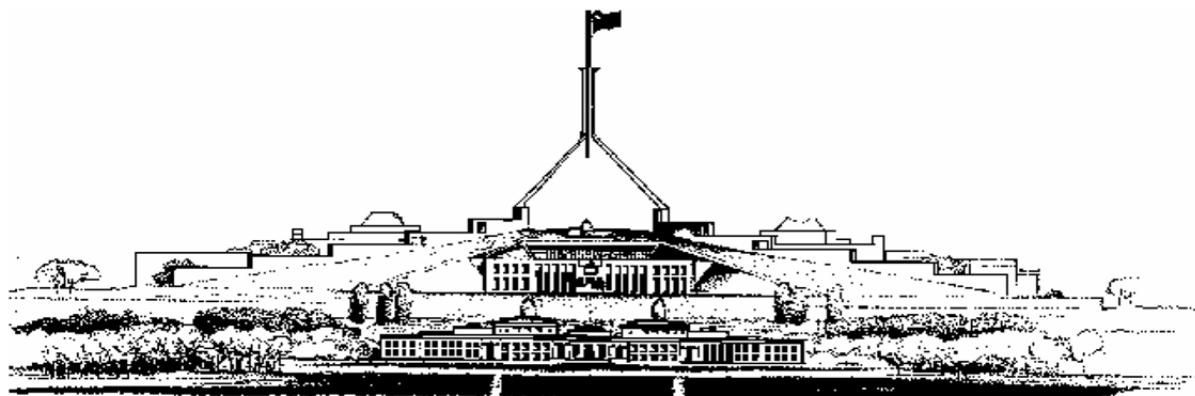




COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



Senate
Official Hansard

No. 128, 1988
Thursday, 25 August 1988

THIRTY-FIFTH PARLIAMENT
FIRST SESSION—THIRD PERIOD

BY AUTHORITY OF THE SENATE

THIRTY-FIFTH PARLIAMENT

FIRST SESSION—THIRD PERIOD

Governor-General

His Excellency the Right Honourable Sir Ninian Martin Stephen, a Member of Her Majesty's Most Honourable Privy Council, Knight of the Order of Australia, Knight Grand Cross of the Most Distinguished Order of St Michael and St George, Knight Grand Cross of the Royal Victorian Order, Knight Commander of the Most Excellent Order of the British Empire, Governor-General of the Commonwealth of Australia and Commander-in-Chief of the Defence Force.

Senate Officeholders

President—Senator the Honourable Kerry Walter Sibraa

Deputy President and Chairman of Committees—Senator David John Hamer, DSC

Temporary Chairmen of Committees—Senators the Honourable Peter Erne Baume,

Florence Isabel Bjelke-Petersen, Bryant Robert Burns, Malcolm Arthur Colston,

Noel Ashley Crichton-Browne, Patricia Jessie Giles, David John MacGibbon, John Joseph Morris,

Baden Chapman Teague and Alice Olive Zakharov

Leader of the Government in the Senate—Senator the Honourable John Norman Button

Deputy Leader of the Government in the Senate—Senator the Honourable Gareth John Evans, QC

Leader of the Opposition—Senator the Honourable Frederick Michael Chaney

Deputy Leader of the Opposition—Senator Austin William Russell Lewis

Senate Party Leaders

Leader of the Australian Labor Party—Senator the Honourable John Norman Button

Deputy Leader of the Australian Labor Party—Senator the Honourable Gareth John Evans, QC

Leader of the Liberal Party of Australia—Senator the Honourable Frederick Michael Chaney

Deputy Leader of the Liberal Party of Australia—Senator Austin William Russell Lewis

Leader of the National Party of Australia—Senator John Owen Stone

Deputy Leader of the National Party of Australia—Senator Florence Isabel Bjelke-Petersen

