for the future. Australia is a minor player in that part of the world and they see us as being a long way away from them. Probably one of the issues that came through to me was that they thought Australia was a long way away to trade and to be involved with, other than with the local connections. People sort of dismissed us for that.

This showed up in the number of tourists in some areas as well. Australians did not seem to rate central Europe greatly in their travel plans at that stage. I do not know whether the statis-

tics have improved or whether people are travelling in that area now. That was with the exception of the Czech Republic, of course, which is renowned for its theatre, fine arts, commercial crafts—the red stone jewellery which seems to be everywhere—and glassware. As I said, I had the fortune of meeting one of their senators, who was a rather old gentleman whose family had owned the glassworks for 250 years until the communist regime; then he was given it back 50 years later. He was very pleased to show me over it.

I see countries in this area as really ripe for new types of skills, and there is a need for them to remodel and reskill. Where we can work in joint ventures in the area, we should be able to do very well. Therefore recommendation 16, which includes many of the areas where Australia excels, would prove to be useful as a means by which companies could consider these sorts of ventures in Europe. However, in all this we have to consider how trade relationships have developed since the 1980s. It seems to me that many of the developing countries are being used to enhance the profits of a number of multinationals, the International Monetary Fund and the World Bank rather than encouraging the countries to work out their own economic problems. With the opportunities of low-interest loans they squeeze the countries so that they can no longer afford to pay the interest rates or the debts they have accumulated.

In some ways central Europe can be seen as a developing country. They are still in that developing stage because of where they are in terms of investment and technology. Economically, they have been isolated for quite some time and since the early nineties have been working towards their entry into the EU. So when we enter into trade agreements with these countries—or with any country—we must try to seek fair, rather than free, trade which takes into consideration the local conditions and the local needs. We need to look at trade which will enhance the development of the local economies without putting undue pressure on them to compete. The economies are pretty fragile in many regards. They need to be assisted in developing some additional social services to allow labour to be organised, to see that fair wages are being paid on competing activities. Shifting our companies offshore in order to try to get cheap labour will, in the long run, be of little assistance.

So, while it is important as a country to ensure Australia's interests are served when developing trade relationships, this must not be at the expense of the other trading partner. It should be of mutual benefit to all. While I support the principle of developing trade with many countries, I think we must be careful of how it is to be achieved. Free trade is translated a little differently nowadays, and the goals of world bodies have changed. We talk of the interests of bodies such as the World Bank, the International Monetary Fund and the World Trade Organisation, which are really groups of unelected people who decide which countries get aid, who make trading conditions in those trading countries desperate for assistance and who wish to ensure the flow of capital around the world through these free-market mechanisms.

Many of the discussions that I have read about lately talk of the level playing field when referring to free trade. However, there seems to be only one playing field, and that is tipped to ensure all the funds run one way—and that is into the coffers of many Western institutions. Who determines the international free trade agenda that understands that bilateral free trade agreements can complement and encourage the wider free trade objectives in APEC and the WTO? If I had more time I would give many examples of where free trade does anything but push for global economic prosperity, improved living standards and greater opportunities for the developing world. It almost works or has worked in reverse in some countries.

There are examples in our own country and in my own state of Tasmania. I can quote personally from the argument that Tasmania should not allow fresh, uncooked salmon in from Canada and other places in the world. Because growers were concerned about a very virulent virus that these fish may carry, the Tasmanian government took the fight to the WTO, but the WTO representatives were very insistent that this issue of disease was not a trade issue but was only a quarantine one and should be dealt with as such. They seem to be trying to isolate trade from social issues, quarantine and everything else. I do not believe you can do that.

This was a fledging industry that was desperately trying to keep its salmon free of disease and developed in an isolated environment, which would allow a marketing opportunity for Tasmania's clean, green sales pitch. We do not allow fruit and fresh fish in from the mainland of Australia. Only yesterday the state minister authorised the seizure of uncooked salmon from Norway. We have temporarily won a reprieve but, if there are the usual mechanisms that work with the WTO and the arguments for free trade, such quarantine arguments will not be able to work for long and people will work on breaking them down.

It is vital that Australia builds relationships with Europe as well as in its own region, but it should be on terms that do not destroy jobs in those areas and that allow for human dignity and a chance to better the living standards of all by keeping social spending up and ensuring that economic directions are run by countries in their own right, rather than by the control and direction of the World Bank. So although I wish to keep trade as a means by which we can relate to other countries, it should not be at the expense of the people of those countries.

I remember the opportunities that are always put forward: that Australian farmers are very economical in their structures—and many are. But there are also a lot of reports around to show that Australian farmers are using water uneconomically—the price of water is not economical—that the way we are using the soil is not sustainable and that there are many unprofitable rural properties operating within Australia. If you look at it from another perspective, we might not be as effective in some ways as we feel we are. With regard to this report, I am sure that our members did the best for us as a country while they were visiting this part of the world. I certainly hope that the arrangements that will come out of this report and the goodwill that it creates are in the best interests of Australia.

Mr JULL (Fadden) (10.24 a.m.)—May I thank the honourable member for Lyons for his contribution today, and for his appreciation of the situation that exists in the former Eastern bloc—now known as middle Europe—and the potential that Australia has to create trade relationships with that part of the world. Before I start speaking to some of the aspects of the report, I would just put on the record that this is an interesting report from the Joint Standing Committee on Foreign Affairs, Defence and Trade and the Trade Subcommittee, in particular as it is the second report in which we have taken specific areas that are not usually at the forefront of any particular coverage in trade talks or in newspaper articles and made a close examination of those areas to see if there is any real potential.

I hope that this second report is as successful as the first. The first of these reports applied to the countries of South America and it was very well accepted. In fact, most of the recommendations have been implemented. We have certainly seen, despite difficult times, an uplift in the amount of trade that is going on between Australia and those countries of South America. We have seen an increase in the number of students that have been there and in the number of airline services operating between the two continents. All in all, I think that speaks vol-

umes for the recommendations that were made by this committee and, indeed, taken up by the government. I hope this report on central Europe will be equally successful.

I would like to put on the record one interesting aspect of these two reports when seen in light of criticism that is often levelled at parliamentarians. The members of this committee who undertook both the South American and the central European tours were responsible for their own costs. These were not official parliamentary visits and, despite the fact that we got some wonderful cooperation from our embassy and the Austrade people in Europe, they were done on our own initiative. I hope there is some appreciation of that. I hope that one day there will be some reformation of the way that delegations are treated in this parliament and that some of these constructive works might be included in the overall plan for the annual allocation of international delegations. I pay tribute to those fellow members of the committee who undertook this trip to central Europe for the contribution that they made.

This report on central Europe really had its foundations in an official parliamentary delegation led by Mr Speaker to the Czech Republic, Slovakia and Croatia just two or three years ago. I was a member of that particular delegation and one of the things that struck us was the fact that, even two or three years ago, Australian companies were trading there and making a contribution to these countries' economies. We had never heard of them. In fact I wondered, in some of the cases, whether government officials had ever heard of them. In Croatia our then ambassador was very keen to make sure that we took the message home that trading opportunities were opening up in that country, particularly in the light of the fact that it had suffered from the ravages of war for years and years.

There were a couple of things that really got to me in our visit to Zagreb on that official delegation. A number of Australians of Croatian origin had in fact gone back to the country at the conclusion of the war—they had decided that they at least were going to make some contribution to the reconstruction of that country and, no doubt, do reasonably well also. Those contributions were basically from small business. There was an investment in a soft drink factory, for example. But the greatest example that I saw was the establishment of the first true coffee shop in Zagreb, which was set up by a young couple from Melbourne. I think the husband was of Croatian origin and his wife had been born in Australia. The family decided that they should go back and make some contribution to the life of the new Croatia.

They had a look around and decided that there was an opportunity there for a coffee shop. So they purchased a cappuccino machine and decent coffee from Italy, and the young lady concerned made muffins. This was a most successful operation. At 10 o'clock every morning, when the coffee shop opened, there was a mile-long line of people waiting to get hold of these muffins. We went back late one night for a cup of coffee. We were speaking to this young couple and they showed us their operation. Incidentally, they sold only Foster's beer, which I thought was fairly patriotic. But in the back storage room of this particular coffee shop there were piles and piles of cartons of White Wings muffin mix, all made in Australia. The reality was that the demand for the muffins was so great that the lady could not make up this mixture, so she decided to import the muffin mix. They were making an absolute fortune. On our latest visit we saw that the coffee shop was still in business, was still doing extremely well and was obviously a highly profitable venture.

Since then others have gone in. An Australian has bought a major hotel in Split on the Dalmation Coast and is investing millions of dollars in bringing it up to date. There are a

number of such contributions being made but that is not to say that major Australian companies have not been in there testing the waters, and some of them doing very well. In Poland—Poland is a really big country—one of the major employers and a major investor has been Amcor, which is the Australian packaging company. Because of the arrangements with the EU it is now making virtually all the packaging for Europe for such diverse products as cigarette cartons, biscuit and chocolate wrappings. It has plans to expand even more—possibly going into Russia within the next 12 or 18 months. When you look at the way QBE Insurance has invested and taken over a very large percentage of the insurance industry in the old Eastern bloc, it certainly gives you some hope. Once again, there was an example of how small business can also make an investment in these emerging countries.

There is a chain in Australia called the Cheesecake Shop, which is owned by a man of Polish origin, who, similarly to the person who runs the coffee shop in Zagreb, decided that he was going to make a contribution. He went back and now has a chain of 48 Cheesecake Shops, all franchised throughout Poland. The ramifications of that are quite interesting. Despite what we might hear about the EU, the dumping of sugar and the rest of it, his recipes are exactly the same as the ones he uses in Australia. But apparently beet sugar is much sweeter than cane sugar and he could not really get the taste of his cheesecakes right, so it is Australian sugar that is now being imported into Poland to make those cheesecakes.

When you look at the contribution that Australians are already making in the hospitality industry—in this report we point out that in that area there are some tremendous opportunities for Australia—you see that in some of the major hotels around those former Eastern bloc countries Australians are virtually taking over the industry. Australian chefs are certainly there. At one stage we attended an Australian food week in Prague in the Czech Republic. I think it was at the SAS Radisson Hotel. The locals were flocking to try these new experiences. That is just part of the promotion which has seen Australian red wine become a dominant force in the Czech market. We have seen exotic Australian meats moving into that market. Buffalo, crocodile and emu meats are now on supermarket shelves in the Czech Republic. As I have said, this is the start without really trying. One of the things that strike you almost wherever you go in the world is that these people like doing business with Australians. We will go in there as equal partners, we are not known as rip-off merchants—and we tend not to be rip-off merchants—and we usually make sure that we apply ourselves to all the existing rules and regulations so that we become good corporate citizens in those countries. In fact, we are welcomed.

The member for Lyons mentioned the tyranny of distance. That is particularly true and I thought that it really came through in this report regarding Croatia. Somehow we have to get over the tyranny of distance. The Croatians will go to Singapore—they do not think that Singapore is too far away—and Australia is not too much further down the track than Singapore. So we have an image problem there. But these countries, bearing in mind that most of them are on the verge of joining the EU, have gone through tremendous struggles in making sure that their banking systems are correct, in making sure that their laws are in place and that they are in compliance with the whole operation of the EU, are not the huge risks that they have been seen to be in Australia in recent years. In the countries that we visited that are not going into the EU at this stage—countries such as Croatia, Hungary and Bulgaria—there is a great deal being undertaken to ensure that they will comply so that at a later date they can accede to

the European Union. That gives some confidence for Australian investors. If you want some examples of how those countries are being picked up, two great examples are the Czech Republic and Slovakia.

In terms of the motor vehicle industry it is quite interesting because Volkswagen has gone into an arrangement with Czech company Skoda. They have established a new factory, which is the cleanest and most incredible operation I have ever seen, that works seven days a week, 24 hours a day around-the-clock producing these new motor vehicles and, frankly, they cannot keep up the supply. They were telling us they hope to move into Australia pretty soon, but that supply was a difficulty and they had to get production numbers up. The French motor vehicle manufacturers have now ploughed tens of millions of dollars into Slovakia. They will be assembling and building French cars in that country within the coming months.

There is a realisation around the world that these places are providing great opportunities in terms of the work skills of their people and their cost structure and, because of the increasing wealth of those countries, that can help promote these industries. Without going through each country one by one, some are more developed than others. Slovenia was one country that brought that home to us. There is already a great deal of sophisticated trade going on between Australia and Slovenia. This is particularly true in the area of pharmaceuticals, where there is a great deal of cooperation. It is also true of the packaging industry, where the Lajovic company—a family related to the former New South Wales senator—has now taken over packaging in Slovenia. They are packaging virtually for the world in terms of toothpaste tubes, cosmetic containers and goodness knows what. That company is based in Sydney, Australia, it is being run from Australia and it has created a very good relationship.

On this particular journey, the committee split in two so that we could handle all the countries. I did not go to Romania or Bulgaria, so I will leave it to others to talk about those two countries. The other countries we went to, including Hungary, obviously have tremendous potential. I hope that, as they did in respect of the South American report, the government will look very closely at these recommendations. One of the most critical recommendations I think is about where we put our diplomatic services in the Eastern bloc. It seemed crazy to me that the Czech Republic, despite its strength and its emergence as a major force in the Eastern bloc, is still being serviced out of Warsaw. Next door, just a few kilometres over the border, is Slovakia and that country is serviced out of Vienna. I would hope that our recommendation that the Australian government look at establishing an embassy in the Czech Republic to service those two countries, at least, will come to fruition fairly soon. Obviously, because of the sophistication there, it is potentially a huge market for us.

These are exciting times in eastern Europe. There are exciting opportunities for Australian companies and there are exciting opportunities for investors in those countries. The sophistication of places such as the Czech Republic and Slovakia in providing the wherewithal, the taxation regimes and the banking systems to ensure that there are very few things to worry about in terms of these investments, should be an attractive proposition to Australians. I commend this report to the parliament and indeed to the government. I hope the acceptance by the government of the recommendations made in this report will be similar to the acceptance of the recommendations on South America. The Joint Standing Committee on Foreign Affairs, Defence and Trade made a great contribution with that report, and we are seeing the

profits starting to flow between South America and Australia. I think the opportunities in central Europe are potentially even greater than those in South America.

Mrs CROSIO (Prospect) (10.39 a.m.)—At the outset, I would like to commend the government on listening to reason and bringing reports such as this before the Committee. When this second chamber was originally established, it was to make sure that members of parliament had the opportunity to talk about and debate the types of committees that many of our members spend a year or two investigating and putting together. We do not often have that opportunity and that is why I am so pleased that commonsense is finally prevailing and that we are going to start having a lot more reports such as this before the Main Committee for debate.

I am very pleased to be able to speak on what I believe is a very interesting report by the Joint Standing Committee on Foreign Affairs, Defence and Trade. I could not agree more with the committee's recommendations. What we require Australia to do is to expand our trade and investment with countries of central Europe. I have always been a firm believer in Australia making a greater effort to improve our trade and investment relationships with the states of Europe. With our strong community ties to Europe, Australia has splendid opportunities to establish strong networks. That is in the report very clearly. Of the countries mentioned in the report, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Slovakia and Slovenia have been approved to join the European Union in 2004. Only the other day the people of Estonia voted overwhelmingly to join the EU, joining with the Czechs, the Lithuanians, the Poles and the Slovenes, who earlier this year gave a strong endorsement to join the EU.

These nations' accession to the EU will have ramifications for trade with these countries. However, as the report discusses at length, we should as a nation be developing policies to make Australia an alternative trading partner. I support the first recommendation of the committee which states:

> The Government should provide funding for scholarship places for Central European postgraduate students, to assist in raising the profile of Australia and Australian educational facilities.

I am a passionate believer in Australia doing more to sell itself as a provider of educational services to the world. I truly believe that we have the capability to establish a niche in this market. That is why I am astounded when the government slashes funding to the tertiary sector, as it not only affects young Australians—who are our main priority—but also damages our ability to earn large export dollars in the education field.

Australia would be an excellent destination for postgraduate students. Firstly, the students from these other countries are keen to learn and master the English language. English is the lingua franca at the present time, and Australia is seen as providing high educational standards; world-class facilities; a cost of living which is certainly cheaper than that of the UK or the US, which are our competitors; great weather—never ending sunlight, according to our European friends; and a lifestyle that is the envy of the world. Added to this are the communities that have been long established in Australia who would be only too willing to provide these postgraduate students a welcoming hand.

As I was preparing this speech, I examined the latest figures prepared by the Department of Foreign Affairs and Trade regarding our bilateral trade and investment with each of the countries mentioned in the report. Trade with all of these countries is small—in fact tiny in some respects. They are all recent additions to the liberal democracy club, with the figures indicat-

ing that they have a long way to go before they are prosperous nations. The wealthiest in terms of per capita GDP, as mentioned by the honourable member for Fadden, is Slovenia, which is the former Yugoslav state that has always embraced a more entrepreneurial approach and attempted to tie itself closer to the West in terms of ideology and economics. Even so, Slovenia has a problem with inflation, which is running at over five per cent, and with unemployment levels of over 11 per cent. Poland is the largest economy in this group, but it is still relatively poor in Western terms. A big worry for Poland and the EU is its terrible unemployment rate, which is climbing now towards 20 per cent.

Even though some of these statistics are disturbing, countries like Australia should be embracing these nations into the liberal democratic world. After half a century of inefficient communist industry and, before that, political and social instability, this is a time of great opportunity for central Europe and for Australia. As I have said, our trade with these nations is negligible. Interestingly, we have merchandise trade deficits with the Czech Republic, Estonia, Hungary, Lithuania, Poland and Slovenia, whilst we have surpluses with Latvia, Bulgaria and Romania. Our investment levels could be, and should be, far greater. Most of our exports with these nations are in agriculture, mainly wool. Our imports tend to be in the manufacturing sector, ranging from furniture and toys to woodwork and machinery.

If you wanted to portray stereotypes from statistics, you would swear that Australia was still a farm and a quarry and that central Europe was full of factories. That is even more reason for Australia to change its strategies in central Europe and to expand opportunities for other export industries. I am not foolish enough to suggest that Australia will be a huge player in this part of the world. With a number of these countries joining the EU, their closest and most important relationships will of course be with the great economies such as Germany, France, Italy and the UK. However, as a nation we should never lose sight of an opportunity to expand our share in the global marketplace.

The committee mentioned in its report that there is the notion of a 'market failure' between Australia and central Europe. Recommendation 12 attempts to rectify this by asserting that Austrade should educate businesses in Australia about the market opportunities that are available in central Europe, as well as providing an education program on what is required to operate in the region. I welcome this recommendation. Austrade has done a fantastic job in promoting Australia to the world, particularly Asia, so it is pertinent that Austrade be provided with the resources to assist it in promoting Australia to central Europe. The education process—for them and the world—must begin, and begin in earnest.

I also agree with the committee that a trade mission led by the Minister for Trade should visit the region so as to provide a major political impetus for expanding our relationships. I can understand that businesses may be reluctant to invest in central Europe. It was interesting that the honourable member for Fadden mentioned a Croatian who was investing in Split. That Croatian was actually born in Australia of Croatian heritage and happens to be a constituent of mine. Jim Bosnjak and his family will not mind me mentioning his name here, because we are very proud of what he is endeavouring to do. We certainly wish him well in the remodelling of that hotel, which I understand will be second to none in that part of the world.

There is a perception that the bureaucratic infrastructure of the former Eastern bloc, with all its associated inefficiencies, remains. Added to this is the belief that the notion of governance and respect for the rule of law is perhaps not as strong as investors and traders would

like. The report notes that corruption remains a particular problem in Bulgaria and Romania, which may be a major reason why these countries are slightly behind the other nations in the accession process, whilst Slovenia, Hungary and Poland have taken great strides to improve their governance.

Another point I wish to make concerns the committee's recommendation for the Australian government to reopen the embassy in Prague. I recall being astounded when the government sold the embassy. As the committee has established, an embassy in Prague is of strong strategic importance for Australia. Prague is the centre of central Europe and would be able to act as a bridge, in effect, between the emerging and developed nations of Europe.

I have also been of the opinion for a long while now that the visa requirements imposed upon a number of these central European nations are onerous. The Czech Embassy has noted its concerns in this report, and I trust that the government will consider these concerns accordingly. Upon accession next year I am hopeful that these requirements will be reassessed, for at the present time our less than helpful system is being replicated towards us. Therefore, a review would be of significant assistance to both sides.

I conclude by commending the committee on its report. It is an opportune time to reassess where Australian trade policy should be heading. The potential is there in central Europe, which is an emerging market, for new opportunities for those who are willing to show a bit of entrepreneurial endeavour. This report has succeeded in opening the debate, and I hope that the government takes heed of the recommendations and does all it can to enable our exporters and investors access to greater opportunities.

In the limited time I have left to me there are a number of other points I would like to touch on. As the member for Fadden mentioned, the committee members visited Croatia. Croatia of course will not join the European Union in 2004, and they are endeavouring to make sure that they will be there for the next intake. I met recently with the government of Croatia and particularly with the agriculture minister, who was very keen to have beef come from Australia and be used to make meat products in Croatia. His desire was to have these meat products on the market in both Australia and Croatia. It is very interesting.

There is another area that I was delighted about. I was sitting with a number of Croatian government members and saying that their educational facilities could be greater with an input from Australia. I recently met the Croatian education minister, who was out here. As you realise, Mr Deputy Speaker, some years ago a chair of Croatian studies was established at Macquarie University. That took the determination of a particular professor who was born in Croatia but who came out and made Australia his home and realised that the Croatian people out here were losing a lot of the mother language. This is a way in which we are able provide postgraduate courses that are a plus for our country with Croatia.

I was very pleased with the enthusiasm that Croatia has shown in trying to encourage greater representation with Australia, particularly in the trade area. People say that we are a long way away and that really Asia is our market. I have always believed that too, but with modern transport and the facility with which we can move our goods today I do not think that distance should any longer be one of the things that stop us doing trade with central Europe. We have a vast market there. We have certainly overcome a number of difficulties that we had in trading with China. Looking at how they are gradually adopting a more and more entrepreneurial approach, I believe that each one of these countries, both individually and now collec-

tively through the European Union, has been able to establish a 'trademark' for where they hope to go in the future.

As I said in the report, our statistics on trading with these countries are not great. But perhaps through reports such as this, through our knowledge and, more importantly, through our contacts, through Austrade, as I have mentioned, and in particular through our embassies, we can start expanding and can build up a greater exchange of import and export goods. We are all parochial and, from Australia's point of view, I hope that it is more export from our country, but I understand the trade aspect of it and I believe that we can also assist these countries with our imports coming in at a greater level.

I re-emphasise that, if we want to have ambassadors to the world and we want to be proud of Australia and we want to have Australia's voice heard, there is nothing better than bringing students in here to do postgraduate courses, because they then go away with an impression of how great this country is and they become ambassadors for us when they go back to their country of birth.

I encourage the government to not just read the report. I am not being critical and trying to be political, but I think this report needs more than rhetoric. It needs more than just being read and shelved; it needs action. The committee members have put a lot of work into it. There are a number of reports coming from the foreign affairs committee—and I sat on the committee for a time—and I believe that what they are saying is what we should be following. Too often we see reports pigeonholed. Too often we see reports read, congratulated, commented upon and no action taken. Now is the time for governments of all political persuasions to heed committees and their reports and to provide the wherewithal to implement their recommendations. These recommendations were not lightly or frivolously put together. They were put together with a lot of hard work and good intent, and now it is up to the government to make sure that that intent becomes a reality so that Australia can prosper and, more particularly, so that we can become a greater voice in the countries of central Europe that need our help.

Mr CAMERON THOMPSON (Blair) (10.54 a.m.)—I would also like to pay credit to the work of the Trade Subcommittee on this issue. It was a real eye-opener for me to be part of the delegation that visited Poland, Hungary, the Czech Republic, Slovakia, Croatia and Slovenia. That was the journey that I went on; others within the group also visited Bulgaria and Romania. The total group included members of the House of Representatives—David Hawker, Geoff Prosser, David Jull and Bruce Baird—and members of the Senate—Senator Eggleston and Senator Ferguson.

I think it was really astounding that so many members of the House and of the Senate were prepared to pay their own way on a trip. From a general Australian perspective, if you are going to investigate great opportunities for trade, many Australians would say, 'We haven't heard an awful lot about places like Ljubljana or Bratislava.' These are places that, because of the historical connection and the intervention of the Eastern bloc and the old USSR, have been so cut off from the majority of Australians for so long that that would seem to be a fairly obscure way to go.

As I said, this trip was an eye-opener to me. When we arrived, I saw the number and range of opportunities that were available. I saw the future of that region and its potential, and the impact that that region is going to have on the EU when those places—not all of them—gradually gain accession. We have a line-up of them at the moment, all seeking accession to

the EU. When those economies mix in with the existing wealth of western Europe, there is going to be an explosion of economic development in that area. It absolutely commands us to turn our focus to that area. So I think the work of this committee is just absolutely fantastic.

I would like to highlight some of the issues that I saw. Each of us found things that were different and saw different opportunities. It seemed that every corner you went around there was something to look at, something different, and something that you could see that by linking with an Australian enterprise there would be a joint benefit. Firstly, I would like to look at tourism. We have such a well-developed tourism industry in Australia. There is a good recommendation in the report about the way we have developed tourism industry training. Our universities have successfully developed that, and we are now marketing Australian tourism to the world. We are probably one of the most successful tourism marketers anywhere on the face of the earth at the moment because people know about Australia and they want to have a part of it.

Croatia has a beautiful coastline, but we did not get to visit it; we went to Zagreb. The opportunity offered by the full length of that coastline for tourism, with the whole population of Europe just a short distance away, is just mind-boggling. It may be 150 to 200 kilometres away from tens of millions of people, all with huge disposable incomes, and here you are with this beautiful coastline. If Australian tourist operators cannot see an opportunity to develop links and resorts, such as the one that the member for Prospect and the member for Fadden were talking about—the one at Split—then they are blind. There is just so much opportunity to develop the Croatian coastline and to develop tourism infrastructure.

The other place of great interest in that regard is Slovenia. Slovenia not only has an extension of that coastline but also has the Alps. Everyone knows about the Austrian Alps, but the Austrian Alps do have another side to them, and that is the Slovenian side. And it is every bit as spectacular. The opportunities for skiing and all those sorts of things are every bit as dramatic there as they are on the Austrian side. I suspect most people in Australia would not have given a thought to the existence of the Slovenian Alps and the things that they offer. Once again, this is a great opportunity for Australian tourism expertise, for us to develop links over time and for our enterprises here to develop enterprises there.

Something I thought about also in Slovenia is that from a Slovenian port—I am not sure of its name; I have not written that down in my notes—you can hop on a fast ferry and go straight to Venice. That just shows how close these communities are to one another. When you have this beautiful, big coastline, those Alps and a direct link to a tourism mecca like Venice, it really is right in the centre. We are talking about a report in relation to central Europe, but when we say 'central' Europe it really is fantastically central. From all those tourism development opportunities, there is a big market.

From an Australian point of view, I think one of the greatest opportunities would be the development of our fast aluminium ferries such as the ones down at Incat and at Austal Ltd in Perth. Those are stunning ferries. As the boom takes off all along that coast—the tourism boom that is bound to happen—there will be great opportunities for Australian ferries. However, there are some problems in that regard because Croatia have a traditional shipbuilding industry. Their industry has been focused on the old style of ships which are a lot slower, a lot bigger and are made not of aluminium but of steel—very large ships. They have been successful in years gone by in providing tourism services. However, today people really want fast

aluminium catamarans of the type that we build in Australia. It is going to be a challenge for Australian companies to break through and get that news to those people. If they can do that, there is going to be a tremendous demand for those vessels, and something that I think could bring great benefits within Australia.

To a lesser extent there are also opportunities for tourism and skiing in the Tatra Mountains in Slovakia. Outside of Bratislava, the capital of Slovakia, there is a great deal of unemployment. In the past, the huge work force was employed within the old Soviet tank-making factories. They no longer have those jobs because they do not exist anymore. The factories have gone. There is a large skilled population with no jobs, and there is not a lot happening. Tourism development in the Tatra Mountains, for example, would provide a great opportunity. As we have seen, and as the members for Prospect and Fadden also discussed, we now have car manufacturers moving in and taking advantage of that skilled work force. Once again this just shows how the European economy is going to take off when these countries get accession. You are talking about wages in these places that are about an eighth, or even less, of those in other countries in western Europe, and yet these economies are so central to Europe. They can move their operations directly to those countries, and they can get those benefits. I think it will dramatically assist that European economy to grow.

I want to thank the ambassadors, the staff from Austrade and the groups that assisted us along the way. In Poland and the Czech Republic we were assisted by Ambassador Patrick Lawless and his staff, and in Hungary we were assisted by Ambassador Leo Cruise. Speaking about tourism, Budapest is a very beautiful city. There are huge opportunities for that city to command growth and development, for people to invest in it, and that applies to Australians who might want to go and invest there too. Just as I have indicated our tourism expertise can assist in a places like Croatia, Slovenia or Slovakia, I think we also have an opportunity to be able to do something in Hungary. The Czech Republic has already hit the market, there is no doubt about that. People from all over Europe are going to Prague, and it is booming along.

The member for Fadden spoke about the exotic Australian meats that are in demand in Hungary. The thing that got me was the demand for kangaroo meat. I want to quote a little from page 32 of the report:

> Kangaroo meat, which is used in sausages, salami, pate and other gourmet-processed foods, is so popular that supply has not kept up with demand as restaurants in Prague increasingly include kangaroo meat on their menus.

Kangaroo meat is in big demand. I really like kangaroo meat. I think it is an undiscovered taste that commends itself. If you ask me, the people in the Czech Republic have the right attitude towards kangaroo meat consumption. Similarly, in Croatia I found great demand for our beef products. There is a great awareness there and concern about the danger of BSE. Making sausages is a big traditional industry there and Australian beef is what they want. They love Australian beef. The more Australian beef that they can get the better. That is a big opportunity for us, but that again raises the question of the impact of the accession into the EU.

Let us consider accession to the EU. One of the things that I think presents itself as an opportunity at the moment is that absolutely hundreds of millions of euro are going to be pumped into these countries seeking accession under the EU arrangements. When they get accession, the amount of money that flows in to support the development of infrastructure in

those countries is just amazing. When members of the committee visited Poland, we travelled from Warsaw to Lodz—Lodz being the second-biggest city in the whole of Poland. Lodz is a large city, 120 kilometres from Warsaw. Travelling the road from Warsaw to Lodz is absolutely instructive about how absolutely woeful the road infrastructure there is. The road toll is in its thousands, and I am not surprised. For about 50 kilometres of the trip we were on a four-lane divided highway, but not once did it have an on ramp or an off ramp, so semitrailers were doing U-turns on a four-lane divided highway, blocking three of the four lanes while they were lined up to try and drive their way around the median strip and come back down the other way. It was bedlam. Once we turned off the highway, we were on a road and, honestly, if I were to pick the road in my electorate between Kingaroy and Nanango as a comparison, I would say that it is in better nick than this one. It is wider. People in Nanango would say that our roads are horrible, but, boy, if they lived in Warsaw or Lodz they would really find out about horrible roads. On top of them being narrow and windy, they also go through little villages, and so you are stopping every five minutes to give way to people pushing their prams, and the B-double trucks are stopping while they are providing this important economic link.

I think there is tremendous opportunity in Slovenia. They have solved this road infrastructure problem locally by going to toll roads. You can see, for example, that Australian road building consortiums might want to contest some of the money that comes out under the accession. I am sure there is a big preference clause for those European consortiums, but I do not see why we should not get out there. Those countries can recognise a good deal when they see it. I am sure that our road builders are very competitive—we certainly produce a good product. Organisations such as good old Macquarie Bank, and others, might want to fund such projects on the understanding of there being perhaps a toll road connection. I am sure that there are great opportunities over there for that sort of thing. If you look at the way they have gone about it in Slovenia, it is very effective. It is helping their links with Croatia into that region. That is zooming ahead.

An interesting issue that I ran across in Hungary is the potential for Australian coal to go over there. Australia has lots of good, clean coal. Many of these countries have been getting their coal from Poland under the old Soviet arrangements. That coal is dirty and it is not up to the quality that is needed; it is certainly not up to EU type standards. They need alternative sources of coal. They are going to have to provide a great deal of electricity to run car building industries and they need alternative sources of coal. I was speaking to a fellow in Hungary about this matter. If you look at the map, we are talking about an area that is completely landlocked. How do you get the coal there? Of course, one of the big issues is the River Danube. That has had its difficulties. It has been blocked because of war and whatnot at times, but the Hungarians are looking at opening it up. They would like to be able to buy coal from Australia and take it all the way to the Black Sea. You have to go through the Bosporus and right up into the Black Sea, and then trans-ship it onto barges and take it up the Danube. If you follow the Danube, there is now a connection between the Danube and the Rhine and the whole of that area can be accessed by river. I have filled my entire time. I have found a great deal to inspire growth over there. I commend the report and everybody on their interest in central Europe.

Mr McMULLAN (Fraser) (11.09 a.m.)—I congratulate the members of the Joint Standing Committee on Foreign Affairs, Defence and Trade on the job that they have done in raising a

number of very important questions for Australia. A number of the issues that have been raised by the members are issues with which I, as a former trade minister, was familiar and to which I think Australia should be paying more attention. I welcome the fact that they have done the work and that the Main Committee has provided the opportunity for the report to be debated.

But what I want to do today is not go over the ground that the committee has covered, because the committee members did the work and came up with the report and it is their comments which should focus on that comprehensive approach; I want to refer to one particular issue which is alluded to in the report and which flows from the report. I want to suggest that Australia has to at least consider the question of going beyond what the committee has raised and look at a fundamental issue concerning our trade and investment relationship with the countries of central Europe. I ask: why is Australia still a member of the European Bank for Reconstruction and Development, the EBRD?

The committee, in its report, in acknowledging that there is a serious market failure between Australia and central Europe, looks at the fact that Australia has had very little success in accessing multilateral funding into this area and that in particular there do not appear to be any cases where the EBRD facility has been taken up; that recent investments in the region have been supported or facilitated by Austrade, not the EBRD; and that Australia has not been able to harness the contract and investment opportunities in the EBRD because other countries use a tied aid approach. Australia is not an aid donor to central Europe—and nor should we be; we have other and more important priorities—and so we tend to miss out. EFIC has tried to collaborate and work with the EBRD to facilitate cofinancing arrangements, but there is no evidence that this is leading to extra business for Australia.

I want to confess directly, so that no-one will think I am being hypocritical, that in 1991 I supported Australia joining the EBRD. I am probably on the public record, but, if not, it was certainly my private view and as Parliamentary Secretary to the Treasurer at that time it was my advocacy. I said: 'This is a punt we should take. This is not our main area of interest, but it is going to be a growing and emerging area. Membership of the European Bank for Reconstruction and Development may give us an extra window of opportunity into this new and growing market.' The committee has done a very worthwhile job in highlighting the potential for this market, now going beyond what we could envisage in 1991 as we approach the question of accession to the European Union. But we have been in the EBRD since 1991 and I look at it from the perspective of 2003 and say, 'What is Australia gaining from membership of the EBRD?' All I can see that has flowed to Australia from our investment is one job: a fat, $200,000 a year tax-free job for Peter Reith. I can see no other job that has been created in Australia and no other opportunities and benefits that have flowed—or certainly none that are commensurate with the opportunity cost of applying elsewhere the money we have put into the EBRD.

The task of doing this analysis has been made more complicated by the fact that the benefits from our membership of the EBRD are not transparent. The EBRD Act—unlike the act which governs our membership of the IMF and the World Bank, for example—does not require the Treasurer to report on Australia's involvement in the EBRD. We do see those regular reports on our participation in the other major international financial institutions. It certainly seems on the face of it that Australian business gets more benefit from EFIC, Austrade and

our active participation in the Asian Development Bank, where we do have direct connections and advantages, compared to the EBRD, where we do not.

Australia does not make annual recurrent contributions to the EBRD, so there would be no immediate budgetary benefit on an ongoing, recurrent basis by withdrawing. We do not even pay directly the monstrous salary that Peter Reith gets paid in addition to retaining some part of his superannuation from this place. But Australia, on the last figures I saw, has paid in capital of 52,500,000 euro, which on the exchange rate of a couple of weeks ago is just under $A90 million; it is $A89 million-plus. That is a lot of capital. Say we put that capital into Austrade. As one example, anybody who sat down for five minutes with an understanding of Australia's public policy, particularly our public policy that relates to trade, could devise several options—through Austrade, EFIC, the industry department or other programs—whereby we could probably provide much more effective assistance to Australian industry. That could be assistance in this market, in which the committee has properly said opportunities will emerge, or in other higher priority markets of our traditional focus. I do not want to traverse that question today as that should flow after we answer the primary question: why do we still have $90 million of taxpayers' money tied up in the EBRD? What is the benefit to Australia? Many Australians may say it is a significant benefit as it keeps Peter Reith out of the country, but that is not worth $90 million of taxpayers' money. What is the benefit that we are getting?

I am an internationalist. I think that Australia should be a participant in the global flow of commerce and trade and that we should be contributing to the enhancement of liberal democracies throughout the world, so I was positive about our EBRD participation. But if you were to now ask where we would put $90 million of capital to make the greatest contribution as an internationalist to the enhancement and expansion of open-market economies and liberal democracies in the world, you would not start with central European countries—not for the reason that they have failed but for the reason that they have succeeded; they have done very well. Australia have a particular responsibility to look at what is going on in Asia. We already have active participation in the Asian Development Bank, and so we should, but it may well be that Asia should continue to be our focus. We have a lot of activity in the Pacific but I doubt that its small countries are going to soak up $90 million of our capital.

It may be that we would look to Africa. Certainly if we were doing it from an international welfare point of view, we would do better by providing our resources there. But if we are looking at it as a means of assisting Australian companies to generate jobs in Australia by winning contracts around the world and to make a worthwhile contribution to the economic growth of emerging economies, whether they be those in central Europe, on which this committee has reported so well, or elsewhere in the world, you would say, 'Let us look at the best application of this $90 million.'

Under the previous Labor government a revolving fund was run by Austrade to assist companies to participate in enhanced manufacturing and other opportunities around the world. As to why it was a revolving fund, if they succeeded they had to pay some part of the proceeds of that success back into the fund to continue the process of assisting other companies to endeavour to succeed around the world. When this government were elected, they abolished that program. That is their right; that is a priority they set as they were spending taxpayers' money. But I wonder whether that program or a program like it would not assist more companies to win more business and create more jobs in Australia—and do more good around the world for

global economic growth and for equity and international issues—than $90 million tied up in the EBRD.

It is a fundamental question. It is too early to answer the question but it is the right question to ask and it flows directly from the committee's report. It is central to the rational distribution of taxpayers' money to achieve our public policy purpose. That is what those of us here in the parliament, particularly those of us not in executive government, are sent to do—that is, to say, 'We are the custodians of the taxpayers' money.' We look at the public policy purposes that are being pursued and we say, 'Is this the best way to achieve that outcome?'

What is the public policy purpose of our participation in the EBRD? It probably would come under two headings. One is that we are an internationally responsible citizen. In 1991 there was potential for resolving a significant crisis in central and eastern Europe. The EBRD was a mechanism for that and Australia had an obligation to contribute. That is part of the argument. Of itself, it is arguably not sufficient but it is an important argument. The parallel argument is that this was potentially a vehicle by which Australian companies could participate in the emerging, open economies of central and eastern Europe. Those two arguments came together with sufficient power to say: this is a contribution Australia can and should make.

I reiterate my opening remarks so that no-one can pretend that I am trying to rewrite history: I supported our participation in 1991. I am not necessarily saying that that was a mistake. On the evidence then, it was a proper thing to do. But we have to continue to focus on whether our money—the taxpayers' money—is being applied in the best possible way to achieve those public policy purposes. On the primary argument of being responsible international citizens, I doubt that anybody starting in 2003 would think that that is the best place for Australia to invest $90 million.

But this report seems to highlight quite clearly that we should have serious concerns about the fact that, notwithstanding that we contribute $90 million and that we provide an executive director who gets paid a fat salary, we are not probably not getting value for money for the taxpayers in terms of opportunities for Australian business and we could achieve that purpose in a much better way. The Minister for Finance and Administration, the Treasurer—who is the person most directly responsible—the Minister for Trade and the Minister for Industry, Tourism and Resources should, in considering this very worthwhile report, go beyond what the report has to say and go to these core questions: apart from providing a cushy job for Peter Reith, what is Australia getting from the EBRD, and is a cushy job for Peter Reith worth $90 million?

Debate (on motion by **Mrs Hull**) adjourned.

Employment and Workplace Relations Committee

Report

Debate resumed from 26 June, on motion by **Mrs De-Anne Kelly**:

That the House take note of the report.

Ms VAMVAKINOU (Calwell) (11.24 a.m.)—I am happy to be speaking to this report by the House of Representatives Standing Committee on Employment and Workplace Relations on their inquiry into aspects of the workers compensation scheme, particularly because it was my first parliamentary committee inquiry. As a new member I found the process rewarding

and challenging, despite of course the initial difficulties members faced in reaching an accord on the best way forward. It taught me very quickly and early about the importance and meaning of standing committees and the need for them to operate as parliamentary committees, not as tools of the executive but subject to the will of the House.