Leader of the Australian Democrats—Senator Janine Haines

Deputy Leader of the Australian Democrats—Senator Michael John Macklin

Members of the Senate

Senator	State or Territory	Term expires	Party
Alston, Richard Kenneth Robert	Vic.	30.6.90	LP
Archer, Brian Roper	Tas.	30.6.93	LP
Aulich, Terrence Gordon	Tas.	30.6.93	ALP
Baume, Michael Ehrenfried	NSW	30.6.93	LP
Baume, Hon. Peter Erne	NSW	30.6.93	LP
Beahan, Michael Eamon	WA	30.6.90	ALP
Bishop, Bronwyn Kathleen	NSW	30.6.90	LP
Bjelke-Petersen, Florence Isabel	Qld	30.6.93	NP
Black, John Rees	Qld	30.6.90	ALP
Bolkus, Hon. Nick	SA	30.6.93	ALP
Boswell, Ronald Leslie Doyle	Qld	30.6.90	NP
Brownhill, David Gordon Cadell	NSW	30.6.90	NP
Burns, Bryant Robert	Qld	30.6.90	ALP
Button, Hon. John Norman	Vic.	30.6.93	ALP
Calvert, Paul Henry	Tas.	30.6.90	LP
Chaney, Hon. Frederick Michael	WA	30.6.93	LP
Chapman, Hedley Grant Pearson	SA	30.6.90	LP
Childs, Bruce Kenneth	NSW	30.6.90	ALP
Coates, John	Tas.	30.6.93	ALP
Collins, Robert Lindsay (1)	NT		ALP
Colston, Malcolm Arthur	Qld	30.6.93	ALP
Cook, Hon. Peter Francis Salmon	WA	30.6.93	ALP
Cooney, Bernard Cornelius	Vic.	30.6.90	ALP
Coulter, John Richard	SA	30.6.90	AD
Crichton-Browne, Noel Ashley	WA	30.6.90	LP
Crowley, Rosemary Anne	SA	30.6.90	ALP
Devereux, John Robert	Tas.	30.6.90	ALP
Devlin, Arthur Ray	Tas.	30.6.90	ALP
Dunn, Irina Patsi	NSW	30.6.90	Ind.
Durack, Hon. Peter Drew, QC	WA	30.6.93	LP
Evans, Hon. Gareth John, QC	Vic.	30.6.93	ALP
Foreman, Dominic John	SA	30.6.93	ALP
Gietzelt, Hon. Arthur Thomas	NSW	30.6.93	ALP
Giles, Patricia Jessie	WA	30.6.93	ALP
Haines, Janine	SA	30.6.93	AD
Hamer, David John, DSC	Vic.	30.6.90	LP
Harradine, Brian	Tas.	30.6.93	Ind.
Hill, Robert Murray	SA	30.6.90	LP
Jenkins, Jean Alice	WA	30.6.90	AD
Jones, Gerry Norman	Qld	30.6.90	ALP
Knowles, Susan Christine	WA	30.6.93	LP
Lewis, Austin William Russell	Vic.	30.6.93	LP
McGauran, Julian John	Vic.	30.6.90	NP
MacGibbon, David John	Qld	30.6.93	LP
McKiernan, James Philip	WA	30.6.90	ALP
McLean, Paul Alexander	NSW	30.6.93	AD
McMullan, Robert Francis (1)(2)	ACT		ALP
Macklin, Michael John	Qld	30.6.90	AD
Maguire, Graham Ross	SA	30.6.93	ALP
Messner, Hon. Anthony John	SA	30.6.93	LP
Morris, John Joseph	NSW	30.6.90	ALP

Members of the Senate—*continued*

Senator	State or Territory	Term expires	Party
Newman, Jocelyn Margaret	Tas.	30.6.90	LP
Panizza, John Horace	WA	30.6.90	LP
Parer, Warwick Raymond	Qld	30.6.93	LP
Patterson, Kay Christine Lesley	Vic.	30.6.90	LP
Powell, Janet Frances	Vic.	30.6.93	AD
Puplick, Christopher John Guelph	NSW	30.6.90	LP
Ray, Hon. Robert Francis	Vic.	30.6.90	ALP
Reid, Margaret Elizabeth (1)	ACT		LP
Reynolds, Hon. Margaret	Qld	30.6.93	ALP
Richardson, Hon. Graham Frederick	NSW	30.6.93	ALP
Sanders, Norman Karl	Tas.	30.6.90	AD
Schacht, Christopher Cleland	SA	30.6.90	ALP
Sheil, Glenister	Qld	30.6.90	NP
Short, James Robert	Vic.	30.6.93	LP
Sibraa, Hon. Kerry Walter	NSW	30.6.93	ALP
Stone, John Owen	Qld	30.6.93	NP
Tambling, Grant Ernest John (1)	NT		NP
Tate, Hon. Michael Carter	Tas.	30.6.93	ALP
Teague, Baden Chapman	SA	30.6.90	LP
Vallentine, Josephine	WA	30.6.90	Ind.
Vanstone, Amanda Eloise	SA	30.6.93	LP
Walsh, Hon. Peter Alexander	WA	30.6.93	ALP
Walters, Mary Shirley	Tas.	30.6.93	LP
Watson, John Odin Wentworth	Tas.	30.6.90	LP
Zakharov, Alice Olive	Vic.	30.6.93	ALP

(1) Term expires at close of day next preceding the polling day for the general election of members of the House of Representatives.

(2) Chosen by the Parliament of the Commonwealth of Australia vice Susan Maree Ryan, resigned.

PARTY ABBREVIATIONS

AD—Australian Democrats; ALP—Australian Labor Party; Ind.—Independent;
LP—Liberal Party of Australia; NP—National Party of Australia

Third Hawke Ministry

*Prime Minister	The Honourable Robert James Lee Hawke, AC
*Deputy Prime Minister, Attorney-General and Minister Assisting the Prime Minister for Commonwealth-State Relations	The Honourable Lionel Frost Bowen
*Leader of the Government in the Senate and Minister for Industry, Technology and Commerce	Senator the Honourable John Norman Button
*Deputy Leader of the Government in the Senate and Minister for Foreign Affairs and Trade	Senator the Honourable Gareth John Evans, QC
*Treasurer	
*Minister for Finance	
*Minister for Transport and Communications	
*Minister for Employment, Education and Training	
*Minister for Defence, Vice-President of the Executive Council and Leader of the House	
*Minister for Primary Industries and Energy	
*Minister for Social Security and Minister Assisting the Prime Minister for Social Justice	
*Minister for Administrative Services	
*Minister for Community Services and Health	
*Minister for Trade Negotiations, Minister Assisting the Minister for Industry, Technology and Commerce and Minister Assisting the Minister for Primary Industries and Energy	
*Minister for the Arts, Sport, the Environment, Tourism and Territories	
*Minister for Industrial Relations, Minister Assisting the Prime Minister for Public Service Matters and Minister Assisting the Treasurer	
*Minister for Immigration, Local Government and Ethnic Affairs, Minister Assisting the Prime Minister for Multicultural Affairs and Manager of Government Business in the Senate	
Minister for the Arts and Territories, Minister Assisting the Prime Minister and Minister Assisting the Minister for Immigration, Local Government and Ethnic Affairs	
Minister for Justice	
Minister for Science, Customs and Small Business	
Minister for Veterans' Affairs	
Minister for Aboriginal Affairs	
Minister for Housing and Aged Care	
Minister for Employment and Education Services	
Minister for Defence Science and Personnel	
Minister for Local Government and Minister Assisting the Prime Minister for the Status of Women	
Minister for Resources	
Minister for Telecommunications and Aviation Support	
Minister for Consumer Affairs and Minister Assisting the Treasurer for Prices	
Minister for Land Transport and Shipping Support	
*Minister in the Cabinet	

THE COMMITTEES OF THE SESSION

(FIRST SESSION: SECOND PERIOD)

STANDING COMMITTEES

APPROPRIATIONS AND STAFFING—The President, the Leader of the Government in the Senate, the Leader of the Opposition in the Senate, Senators Aulich, Coates, Collins, Crichton-Browne, Harradine and Macklin.

HOUSE—The President, Senators Bjelke-Petersen, Crichton-Browne, Devlin, Knowles, Morris and Zakharov.

LIBRARY—The President, Senators Aulich, Devlin, Giles, Harradine, Hill and Walters.

PRIVILEGES—Senator Giles (*Chairman*), Senators Black, Childs, Coates, Durack, Powell and Teague.

PROCEDURE—The President, the Deputy-President and Chairman of Committees, the Leader of the Government in the Senate, the Leader of the Opposition in the Senate, Senators Gareth Evans, Jones, MacGibbon, McLean, Robert Ray and Reid.

PUBLICATIONS—Senator McKiernan (*Chairman*), Senators Archer, Aulich, Devlin, McLean, Panizza and Watson.

LEGISLATIVE SCRUTINY STANDING COMMITTEES

REGULATIONS AND ORDINANCES—Senator Collins (*Chairman*), Senators Bishop, Giles, McMullan, Patterson and Stone.

SCRUTINY OF BILLS—Senator Cooney (*Chairman*), Senators Beahan, Brownhill, Crowley, Powell and Patterson.

LEGISLATIVE AND GENERAL PURPOSE STANDING COMMITTEES

COMMUNITY AFFAIRS—Senator Zakharov (*Chairman*), Senators Crowley, Devereux, Gietzelt, Knowles, Jenkins, Sheil and Walters.

EMPLOYMENT, EDUCATION AND TRAINING—Senator Aulich (*Chairman*), Senators Beahan, Devereux, Devlin, McLean, Patterson, Teague and Watson.

ENVIRONMENT, RECREATION AND THE ARTS—Senator Black (*Chairman*), Senators Coates, Collins, Coulter, Crichton-Browne, McGauran, Panizza and Zakharov.

FINANCE AND PUBLIC ADMINISTRATION—Senator Coates (*Chairman*), Senators Alston, Black, Burns, Calvert and Durack.

FOREIGN AFFAIRS, DEFENCE AND TRADE—Senator Maguire (*Chairman*), Senators Burns, Dunn, Hamer, McMullan, Newman, Schacht and Teague.

INDUSTRY, SCIENCE AND TECHNOLOGY—Senator Childs (*Chairman*), Senators Archer, Peter Baume, Brownhill, Burns, Coulter, Devereux and McKiernan.