It is no secret that opposition members of the committee initially felt that the request for an investigation into the workers compensation scheme by the Minister for Employment and Workplace Relations had ulterior motives—not surprisingly, given his widely held views on working people. Despite the minister's not so subtle attempt to direct and even pre-empt the work of the committee, members did eventually get back on track and a moderate set of terms of reference was collectively agreed upon. The committee was then able to conduct an insightful and valuable public hearing into the area of the workers compensation scheme.

I would like to take a moment to reflect on the chair of the committee, the member for Dawson, who handled the initial tensions and awkwardness with a high degree of professionalism, which is certainly an indication of her long parliamentary experience. I can say without qualification that it was the member for Dawson's approach that saved the credibility and spirit of this inquiry, and the result was a unanimous report that carries some very valuable and important recommendations. I would also like to thank other members of the committee: the members for Brisbane, Deakin, Robertson, Shortland, Canning, Swan, Dickson, Cowper, Indi and Hume.

The inquiry was a timely review of existing workers compensation services in an area where work arrangements are changing drastically and the overall work force is ageing. A well thought out vision for workplace rehabilitation and compensation makes for a more meaningful and sustainable outcome for injured workers, because it is important for all concerned to be able to at least gauge, if not quantify, the personal and economic costs of workplace injuries. In doing so, it helps to address those areas which need improvement and to work towards a fairer system for all.

The inquiry received evidence from across the industry. We received 84 submissions and heard evidence from 82 witnesses across the country—trade unions, lawyers, employer groups, medical and health experts, community groups, service providers and, importantly, workers. The evidence and findings of the report ended up exonerating workers from the view that some employers and others in the industry have that people on workers compensation often engage in fraudulent activities by taking advantage of their injury and milking the system for all it is worth. I have no doubt that it is in the interests of some to perpetuate this perception but to say that employee fraud is endemic is to play on an urban myth.

The great majority of people who have sustained an injury in their workplace, are keen to receive rehabilitation and to return to work. This inquiry, like many others before it, found that to be the case. Indeed, the report found that employer fraud is more widespread than employee fraud. So when it comes to workers compensation fraud it is more likely to be by the boss than by the worker, as the inquiry discovered. The report also explored the need for consistent data collection on the extent of fraud and for consistent definitions of workers compensation fraud. Part of these data collection recommendations will also look at the so-called cost shifting between the Commonwealth and the states. The inquiry also identified that better measures for identifying employer noncompliance and accountability were needed, and recommendations to address this were made.

Evidence submitted affirmed that people on workers compensation generally wanted to return to work. Most people testified that they were better off working for life rather than relying on lump sum handouts which often were frittered away by legal fees, medical expenses and complicated payment schemes that more often than not meant that most people on workers compensation were almost doomed to a life of financial limitations. As the member for Shortland noted recently when speaking to the report, workplace injuries affect other parts of a person's life and reduce their capacity for other life activities.

There is honour in work, even for injured workers. We got the message loud and clear that people wanted to work, they wanted to return to work, and they wanted to be able to participate in the workplace so that they could earn a living and not be trapped in poverty or, as we learnt, be struck by the depression and mental stress that comes with being stigmatised as a workers compensation recipient. We all know that more often than not employers are loath to re-employ injured workers, whether the injury was at their workplace or at another workplace. That attitude is a national shame and a terrible loss of human and economic capital. We need to address it, especially as we face a shortage of skilled labour—one that is predicted to increase as our working population ages and retires from the work force.

The evidence submitted also indicated to the committee that there was a level of suicide amongst injured workers. That is important, given the alarming increase in the incidence of depression in the Australian population, especially amongst younger and older men. Injured or dismissed workers often lose their sense of purpose in life, and their pride and self-esteem, when their role of provider and breadwinner is lost or taken from them for a period of time. I know that because in my region the collapse of Ansett had a devastating effect on employees and there were reports of suicide as people, especially men, struggled to deal with the dramatic changes in their circumstances.

Much was also said in the testimonies in the report about the adversarial nature of the system. It was found that this was difficult for many people to deal with. The use of conflicting doctors' reports caused angst. This is best illustrated, I think, in cases of soft tissue injuries which, as we know, are often hard to identify and diagnose. An important point made by injured workers and their representatives is that it is vital that their injuries be affirmed as legitimate. Conflicting doctors' reports, although used as a part of the process to determine accountable and appropriate treatment, often unduly challenge workers on the veracity of their claims about their injuries, thus undermining them and adding to the frustration and pressure of those who are injured. Also, much was made of the occupational health and safety role in educating employers on their responsibility to prevent much of this workplace injury in the first place. There was no doubt in anyone's mind that much pain and suffering could be prevented if appropriate measures were in place to prevent injury.

Also of concern to me is the way in which investigators of workers compensation claims conduct themselves. I am sure that we have all seen or heard of these stories—perhaps we watch *A Current Affair*, where private investigators with cameras hide in trees, filming workers on compensation as they go about their daily routines. There is a level of inappropriate and unethical practice, and this does not help the situation for those people who have to endure the cost of the personal anguish of their injuries in addition to possible humiliation and violation by unscrupulous and overzealous investigators. Nor does it help that television current affairs

programs sensationalise the issue and seem to have institutionalised news values that revolve around catching cheating compo cases.

The committee conducted its inquiry at a time when the workers compensation scheme area was under scrutiny because of the recognition of the substantial human and economic cost of work related injuries. The committee sought to examine why there has been an increase in premiums for employers, despite the drop in injuries, and also to consider the impact, if any, of fraudulent activities on rising costs. It found that the problems with the system were largely structural and that the lack of a uniform national system was a factor which produced inequality and at times confusion. The systems often overlap and this tends to add to the overall cost, burdening the system further.

Concern was also expressed about the litigious nature of the system. This leads to high legal costs and at times inappropriate advice from lawyers. It became evident that workers who were better informed of their rights were able to make better decisions on their injuries. Although it did not recommend a national workers compensation scheme, the report did recommend more cooperation and consistency between states and other jurisdictions, particularly in developing nationally consistent rehabilitation and return to work practices in order to better facilitate a best practice for rehabilitation. This will enable greater coordination and transparency in the system, and that will be useful to all concerned.

I will conclude by thanking the staff of the secretariat for their patience and professionalism. I would like to thank the secretary, Mr Richard Selth, and the inquiry secretary, Cheryl Scarlett, as well as Julia Morris, Ms Alison Childs, and the committee administrative officers Gaye Milner and Mr Peter Ratas. I would like to thank you all for enduring a process that initially seemed like it may not go anywhere. I will make a final point about the initial teething problems. At the very end, after we had completed the inquiry, the committee laboured to find a name for the report. It was the member for Cowper who must be credited with coming up with the name that best captured the overall spirit of the findings—that is, of course, *Back on the job*.

Mrs CROSIO (Prospect) (11.33 a.m.)—I too join with other colleagues who have spoken on this report, *Back on the job*. As I said when speaking on a report earlier in this place, I am pleased that we are finally seeing reports such as this coming to the Main Committee for debate. I think that this report provides an opportunity for all of us to speak not only on the report but also particularly on matters associated with it—that is, on aspects of Australia's workers compensation scheme. I commend the Standing Committee on Employment and Workplace Relations. As we all know, the report was commissioned by the Minister for Employment and Workplace Relations. I would like to read out what he commissioned the committee to do. The terms of reference say that the committee should inquire into:

- the incidence and costs of fraudulent claims and fraudulent conduct by employees and employers and any structural factors that may encourage such behaviour;
- the methods used and costs incurred by workers' compensation schemes to detect and eliminate:
  (a) fraudulent claims; and
  (b) the failure of employers to pay the required workers' compensation premiums or otherwise fail to comply with their obligations; and
- factors that lead to different safety records and claims profiles from industry to industry, and the adequacy, appropriateness and practicability of rehabilitation programs and their benefits.

The terms are very wide ranging—that is why I have read them into my part of the debate today—and they appear, on the surface, to be quite prudent and justified. However, I was particularly appalled by the attempts of the minister to railroad this inquiry or to determine its outcome. As you would be well aware, Mr Deputy Speaker, standing committees are independent from the executive and have been formed for the specific purpose of providing recommendations to government on specific issues. Commonsense must prevail and our committees must continue to be independent; otherwise, the committee system we have put in place in what we believe is a democratic parliament will become irrelevant.

I am very pleased to say that, despite pressure from the minister, the committee completed its task with aplomb and has provided the House with a well-written and well-researched report. I would like to put on record my congratulations to all members of the committee for the work they did in compiling this report. Unfortunately, the minister did not receive the outcome he had hoped for. He was not able to blame employees for the widespread culture of workers compensation fraud because, as anyone can see, after a thorough investigative and consultative process there was little evidence of a culture of fraudulent practices by employers or employees.

I find it galling that members of the government, particularly the minister, are so crusader-like in their attempts to impose their prejudices and ideologies upon society. With great conviction, I can state that I have never been an ideologue. I have always seen myself as a representative and, dare I say it, as a servant of my community. I have never attempted to impose my opinions on them and I have always respected and represented their views. I have endeavoured to do this over my 33 years in public life. When ideology is followed with a maniacal passion it can be especially dangerous. That is why I am pleased that the committee was able to withstand the pressure imposed on it. I advise all members of parliament and those who may be listening to this debate that, if they have not read this report, they should avail themselves of it. I wish that the minister would show as much energy in being willing to implement a system of workers' entitlements that would guarantee workers 100 per cent of their entitlements.

For the past six years, the government have refused to even countenance my bill which would have established this system. Why do they believe in a master-servant system where the employer is not obliged to provide a thing to their employees? I sit in question time, day after day, listening to the Minister for Small Business and Tourism castigating the Labor Party for not having on our benches any experience in business. I would like to see if the minister or any member of the government could match my 26 years of experience in owning and running a small business. I note that the minister was a banking and finance lawyer and an adviser to former premier John Fahey. So I ask: where is his experience? I think the government should occasionally take a step back and think before they speak.

I too employed people over the years and was always conscious of their safety and their entitlements. The people who worked for me were long serving which, I might say, shows that I was not too bad as a boss. I want to place on the record, during this particular debate on the report *Back on the job: report on the inquiry into aspects of Australian workers' compensation schemes*, that I do understand the employers side of the equation. The government do not have a mortgage on this. In fact, they are quite unlikely to understand what small business is all about.

Having read the report, I am pleased that the committee has recommended that the government examine the feasibility of establishing a national standard for workers compensation so that the largest possible number of workers can be covered. I understand that, over the years, there have been problems in some states—particularly in my state of New South Wales—in terms of the sustainability of certain schemes. Those problems have not been specifically stated in the terms of reference; however, they are all linked to being able to maintain a system where employees have the right to work in a safe environment.

People who attempt to attack workers compensation should stop and think about the consequences of an accident for a worker. That worker has been hardworking and has contributed significantly not only to the running of the business which employs them but also to its economic success. The worker himself or herself is also a provider for the family. What happens when that worker is seriously injured in a workplace accident? This is what I would like government members to ask occasionally. Read the report: there is time off work resulting in lost income, the costs of rehabilitation, and the incalculable cost of the stress and psychological damage that can arise in the aftermath of an accident.

In a society that prides itself on the rule of law, the individual should always have the right to seek compensation. I am aware of the dangers of creating a culture that is over-litigious, and there is some evidence that we are entering that realm. However, it is a small cost to pay to maintain the rights of the individual. If the Commonwealth is able, in some way, to coordinate a more efficient and cohesive way for workers compensation schemes to work, then I am in total support. I believe that every member who sat on that committee and put in weeks and months of work to bring down this report, and who read and listened to a large number of submissions both given as evidence at the hearings and presented in the appendices, would agree with that as well.

I also support the recommendation that the Commonwealth, with the states and territories, should develop a program to implement the National Occupational Health and Safety Commission's guidance notes for best practice rehabilitation management of occupational injuries and disease nationally. The promotion of an early return to work is important in a number of ways. For the injured employee, it is good for their morale and wellbeing. Being able to make a contribution allows them to feel that they are once more a part of normal society. For the business, it means a reduction in ongoing costs.

What this report does show, much to the displeasure of the minister, is that the incidence of fraud is quite low. Contributors to the inquiry—including the Australian Plaintiff Lawyers Association, the Queensland government, the Western Australian government, Comcare, the ACT government and even the Australian Industry Group—contend that the incidence of fraud is very low. I note a submission by Dr Paul Pers and Ms Anita Grindlay in which they said that there is 'only a very small amount of true workers compensation fraud'—to use their words. A number of chapters of the report are given over to that.

In particular, I was pleased that even the Australian Nursing Federation questioned the disproportionate amount of resources allocated to the detection of employee fraud, when, as they said, there is already a vigorous set of procedures and medical tests, both before and after a claim is accepted. The Injured Persons and Action Support Association commented that some people are forced to sell their homes and cars, live off the Salvation Army and go to soup

kitchens, and sometimes they have to get money from Anglicare while waiting for insurers to accept claims.

Reading this report, it would seem that the minister was way off course in his misguided belief. If he is really concerned with the increasing costs of maintaining a workers compensation system, there are other techniques which he could use to attempt reform, and I believe that he would have the cooperation of the states and the territories. A vicious and pernicious attack on the workers of this country is not the way to achieve it. A spirit of cooperation must ensue. I commend the committee for its diligence and the conclusions reached in its report. I reiterate that the chapter and verse of this report is well worth reading. I think everyone should avail themselves of this report, particularly in the parliament where, as a general rule, a number of bills dealing with workers are brought before us.

Too often we seem to have one-sided debates. This report has proven—even with some of the doubts I had when I read it very thoroughly—that at all times we must look at both sides of the story, particularly when we are going to say the word 'fraud'. We cannot, because of one or two particular instances, use the broad brush and say that therefore fraud exists across all aspects of a particular contract or whatever. What I am really saying is that you cannot say that because one per cent are caught out the other 99 per cent are guilty—we know that is not the case. This report has clearly shown that.

You cannot have a term of reference in a committee structure when you want an outcome—I would classify that as fraud. It would be fraud for that committee to bring down that report knowing full well that they are only hearing the evidence and writing the report because certain direction has been given to exercise their ability to make sure the recommendations are what the minister giving the terms of references really wants. That did not happen here. This report has also clearly shown that fraud in workers compensation claims, while it exists, does not exist to the extent that was originally perceived by the government and the minister in particular. So I say again to the minister: 'Read the report thoroughly. Take a step, draw a breath, and join with me in commending the committee on being brave and diligent enough and on working as hard as they did to put this report before the House.'

Ms JANN McFARLANE (Stirling) (11.46 a.m.)—I rise today to discuss the report from the Standing Committee on Employment and Workplace Relations, *Back on the job: report on the inquiry into aspects of Australian workers' compensation schemes*. From a parliamentary perspective, I am pleased to see an open discussion on this topic emerge. Workers compensation is something that seems to fall in and out of vogue in this place. Such a fundamental issue needs to be completely understood. I hope that a better understanding of the subject will lead to better legislation and ultimately a more workable system for everyday Australians. I have taken great interest in the discussion over working hours that has been going on in the other place. Australians are working longer, harder and tougher. I take the liberty of quoting Senator Gavin Marshall. He said:

> The ILO key indicators of the labour market study have found that the annual hours worked per person in Australia is 1,824, which is higher than the United States at 1,815 and significantly higher than European countries such as France and Germany at 1,545 and 1,444 respectively.
>
> Whilst we would like to think that as an industrialised economy Australia has been able to develop fair and reasonable working conditions, the excessive annual working hours per person that Australians endure compares with countries such as the Czech Republic and Slovakia, where annual working hours

are 1,980 and 1, 978 respectively. The economies in these countries are at a transitional stage, and they have succeeded in reducing annual hours worked per person. Further development will most likely see a reduction in annual working hours to levels that are less than ours here in Australia.

Clearly Australia is going against the grain. Surely harder, longer and more stressful work also means work that hurts our workers more. While I do not want to delve too far into the working hours debate, I do believe that, if we are going to continue on this path, as legislators we have a responsibility to ensure that the proper safeguards are in place. Most of all, this means an accessible, fair and logical workers compensation regime. More specifically, what can we as federal legislators do? The disjointedness and inconsistency of workers compensation schemes throughout our states and territories cannot be ignored. I for one have placed great faith in all our Labor premiers and chief ministers and I see this as an ideal opportunity to take up the standing committee on some of its recommendations. We should look at the current environment and see ourselves as facilitators.

One of the main areas that need attention is the different modes of employment that have proliferated in the past decade. We live in the age of the casual and contract worker. These employees already lose out in terms of conditions and a federal government that could not care less about them. The human resource management trend of the previous 10 years has ensured that thrifty managers are better resourced and equipped to sidestep most of our workers compensation schemes. It is the job of governments, particularly with regard to workers compensation, to ensure that our workers are better equipped as well. Contract employment should not negate the basic rights of the worker. A well-constructed, standardised workers compensation scheme would potentially make this so. Paragraph 8.6 of the report states:

The need for greater national consistency in the operation of workers' compensation schemes was frequently raised in the evidence to this inquiry. There are currently ten different schemes operating in Australia for nine million employees.

Keeping human resources managers busy with lots of systems does not necessarily mean keeping them honest. The more competing systems we use, the more cracks that these new types of worker can fall through and, sadly, the more they can be pushed.

At this point, I would like to refer to something the member for Shortland, Jill Hall, mentioned in discussing this report. She reflected on the terms of reference for the inquiry and pointed out the initial emphasis placed on compensation fraud. She also went on to debunk this witch-hunt by stating:

The evidence we received in the committee did not support the claim that there was widespread fraud. All evidence to that effect was hearsay. When I directly asked the National Farmers Federation whether fraud was a major concern for their organisation, they said it was not. As we found in the report, much of the 'fraud' is perceived fraud, which relates to incompetencies and inefficiencies in the various schemes.

I find that very interesting. The deficiencies of the system, and not the people using it, need to be looked at very closely. However, to the inquiry's credit, an objective approach was adopted despite the very worst intentions of the Minister for Employment and Workplace Relations.

I hope that this report reminds the minister that our injured workers are the most vulnerable. Instead of trying to pull the rug out from under their feet, let us provide them with stability and replenish their faith in the Australian industrial relations system. By this, I mean so much more than the dollars attached to compensation. Paragraph 4.14 of the report states:

In workplaces where there is a poor relationship between the employer and employee the injured worker may be reluctant to return to that environment, and negative psychological factors can impede recovery. There may be a stigma attached to being on a workers' compensation claim because of the loss of a bonus for others.

A workplace is much more than the dollars one earns. It is often the main social engagement of our lives—the place where we make friends and give meaning to our lives. These recovering workers need the support of their peers, and especially of their management. The overwhelming majority of claimants are genuine, and the employers of Australia need to remember this. I am pleased to say that the inquiry has recognised this valuable information, and I sincerely hope that the minister takes the time to absorb that too.

The media has to own up to its responsibility in this area as well. Tabloid television programs, which I am sure I need not name, need to face facts. For every 'dodgy compo case' they broadcast, thousands of legitimate cases throughout the country are perceived badly by the broader community. Stigma can have a devastating effect on the recovering worker, and can often slow, impede or even halt the recovery process. In a global economy as fragile as the current one, the last thing this country needs is more disenfranchised workers, intimidated out of the job market.

The financial aspects of workers compensation go beyond the realm of the compensation. Because of the differences between states, the interaction between compensation bodies and the Commonwealth is a serious problem. The last thing a recovering worker needs is a clerical or judgment error at Centrelink resulting in loss of payment, appeals processes and, ultimately, undue stress that keeps that Australian at home for longer. The relationship between these agencies urgently needs to be addressed. It is of particular importance when people with an injury move from one state to another for reasons of family need or job prospects. They then find that they fall under a different workers compensation scheme and that they cannot necessarily access rehab in that state. They find that they have actually disadvantaged themselves massively because they do not understand the differences between state systems.

I have spoken in this place numerous times before on the topic of industrial relations. The Howard government has been shameless in chasing down and smashing the working rights of the ordinary Australian—chasing them out of unions, out of the arbitration process and out of conditions. The managerial classes of this country are taught extremely well. Human relations courses are a cornerstone of most universities in this nation. But there are questions you have to ask. Are workers properly informed of their rights? Are they encouraged to exercise these rights? Most of all, does the government properly enshrine these rights?

In discussing this, I suggest we remember our own personal work histories. Both of my own children have worked their fair share of tough jobs as casual, seasonal and contract workers. They have brought co-workers to me for assistance. Why? Because a co-worker had suffered an injury and had not been told of their rights to lodge an incident report and be put on a rehabilitation program. Often such people are sacked for getting injured. Again, they do not know of their rights. This is a shame and a disgrace, particularly when, as the indications show, we are going to continue—until we get a Labor government—on the path of becoming a more casual, seasonal or contracted workplace. I want to live in an Australia where people can have access to an equitable compensation system if they get injured at work. More impor-

tantly, I do not want them to be victimised for exercising that right. I suspect the rest of Australia's parents would feel the same way about their children.