LEGAL AND CONSTITUTIONAL AFFAIRS—Senator Cooney (*Chairman*), Senators Alston, Collins, Giles, Hill, Powell, Schacht and Stone.

TRANSPORT, COMMUNICATIONS AND INFRASTRUCTURE—Senator Foreman (*Chairman*), Senators Boswell, Chapman, Colston, McMullan, Parer, Powell and Schacht.

SELECT COMMITTEES

ADMINISTRATION OF ABORIGINAL AFFAIRS—Senator McMullan (*Chairman*), Senators Peter Baume, Boswell, Collins, Coulter and Devlin.

AGRICULTURAL AND VETERINARY CHEMICALS IN AUSTRALIA—Senator Colston (*Chairman*), Senators Brownhill, Coulter, Crowley, Morris and Panizza.

ANIMAL WELFARE—Senator Morris (*Chairman*), Senators Brownhill, Calvert, Cooney, Devlin and Sanders.

EDUCATION OF GIFTED AND TALENTED CHILDREN—Senator Colston (*Chairman*), Senators Beahan, Newman and Teague.

LEGISLATION PROCEDURES—Senator Colston (*Chairman*), Senators Collins, Hamer, Jones, Macklin and Reid.

ESTIMATES COMMITTEES

ESTIMATES COMMITTEE A—Senator Childs (*Chairman*), Senators Alston, Bishop, Chapman, McKiernan and McMullan.

ESTIMATES COMMITTEE B—Senator Gietzelt (*Chairman*), Senators Brownhill, Devereux, Hamer, Morris and Panizza.

ESTIMATES COMMITTEE C—Senator Crowley (*Chairman*), Senators Collins, Devlin, McGauran, Messner and Teague.

ESTIMATES COMMITTEE D—Senator Black (*Chairman*), Senators Coates, Cooney, Hill, Puplick and Reid.

ESTIMATES COMMITTEE E—Senator Aulich (*Chairman*), Senators Durack, Foreman, Maguire, Short and Tambling.

ESTIMATES COMMITTEE F—Senator Colston (*Chairman*), Senators Peter Baume, Giles, Sheil, Walters and Zakharov.

JOINT STATUTORY COMMITTEES

AUSTRALIAN SECURITY INTELLIGENCE ORGANIZATION—Senator Morris (*Presiding Member*), Senators Durack and Macklin, and Mr Cross, Mr McGauran, Mr Milton and Mr Wright.

BROADCASTING OF PARLIAMENTARY PROCEEDINGS—The President, Madam Speaker, Senators Michael Baume and Childs, and Mr Ronald Edwards, Mrs Harvey, Mr Hicks, Mr Jull and Mr Scott.

NATIONAL CRIME AUTHORITY—Mr Cleeland (*Chairman*), Senators Alston, Cooney, Hill, Jones and Macklin and Mr Dubois, Mr MacKellar, Mr McGauran and Mr O'Keefe.

PUBLIC ACCOUNTS—Mr Tickner (*Chairman*), Senators Bishop, Gietzelt, Giles, McKiernan and Watson, and Mr Aldred, Mr Fitzgibbon, Dr Hewson, Mr Martin, Mr Nehl, Mr Ruddock, Mr Sawford, Mr Scholes and Mr Scott.

PUBLIC WORKS—Mr Hollis (*Chairman*), Senators Burns, Devereux and Sheil, and Mr Burr, Mr Gear, Mr Halverson, Mr Millar, Mr Mountford and Mr Taylor.

JOINT COMMITTEES

ELECTORAL MATTERS—Mr Lee (*Chairman*), Senators Beahan, Harradine, Jenkins, Schacht and Short, and Mr Blunt, Ms Jakobsen, Mr Lavarch and Dr Wooldridge.

FOREIGN AFFAIRS, DEFENCE AND TRADE—Mr Bilney (*Chairman*), Senators Childs, Crichton-Browne, Hill, Jones, MacGibbon, Macklin, Maguire, Morris, Schacht, Tambling and Valentine, and Mr Baldwin, Mr Campbell, Mr Charles, Mr Cross, Mr Halverson, Mr Hicks, Mr Jull, Mr Katter, Mr Kent, Dr Klugman, Mr Langmore, Mr Lindsay, Mr MacKellar, Mr Nehl, Mr Ruddock, Mr Scott, Mr Shipton and Dr Theophanous.

NEW PARLIAMENT HOUSE—The President and Madam Speaker (*Joint Chairmen*), Minister for Administrative Services, Senators Michael Baume, Colston, Devlin, MacGibbon, Reid and Schacht, and Mr Dobie, Mr Dubois, Mr Hunt, Mr Lee, Mr Leo McLeay and Mrs Sullivan.