The Commonwealth should be taking the lead on this matter. I hope the minister considers the options presented to him in this report. In particular, I believe that he should consider the recommendations referring to standardisation and dialogue between the states. The bottom line, the minister's main priority, would also benefit from this process. The more seamless and clear-cut the workers compensation system is the fewer mistakes are made. We on this side of the House always treat this subject with the highest priority. The Howard government's track record on industrial relations does not fill me with confidence, but I would like to assure the people in my electorate of Stirling and all the workers of this country that the opposition, the Labor Party, will always fight for fair working rights.

I have to deal regularly with constituents coming in with workers compensation claims. I will just mention one case of a truck driver who suffered two injuries in the course of his job and was being rehabilitated for the second one. They told him he could not work as a truck driver any more. He came to me because he had been rehabilitating for two years. He wanted to go back to work desperately; he wanted to be a truck driver again. We sat down and discussed how the rehabilitation had been handled. His case had been handled well and professionally, but he was feeling frustrated. They had sent him on a computer course and a work placement and, being an outdoors type of person, he found himself in the frustrating and difficult situation of being sat in front of a small screen and being told, 'You'll have to become an indoor worker and this is the kind of work you'll have to do.' Because of his particular types of injuries, he will not be able to drive a truck again.

He and I sat down and I just used my commonsense and my 25 years of community work experience to work through the issues with him. We identified three different kinds of career options that he could pursue, where he could be an outdoor person, go to TAFE or college, do some training and be able to re-enter the work force. These included things like horticulture—we have a lot of nurseries in and around Perth—anything to do with football administration or sports administration, which is outdoor kind of work, or youth work, which is primarily outdoor work. He was very pleased with the assistance I was able to give him and was quite confused as to why nobody had sat him down and identified that the main issue was that he was an outdoors type of person and they were trying to turn him into an admin, indoors type of person. Again, this is not the first constituent to sit with me and have this kind of discussion. I was pleased to be able to help my constituent, and my many other constituents, but I am very sad that this is a regular thing in our workers compensation system. My experience is not an uncommon one, as I am sure my colleagues here would agree.

I mentioned earlier that Australia is going against the grain in terms of working hours. I ask the minister to go against the grain of his time as minister so far and put the workers before the bottom line. I would like to thank the people who served on the committee, who gave generously of their time and skills to conduct this inquiry. You have all carried yourselves with an integrity and commonsense that the Howard ministry is often lacking. If we are lucky, the government will take up your good ideas and do something to benefit the ordinary worker. I commend this report to the House.

Mr ADAMS (Lyons) (12.00 p.m.)—My colleagues on the House of Representatives Standing Committee on Employment and Workplace Relations tell me that the opposition members

mainly started with the view that they were going to work out how workers were falsifying claims and costing workers compensation enormous amounts of money. I understand that there was not much evidence to that effect at all. The committee got down to doing some pretty fine work and put out a pretty substantial report. I remember from my days in the trade union movement in Tasmania that lawyer and medical costs came down to 40 to 45 per cent of what workers were paid out after they got workers compensation claims. So there could be a lot of costs for the worker other than the actual payout.

The text of the report tells me that generalised fraud is generally considered to be very low in Australia. That is for employers and also for workers. I believe, of course, that workers compensation is about putting workers back together, getting those that have been injured back to work where practical and, as my colleague who has just spoken, the member for Stirling, said, finding them another direction when rehabilitation is not possible. I have seen, and am sure many others have seen, many people's lives totally ruined because of injuries at work. I have seen people's families deteriorate and I have seen divorce occur. Workers compensation is not about fraud; it is about people being able to be rehabilitated, mended or put back together so that they can get on with their lives. That is what workers compensation should be about.

I see recommendations in this report that I have a lot of time for. Recommendation 9 deals with whether the cost of medical expenses of injured workers is being met by Medicare and not by the workers compensation system. That is one area which needs to be constantly monitored. There is a recommendation that the Commonwealth government do that. We should make sure that the industry is paying for itself and not being subsidised in some other way.

Recommendation 5 deals with income support entitlements and whether there is a subsidy for the workers compensation industry in that area. It recommends that the Commonwealth, states and territories conduct some studies to see what occurs there and also what occurs after people get lump sum payments. The Howard government have made it enormously difficult for people to get a lump sum payment from workers compensation or from anywhere else, and then they have to face unemployment. The government have made the figures enormously hard, so they have to use that money to live on before they can get any sort of benefit.

Recommendation 4 deals with bringing together some data—to have a national data set for workers compensation statistics. I remember making a speech in the Tasmanian parliament many years ago about how statistics were not available. They were never available. Insurance companies have always said that statistics are part of their in-confidence information that they never put out. So you could not get stats to say that a particular machine that was manufactured somewhere had over the last five years cut off four hands. You would not know that because you never had anyone analysing the statistics to say that there was some problem occurring with that particular machine.

There is a great need to put together statistics. I see that the committee has recommended that confidentiality must be maintained, and of course it should be. But we need to bring statistics together as a nation and deal with them in a proper way so that we can use that sort of statistical base in policy formation. I certainly give the committee full credit for dealing with that and for getting a national database on workers compensation claims. Identifying the problems et cetera would be of great help to everybody within this industry, especially working people. The executive summary deals with safety and says:

Workers' compensation schemes should foster a safer working environment ...

Of course they should. It has been my experience, until some recent changes in workers compensation laws, that it was always the worker's fault when an injury or an accident occurred. Accidents do occur and injuries can be sustained in all workplaces. If good health and safety policies are conducted within workplaces, you can bring the accident rate down and sometimes eliminate accidents totally. I remember that when the accident levels went up and workers compensation premiums went up, employers screamed about the price of workers compensation. They would go through and look at who was sustaining the injuries and they would then try to put more safety equipment on the worker—build a bit more armour onto the working person to try and stop them injuring themselves. Of course, the answer is always that you engineer the risk out of the problem and out of the job. That is what should have been occurring for a long time.

I see that we are now going down the track of duty of care, though I do not think it has been particularly successful in some areas. In my own state and in my own electorate, the miners on the west coast have been arguing about their hours of work. The 12-hour shifts and the 56-hour blocks that people have been working are destroying some of our communities. There is no family life. There are no fathers at the school, no coaches for junior football and no scout masters because everybody is so involved in their work situation and trying to survive that that they cannot participate in their own communities. When the Howard government and Minister Abbott talk about industrial relations policy and then talk about family policy, I can tell you that there is a great deal of connection between both of those issues. If you have not got it right, you help to destroy communities.

In regard to duty of care and the boards that want to make sure that people are working certain hours to get the production out, when accidents do occur responsibility may fall on the very board that makes the decision to force people to work these hours. Maybe the full legal weight of one of our state governments will come down on them and ask one of those boards to justify the deaths or injuries of some working people.

Recommendation 15 reminds me of my days years ago in the trade union movement in Tasmania. It recommends a national code for investigators and those engaged in investigating and pursuing potentially fraudulent claims and that there be some sort of decency in that work. I remember being involved with some investigators once and pursuing them because I did not think they were doing the right thing by some working people. Several months later I got a phone call from the investigators asking me to go to a meeting with them. They were being treated so badly by their employer that they wanted to join my union. They wanted me to get them an award so that they did not have to urinate in bottles in the back of vans and did not have to climb up high hills and take photographs of people hanging out their washing. I believe that we had a wage rate at the time which covered them and we were able to sort them out. I think there is a need to have good and proper codes of practice in place for that sort of work and for the people undertaking it.

I saw no recommendation in this report in relation to this—and I saw it as something that maybe they did not get any evidence on—but I have had a lot of experience with working people in Tasmania who have been paid out or injured and who have maybe gone into the social service structure and who want to go back to work but cannot get back to work because of the condition which they have or because no employer will pick them up because they can-

not get insured. So we are pushing some people out the door and prohibiting them, in a structural way, from being able to get back into the workplace, which is what many of them want to do. It is a very difficult area, but I believe we need to tackle it. It is unfortunate that it did not get up before this committee or come up in evidence before this committee.

We seem to take people through the processes—of course involving the legal profession, the court structure and the insurance industry—and we get a result, and then people are pushed out and expected to deal with their lives. I have nothing against people getting on and looking after themselves, but there are situations where people want to work but, because of the way the insurance structures work, employers will not pick up somebody who has been injured previously and has had a payout. That person may have recovered over the last four or five years and might be quite capable of working and undertaking certain work situations but cannot get started because the employer will not pick them up and because the insurance industry will not give them any coverage. We need to find solutions to that issue. I know one particular guy who had to go into small business in growing vegetables and carving wood—which he does very, very well—because he just could not find a job; he just could not get a start anywhere.

In summing up this report, I think that having more statistics and a database so that people can use it for policy development is a really important recommendation. I certainly hope that it gets picked up and I hope that the states, the territories and the Commonwealth can work on that and get something operating along that line. To make sure that we are helping people back to work and that we have really good processes of rehabilitation, I see the recommendation is that the insurance companies should not own rehabilitation providers. That would be a very good idea, from my experience in this area. There are some very good rehabilitation workers in Australia who are very well trained and very motivated and who are very good at helping people get back into the workplace. But insurance companies have got the block in to get people back into work as soon as possible, and sometimes a fair bit of conflict occurs in that area.

Making sure that the insurance industry and the workplace pay the bill for workers compensation is important to make sure that it is not costing Medicare or Centrelink money. That is another good recommendation that needs to be taken up. Overcoming the structural issue I just spoke about, where people cannot get back into the work force because they have had a claim through the system, needs to be looked at. I think overall this committee did a very good job. I commend them for it. I also commend our whip for being able to get this report on the deck so that some of us who are interested can comment on it. I commend the committee for their job on *Back on the job*.

Debate (on motion by **Dr Southcott**) adjourned.

ADJOURNMENT

Dr SOUTHCOTT (Boothby) (12.15 p.m.)—I move:

That the Main Committee do now adjourn.

Howard Government: Performance

Mr SAWFORD (Port Adelaide) (12.15 p.m.)—Many have stated, whether from the executive or in the party room, that the Howard government has more than the odd sycophant—the emphasis, of course, being optional. However, a more accurate and appropriate description

would be the acronym THIMPASAFANTS—The Howard Incident Management Plan and Spin and Followers and No Truth Strategy. In an article in the *Financial Review* on 12 August, journalist Tony Harris was right on the money when he used the phrase 'perverted discourse' to describe debate within the Howard government. Who could forget the former minister for workplace relations, Peter Reith, who raised THIMPASAFANTS to a new level? In the former government he was ably joined by the then minister for education, David Kemp, who in true Orwellian tradition deliberately confused facts and often stated opposing thoughts in consecutive sentences.

In the current government, THIMPASAFANTS has the obvious imprimatur of the Prime Minister. How else could you explain his own words of so-called self-defence in the ethanol and Manildra debate, the Wilson Tuckey affair, the security lapse at Sydney airport, and the Andrew Bolt and Senator Sandy Macdonald affair—let alone 'children overboard'? How else could you explain the censorship of the higher education report that was allowed under the direction and stewardship of the current minister for education? There is a great consequence of THIMPASAFANTS, and that is that it heightens arrogance in dealing with the truth. This government is guilty of that on multiple fronts. As the acronym suggests, the government deliberately deals with a 'no truth' strategy. This almost guarantees that any subsequent debate, as Tony Harris indicates, will be just a perverted discourse.

THIMPASAFANTS is not in the national interest. It continues to the core of this government on issues such as employment, debt and housing. Last Thursday, for the first time since the government took office in 1996, ABS figures in August recorded more full-time jobs than part-time jobs. The Treasurer and the Minister for Employment Services could not contain themselves. For the first time in seven years they responded to my standard interjection, 'What about full-time jobs?' with THIMPASAFANTS glee. Nevertheless, the government's spin has been a misrepresentation of the real story, and the government knows it. ABS statistics show that since March 1996 the government has created 647,800 part-time jobs. Most of those people want full-time employment but cannot secure it. There is no doubt that underemployment is grossly ignored by this government. The recorded number of full-time jobs is 552,900—46 per cent of the total of 1.2 million jobs. But even those two figures do not tell the whole story. An extremely large number of people fall into the category of discouraged employment and, only being marginally attached to the labour force, were not counted. But they are counted by the ABS and, according to the ABS figures in September 2002, the number was 808,000.

As a general rule, if there is an unemployment rate of six per cent, there will be a minimum of 600,000 unemployed, a minimum of 600,000 underemployed and a minimum of 600,000 not counted. If unemployment is seven per cent, there will be 700,000 unemployed and so on. In other words, unemployment currently impacts negatively on 18 per cent of the labour force. That is the real story that the government refuses to tell, and it is the same with debt. Under this government, household debt has risen from $289.2 billion in March 1996 to $663.7 billion in March 2003. In other words, household debt has increased by 50 per cent. The Treasurer and this government are struggling for credibility on the issue of debt. The current account deficit at 6.7 per cent of GDP is now at a record level, but so is foreign debt. In 1996 foreign debt was $10,000 for every man, woman and child; it is now $18,000—an increase of 80 per cent. That, again, is the real story.

It is the same with taxation. Last year Australians paid about $19 billion more in tax. In fact, national tax has grown at twice the rate of income. In 2002-03, total taxation increased by nine per cent, while income earned by individuals and companies grew by 5.5 per cent. The biggest single contributor to this revenue bonanza for the government was personal income tax, with PAYE employees, contractors and the self-employed collectively handing over a record $91 billion—a jump of $7.2 billion or 8.6 per cent on the previous year. However, household incomes in the same period went up by just 3.5 per cent. No wonder Australian families are under pressure. THIMPASAFANTS reigns supreme in this government. It should also be noted that company tax jumped by 16 per cent to $37.5 billion. Is the government the great defender of small business? I do not think so. GST revenue increased by 8.6 per cent. As my exposition has clearly stated, whether it be unemployment, debt or taxation, this government understates reality by a minimum of 50 per cent on whatever you care to mention. If that is not THIMPASAFANTS, I do not know what is. *(Time expired)*

Ryan Electorate: Moggill State Primary School

Mr JOHNSON (Ryan) (12.20 p.m.)—I would like to follow the preceding speaker, the member for Port Adelaide, by talking about something more important than his rambling. I would like to talk about something important to my electorate of Ryan. I had the great pleasure last week of hosting the Moggill State Primary School—

Mr Sawford—Mr Deputy Speaker, I have a question.

The DEPUTY SPEAKER (Hon. I.R. Causley)—Does the member for Ryan accept the question?

Mr JOHNSON—No, I would like to continue my presentation to the parliament. Having very courteously listened to the words—to the rambling, in fact—of the speaker opposite, I expect that he will pay me due courtesy. I am sure that my constituents in Ryan will be made aware that those opposite sometimes fail to listen courteously to members on this side. It was a great privilege for me to host Moggill State Primary School when they visited Canberra last week. I had the opportunity to attend a special wreath-laying ceremony at the Tomb of the Unknown Soldier at the Australian War Memorial. This ceremony took place in the Hall of Memory. It involved students laying a wreath at the Tomb of the Unknown Soldier, and it was a very moving event.

All members of the parliament would know that the unknown soldier was one of 18,000 Australians who died on the Western Front during the First World War and who have no grave. Of course, his name remains unknown. He symbolises to all Australians something very special, a quality that we in this parliament would do well to constantly recognise and acknowledge—that is, sacrificing his life for the freedoms that we enjoy today. Like many who come to Canberra and like many of those who reside here, I have visited the War Memorial a number of times. It commemorates and honours the sacrifice of all those Australians who have died in wars throughout our history. And it does this very well. It is a fitting place for people to remember those who died in theatres of war across Europe, Asia and the Pacific.

I want to pay tribute to the hundreds of volunteers at the War Memorial, who take very seriously their role to preserve the memorial and to allow it to be seen by students, like those who came from Moggill State Primary School in the Ryan electorate, and by the teachers and parents who usually accompany school trips. I want to also mention those who came along on

that trip, because they played a very important role in making that trip possible. I acknowledge the teachers from Moggill State Primary School who were on the trip: Bruce Collinson from The Gap, Beryl Wynne from Pinjarra Hills, Vera Bushing from Bellbowrie and Helen McDonald. The teachers, together with the parents who came along—Peter Sheriff and Lyn Sullivan, both from Moggill, and Mrs Annika Anderson—played a very important part in making the trip for the students of Moggill State Primary School a great success.

On the day following the visit to the War Memorial I had the opportunity to talk to the students at Parliament House. They were a very special group of young Australian students who took a great interest in the history of this parliament and in the role that members of the House of Representatives and senators play in representing their respective constituencies. I want to salute the curriculum of the school and the dedication of the schoolteachers. Clearly, the students came here with a degree of curiosity, and they asked very interesting questions. They were questions that I think other students throughout the country would also ask. It showed that there is a very strong interest in the role of the parliament in our national life and in the things that we do in this country. I was able to speak to them about the role that I play as the federal member for Ryan, representing very strongly the interests of their parents and the businesses of Ryan. As a member of the parliamentary Standing Committee on Education and Training, I was able to talk to them about what this government has done for education in promoting very important reforms for students at not only the primary level but also the tertiary level. The teachers were very appreciative of the time that was made available here and it was a great pleasure for me to talk to them.

I pay tribute to the staff at the War Memorial. When schools visit Canberra, we sometimes forget that a lot of organisation is done by the institutions they visit, such as the Australian War Memorial. I thank the War Memorial staff for their time and for the certificates and photographs that they generously provided to the visiting students from Moggill State Primary School.

Health and Ageing: Aged Care

Mr ZAHRA (McMillan) (12.25 p.m.)—Sometimes people take for granted the service that we get from aged care providers in country districts. These nursing homes and aged care hostels are the heart and soul of the communities that they operate in. They give people the opportunity to get professional aged care services in their local area and act as hubs of community activity. The Howard government's mean-spirited approach to aged care is putting these important local services at risk and, in some cases, people have to travel about 30 minutes to an alternative aged care provider if their local nursing home is forced to close. That is unacceptable to us. It shows real contempt for our district when the Howard government thinks that that is okay. I will continue to pressure the federal government on this issue and I will continue to work with our local aged care providers to get aged care services funded on a fair basis.

That brings me to a petition which has been organised in my constituency. It was put together by aged care providers on behalf of aged care providers more generally in our region. The petition has been organised by the Lyrebird Village Hostel for the Aged in Drouin, Pakenham Aged Care in Pakenham, the Hillview Hostel and Nursing Home in Bunyip, Mirboo North Aged Care in Mirboo North, the Latrobe Valley Village Hostel in Moe, the Neerim District Soldiers' Memorial Nursing Home and Hospital in Neerim South, the Yallambee Vil-

lage in Traralgon, the Greenhills Hostel for the Aged in Loch, and Cooinda Lodge in Warragul.

For the benefit of the House, I will read a letter that I received on 4 September from Craig Stuchberry, the Chief Executive Officer of Neerim District Soldiers' Memorial Nursing Home and Hospital, and Mr Lindsay Oates, the Chief Executive Officer of Mirboo North Aged Care. It was on the day that the people from Mirboo North Aged Care and Neerim District Soldiers' Memorial Nursing Home and Hospital and the other providers presented me and the shadow minister for aged care, Annette Ellis, with this petition, which I will table in the parliament today. The letter states:

Dear Christian

Aged care providers in Gippsland are very concerned about the funding crisis which currently faces them. This crisis is due to the totally inadequate increase in funding provided by the federal government on 1 July this year. For Victorian aged care providers this increase was just 1.01 per cent which clearly will not cover rising costs.

After several years of diminishing or negative returns this latest meagre funding increase now threatens the very existence of many providers and puts the care of the frail, elderly community members at risk.

Members of our local communities have signed the enclosed petition to signify their concern at funding levels for aged care and to ask that funding be immediately increased.

The letter goes on to ask me to table the petition in the parliament.

We have an expression of very strong community sentiment against what the Howard government is doing in funding for aged care. These people are not people at whom the National Party or the Liberal Party point and say, 'These people are just typical Labor Party supporters.' These are people who represent the communities in which they live and the communities in which their organisations operate. They represent the great cross-section of people from the districts in which their services are based. I say to the federal government: if you do not want to listen to me in relation to aged care, don't listen to me, but you should listen to Lyrebird Village in Drouin, Pakenham Aged Care in Pakenham, Hillview Hostel in Bunyip, Mirboo North Aged Care in Mirboo North, the Latrobe Valley Village in Moe, the Neerim District Soldiers' Memorial Nursing Home and Hospital in Neerim South, the Yallambee Village in Traralgon, Greenhills Hostel for the Aged in Loch, and Cooinda Lodge in Warragul.