JOINT SELECT COMMITTEES

CORPORATIONS LEGISLATION—Mr Ronald Edwards (*Chairman*), Senators Alston, Cooney, McMullan, Macklin and Short, and Mr Peter Fisher, Mr Kerr, Mr Lindsay and Mr Smith.

VIDEO MATERIAL—Dr Klugman (*Chairman*), Senators Collins, Harradine, Jenkins, Walters and Zakharov, and Mr Adermann, Mr Charles, Ms Crawford, Ms Jakobsen and Mr Jull.

PARLIAMENTARY DEPARTMENTS

SENATE

Clerk of the Senate—H. Evans
Deputy Clerk of the Senate—A. Lynch
Clerk-Assistant (Table)—J. Vander Wyk
Clerk-Assistant (Management)—C. J. C. Elliot
Clerk-Assistant (Procedure)—P. O'Keeffe
Clerk-Assistant (Committees)—M. Cornwell
Usher of the Black Rod—R. Alison

HOUSE OF REPRESENTATIVES

Clerk of the House—A. R. Browning
Deputy Clerk of the House—L. M. Barlin
First Clerk Assistant—I. C. Harris
Clerk Assistant (Procedure)—B. C. Wright
Clerk Assistant (Committees)—J. W. Pender
Clerk Assistant (Table)—I. C. Cochran
Clerk Assistant (Administration)—M. W. Salkeld
Serjeant-at-Arms—B. L. Simons

PARLIAMENTARY REPORTING STAFF

Principal Parliamentary Reporter—J. M. Campbell
Assistant Principal Parliamentary Reporter—B. A. Harris
Leader of Staff (Committees)—K. Shearwood
Leader of Staff (Senate)—M. A. R. McGregor
Leader of Staff (House of Representatives)—K. B. Ryder

LIBRARY

Parliamentary Librarian—H. de S. C. MacLean

JOINT HOUSE

Secretary—M. W. Bolton

Thursday, 25 August 1988

The PRESIDENT (Senator the Hon. Kerry Sibraa) took the chair at 10 a.m., and read prayers.

PETITIONS

The Clerk—Petitions have been lodged for presentation as follows:

Australian Broadcasting Corporation: Commercial Sponsorship

To the Honourable the President and members of the Senate of the Commonwealth Parliament assembled.

The petition of these residents of the Commonwealth of Australia.

Respectfully sheweth

that the Australian Broadcasting Corporation provides the citizens of the Commonwealth of Australia with the only nation-wide, independent radio and television service.

that the independence of the Australian Broadcasting Corporation must be preserved in the interests of the citizens of the Commonwealth of Australia.

that the introduction of commercial sponsorship or any form of advertising material from commercial sources, would destroy the independence of the Corporation.

Your petitioners therefore humbly pray that the Honourable Senators will oppose the introduction of any form of sponsorship or advertising material from commercial sources into the programs of the Australian Broadcasting Corporation.

And your petitioners as in duty bound will ever pray.

by Senator Jones (from 27 citizens).

Australia Card: Referendum

To the President and senators in Parliament assembled, your humble petitioners sheweth that the proposed Australia Card will have a dramatic effect on the lives of all Australians, and your petitioners therefore request a National Referendum on the Australia Card Bill before the proposal is resubmitted to Parliament. As in duty bound your petitioners will ever pray.

by Senator Jones (from 88 citizens).

Constitution: Proposed Changes

To the Honourable the President and members of the Senate in Parliament assembled. The humble petition of the undersigned citizens of Australia sheweth:

1. that the Constitution of the Commonwealth has served Australia well, is not out of date,

has proved to be flexible and should not be radically altered.

2. our deep concern that the recommendations of the Constitutional Commission and its advisory committees which propose radical changes to the Constitution are threatening to reduce our rights as citizens of the Commonwealth.
3. our strongest opposition to any referendum proposals of the Hawke Government which gives more power to the Government and less to the people and which concentrates that power in Canberra at the expense of the States and weakens the role of the Senate.

by Senator Durack (from 79 citizens).

Proposed Identification Card

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

The petition of the undersigned citizens of Australia respectfully sheweth:

- (1) That we are totally opposed to the introduction of the Labor Government's Identity Card.
- (2) That this form of national and compulsory identification will be intrusive, costly for taxpayers and business and will not be effective in combating the growing problems of tax evasion, illegal immigrants or social security.
- (3) That we are deeply concerned at the Labor Government's inability to provide effective and efficient methods to combat tax and social security fraud without resorting to expensive, ineffective and authoritarian measures which are alien to the Australian way of life.
- (4) That we call upon the Labor Government to improve management systems within the Australian Taxation Office and other departments to crack down on tax evasion and fraudulent practices.

And your petitioners as in duty bound will ever pray.

by Senator Jones (from 422 citizens).