This is an incredibly important issue. A number of very important organisations in our district, which have served our area in some cases for more than 50 or 60 years, are looking down the barrel at having to close in response to what the federal government is doing in aged care. I call on the federal government in the strongest possible terms to heed the sentiment in this petition and to immediately increase funding for aged care.

The DEPUTY SPEAKER (Hon. I.R. Causley)—Before presenting the petition, could I draw the member's attention to standing order 117 and particularly section (b), where a petition cannot be tendered during the adjournment debate but in members' statements only. The petition should be put into the system in the usual way. I think the member has had his say on it.

Mr ZAHRA—Mr Deputy Speaker, may I seek clarification in relation to the advice?

The DEPUTY SPEAKER—Yes, check with the clerks, but it is standing order 117.

Mr ZAHRA—My understanding is that there is a provision for members to be able to table petitions at any time, subject to agreement from members from the government side or from the opposition side—in this case from the government side. My understanding—

The DEPUTY SPEAKER—We cannot have a debate about it; check the standing orders.

Australian Flag

Mrs GASH (Gilmore) (12.31 p.m.)—Grandiose nationalism has not always been a part of the Australian way of doing things. Aussies tend not to focus on oaths, anthems and national symbols—unless it is *Waltzing Matilda*—let alone on the importance of voting at election time. However, I should add that the Australian flag is so popular in Gilmore that I am constantly presenting flags to all sorts of groups. Most of us will remember school assemblies, and particularly ceremonies such as those on Anzac Day when expressions of pride and being Australian have been significant and meaningful for us. For some it might have been watching our swimmers win Olympic gold or the Wallabies taking out the World Cup.

Helping our young people to learn about Australia's national symbols, democratic heritage and values is vitally important. Included in this are concepts such as equality, liberty, fairness, trust, mutual respect, social cooperation and personal responsibility. In determining the direction of schooling for this century, the Ministerial Council on Education, Employment, Training and Youth Affairs said that students leaving schools should:

> ... have the capacity to exercise judgement and responsibility in matters of morality, ethics and social justice, and the capacity to make sense of their world, to think about how things got to be the way they are, to make rational and informed decisions about their own lives and to accept responsibility for their own actions.

One of the latest Australian government initiatives aims to practically address these rather lofty sounding ideals. We are offering assistance to all of our schools to purchase, repair or replace their flagpoles.

I am looking forward to presenting each school throughout the electorate of Gilmore with a new flag to fly. One of the biggest obstacles to flying the flag was that our schools could not afford the flagpoles. This really concerned me and I am pleased to say that we were able to convince the minister to supply the funding to make it possible. Our flag reflects who we are, where we have come from and the historical circumstances and values of those who have passed on an economic and social legacy to our generation. The flag-raising ceremony is an opportunity to be used at the beginning of, or as a highlight in, civics education about the origin, meaning and flying of our national flag. As our national symbol, it is important that we take some time to discuss its use and the meaning to each of us in owning our own flag.

Applications for flagpole funding are being sent to all the schools in the Gilmore electorate this week. All of us—schools, parents, teachers and the community—must continue to work with all state and territory education ministers to ensure that students' civic knowledge, understanding, citizenship participation, skills and civic values are developed before they leave school. It is true that civics education is the way that young people come to understand how our government and legal system work, how citizens can influence the government and how they can exercise their rights and responsibilities as citizens. It can provide opportunities for students not only to understand democracy and how it works but also to experience democracy in classrooms and in the community. Its aim is to prepare active and informed citizens for the future.

As a further measure to encourage civics education in Gilmore, I have purchased a replica of the House of Representatives dispatch box. For the benefit of the record, the dispatch boxes are what the Prime Minister and the Leader of the Opposition rest their papers, amongst other things, on when speaking in the House. This replica box contains copies of many unusual items regularly used in parliament, along with role-plays, gowns and teaching ideas. I am most enthusiastic about helping any school in our electorate with their civics education program and with focusing their studies on the work of parliamentarians. Indeed, I would encourage all members and senators to become involved in such a program in their regions.

According to a recent report entitled *Citizenship and democracy: students' knowledge and beliefs*:

> Perhaps the most significant of all the findings ... is that students need to be convinced that conventional forms of democratic engagement are worthwhile. Our elected representatives have much to contribute to this process. The future of Australian democracy belongs to, and with our young people. We need them to be engaged in Australian democracy.

For my part, I am keen to work with our schools to change the current negative perception of politicians of all flavours. This view has often been bred from ignorance, driven by media grabs, developed from the few hours of question time each week and reinforced by the standards set by some politicians. In the midst of turmoil around the globe, it is important that our young people have a firm foundation of values on which to build their own world view.

Ceremonies, symbolism and tradition are quite important for our young people. We have seen evidence of this in the resurgence of the popularity of Anzac Day marches and with the participation of children, grandchildren and great-grandchildren wearing the medals of a family member. I believe we need to be intentional about reinforcing in young people the democratic traditions that we have all inherited, as well as pride in our national symbol, the Australian flag. Why do I stress the word 'intentional'? It is because, in many places, we have stopped teaching these things to our children. Maybe it is because my generation has stopped believing in them. I certainly hope not. As for me, a new Australian of some 52 years, I believe that Australians are all about freedom, democracy and a fair go for all.

Assistance Dogs Australia

Mr GIBBONS (Bendigo) (12.36 p.m.)—I rise to inform the House of a wonderful program designed to assist people with disabilities. I am referring to the Assistance Dogs Australia program—or ADA—which was established as a nonprofit organisation in 1996 with a committed mission of enhancing the quality of life of people with physical disabilities. ADA provides daily assistance to hundreds of Australians through the use of canine support. As of this year, ADA has provided assistance and support to over 126 disabled people throughout Australia. Currently, they have 35 dogs at different stages of their training program, with the goal of training an additional 35 dogs per year thereafter. ADA obtains, trains and maintains dogs in community settings to assist people with their disabilities, give them more confidence and help them to achieve a greater level of independence.

ADA currently operates without government funding and relies heavily on volunteers and sponsorship. It costs $20,000 and takes two years to train a puppy and provide the necessary follow-up support. ADA services are offered to beneficiaries at no charge. Recipients include people with C4 quadriplegia, cerebral palsy and paraplegia. There are many disabled people on the waiting list for one of these unique dogs. ADA is in need of financial support to help

fund the future training of dogs that will be used as service, companion or facility dogs. Service dogs are the most highly trained and are offered to recipients with severe disabilities. Companion dogs are often offered to children with terminal illnesses, to provide constant friendship. Facility dogs are placed in nursing homes, children's hospital wards and other such centres. These dogs provide a night nurse service for children as well as a lifting of their spirits. The service that ADA offers is not merely physical; it is also emotional. These unique dogs have the ability to change people's lives. An assistance dog can save the community significant moneys by reducing the attendant care needs of their disabled recipients. ADA has an ambitious training program ahead and has to rely on corporate, community and individual funding to achieve its goals.

The charity requires significant funding to achieve its goal of placing at least 30 dogs per year with disabled recipients. At the end of September this year it is anticipated that five puppies will be placed in Bendigo. Labrador and golden retriever puppies will be placed with volunteer foster puppy raisers for an 18-month period. They will then go into the assistance dog training centre for a further six months for intensive training. The assistance dogs will be trained over this two-year period to perform specific tasks that will help their disabled recipients. These tasks include opening and closing doors, turning light switches on and off, pressing pedestrian crossing buttons and retrieving and picking up items off the floor—tasks that are difficult or nearly impossible for people confined to a wheelchair. The dogs can also pull the wheelchair and bark for assistance if required.

Assistance dogs are already making a dramatic difference to the quality of life of individuals with physical disabilities. These special dogs not only assist the disabled physically but also relieve loneliness and social isolation, helping their owners integrate more with their local communities. This increases their independence and allows them to get on with their lives, often by attending college, getting employment or just mixing more. I am reminded of those wonderful words of former Prime Minister Paul Keating, when he once said, 'If you want a friend in Canberra, get a dog.' A lot of disabled people are getting dogs and they are finding it very beneficial.

I will quote the case of Tanya, which is outlined in a brochure from Assistance Dogs Australia. It says:

Nine years ago, at the age of 19, Tanya Clarke was left quadriplegic in a road accident. With limited arm movement and no hand function, Tanya became completely dependent on her parents, unable to do anything on her own.

That's until January 2001, when she met Harry, who has been her Assistance Dog since then.

"Harry came into my life and made a huge difference to my level of independence. For the first time since the accident, my quality of life has improved ..." says Tanya. "And for the first time I can get out of my own front door, because Harry opens it for me!"

Tanya works in the field of website design, having completed two Diplomas since the accident. Harry helps with day-to-day tasks, fetching whatever is needed and calling for help if Tanya gets into trouble. In the evening, Harry and Tanya go to the movies, the theatre, concerts and even nightclubs. Harry breaks the ice—people stop to talk and offer help.

"Harry has improved the way I feel about myself. He's the very best friend that anyone could ever wish for" says Tanya with a smile. Harry seems to nod in agreement as he wags his tail.

I have written to several ministers who have portfolio responsibilities across the disability area asking them to seriously consider assisting this great organisation. I was raised in a home that treated our companion animals—and there were many of them—as equal members of the family, and I know how beneficial it would be for people with disabilities to have such a companion animal, not only for the physical assistance they provide but for the companionship and the trust that owning a loving companion animal can give.

Flinders Electorate: School Funding

Mr HUNT (Flinders) (12.41 p.m.)—I rise to congratulate a number of schools within my electorate of Flinders both for their work and for the fact that they have received Commonwealth funding, which has just been announced today. In particular, I refer to schools in Cranbourne, Clyde, Baxter and Tyabb, and I also want to talk about the possibility of funding for the proposed Somerville secondary college. The Minister for Education, Science and Training, the Hon. Dr Brendan Nelson, has written to me announcing that a number of schools will receive Australian government capital grants to help with school building programs—and I have contacted the schools about this today. These are all tremendously well-run and well-organised schools which have a huge impact on their area. In particular, Hillcrest Christian College at Clyde North, which is contained within a farming district to the east of Cranbourne and which services not just Cranbourne but surrounding districts, has been given $200,000 towards the construction of four general learning areas, associated services, site works, furniture and equipment. This school started from nothing a decade ago. The principal, Tony Ham, and others have helped build and create a magnificent learning destination for children within the area.

The second school which has received a grant is Cranbourne Christian College at Cranbourne. This school, which is under the principalship of Ms Evelyn Sayers, also started only a decade ago and has grown to become a tremendous part of the Cranbourne community, taking students through from prep to year 12. I have visited the school and spent time there and I have seen that it has a unique approach to open learning. Cranbourne Christian College has received a grant of $80,000 towards construction of performing arts areas, associated services, site works, furniture and equipment. It is a school which does a tremendous amount of good for the area, and I commend both the principal, Evelyn Sayers, and the teachers.

Flinders Christian Community College in Tyabb is the third school which has been a recipient of Commonwealth funding. Flinders Christian Community College, under the principalship of Jill Healey, runs two campuses: one within my electorate of Flinders at Tyabb and one outside the electorate. That is also a new school and it has grown from a small base to become a fixture for the eastern side of the Mornington Peninsula. It has been granted $200,000 for the conversion of the library to an administration area and, most importantly, for the construction of a new library and all of the associated services, site works, furniture and equipment which go with that. The fourth school to receive a grant is Bayside Christian College in Baxter. That school services children in the area around Baxter, Pearcedale, Somerville and also parts of Frankston. It has been given $100,000 as a grant for the construction of two general learning areas and student amenities, in addition to associated services, site works, furniture and equipment. I want to congratulate all of those schools, which do a tremendous job in the area.

I would also like to speak about the proposal for Commonwealth funding for the Somerville Secondary College. The Minister for Education, Science and Training, Dr Brendan Nelson, visited the site of the proposed Somerville Secondary College—a facility for which the community has fought incredibly hard and which I have been proud to have been part of. He looked at the site and invited the state to put in a priority application for Commonwealth funding, as part of the specific allocation from the Commonwealth to schools which are within the domain of the state system.

I have been working with the state member, Rosy Buchanan, to try to achieve an outcome. It is about working across federal and state boundaries and across party lines. There is a joint commitment to provide a great outcome for the people of Somerville and, in particular, for the students. The cost of the school is $9.4 million if you include a new arts centre, a new oval and a state-of-the-art water reticulation system. The state has offered to provide $8 million. I call upon the state to request $1.4 million from the Commonwealth. Dr Nelson has indicated that it is a project which would fall within Commonwealth guidelines. That would be a tremendous way of producing cooperation between the Commonwealth and the state and of delivering to Somerville not just the school but the arts centre, the oval and the water reticulation system.

Employment: Work for the Dole

Mr WILKIE (Swan) (12.46 p.m.)—I would like to take this opportunity to bring to the attention of the parliament an issue that I believe we should all be very concerned about. I am talking about Work for the Dole and, more specifically, about the lack of workers compensation coverage for those people who are obliged to work on Work for the Dole programs to avoid having their benefits stopped. It would appear that insurance policies for Work for the Dole participants do not cover workers under the Workers Compensation Act. Only medical expenses are paid. In Senate estimates—I believe in 1997—Senator George Campbell asked about this issue and was told that the Commonwealth would not generally provide workers compensation insurance for Work for the Dole participants because it believed that there was no employer-employee contract or relationship. While some accident liability insurance is provided, there is no provision for payments for pain and suffering and ongoing compensation.

I have been approached by a young constituent who was obliged, through Centrelink, to work for the dole. Unfortunately, while working on the program he suffered a significant injury which saw him hospitalised for four days in April 2002. He is still receiving medical treatment for the injury. This is his story:

In February 2002 I was obliged by Centrelink to participate in the work for the dole program. The work I participated in was at Kings Park. (Kings Park is a public park in the centre of Perth.)

In April 2002 I had an accident (a pitchfork went through the bottom of my leg from one side to the other). I had an operation that day and another on the 13th April under general anaesthetic. I spent the next two and a half months in bed.

Strangely enough, from July until November 2002 I'd obtained paid work at Kings Park, but due to reinflammation of my original injury I had to resign and seek continued medical attention via my GP and Sir Charles Gairdner Hospital. I then received physiotherapy until a scheduled reappointment with a specialist in February 2003. Last December I was informed that potentially my leg could take 18 months to heal.

In May and June 2003 I again worked for Ecojobs. In August this year the leg pain became bad again. I was transferred to the pain specialist at Sir Charles Gairdner Hospital and am on constant strong medication.

Up to this date, the State Department for Employment has been paying the medical bills and will do so until two years has expired. Unfortunately Federal policy deems me ineligible for compensation. So I have put off university for another 6 months (no income—no attendance).

In regard to my situation I have spoken to Legal Aid, the Department of Employment and Workplace Relations, the Department of Employment Protection, the Commonwealth Ombudsman's Office, Comcare, WorkCover, civil rights and advocacy groups, personal injury lawyers, a trauma counsellor, a Centrelink psychologist, a Centrelink disability officer etc. No one can help me because it's a Federal case. And no income means I've no access to a Federal lawyer ... So I don't know what my rights are or the obligations of the Federal Government in light of my medical condition ... In 2001 I returned to Perth to improve my life. Regrettably, just the opposite has occurred. At present, I am extremely keen to resolve this issue and leave WA.

It seems that the government is very strong and tough on people meeting their obligations. However, the government does not seem to be very strong or tough in meeting its own obligations to people who are required to work for the dole and who are injured. I ask the government to explain why a proportion of the population are deemed able to work, are therefore obliged to work for little remuneration, are often doing mundane jobs and are not even protected in the execution of their duties by the same protections afforded to the rest of Australia's working community—that is, workers compensation to treat and compensate them if injured at work. The very nature of activities undertaken in Work for the Dole projects means that they often involve risk. Participants are often required to use tools and equipment that they are unfamiliar with and for which they have received little or limited training and instruction.

What compounds this problem is that participants are given no choice about their participation in the Work for the Dole program. Further, they are given limited information about their rights if injured. I find it outrageous that it appears that the only avenue available to my constituent—and other Work for the Dole participants who are injured and in need of compensation—is to take civil action against the organisation running the program, the owner of the property where the injury occurred or, indeed, the Commonwealth government. Participants have no means to take this action because they have no money and often little expertise in legal areas. This is just another case of the government being mean and tricky and shirking its responsibilities to Australia's most disadvantaged.

Queensland: State Elections

Mr SLIPPER (Fisher—Parliamentary Secretary to the Minister for Finance and Administration) (12.51 p.m.)—I would like to talk about the wonderful opportunity the community of the Sunshine Coast will have at the next state election to elect a number of Liberal and National Party members. They will provide appropriate levels of representation to the Sunshine Coast, which will be much improved on the deficient representation the Sunshine Coast is currently receiving from state Labor members. The Sunshine Coast community will have the chance to put into electorate offices a very strong team that will push the interests of the Sunshine Coast in Brisbane. We have four candidates: Glenn Elmes for Noosa; Fiona Simpson, the sitting National Party member for Maroochydore; and, most importantly, two very strong candidates in the state seats of Caloundra and Kawana.

Former Liberal state leader and Deputy Premier Joan Sheldon, after many years of service, has announced her retirement as the member for Caloundra and at the next poll her name will not be on the ballot paper. The Liberal Party, however, will be well served by its choice of Mark McArdle, a solicitor on the Sunshine Coast, who is committed to representing all of the people of Caloundra regardless of their political preference and to ensuring that the interests of Caloundra continue to be well served in the state parliament. Mark is a person I know well; he is a close friend of mine. He believes that orderly and controlled development is important for Caloundra. He also believes that adequate provision of services for residents of the city of Caloundra is essential. Mark will continue to fight for adequate staffing, resourcing and funding for the Caloundra and Nambour hospitals; infrastructure improvements, particularly to the roads in and out of Caloundra; education; better equipped police officers; and more employment opportunities for the residents of Caloundra.

I think it is fairly sad that the current state ALP government has penalised the people of Caloundra because they have never elected a Labor Party member. Sir Francis Nicklin, who was the Premier of Queensland when the seat was known as Landsborough, was succeeded by the Hon. Mike Ahern, who was also Premier of Queensland. When he retired, he was succeeded by Joan Sheldon, who became the Liberal leader and Deputy Premier of the state. The area of Caloundra is used to having representation at a very high level of government, and I am confident that Mark McArdle, if and when elected as the member for Caloundra, will continue that high level of service to the Caloundra community. It is sad that the people of Caloundra have been denied an adequate level of funding from the state government simply because of the bloody-minded attitude of the state government, which has essentially said that, because the people of Caloundra have chosen conservative representation for as long as anyone can remember, they are to be penalised in some way, shape or form for exercising their democratic choice.

Harry Burnett is the Liberal candidate for the neighbouring state seat of Kawana. I know Harry Burnett well; he worked for the high-profile chartered accounting firms of KPMG and PriceWaterhouse before beginning his own practice. He knows how important it is to provide adequate representation. Kawana was a safe Liberal seat. I think it had a 20 per cent margin for the Liberal Party prior to the last poll when, as part of the landslide towards Labor, the excellent state member Bruce Laming surprisingly lost his seat to the current member for Kawana, Chris Cummins. Harry Burnett will provide a very good level of representation for local people. He has identified law and order and health and education as the main issues facing the residents of the Kawana electorate, who have also been neglected by the current Beattie government.

Harry believes that Beattie's 'smart state' needs to be more than a silly numberplate and a budget in deficit. He is already working to represent the best interests of the electorate, campaigning to have the state government look after the Mooloolaba fishing industry by dredging the sandbars at the mouth of the Mooloolah River and ensuring that the industry can remain effective and provide an important economic boost for the Sunshine Coast. In fact, the fishing industry provides more than $90 million to my electorate through Mooloolaba. Both the Kawana and Caloundra communities can support Harry Burnett and Mark McArdle with confidence, as they will deposit into the Queensland parliament a wealth of experience in small business, the local economy, financial management and how to cost a budget.

Question agreed to.

Main Committee adjourned at 12.57 p.m.

QUESTIONS ON NOTICE

The following answers to questions were circulated:

Education: Higher Education

(Question No. 1797)

Ms Macklin asked the Minister for Education, Science and Training, upon notice, on 13 May 2003:

For each State and Territory, what is the accumulated HECS debt for the years 1995 to 2001.

Dr Nelson— The answer to the honourable member's question is as follows:

HECS DEBT BY STATE/TERRITORY FROM 1995 TO 2001*

State/Territory	1995	1996	1997	1998
ACT	$110,524,254	$125,997 600	$143,416,223	$158,541,569
NSW	$1,160,438,560	$1,333,961,612	$1,516,375,079	$1,665,272,682
NT	$33,283,474	$38,896,273	$44,681,282	$48,606,300
QLD	$596,991,882	$701,668,029	$821,760,683	$931,669,784
SA	$272,007,862	$320,320,701	$370,214,640	$412,353,819
TAS	$69,023,906	$80,857, 521	$93,973, 596	$106,180,577
VIC	$1,122,675,404	$1,305,358 838	$1,494,395,445	$1,656,749,582
WA	$344,330,260	$398,380, 977	$454,379,113	$501,371,866
State/Territory	1999	2000	2001	
ACT	$158, 724, 941	$191, 841,132	$212, 357, 994	
NSW	$1,666,560,082	$2,052,436,416	$2,328,234,609	
NT	$48,097,550	$57,100,716	$61,851,062	
QLD	$952,265,785	$1,229,047,968	$1,445,160,726	
SA	$419,693,226	$524,210,849	$603,180,904	
TAS	$109, 990,158	$142, 448, 894	$168, 546, 331	
VIC	$1,664,752,983	$2,029,605,251	$2,276,304,404	
WA	$506,692,293	$634,363,212	$731,344,479	

* Debt level at 31 December each year; does not include overseas resident HECS debtors.

Foreign Affairs: Iran

(Question No. 1993, 1994, 1995, 1996 and 1997)

Mr Danby asked the Attorney-General, upon notice, on 4 June 2003:

(1) Does the Government endorse the view of the United States Government that key elements of the Iranian Government sponsor terrorism.

(2) Is the Government aware that Noorsoft is listed as a distributor of the computer game "Special Force" and is it aware of any other Noorsoft products or subsidiaries which promote terrorist, extremist ideas; if so, are any of these products sold in Australia.

(3) Does Noorsoft have any offices, agents, representatives or subsidiaries in Australia.

(4) Is the Government aware that Noorsoft is a subsidiary of the Computer Research Center for Islamic Sciences (CRCIS) and is it aware of any other CRCIS products or subsidiaries which extol terrorist and/or extremist ideas; if so are any of these products sold in Australia.

(5) Does CRCIS have any offices, agents, representatives or subsidiaries in Australia.

(6) Is the Government aware that the CRCIS was established by the Iranian Government and is this is another example of Iranian sponsored extremism and encouragement of terrorism.

(7) Will (a) Noorsoft, (b) CRCIS, and (c) "Special Force" be proscribed under the legislation to proscribe Hizballah recently introduced into the Parliament, or (d) will the Government refer "Special Force" to the Office of Film and Literature Classification; if not, (i) why not, and (ii) will the Government take other action to proscribe "Special Force".

(8) What statements, diplomatic approaches or actions has the Government made or will the Government make to inform the regime in control of the Islamic Republic of Iran that sponsoring terrorism and hatred via computer games which promote terrorism is inconsistent with the membership of the community of nations and contrary to hopes of new peace talks in the Middle East.

Mr Williams—The answer to the honourable member's questions is as follows:

(1) Australia, like other members of the international community, is concerned about allegations of Iran's links with terrorist groups.

(2) Yes the Government is aware that Noorsoft is listed as a distributor of the computer game 'Special Force'– the internet homepage for 'Special Force', www.specialforce.net, details as its Iranian distributor the internet homepage for the computer Research Centre of Islamic Sciences (CRCIS), www.noorsoft.org.

The Government is not aware of other 'Noorsoft' products or subsidiaries, or whether any such products are sold in Australia.

(3) The 'Special Force' homepage, www.specialforce.net, does not list a distributor for the game in Australia. There is no company registered in Australia by the name of 'Noorsoft'. Relevant agencies are not aware of any representatives, agents or subsidiaries of 'Noorsoft' in Australia.

(4) The internet homepage for the Computer Research Center of Islamic Sciences (CRCIS), www.noorsoft.org, indicates CRCIS has at least two subsidiaries which could supply software services, the Noor Computer Training Institute (NCTI) and the Noor Computer Services Institute (NCSI). 'Noorsoft' could be a reference to a division of one of these subsidiaries.

The Government is aware CRCIS produces reference software for Islamic scholars and has Research and Technical Departments charged with digitising Islamic texts. The Government is not aware of any other CRCIS products of subsidiaries, or whether any such products are sold in Australia.

(5) The CRCIS homepage, www.noorsoft.org, indicates it is based in Qom, Iran. There is no company registered in Australia that uses the name of the Iranian Computer Research Center of Islamic Sciences (CRCIS). Relevant agencies are not aware of any representatives, agents or subsidiaries of 'Noorsoft' in Australia.

(6) The Government understands that the CRCIS was established in Qom, in Iran, in 1988. As far as the Government aware, it is not linked to the democratically elected Government of Iran, but is associated with theological schools in Qom.

(7) (a)-(b) To be listed under the legislation recently enacted to allow the listing of the Hizballah External Security Organisation, Noorsoft and/or CRCIS would need to be a derivative organisation of the Hizballah External Security Organisation. The Government has no information of any connection between the Hizballah External Security Organisation and either 'Noorsoft' or the Computer Research Center of Islamic Sciences (CRCIS).

For 'Noorsoft' or the CRCIS to be listed as terrorist organisations in their own right under Australia's terrorism laws, the Attorney-General would need to be satisfied on reasonable grounds that ei-

ther organisation was engaged in, preparing, planning, assisting in or fostering the doing of a terrorist act. The Attorney-General acts on the advice of intelligence agencies in determining whether to list an organisation. I have not received advice that would allow me to make a decision to list Noorsoft or CRCIS.

(c) 'Special Force' cannot be listed under Australia's terrorism laws as it is not an organisation capable of listing.

(d) (i)-(ii) I have asked for this matter to be referred to Community Liaison Scheme (CLS) staff at the Office of Film and Literature Classification for investigation and appropriate action. The CLS is a joint Commonwealth, State and Territory initiative with national coverage. CLS staff fulfil an educative role, assisting retailers and distributors of publications, films and computer games to comply with their legal obligations under the national classification scheme, and to identify breaches of classification laws.

In the event that the CLS investigation reveals that 'Special Force' is being sold in Australia, I have asked that the matter be referred back to the Director of the Classification Board for consideration, in relation to exercising his powers to call in a product for classification.

(8) Australia raises issues of concern with Iran in a frank way, including on terrorism. During Mr Downer's visit to Iran from 24 to 25 May, he urged Iran to support the Road Map to Middle East Peace.

Defence: Tasmanian Personnel

(Question No. 2138)

Ms O'Byrne asked the Minister representing the Minister for Defence, upon notice, on 11 August 2003:

(1) How many Tasmanians are currently enlisted in the Australian Defence Force.

(2) How many Tasmanians have enlisted in the Australian Defence Force since 1990.

Mrs Vale—The answer to the honourable member's question is as follows:

(1) It is not possible to determine an accurate figure for the number of Tasmanians currently serving in the Australian Defence Force (ADF). For example, the state of birth and the state of enlistment may differ. State of enlistment has not been recorded by the Navy since July 2002, nor by the Army or Air Force since February 2002.

It is estimated that the number of Tasmanian personnel currently serving in the ADF is between 2,000 and 2,500.

(2) Since electronic recruiting records were commenced on 22 January 1991, 4031 Tasmanians have been enlisted in the ADF. The database that holds this information is used to match recruiting targets against achievement on a state-by-state basis.

Barton Electorate: Programs and Grants

(Question No. 2162)

Mr McClelland asked the Minister for Citizenship and Multicultural Affairs, upon notice, on 11 August 2003:

(1) What programs have been introduced, continued or renewed by the Minister's Department in the electoral division of Barton since 1996.

(2) What grants and or benefits have been provided to individuals, businesses and organisations by the Minister's Department in the electoral division of Barton since 1996.

Mr Hardgrave—The answer to the honourable member's question is as follows:

(1) The programs that have been introduced, continued or renewed by the Department of Immigration and Multicultural and Indigenous Affairs since March 1996 and which may have benefited organisations in the electoral division of Barton are:

- The Migrant Resource Centre (MRC) core funding program commenced in 1978 and is ongoing;
- The Living in Harmony (LIH) Community Grants Initiative commenced in 1998 and is ongoing;
- The Adult Migrant English Program (AMEP) commenced in 1948 and is ongoing;
- The Special Preparatory Program providing additional AMEP tuition for eligible humanitarian entrants commenced July 1998;
- The Home Tutor Scheme Enhancement Program supporting the provision of English language assistance by community agencies commenced July 1998;
- The Integrated Humanitarian Settlement Strategy (IHSS) was introduced in 1998, and is designed to provide intensive initial settlement support to newly arrived Humanitarian Program entrants throughout Australia;
- The Grant-in-Aid (GIA) Scheme commenced in 1968 and Migrant Access Projects (MAPS) Scheme in 1988. They were replaced in 1997 by the Community Settlement Services Scheme (CSSS) program; and
- The Immigration Advice and Application Assistance Scheme (IAAAS) and the Asylum Seekers Assistance (ASA) scheme can be accessed by any eligible asylum seekers and others seeking immigration advice throughout Australia. The delivery of IAAAS commenced in 1997, and the delivery of ASA commenced in 1992. Both are ongoing.

(2) The Department does not collect data by electorate. The addresses and postcodes of organisations receiving funding have been used to identify the funding provided to the electorate of Barton for the Migrant Resource Centre, Living in Harmony, GIA and CSSS Programs. The use of AMEP, Special Preparatory Program and Home Tutor Scheme Enhancement Program by residents in the electorate of Barton has been assessed on the basis of postcode information on enrolled students.

Grants and or benefits provided to individuals, businesses and organisations by the Department of Immigration and Multicultural and Indigenous Affairs in the electoral division of Barton since 1996 are as follows:

- Core funding to the St George Migrant Resource Centre Inc located in Rockdale, Sydney is shown in the following table:

Year	Funding amount allocated to St George Migrant Resource Centre Inc
1995-06	$307,268
1996-07	$359,340
1997-08	$350,593
1998-99	$338,899
1999-2000	$288,077
2000-01	$293,839
2001-02	$299,715
2002-03	$325,895
2003-04	$311,823

- Funding under the Living in Harmony Community Grants initiative was awarded to the following organisations in the Barton electorate:

  - $50,438 was awarded to the Action for World Development in Turella in 1999; and

  - $37,400 was awarded to the St George Migrant Resource Centre in 2002.

- More than 5,600 AMEP clients resident in the Barton electorate participated in AMEP classroom tuition, distance learning or home-tutoring in the period from 1996 to June 2003. AMEP funding in the Barton electorate in this period was approximately $12.9m (based on estimated average cost per client). 254 of these clients received additional Special Preparatory Program tuition from July 1998 to June 2003 at an approximate cost of $280,000 (based on estimated average cost per client). Community agencies in the local area have also received support in the provision of English language assistance through the Home Tutor Scheme Enhancement Program.
- Funding under the GIA and the CSSS Schemes was awarded to the following organisations located within the Barton electorate:

Grant-In-Aid (GIA) Scheme

Year	Organisation	Amount
1996	Afghan Community	$47,596
1996	Al Zahra Muslim	$47,595
1996	Anglican Home Mission Society (Care Force)	$54,276
1996	Armenian Community Welfare Committee (Dioceses of the Armenian Church of Australia and NZ)	$47,595
1996	Asian Women at Work Inc (transferred from Urban Rural Movement Australia Inc 18/1/96)	$23,798
1996	Association of NESB Women of Australia Inc	$61,771
1996	St George Lebanese Joint Committee Inc	$47,596

Community Settlement Services Scheme (CSSS)

Year	Organisation	Amount
1997	Al Zahra Muslim Women's Association Inc	$48,358
1997	Macedonian Australian Welfare Association of Sydney Inc	$55,145
1997	St George Lebanese Joint Committee Inc	$48,358
1997	St George MRC	$46,423
1998	Al Zahra Muslim Women's Association Inc	$49,131
1998	Coptic Orthodox Church NSW	$24,566
1998	Macedonian-Australian Welfare	$56,027
1998	St George Lebanese Joint Committee Inc	$49,131
1998	St George MRC	$47,166
1999	Al Zahra Muslim Women's Association	$49,917
1999	Coptic Orthodox Church NSW	$24,958
1999	South Region (NSW) Chinese Community Association Inc	$5,000
1999	Macedonian Australian Welfare Association of Sydney Inc	$59,295
1999	St George Lebanese Joint Committee	$24,958
1999	St George MRC	$79,655
1999	Coptic Orthodox Church – Diocese of NSW	$24,958
2000	South Region (NSW) Chinese Community Association Inc	$5,000
2000	St George MRC	$80,838
2000	St George Lebanese Joint Committee	$25,358
2000	Macedonian Australian Welfare Association of Sydney Inc	$60,243
2000	Al Zahra Muslim Women's Association	$50,716
2001	Coptic Orthodox Church – Diocese of NSW	$25,764
2001	Macedonian Australian Welfare Association of Sydney Inc	$61,400
2001	St George Lebanese Joint Committee	$25,763
2001	St George MRC	$82,131

Year	Organisation	Amount
2002	St George MRC	$90,000
2002	St George Lebanese Joint Committee	$56,000
2002	Macedonian Australian Welfare Association of Sydney Inc	$62,700
2002	Al Zahra Muslim Women's Association	$60,000
2002	Coptic Orthodox Church - Diocese of NSW	$30,000
2003	Coptic Orthodox Church - Diocese of NSW	$45,900
2003	St George Lebanese Joint Committee	$22,950
2003	St George MRC	$45,810

- As IAAAS community services are delivered by contracted service providers at a State/Territory level, and the ASA scheme is delivered by the Australian Red Cross on a national basis, funding for these programs cannot be broken down by electorate.

Iraq

(Question No. 2181)

Mrs Irwin asked the Minister representing the Minister for Health and Ageing, upon notice, on 11 August 2003:

(1) Has the Government offered medical treatment in Australia for Iraqi civilians injured during the Iraq War.

(2) Has the Government received requests from any agencies to provide surgical or other treatment in Australia for Iraqi civilians.

(3) Have any Iraqi civilian victims been treated in Australia at Government expense.

(4) Does the Government have any program which would allow for the treatment in Australia of Iraqi civilians injured during the Iraq War.

Mr Andrews—The Minister for Health and Ageing has provided the following answer to the honourable member's question:

(1) No.

(2) Yes. The Government was approached by the US military, with a request to provide medical treatment in Australia to one Iraqi civilian, who suffered serious burns while assisting the US military. The Government agreed to the request. However, the assessment of US medical authorities in Iraq was that his medical condition would have been adversely affected by a long flight, and they subsequently decided that due to his family circumstances he should be treated at a facility in the Middle East.

(3) No.

(4) No. Any further requests for such assistance would have to be considered on a case-by-case basis.

Defence: Service Medals

(Question No. 2201)

Mr McClelland asked the Minister Assisting the Minister for Defence, upon notice, on 12 August 2003:

(1) What is the current delay in the Army Medals Section of the Department of Defence for processing applications for military awards predating 1975.

(2) What steps are being taken by the Army Medals Section, the Department and/or her office to notify applicants for awards of the anticipated delay and what steps are being taken by the section, the Department and/or her office to reduce that delay.

Mrs Vale—The answer to the honourable member's question is as follows:

(1) Applications as at May 2002 are currently being processed.

(2) Applicants are advised of the expected time it will take to process their applications when they are acknowledged. Regular updates are also to be promulgated by Defence, beginning in the near future, concerning the status of backlogs and other honours and awards matters as part of a newly established communications program.

The Government's ongoing commitment to honour the service of Australia's current and former Defence Force members has resulted in the establishment of new medals and the widening of the eligibility criteria for existing medals. In particular, recent reviews, the establishment of the Anniversary of National Service 1951-1972 Medal and the increased operational tempo of the Defence Force generates thousands of enquiries and delays of some months in processing applications for awards.

To ensure fairness, each enquiry is processed in order of receipt. Every effort is made to ensure that eligible recipients receive their awards as quickly as possible. The process has been reviewed and, where possible, streamlined, to reduce the backlog. I am pleased to say that there are a number of initiatives now in place aimed at introducing efficiencies and reducing the applications backlog, and these include:

- the collocation of all Honours and Awards functions previously undertaken in Canberra, Melbourne and Queanbeyan to one complex in the ACT in February 2003;
- the recruitment of new staff to replace staff not transferring from Melbourne; and
- the planned introduction of a new application processing system in the near future.

The Directorate in Canberra is working hard to reduce the backlogs. Once new staff are trained and all outstanding applications transferred to Tuggeranong are acknowledged, it is expected that backlogs will begin to reduce quickly.

Defence: Depleted Uranium Munitions

(Question No. 2233)

Mr Bevis asked the Minister representing the Minister for Defence, upon notice, on 12 August 2003:

(1) Do any Australian troops currently use depleted uranium munitions; if so, which groups and in what circumstances

(2) Are depleted uranium munitions used on any Australian military ranges by forces from Australia or any other nation; if so, by which forces and which ranges are they used.

(3) On what occasions have they been used.

(4) What training have Australian troops, and in particular those troops who served in Afghanistan and Iraq, received in procedures for fighting in a theatre of war where depleted uranium munitions are used.

(5) Have all Australian troops involved in (a) the recent Afghanistan conflict and (b) the recent conflict in Iraq been comprehensively tested for effects associated with radioactive material including depleted uranium munitions.

(6) Are depleted uranium munitions to be used at the Lancelin Range in Western Australia by (a) Australian, (b) American, or (c) any other military forces; if so, what munitions are involved and what safety protocols are to be followed.

Mrs Vale—The Minister for Defence has provided the following answer to the honourable member's question:

(1) No.

(2) No.

(3) Refer to part (2).

(4) Defence conducts depleted uranium awareness training for personnel who are deploying to any area where a risk assessment indicates that potential health risks from Depleted Uranium are likely.

(5) The Government is aware that the United States (US) has deployed numerous military health physicists and radiation protection officers to Iraq as part of Operation Iraqi Freedom. US coalition forces were and are available to perform radiation protection services for Australian Defence Force (ADF) personnel if required. In view of the wide range of operational, occupational and environmental hazards, ADF personnel deployed to the Middle East Area of Operations are currently offered a post-deployment medical screen as soon as practicable on return to Australia. All tests conducted to date have been within the normal range.

(6) (a), (b) and (c) No.

Defence: Severn, Mr Roger

(Question No. 2264)

Mr Edwards asked the Minister Assisting the Minister for Defence, upon notice, on 1 August 2003:

(1) Is she aware that Mr Roger Severn, army number 513958 and whose date of birth is 03/03/1947, was a serving member of the CMF when he was conscripted.

(2) Is she also aware that Mr Severn, who opted to continue his CMF service for the prescribed period as an alternative to full-time national service, has now had his application for the National Service Commemorative Medal refused.

(3) On what basis was Mr Severn's medal refused.

(4) How many other serviceman in similar circumstances have been refused this medal.

(5) What steps are being taken to ensure that serviceman who have demonstrated an entitlement to medals are issued with those medals.

Mrs Vale—The answer to the honourable member's question is as follows:

(1) Yes.

(2) Mr Severn qualifies for the Anniversary of National Service 1951-1972 Medal (ANSM) and was approved for its issue on 21 August 2003. Medals are normally forwarded to recipients within three weeks of approval.

(3) There is no record held in the Directorate of Honours and Awards to indicate that Mr Severn has been formally advised of his ineligibility for the ANSM.

(4) Individuals in Mr Severn's situation are not refused an award of the ANSM.

(5) Where departmental records indicate, or individuals are able to demonstrate eligibility for the ANSM on application, they are issued with their medals.

Defence: Service Medals

(Question No. 2265)

Mr Edwards asked the Minister Assisting the Minister for Defence, upon notice, on 14 August 2003:

(1) What steps has she taken to ensure that the severe backlog of medals applications is being addressed and when can the thousands of ex-service personnel who have waited in many instances longer than twelve months for their medals expect to have them delivered.

Mrs Vale—The answer to the honourable member's question is as follows:

(1) The Government's ongoing commitment to honour the service of Australia's current and former Defence Force members has resulted in the establishment of new medals and the widening of the eligibility criteria for existing medals. In particular, recent reviews, the establishment of the Anniversary of National Service 1951-1972 Medal and the increased operational tempo of the Defence Force generates thousands of enquiries and delays of some months in processing applications for awards.

To ensure fairness, each enquiry is processed in order of receipt. Every effort is made to ensure that eligible recipients receive their awards as quickly as possible. The process has been reviewed and, where possible, streamlined, to reduce the backlog. I am pleased to advise that there are a number of initiatives now in place aimed at introducing efficiencies and reducing the applications backlog, which include:

(a) the collocation of all Honours and Awards functions previously undertaken in Canberra, Melbourne and Queanbeyan, to one complex in the ACT was completed in February 2003;

(b) the recruitment of new staff to replace staff not transferring from Melbourne; and

(c) the introduction of a new application processing system, due to be introduced in the near future.

The Directorate in Canberra is working hard to reduce the backlog. Once staff are trained and all outstanding applications transferred to Tuggeranong are acknowledged, it is expected that backlogs will begin to reduce quickly.