Report of the Joint Select Committee on Video Material

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

We the undersigned,

note that a majority of the Joint Select Committee on Video Material has strongly opposed the proposition that a new NVE category will contain that material as defined in the current 'X' classification;

call upon the Senate to request the Government immediately to implement the recommendation of the majority of the Joint Select Committee on Video Material by introducing substantive legislation to ensure that X-rated video material (and its

R-rated equivalent) is refused classification for the purpose of Commonwealth laws.

And your petitioners as in duty bound will ever pray.

by **Senators Jones** (from 1,440 citizens) and **McMullan** (from 14 citizens).

Aboriginal and Torres Strait Islander Legislation

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

The petition of the undersigned citizens of Australia respectfully sheweth:

1. That it be recognised the proposed Aboriginal and Torres Strait Islander Commission Bill is a public, legal acknowledgment that Australians who are non-Aboriginal do not have sovereignty in their own country.
2. That the Australian people are opposed to the idea of a treaty, compact or makarrata between the Australian people who are non-Aboriginal and those who are Aboriginal, and the Government has no mandate or authority to pursue it.
3. That the proposed legislation and treaty will damage Australia's position under international law and in any conflict, will cause distrust and conflict between our Aboriginal population (1 per cent) and the non-Aboriginal population (99 per cent), will extend Aboriginal land rights, contrary to the wishes of the Australian people, will not be acceptable to the Aboriginal people themselves, will solve none of the problems of Aboriginal people who need housing, health services, education and employment.

That therefore, the Senate reject absolutely the announced proposals for an Aboriginal and Torres Strait Islander Commission Bill, and the negotiation of a treaty, compact or makarrata between the Commonwealth and Aboriginal people.

And your petitioners as in duty bound will ever pray.

by **Senators Chaney** (from 37 citizens) and **Durack** (from 38 citizens).

Casino, Australian Capital Territory

To the Honourable the President and members of the Senate in Parliament.

The petition of the undersigned expresses concern at the possibility that future significant employment opportunities in Canberra may be lost if a casino is not included in the Section 19 development proposed for Civic.

Your petitioners pray that the Senate, in Parliament assembled, should strongly support the inclusion of a casino in the Section 19 development.

The casino is a critical element in this project for maximising the economic development of Canberra.

It will generate significant employment in the building industry in the short term and employment in tourism and other industries in the long term. The Section 19 development is not viable without a casino.

We therefore call on you to give the casino, and through it the total Section 19 development, your full and immediate support.

And your petitioners as in duty bound will ever pray.

by **Senator Jones** (from 11 citizens).

Battery Method of Egg Production

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

The Petition of the undersigned respectfully sheweth:

That the confinement of laying hens in battery cages is cruel and unnecessary and totally ignores the welfare of the birds.

The aviary systems of egg production approved by R.S.P.C.A. allows the birds to exercise, socialise, lay eggs in nests and move quite freely. Offers protection from the elements and predators, permits excellent disease and parasite control and enables easy supervision.

Your petitioners humbly pray that the Senate, in Parliament assembled should:

Request the Government to introduce a Bill to phase out the battery method of egg production within five years and where appropriate offer tax deductible incentives to producers to do so.

And your petitioners as in duty bound will ever pray.

by **Senator McMullan** (from 1,223 citizens).

Isabella Plains Catholic Secondary School, Australian Capital Territory

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

The petition of the undersigned shows that:

1. They are concerned that in the Tuggeranong Valley area of the ACT, no non-government schools have Year 11 and 12 places.
2. They want the new Catholic secondary school to be built at Isabella Plains to go to Year 12.

The petitioners request that the Senate in Parliament assembled ensure that adequate resources are provided by the Government to allow year 11 and 12 places to be provided at the Catholic secondary school at Isabella Plains in accordance with the Government's commitment to a dual system of education and greater school retention to Year 12.

And your petitioners as in duty bound will ever pray.

by Senator McMullan (from 34 citizens).

Casino, Australian Capital Territory

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

The humble petition of the undersigned citizens of Australia respectfully sheweth:

- (1) That we are totally opposed to the proposal for the establishment of a gambling casino in Canberra or the Australian Capital Territory.
- (2) That a casino in Canberra would detract from the unique character and status of our National Capital.

Your petitioners therefore most humbly request the Senate and the Government of the Commonwealth of Australia to reject any proposal or legislation which would permit the establishment of a casino in the Australian Capital Territory.

And your humble petitioners as in duty bound will ever pray.

by Senator McMullan (from 64 citizens).

Citizen-initiated Referendum

To the Honourable the President and members of the Senate in Parliament assembled; the humble petition of the undersigned citizens respectfully sheweth:

that while having some reservations on individual aspects of the Constitutional Initiative (Electedors Initiative) 1987 your petitioners wish to express our strong support for the concept of people's democracy implied in that Bill of Citizen Initiated Constitution and Legislation Referenda, and Voters' Veto.