Defence: Visiting Warships

(Question No. 2282)

Mr Melham asked the Minister representing the Minister for Defence, upon notice, on 18 August 2003:

In respect of each visit to an Australian port by a nuclear powered warship during the period January 1992 to July 2003, (a) what was the name and nationality of the visiting warship, (b) what was the type or class of the warship, (c) which Australian port did the warship visit, and (d) what were the dates of arrival and departure from the port.

Mrs Vale—The Minister for Defence has provided the following answer to the honourable member's question:

Defence does not have reliable data prior to 1996 on nuclear powered warship visits. Additional information regarding nuclear powered warship visits prior to 1996 may be available in archives, however it would require more time and resources to be accessed. Information answering the honourable member's question from 1996 onwards is contained in the attached table. In this period, there was a total of 86 nuclear powered warship visits to Australian ports.

SHIP	NATIONALITY	CLASS	PORT	ARRIVED	DEPARTED
USS CHICAGO	USA	SSN	Brisbane	12/01/1996	17/01/1996
USS HONOLULU	USA	SSN	Brisbane	20/01/1996	26/01/1996
USS PINTADO	USA	SSN	Brisbane	08/07/1996	15/07/1996
USS HAWKBILL	USA	SSN	Darwin	27/09/1996	02/10/1996
USS HAWKBILL	USA	SSN	HMAS STIRLING	13/10/1996	14/10/1996
USS HAWKBILL	USA	SSN	HMAS STIRLING	17/10/1996	21/10/1996
USS CARL VINSON	USA	CVN	Hobart	20/10/1996	25/10/1996

SHIP	NATIONALITY	CLASS	PORT	ARRIVED	DEPARTED
USS CALIFORNIA	USA	CGN	Melbourne	20/10/1996	25/10/1996
USS ARKANSAS	USA	CGN	Melbourne	20/10/1996	25/10/1996
USS SALT LAKE CITY	USA	SSN	Brisbane	22/03/1997	26/03/1997
USS KEY WEST	USA	SSN	HMAS STIRLING	30/04/1997	05/05/1997
HMS TRENCHANT	UK	SSN	HMAS STIRLING	07/07/1997	17/07/1997
USS CAVALLA	USA	SSN	HMAS STIRLING	13/07/1997	16/07/1997
HMS TRAFALGAR	UK	SSN	HMAS STIRLING	14/07/1997	21/07/1997
USS CAVALLA	USA	SSN	HMAS STIRLING	23/07/1997	28/07/1997
USS OLYMPIA	USA	SSN	HMAS STIRLING	10/02/1998	16/02/1998
USS WILLIAM H BATES	USA	SSN	Brisbane	17/02/1998	23/02/1998
USS POGEY	USA	SSN	Brisbane	19/07/1998	24/07/1998
USS STENNIS	USA	CVN	Fremantle	28/07/1998	01/08/1998
USS STENNIS	USA	CVN	Hobart	05/08/1998	08/08/1998
USS SAN FRANSISCO	USA	SSN	Brisbane	22/09/1998	28/09/1998
USS TREPANG	USA	SSN	HMAS STIRLING	27/10/1998	01/11/1998
USS JEFFERSON CITY	USA	SSN	HMAS STIRLING	03/11/1998	09/11/1998
USS ABRAHAM LINCOLN	USA	CVN	Fremantle	03/11/1998	08/11/1998
USS ABRAHAM LINCOLN	USA	CVN	Hobart	12/11/1998	17/11/1998
USS JEFFERSON CITY	USA	SSN	Gladstone	23/11/1998	29/11/1998
USS LOUISVILLE	USA	SSN	Brisbane	16/03/1999	22/03/1999
USS CARL VINSON	USA	CVN	Fremantle	29/03/1999	03/04/1999
USS CARL VINSON	USA	CVN	Hobart	07/04/1999	12/04/1999
USS WILLIAM H. BATES	USA	SSN	Brisbane	27/06/1999	03/07/1999
USS BUFFALO	USA	SSN	Brisbane	13/10/1999	19/10/1999
USS PORTSMOUTH	USA	SSN	Brisbane	20/11/1999	29/11/1999
USS LOS ANGLES	USA	SSN	HMAS STIRLING	24/11/1999	01/12/1999
USS LOS ANGLES	USA	SSN	HMAS STIRLING	08/12/1999	11/12/1999
USS LOS ANGLES	USA	SSN	Hobart	16/12/1999	20/12/1999
USS TOPEKA	USA	SSN	Brisbane	11/02/2000	17/02/2000
USS JEFFERSON CITY	USA	SSN	HMAS STIRLING	31/05/2000	09/06/2000
USS STENNIS	USA	CVN	Fremantle	04/06/2000	07/06/2000
USS SALT LAKE CITY	USA	SSN	Gladstone	09/06/2000	15/06/2000
USS STENNIS	USA	CVN	Hobart	12/06/2000	17/06/2000

SHIP	NATIONALITY	CLASS	PORT	ARRIVED	DEPARTED
USS SALT LAKE CITY	USA	SSN	Jervis Bay	19/06/2000	19/06/2000
USS SALT LAKE CITY	USA	SSN	Jervis Bay	21/06/2000	21/06/2000
USS SALT LAKE CITY	USA	SSN	Hobart	23/06/2000	28/06/2000
USS HOUSTON	USA	SSN	Brisbane	03/10/2000	09/10/2000
USS ABRAHAM LINCOLN	USA	CVN	Fremantle	12/01/2001	17/01/2001
USS CHEYENNE	USA	SSN	HMAS STIRLING	12/01/2001	17/01/2001
USS ABRAHAM LINCOLN	USA	CVN	Hobart	20/01/2001	25/01/2001
USS CHEYENNE	USA	SSN	Hobart	22/01/2001	27/01/2001
USS CHEYENNE	USA	SSN	Brisbane	30/01/2001	30/01/2001
FS PERLE	France	SSN	HMAS STIRLING	06/03/2001	12/03/2001
FS PERLE	France	SSN	HMAS STIRLING	16/03/2001	16/03/2001
FS PERLE	France	SSN	HMAS STIRLING	23/03/2001	26/03/2001
USS COLUMBIA	USA	SSN	HMAS STIRLING	11/04/2001	20/04/2001
USS KAMEHAMEHA	USA	SSN	Brisbane	03/05/2001	07/05/2001
USS LOUISVILLE	USA	SSN	Gladstone	09/05/2001	15/05/2001
USS KAMEHAMEHA	USA	SSN	Brisbane	23/05/2001	29/05/2001
USS LOUISVILLE	USA	SSN	Gladstone	23/05/2001	23/05/2001
USS KAMEHAMEHA	USA	SSN	Brisbane	01/06/2001	01/06/2001
USS ASHEVILLE	USA	SSN	HMAS STIRLING	31/07/2001	08/08/2001
USS CHICAGO	USA	SSN	HMAS STIRLING	02/08/2001	08/08/2001
USS ASHEVILLE	USA	SSN	HMAS STIRLING	11/08/2001	11/08/2001
USS ASHEVILLE	USA	SSN	HMAS STIRLING	13/08/2001	13/08/2001
USS ASHEVILLE	USA	SSN	HMAS STIRLING	15/08/2001	20/08/2001
USS ASHEVILLE	USA	SSN	HMAS STIRLING	24/08/2001	29/08/2001
USS PORTSMOUTH	USA	SSN	HMAS STIRLING	18/01/2002	29/01/2002
USS STENNIS	USA	CVN	Fremantle	28/04/2002	02/05/2002
USS STENNIS	USA	CVN	Hobart	06/05/2002	11/05/2002
USS SALT LAKE CITY	USA	SSN	HMAS STIRLING	08/05/2002	14/05/2002
USS JEFFERSON CITY	USA	SSN	HMAS STIRLING	14/06/2002	19/06/2002
USS LA JOLLA	USA	SSN	Brisbane	19/08/2002	20/08/2002
USS LA JOLLA	USA	SSN	Brisbane	28/08/2002	03/09/2002

SHIP	NATIONALITY	CLASS	PORT	ARRIVED	DEPARTED
USS ABRAHAM LINCOLN	USA	CVN	Fremantle	22/12/2002	28/12/2002
USS CHEYENNE	USA	SSN	HMAS STIRLING	23/12/2002	02/01/2003
USS ABRAHAM LINCOLN	USA	CVN	Fremantle	06/01/2003	20/01/2003
USS HONOLULU	USA	SSN	HMAS STIRLING	16/01/2003	24/01/2003
USS HONOLULU	USA	SSN	Fremantle	25/01/2003	25/01/2003
USS HONOLULU	USA	SSN	Brisbane	31/01/2003	06/02/2003
USS LOUISVILLE	USA	SSN	HMAS STIRLING	03/02/2003	12/02/2003
USS COLUMBIA	USA	SSN	HMAS STIRLING	31/03/2003	05/04/2003
USS COLUMBIA	USA	SSN	HMAS STIRLING	08/04/2003	14/04/2003
USS KEY WEST	USA	SSN	HMAS STIRLING	14/04/2003	21/04/2003
USS LOUISVILLE	USA	SSN	HMAS STIRLING	21/04/2003	28/04/2003
USS COLUMBIA	USA	SSN	Brisbane	16/05/2003	27/05/2003
USS LOS ANGELES	USA	SSN	HMAS STIRLING	13/06/2003	20/06/2003
USS CARL VINSON	USA	CVN	Fremantle	14/07/2003	18/07/2003
USS OLYMPIA	USA	SSN	HMAS STIRLING	30/07/2003	05/08/2003

Defence: Visiting Warships

(Question No. 2283)

Mr Melham asked the Minister representing the Minister for Defence, upon notice, on 18 August 2003:

In respect of each visit to an Australian port by a United States Navy vessel during the period January 2001 to July 2003, (a) what was the name of the vessel, (b) what was the type or class of the vessel, (c) was the vessel nuclear powered, (d) which Australian port did the warship visit, and (e) what were the dates of arrival and departure from the port.

Mrs Vale—The Minister for Defence has provided the following answer to the honourable member's question:

Over this period, there were a total of 260 United States ships visits made to 15 Australian ports. The attached table outlines the details asked in the member's question.

SHIP NAME	CLASS	TYPE	NPW?	PORT	ARRIVE	DEPART
USS CAMDEN	Sacremento	Fast Combat Support Ship		Fremantle	12/01/2001	17/01/2001
USS BUNKER HILL	Ticonderonga	Cruiser		Fremantle	12/01/2001	17/01/2001
USS ABRAHAM LINCOLN	Nimitz	Aircraft Carrier	Yes	Fremantle	12/01/2001	17/01/2001

SHIP NAME	CLASS	TYPE	NPW?	PORT	ARRIVE	DEPART
USS CHEYENNE	Los Angeles	Attack Submarine	Yes	HMAS STIRLING	12/01/2001	17/01/2001
USS PAUL HAMILTON	Arleigh Burke	Destroyer		Darwin	13/01/2001	16/01/2001
USS CROMMELIN	Oliver Hazard Perry	Frigates		Darwin	13/01/2001	16/01/2001
USS FLETCHER	Spruance	Destroyer		Darwin	13/01/2001	16/01/2001
USS SHILOH	Ticonderonga	Cruiser		Melbourne	16/01/2001	21/01/2001
USS PAUL HAMILTON	Arleigh Burke	Destroyer		Townsville	20/01/2001	25/01/2001
USS ABRAHAM LINCOLN	Nimitz	Aircraft Carrier	Yes	Hobart	20/01/2001	25/01/2001
USS CROMMELIN	Oliver Hazard Perry	Frigates		Cairns	21/01/2001	26/01/2001
USS CHEYENNE	Los Angeles	Attack Submarine	Yes	Hobart	22/01/2001	27/01/2001
USNS NAVAJO	Powhatan	Fleet Ocean Tugs		Newcastle	23/01/2001	23/01/2001
USS SHILOH	Ticonderonga	Cruiser		Sydney	23/01/2001	28/01/2001
USNS NAVAJO	Powhatan	Fleet Ocean Tugs		Sydney	23/01/2001	28/01/2001
USS CAMDEN	Sacremento	Fast Combat Support Ship		Sydney	23/01/2001	28/01/2001
USS BUNKER HILL	Ticonderonga	Cruiser		Sydney	23/01/2001	28/01/2001
USS FLETCHER	Spruance	Destroyer		Townsville	25/01/2001	29/01/2001
USS PAUL HAMILTON	Arleigh Burke	Destroyer		Brisbane	27/01/2001	04/02/2001
USS CROMMELIN	Oliver Hazard Perry	Frigates		Brisbane	28/01/2001	04/02/2001
USS CHEYENNE	Los Angeles	Attack Submarine	Yes	Brisbane	30/01/2001	30/01/2001
USNS NIAGRA FALLS	Naval Fleet Auxiliary Force	Combat Stores Ships		Sydney	02/02/2001	10/02/2001
USNS NIAGRA FALLS	Naval Fleet Auxiliary Force	Combat Stores Ships		Cairns	15/02/2001	20/02/2001
USS CURTIS WILBUR	Arleigh Burke	Destroyer		Darwin	16/02/2001	21/02/2001
USS JUNEAU	Austin	Amphibious Transport Docks		Darwin	16/02/2001	21/02/2001
USNS NIAGRA FALLS	Naval Fleet Auxiliary Force	Combat Stores Ships		Darwin	24/02/2001	28/02/2001
USS CURTIS WILBUR	Arleigh Burke	Destroyer		Darwin	27/02/2001	27/02/2001
USCGC POLAR SEA	Polar	Icebreaker		Adelaide	03/03/2001	09/03/2001

SHIP NAME	CLASS	TYPE	NPW?	PORT	ARRIVE	DEPART
USCGC POLAR SEA	Polar	Icebreaker		Newcastle	14/03/2001	19/03/2001
USNS SAN JOSE	Naval Fleet Auxiliary Force	Combat Stores Ships		Sydney	04/04/2001	08/04/2001
USS THACH	Oliver Hazard Perry	Frigates		Sydney	04/04/2001	09/04/2001
USS KINKAID	Spruance	Destroyer		Sydney	04/04/2001	09/04/2001
USS CONSTELLATION	Kitty Hawk	Aircraft Carrier		Sydney	05/04/2001	09/04/2001
USS BENFOLD	Arleigh Burke	Destroyer		Melbourne	05/04/2001	11/04/2001
USS CHOSIN	Ticonderonga	Cruiser		Melbourne	05/04/2001	11/04/2001
USNS WALTER S DIEHL	Henry J Kaiser	Oiler		Melbourne	06/04/2001	11/04/2001
USS RANIER	Supply	Fast Combat Support Ship		Melbourne	06/04/2001	11/04/2001
USS CLEVELAND	Austin	Amphibious Transport Docks		Darwin	07/04/2001	08/04/2001
USS BOXER	Wasp	Amphibious Assault Ships		Darwin	07/04/2001	08/04/2001
USNS SPICA	Naval Fleet Auxiliary Force	Combat Stores Ships		Darwin	07/04/2001	12/04/2001
USNS KISKA	Naval Fleet Auxiliary Force	Ammunition Ship		Darwin	07/04/2001	13/04/2001
USS COLUMBIA	Los Angeles	Attack Submarine	Yes	HMAS STIRLING	11/04/2001	20/04/2001
USS KINKAID	Spruance	Destroyer		Adelaide	12/04/2001	16/04/2001
USS THACH	Oliver Hazard Perry	Frigates		Adelaide	12/04/2001	16/04/2001
USNS SAN JOSE	Naval Fleet Auxiliary Force	Combat Stores Ships		Fremantle	14/04/2001	20/04/2001
USS RANIER	Supply	Fast Combat Support Ship		Fremantle	16/04/2001	20/04/2001
USS BENFOLD	Arleigh Burke	Destroyer		Fremantle	16/04/2001	20/04/2001
USS CONSTELLATION	Kitty Hawk	Aircraft Carrier		Fremantle	16/04/2001	20/04/2001
USS CHOSIN	Ticonderonga	Cruiser		Fremantle	16/04/2001	20/04/2001
USS BLUE RIDGE	Blue Ridge	Command Ships		Darwin	29/04/2001	03/05/2001
USS KAMEHAMEHA	Los Angeles	Submarine	Yes	Brisbane	03/05/2001	07/05/2001

SHIP NAME	CLASS	TYPE	NPW?	PORT	ARRIVE	DEPART
MV 1ST LT JACK LUMMUS	Naval Fleet Auxiliary Force	Maritime Prepositioning Ships		Gladstone	05/05/2001	13/05/2001
USS BLUE RIDGE	Blue Ridge	Command Ships		Cairns	07/05/2001	15/05/2001
USS LOUISVILLE	Los Angeles	Attack Submarine	Yes	Gladstone	09/05/2001	15/05/2001
USS ESSEX	Wasp	Amphibious Assault Ships		Townsville	10/05/2001	15/05/2001
USS GERMANTOWN	Whidbey Island	Amphibious Cargo Ship		Cairns	10/05/2001	15/05/2001
USS JUNEAU	Austin	Amphibious Transport Docks		Mackay	10/05/2001	15/05/2001
USNS RAPPAHANNOCK	Naval Fleet Auxiliary Force	Oiler		Brisbane	12/05/2001	14/05/2001
USNS NIAGRA FALLS	Naval Fleet Auxiliary Force	Combat Stores Ships		Brisbane	14/05/2001	17/05/2001
MV 1ST LT JACK LUMMUS	Naval Fleet Auxiliary Force	Maritime Prepositioning Ships		Gladstone	16/05/2001	21/05/2001
USNS FLINT	Naval Fleet Auxiliary Force	Ammunition Ship		Darwin	17/05/2001	22/05/2001
USS BLUE RIDGE	Blue Ridge	Command Ships		Townsville	21/05/2001	26/05/2001
USS LOUISVILLE	Los Angeles	Attack Submarine	Yes	Gladstone	23/05/2001	23/05/2001
USS KAMEHAMEHA	Los Angeles	Submarine	Yes	Brisbane	23/05/2001	29/05/2001
USNS RAPPAHANNOCK	Naval Fleet Auxiliary Force	Oiler		Brisbane	23/05/2001	29/05/2001
USS LOUISVILLE	Los Angeles	Attack Submarine	Yes	Gladstone	23/05/2001	23/05/2003
USS PAUL F FOSTER	Spruance	Destroyer		Darwin	24/05/2001	25/05/2001
USS CURTIS WILBUR	Arleigh Burke	Destroyer		Brisbane	24/05/2001	29/05/2001
USS JOHN S MCCAIN	Arleigh Burke	Destroyer		Newcastle	24/05/2001	29/05/2001
USS GARY	Oliver Hazard Perry	Frigates		Sydney	24/05/2001	29/05/2001
USS STETHEM	Arleigh Burke	Destroyer		Darwin	24/05/2001	29/05/2001
USS CHANCELLORSVILLE	Ticonderonga	Cruiser		Sydney	24/05/2001	29/05/2001

SHIP NAME	CLASS	TYPE	NPW?	PORT	ARRIVE	DEPART
USS KITTY HAWK	Kitty Hawk	Aircraft Carrier		Sydney	24/05/2001	29/05/2001
USNS NIAGRA FALLS	Naval Fleet Auxiliary Force	Combat Stores Ships		Cairns	26/05/2001	31/05/2001
USS GERMANTOWN	Whidbey Island	Amphibious Cargo Ship		Mackay	27/05/2001	02/06/2001
USS JUNEAU	Austin	Amphibious Transport Docks		Brisbane	28/05/2001	02/06/2001
USS ESSEX	Wasp	Amphibious Assault Ships		Brisbane	28/05/2001	02/06/2001
USS BLUE RIDGE	Blue Ridge	Command Ships		Sydney	29/05/2001	04/06/2001
USS PAUL F FOSTER	Spruance	Destroyer		Mackay	29/05/2001	05/06/2001
USS KAMEHAMEHA	Los Angeles	Submarine	Yes	Brisbane	01/06/2001	01/06/2001
MV 1ST LT JACK LUMMUS	Naval Fleet Auxiliary Force	Maritime Prepositioning Ships		Gladstone	01/06/2001	13/06/2001
USS STETHEM	Arleigh Burke	Destroyer		Cairns	02/06/2001	07/06/2001
USNS WALTER S DIEHL	Henry J Kaiser	Oiler		Darwin	28/06/2001	03/07/2001
USS OBRIEN	Spruance	Destroyer		Darwin	28/06/2001	04/07/2001
USNS NIAGRA FALLS	Naval Fleet Auxiliary Force	Combat Stores Ships		Darwin	29/06/2001	30/06/2001
USS JOHN PAUL JONES	Arleigh Burke	Destroyer		Darwin	02/07/2001	04/07/2001
USS JOHN PAUL JONES	Arleigh Burke	Destroyer		Darwin	07/07/2001	09/07/2001
USS OBRIEN	Spruance	Destroyer		Darwin	07/07/2001	09/07/2001
USNS NIAGRA FALLS	Naval Fleet Auxiliary Force	Combat Stores Ships		Darwin	07/07/2001	10/07/2001
USS FREDERICK	Newport	Tank Landing Ship		Cairns	22/07/2001	26/07/2001
USS FREDERICK	Newport	Tank Landing Ship		Brisbane	29/07/2001	03/08/2001
USS ASHEVILLE	Los Angeles	Attack Submarine	Yes	HMAS STIRLING	31/07/2001	08/08/2001
USS CHICAGO	Los Angeles	Attack Submarine	Yes	HMAS STIRLING	02/08/2001	08/08/2001
USS ASHEVILLE	Los Angeles	Attack Submarine	Yes	HMAS STIRLING	11/08/2001	11/08/2001

SHIP NAME	CLASS	TYPE	NPW?	PORT	ARRIVE	DEPART
USS ASHEVILLE	Los Angeles	Attack Submarine	Yes	HMAS STIRLING	13/08/2001	13/08/2001
USNS PECOS	Henry J Kaiser	Oiler		Darwin	14/08/2001	20/08/2001
USS ASHEVILLE	Los Angeles	Attack Submarine	Yes	HMAS STIRLING	15/08/2001	20/08/2001
USS ASHEVILLE	Los Angeles	Attack Submarine	Yes	HMAS STIRLING	24/08/2001	29/08/2001
USS CHOSIN	Ticonderonga	Cruiser		Darwin	25/08/2001	30/08/2001
USS DUBUQUE	Austin	Amphibious Transport Docks		Darwin	07/09/2001	12/09/2001
USS COMSTOCK	Whidbey Island	Amphibious Cargo Ship		Darwin	07/09/2001	12/09/2001
USS PELELIU	Tarawa	Amphibious Assault Ships		Darwin	07/09/2001	12/09/2001
USNS CONCORD	Naval Fleet Auxiliary Force	Combat Stores Ships		Darwin	14/09/2001	14/09/2001
USS GERMANTOWN	Whidbey Island	Amphibious Cargo Ship		Darwin	23/10/2001	27/10/2001
USS ESSEX	Wasp	Amphibious Assault Ships		Darwin	23/10/2001	27/10/2001
USS FORT MCHENRY	Whidbey Island	Amphibious Cargo Ship		Darwin	23/10/2001	27/10/2001
USS FORT MCHENRY	Whidbey Island	Amphibious Cargo Ship		Darwin	03/11/2001	06/11/2001
USS ESSEX	Wasp	Amphibious Assault Ships		Darwin	03/11/2001	06/11/2001
USS JOHN PAUL JONES	Arleigh Burke	Destroyer		Darwin	12/11/2001	13/11/2001
USS JOHN PAUL JONES	Arleigh Burke	Destroyer		Cairns	16/11/2001	19/11/2001
USCGC POLAR STAR	Polar	Icebreaker		Sydney	30/11/2001	05/12/2001
USCGC POLAR STAR	Polar	Icebreaker		Hobart	07/12/2001	11/12/2001
USNS SAN JOSE	Naval Fleet Auxiliary Force	Combat Stores Ships		Darwin	10/12/2001	11/12/2001
USNS SAN JOSE	Naval Fleet Auxiliary Force	Combat Stores Ships		Darwin	17/12/2001	19/12/2001
USCGC POLAR SEA	Polar	Icebreaker		Sydney	27/12/2001	27/12/2001

SHIP NAME	CLASS	TYPE	NPW?	PORT	ARRIVE	DEPART
USS OKANE	Arleigh Burke	Destroyer		Darwin	28/12/2001	02/01/2002
USS OKANE	Arleigh Burke	Destroyer		Darwin	07/01/2002	07/01/2002
USS OKANE	Arleigh Burke	Destroyer		Townsville	11/01/2002	17/01/2002
USS PORTSMOUTH	Los Angeles	Attack Submarine	Yes	HMAS STIRLING	18/01/2002	29/01/2002
USS DUBUQUE	Austin	Amphibious Transport Docks		Fremantle	28/01/2002	01/02/2002
USS PELELIU	Tarawa	Amphibious Assault Ships		Fremantle	28/01/2002	01/02/2002
USS COMSTOCK	Whidbey Island	Amphibious Cargo Ship		Fremantle	28/01/2002	01/02/2002
USS JUNEAU	Austin	Amphibious Transport Docks		Sydney	28/01/2002	03/02/2002
USS JUNEAU	Austin	Amphibious Transport Docks		Cairns	07/02/2002	11/02/2002
USS COMSTOCK	Whidbey Island	Amphibious Cargo Ship		Sydney	07/02/2002	12/02/2002
USS DUBUQUE	Austin	Amphibious Transport Docks		Sydney	07/02/2002	12/02/2002
USS PELELIU	Tarawa	Amphibious Assault Ships		Sydney	07/02/2002	12/02/2002
USS JUNEAU	Austin	Amphibious Transport Docks		Darwin	15/02/2002	20/02/2002
USS SIDES	Oliver Hazard Perry	Frigate		Sydney	02/03/2002	05/03/2002
USS BLUE RIDGE	Blue Ridge	Command Ship		Darwin	08/03/2002	11/03/2002
USS SIDES	Oliver Hazard Perry	Frigate		Fremantle	10/03/2002	14/03/2002
USS FORD	Oliver Hazard Perry	Frigate		Darwin	17/03/2002	21/03/2002
USS JOHN YOUNG	Spruance	Destroyer		Darwin	18/03/2002	23/03/2002
USNS WALTER S DIEHL	Henry J Kaiser	Oiler		Fremantle	19/03/2002	23/03/2002
USS BLUE RIDGE	Blue Ridge	Command Ship		Brisbane	20/03/2002	25/03/2002
USS FORD	Oliver Hazard Perry	Frigate		Townsville	25/03/2002	30/03/2002
USS RUSSELL	Arleigh Burke	Destroyer		Fremantle	27/03/2002	31/03/2002
USS JOHN YOUNG	Spruance	Destroyer		Townsville	27/03/2002	01/04/2002

SHIP NAME	CLASS	TYPE	NPW?	PORT	ARRIVE	DEPART
USNS CHARLTON	Prepositioning Program	Large Medium Speed Ro, Ro		Fremantle	22/04/2002	19/05/2002
USS LAKE ERIE	Ticonderonga	Cruiser		Sydney	23/04/2002	29/04/2002
USS PORT ROYAL	Ticonderonga	Cruiser		Fremantle	28/04/2002	02/05/2002
USS BRIDGE	Supply	Fast Combat Support Ship		Fremantle	28/04/2002	02/05/2002
USS STENNIS	Nimitz	Aircraft Carrier	Yes	Fremantle	28/04/2002	02/05/2002
USNS CONCORD	Naval Fleet Auxiliary Force	Combat Stores Ships		Darwin	01/05/2002	05/05/2002
USNS FLINT	Naval Fleet Auxiliary Force	Ammunition Ship		Darwin	04/05/2002	10/05/2002
USS BRIDGE	Supply	Fast Combat Support Ship		Melbourne	06/05/2002	11/05/2002
USS STENNIS	Nimitz	Aircraft Carrier	Yes	Hobart	06/05/2002	11/05/2002
USS PORT ROYAL	Ticonderonga	Cruiser		Sydney	07/05/2002	12/05/2002
USS JARRETT	Oliver Hazard Perry	Frigate		Cairns	07/05/2002	12/05/2002
USS SALT LAKE CITY	Los Angeles	Attack Submarine	Yes	HMAS STIRLING	08/05/2002	14/05/2002
USNS KISKA	Naval Fleet Auxiliary Force	Ammunition Ship		Darwin	16/05/2002	23/05/2002
USS PEARL HARBOUR	Harpers Ferry	Amphibious Cargo Ship		Cairns	23/05/2002	28/05/2002
USS BONHOMME RICHARD	Wasp	Amphibious Assault Ship		Townsville	23/05/2002	28/05/2002
USS OGDEN	Austin	Amphibious Transport Docks		Cairns	23/05/2002	28/05/2002
USNS NIAGRA FALLS	Naval Fleet Auxiliary Force	Combat Stores Ships		Cairns	01/06/2002	05/06/2002
USNS NIAGRA FALLS	Naval Fleet Auxiliary Force	Combat Stores Ships		Darwin	08/06/2002	10/06/2002
USS SIDES	Oliver Hazard Perry	Frigate		Broome	12/06/2002	16/06/2002
USS JEFFERSON CITY	Los Angeles	Attack Submarine	Yes	HMAS STIRLING	14/06/2002	19/06/2002

SHIP NAME	CLASS	TYPE	NPW?	PORT	ARRIVE	DEPART
USNS NIAGRA FALLS	Naval Fleet Auxiliary Force	Combat Stores Ships		Darwin	17/06/2002	18/06/2002
USS SIDES	Oliver Hazard Perry	Frigate		Darwin	19/06/2002	24/06/2002
USNS RAPPAHANNOCK	Naval Fleet Auxiliary Force	Oiler		Brisbane	22/06/2002	27/06/2002
USS COWPENS	Ticonderonga	Cruiser		Darwin	13/07/2002	17/07/2002
USS CHANCELLORSVILLE	Ticonderonga	Cruiser		Darwin	03/08/2002	07/08/2002
SS CAPE JACOB	Naval Fleet Auxiliary Force	Ammunition Ship		Fremantle	07/08/2002	06/09/2002
USNS JOHN ERICSSON	Henry J Kaiser	Oiler		Darwin	18/08/2002	24/08/2002
USS LA JOLLA	Los Angeles	Attack Submarine	Yes	Brisbane	19/08/2002	20/08/2002
USS GEORGE PHILIP	Oliver Hazard Perry	Frigate		Darwin	25/08/2002	30/08/2002
USS LA JOLLA	Los Angeles	Attack Submarine	Yes	Brisbane	28/08/2002	03/09/2002
USNS WATSON	Prepositioning Program	Large Medium Speed Ro, Ro		Fremantle	09/09/2002	04/10/2002
USS GEORGE PHILIP	Oliver Hazard Perry	Frigate		Cairns	10/09/2002	15/09/2002
USS HOPPER	Arleigh Burke	Destroyer		Darwin	11/09/2002	15/09/2002
USNS RAPPAHANNOCK	Naval Fleet Auxiliary Force	Oiler		Darwin	11/09/2002	16/09/2002
USS HOPPER	Arleigh Burke	Destroyer		Townsville	18/09/2002	22/09/2002
USS HARPERS FERRY	Harpers Ferry	Amphibious Cargo Ship		Darwin	26/10/2002	29/10/2002
USS BELLEAU WOOD	Tarawa	Amphibious Assault Ship		Darwin	12/11/2002	15/11/2002
USS DENVER	Austin	Amphibious Transport Docks		Darwin	12/11/2002	15/11/2002
USS MOUNT VERNON	Anchorage	Amphibious Cargo Ship		Darwin	12/11/2002	15/11/2002

SHIP NAME	CLASS	TYPE	NPW?	PORT	ARRIVE	DEPART
SPEARHEAD	Research Ship	High Speed Theatre Support Vessel		Hobart	14/11/2002	03/12/2002
USNS GUADALUPE	Henry J Kaiser	Oiler		Darwin	15/11/2002	18/11/2002
USCGC POLAR SEA	Polar	Icebreaker		Sydney	02/12/2002	07/12/2002
SPEARHEAD	Research Ship	High Speed Theatre Support Vessel		Jervis Bay	05/12/2002	05/12/2002
SPEARHEAD	Research Ship	High Speed Theatre Support Vessel		Sydney	05/12/2002	07/12/2002
USCGC POLAR SEA	Polar	Icebreaker		Hobart	09/12/2002	14/12/2002
SPEARHEAD	Research Ship	High Speed Theatre Support Vessel		Fremantle	18/12/2002	21/12/2002
USS SHILOH	Ticonderonga	Cruiser		Fremantle	22/12/2002	28/12/2002
USS ABRAHAM LINCOLN	Nimitz	Aircraft Carrier	Yes	Fremantle	22/12/2002	28/12/2002
USS CHEYENNE	Los Angeles	Attack Submarine	Yes	HMAS STIRLING	23/12/2002	02/01/2003
USS MOBILE BAY	Ticonderonga	Cruiser		Melbourne	26/12/2002	30/12/2002
USS CAMDEN	Sacremento	Fast Combat Support Ship		Melbourne	26/12/2002	30/12/2002
USS REUBEN JAMES	Oliver Hazard Perry	Frigates		Darwin	30/12/2002	03/01/2003
USS PAUL HAMILTON	Arleigh Burke	Destroyer		Darwin	30/12/2002	03/01/2003
USNS SAN JOSE	Naval Fleet Auxiliary Force	Combat Stores Ships		Darwin	01/01/2003	06/01/2003
USNS GUADALUPE	Henry J Kaiser	Oiler		Darwin	01/01/2003	06/01/2003
USS MOBILE BAY	Ticonderonga	Cruiser		Sydney	05/01/2003	12/01/2003
USS CAMDEN	Sacremento	Fast Combat Support Ship		Hobart	05/01/2003	12/01/2003
USS ABRAHAM LINCOLN	Nimitz	Aircraft Carrier	Yes	Fremantle	06/01/2003	20/01/2003
USS SHILOH	Ticonderonga	Cruiser		Fremantle	06/01/2003	20/01/2003

SHIP NAME	CLASS	TYPE	NPW?	PORT	ARRIVE	DEPART
MV RICHARD G MATTHIESEN	Sealift force	Tanker		Brisbane	06/01/2003	26/01/2003
USS REUBEN JAMES	Oliver Hazard Perry	Frigates		Brisbane	08/01/2003	13/01/2003
USS PAUL HAMILTON	Arleigh Burke	Destroyer		Brisbane	08/01/2003	13/01/2003
USNS SAN JOSE	Naval Fleet Auxiliary Force	Combat Stores Ships		Darwin	10/01/2003	10/01/2003
USS REUBEN JAMES	Oliver Hazard Perry	Frigates		Cairns	15/01/2003	16/01/2003
USS HONOLULU	Los Angeles	Attack Submarine	Yes	HMAS STIRLING	16/01/2003	24/01/2003
USS REUBEN JAMES	Oliver Hazard Perry	Frigates		Darwin	19/01/2003	20/01/2003
USS MOBILE BAY	Ticonderonga	Cruiser		Darwin	19/01/2003	20/01/2003
USS PAUL HAMILTON	Arleigh Burke	Destroyer		Darwin	19/01/2003	20/01/2003
USS FLETCHER	Spruance	Destroyer		Fremantle	19/01/2003	26/01/2003
USS HONOLULU	Los Angeles	Attack Submarine	Yes	Fremantle	25/01/2003	25/01/2003
USCGC HEALY	Healy	Icebreaker		Sydney	29/01/2003	30/01/2003
USS HONOLULU	Los Angeles	Attack Submarine	Yes	Brisbane	31/01/2003	06/02/2003
USS LOUISVILLE	Los Angeles	Attack Submarine	Yes	HMAS STIRLING	03/03/2003	12/02/2003
USCGC HEALY	Healy	Icebreaker		Hobart	07/03/2003	14/03/2003
USCGC POLAR SEA	Polar	Icebreaker		Melbourne	14/03/2003	19/03/2003
MV RICHARD G MATTHIESEN	Sealift force	Tanker		Brisbane	15/03/2003	25/03/2003
USCGC POLAR SEA	Polar	Icebreaker		Brisbane	24/03/2003	29/03/2003
USS COLUMBIA	Los Angeles	Attack Submarine	Yes	HMAS STIRLING	31/03/2003	05/04/2003
USS COLUMBIA	Los Angeles	Attack Submarine	Yes	HMAS STIRLING	08/04/2003	14/04/2003
USS KEY WEST	Los Angeles	Attack Submarine	Yes	HMAS STIRLING	14/04/2003	21/04/2003
USS LOUISVILLE	Los Angeles	Attack Submarine	Yes	HMAS STIRLING	21/04/2003	28/04/2003
USS MILIUS	Arleigh Burke	Destroyer		BUNBURY	29/04/2003	05/05/2003
USS CONSTELLATION	Kitty Hawk	Aircraft Carrier		Fremantle	29/04/2003	05/05/2003
USS BUNKER HILL	Ticonderonga	Cruiser		Fremantle	29/04/2003	05/05/2003
USS RANIER	Supply	Fast Combat Support Ship		Fremantle	29/04/2003	05/05/2003
USS VALLEY FORGE	Ticonderonga	Cruiser		Fremantle	29/04/2003	05/05/2003

SHIP NAME	CLASS	TYPE	NPW?	PORT	ARRIVE	DEPART
USS THACH	Oliver Hazard Perry	Frigates		Darwin	30/04/2003	08/05/2003
USS LASSEN	Arleigh Burke	Destroyer		Sydney	14/05/2003	20/05/2003
USS COLUMBIA	Los Angeles	Attack Submarine	Yes	Brisbane	16/05/2003	27/05/2003
USS FRANK CABLE	Emory S Land	Sumarine Tenders		Townsville	19/05/2003	29/05/2003
USNS SHASTA	Naval Fleet Auxiliary Force	Ammunition Ship		Darwin	31/05/2003	09/06/2003
USNS JOHN ERICSSON	Henry J Kaiser	Oiler		Darwin	01/06/2003	05/06/2003
USCGC WALNUT	Juniper	Buoy Tender		Cairns	06/06/2003	12/06/2003
USS LOS ANGELES	Los Angeles	Attack Submarine	Yes	HMAS STIRLING	13/06/2003	20/06/2003
USNA KISKA	Naval Fleet Auxiliary Force	Ammunition Ship		Darwin	18/06/2003	23/06/2003
USS CLEVELAND	Austin	Amphibious Transport Docks		Sydney	20/06/2003	24/06/2003
USS RUSHMORE	Whidbey Island	Amphibious Cargo Ship		Cairns	20/06/2003	24/06/2003
USS DUBUQUE	Austin	Amphibious Transport Docks		Sydney	20/06/2003	24/06/2003
USS DULUTH	Austin	Amphibious Transport Docks		Cairns	20/06/2003	24/06/2003
USS TARAWA	Tarawa	Amphibious Assault Ships		Townsville	20/06/2003	24/06/2003
USS BOXER	Wasp	Amphibious Assault Ships		Sydney	20/06/2003	24/06/2003
USS BONHOMME RICHARD	Wasp	Amphibious Assault Ship		Sydney	20/06/2003	25/06/2003
USS CURTS	Oliver Hazard Perry	Frigates		Darwin	20/06/2003	25/06/2003
USS PEARL HARBOUR	Harpers Ferry	Amphibious Cargo Ship		Sydney	20/06/2003	27/06/2003
USNS HENSON	Special Mission	Survey Ship		Darwin	25/06/2003	28/06/2003

SHIP NAME	CLASS	TYPE	NPW?	PORT	ARRIVE	DEPART
USS BONHOMME RICHARD	Wasp	Amphibious Assault Ship		Brisbane	26/06/2003	30/06/2003
USS BOXER	Wasp	Amphibious Assault Ships		Townsville	27/06/2003	02/07/2003
USS CLEVELAND	Austin	Amphibious Transport Docks		Cairns	28/06/2003	02/07/2003
USS DUBUQUE	Austin	Amphibious Transport Docks		Cairns	28/06/2003	02/07/2003
USS OKANE	Arleigh Burke	Destroyer		Darwin	02/07/2003	05/07/2003
USNS WATKINS	Prepositioning Program	Large medium Speed Ro, Ro		HMAS STIRLING	02/07/2003	05/08/2003
USS GARY	Oliver Hazard Perry	Frigates		Darwin	06/07/2003	11/07/2003
USS VANDEGRIFT	Oliver Hazard Perry	Frigate		Darwin	06/07/2003	11/07/2003
USS OKANE	Arleigh Burke	Destroyer		Townsville	09/07/2003	14/07/2003
USS INGRAHAM	Oliver Hazard Perry	Frigates		Fremantle	09/07/2003	14/07/2003
USS ANTIETAM	Ticonderonga	Cruiser		Fremantle	09/07/2003	14/07/2003
USS CARL VINSON	Nimitz	Aircraft Carrier	Yes	Fremantle	14/07/2003	18/07/2003
USS SACREMENTO	Sacremento	Fast Combat Support Ship		Fremantle	14/07/2003	18/07/2003
USNS KILAUEA	Naval Fleet Auxiliary Force	Ammunition Ship		Cairns	21/07/2003	26/07/2003
USNS GUADALUPE	Henry J Kaiser	Oiler		Darwin	26/07/2003	31/07/2003
USNS KILAUEA	Naval Fleet Auxiliary Force	Ammunition Ship		Townsville	28/07/2003	02/08/2003
USS OLYMPIA	Los Angeles	Attack Submarine	Yes	HMAS STIRLING	30/07/2003	05/08/2003