Your petitioners therefore humbly pray that the Senate in Parliament assembled will pass this bill so that a national referendum can be held on this matter at the same time as the government's four referenda questions with the intention of passing legislation granting such facilities to your petitioners during the Bicentennial year.

Your petitioners as in duty bound will ever pray.

by Senator Macklin (from 50 citizens).

Great Sandy Region: World Heritage Listing

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

The petition of certain citizens of Australia shows:—That Fraser Island and the other parts of the Great Sandy Region qualify for World Heritage Listing because of outstanding Values:

GEOLOGICAL—The World's greatest sand mass and the oldest age sequence of Giant Coastal dunes; perched dune lakes; barrage dune lakes unknown elsewhere.

BIOLOGICAL—Coastal heathlands, freshwater swamps, mangroves, the World's only rainforest growing on high coastal dunes, ancient paperbarks; 750 species of flowering plants and ferns; wallum; wide diversity of marine, terrestrial and avian fauna, some of which is rare or endemic.

AESTHETIC—40 kilometres of coloured sand cliff faces, volcanic outcrops, over 40 perched dune lakes, the majestic Noosa river, wildflower-strewn heathlands, vast surfaces of loose mobile sand, rainforests, crystal-clear fresh water streams.

CULTURAL—Evidence of large populations of Aborigines in the region—middens, bora rings, canoe trees, implements and other artefacts; historical artefacts from the last 150 years—2 operating lighthouses, shipwrecks.

Your petitioners therefore pray that the Commonwealth Government take action to place Fraser Island and the other parts of the Great Sandy Region on the World Heritage List to ensure proper recognition of the region's international importance and to ensure appropriate management to preserve its unique qualities.

by Senator Jones (from 27 citizens).

National Identification Numbering System

To the Honourable the President and members of the Senate in Parliament assembled. This petition of undersigned citizens of Australia respectfully sheweth that we strongly oppose the introduction of the 'Australia Card' or any other form of National Identification Numbering System.

We believe the introduction of a National Identification Numbering System is not only totally unnecessary but is a severe threat to our civil liberties and privacy. We condemn the Government's actions on this matter, particularly as no reasonable nor responsible justifications for the proposal have been forthcoming from the Government.

We humbly pray that the Senate, in Parliament assembled, should reject any proposal for a National Identification Numbering System.

by Senator Jones (from 2,317 citizens).

Military Aid to the Philippines

To the Honourable President of the Senate and the Senators in the Parliament assembled.

We, the undersigned citizens of Australia, strongly urge that the Australian Government cease aid to the Philippines military immediately.

There can be no justification for the aid to the brutal and uncontrolled military while the majority of Filipinos live in poverty. There have been 700 documented cases of human rights abuses perpetrated by the military which have not been prosecuted.

Australian aid to the Philippines military constitutes no less than an interference in the internal affairs of a sovereign state. Any continuation is tantamount to ensuring that innocent civilians would be

continually harassed, arrested, tortured, 'salvaged' and massacred with Australia's complicity.

And your petitioners as in duty bound will ever pray.

by Senator McMullan (from 86 citizens).

Petitions received.

GREAT BARRIER REEF MARINE PARK AMENDMENT BILL 1988

Notice of Motion

Senator ROBERT RAY (Victoria—Deputy Manager of Government Business in the Senate)—On behalf of Senator Richardson, I give notice that, on the next day of sitting, I shall move:

That the following Bill be introduced: a Bill for an Act to amend the Great Barrier Reef Marine Park Act 1975, and for related purposes.

IMMIGRATION POLICY

Notice of Motion

Senator CHANEY (Western Australia—Leader of the Opposition)—I give notice that, on the next day of sitting, I shall move:

That the Senate—

- (a) acknowledges the historic action of the Holt Government, with bipartisan support of the Australian Labor Party, in initiating the dismantling of the White Australia policy;
- (b) confirms a total commitment to equal treatment and equal opportunity for all Australians regardless of race, colour, creed or country of origin, within the framework of a just and tolerant society;
- (c) condemns the Hawke Government's maladministration of immigration policy over the past five years which has led to public disquiet as evidenced by the findings of the FitzGerald Committee;
- (d) confirms that it is the very essence of national sovereignty that only the democratically elected government has the right to determine both the overall and the specific composition of our migrant intake;
- (e) confirms, without qualification, that it must be the role of the elected government, acting on behalf of and with the support of the whole community, to make the final and absolute decisions on who will or will not be granted entry to Australia on a temporary or permanent basis;
- (f) confirms that this means that any government must reserve the right from time to time to vary and alter policy, including adjustments to the size and composition of the immigration program in response to changing require-
- ments, be they social, economic, political or humanitarian;
- (g) confirms that established principles of any immigration policy will always be subject to this overriding right;
- (h) confirms that migrants accepted for permanent settlement in Australia must share the Australian people's basic values and commitments and be able to make a positive contribution to national well-being and advancement;
- (i) expresses its support for One Australia and welcomes all those who share that vision and are ready to contribute to it; and
- (j) confirms that:
 - (i) no person other than an Australian citizen, or a permanent resident of the Australian community, has a basic right to enter Australia.
 - (ii) migrant entry criteria should be developed on the basis of the economic and social benefit to the Australian community for people other than those admitted for family reunion or as refugees. As a general principle, Australia should not admit for settlement people who would represent an economic burden to Australia through inordinate claims on welfare, health or other resources, or who would endanger the community by criminal or other anti-social activities, or whose entry would be to their own detriment.
 - (iii) the capacity of the Australian people to accept and absorb change must always be a major factor in immigration policy. The size and composition of our immigration policy should not jeopardise social cohesiveness and harmony within the Australian community.
 - (iv) in selecting between one individual and another immigration policy will not discriminate against applicants on the basis of their race, colour, nationality, descent, national or ethnic origin, gender or religion.
 - (v) applicants should be considered for immigration as individuals or individual family units, not as community groups. An exception will be refugees in designated refugee situations, although even in such circumstances, the criteria for selection will be related to the characteristics of individual applicants.
 - (vi) the standard for eligibility and suitability of migrants should reflect Australian social mores and Australian law. Polygamous unions should not be accepted, nor the entry of child fiance/es. The concept of 'immediate family' for eligibility purposes will be derived from the Australian norm, that is, the unit consisting of husband, wife, dependent children and aged parents.
 - (vii) migrants will be expected to respect the institutions and principles which are basic

to Australian society, including parliamentary democracy, the rule of law and equality before the law, freedom of the individual, freedom of speech, freedom of association, freedom of assembly, freedom of the press, freedom of religion, equality for women, universal education. Reciprocally, Australia will be committed to facilitating equal opportunity for participation of migrants in society.

(viii) immigration to Australia should be for permanent settlement, although there should be no barrier preventing the departure of people wishing to leave. The guest-worker immigration flow, until recently popular in the industrialised countries of Western Europe, not be adopted for Australia.

(ix) citizenship is the ultimate expression of an individual's commitment to Australia and its future and requires respect for Australia's institutions and values. Migration to Australia should lead to Australian citizenship.

(x) while migrants will have the same rights as other Australian residents to choose their place of residence individually or collectively, enclave settlement will not be encouraged.

(xi) policies governing entry and settlement should be based on the premise that migrants want to integrate into the Australian society. Migrants will be given every opportunity, consistent with this premise, to preserve and disseminate their cultural heritage.

TELECOM AUSTRALIA AND AUSTRALIA POST: LOCAL GOVERNMENT RATES

Notice of Motion

Senator POWELL (Victoria)—I give notice that, on the next day of sitting, I shall move:

That the Senate—

(a) condemns the Government's sleight of hand in its decision to claw back rates to be paid by Telecom and Australia Post by reducing financial assistance to local government because such a decision:

- (i) Fails to recognize past revenue lost to local government because of the rates exemption;
- (ii) Places on Telecom and Australia Post users the burden of making up for the withdrawal by the Government of its responsibility to provide the full measure of financial assistance to local government previously agreed; and
- (iii) Forces many local councils to withdraw from funding many services provided in partnership with the Federal Government

(b) calls on the Government to review its decision and consult its partners in government at the local level before taking any legislative steps to implement it.

SEAMEN'S WAR PENSIONS AND ALLOWANCES REGULATIONS (AMENDMENT)

Notice of Intention to Withdraw Notice of Motion

Senator McKIERNAN (Western Australia)—On behalf of Senator Collins, the Chairman of the Regulations and Ordinances Committee, and pursuant to standing order 109A, I give notice that, at the beginning of notices on the next day of sitting, I shall withdraw Business of the Senate Notice of Motion No. 1 standing in Senator Collins's name for the next day of sitting for the disallowance of the Seamen's War Pensions and Allowances Regulations (Amendment). Mr President, I seek leave to make a short statement.

Leave granted.

Senator McKIERNAN—The Committee has obtained an undertaking from the Minister for Veterans' Affairs, the Hon. Ben Humphreys, MP, that the Minister will repeal and remake the regulations when appropriate legislation, to which these regulations referred, has been passed by this Parliament. The Committee thanks the Minister for his cooperation in this matter. I seek leave to incorporate in *Hansard* a brief description of the Committee's scrutiny and the Committee's correspondence with Mr Humphreys.

Leave granted.

The documents read as follows—

Summary of Committee's Scrutiny

Seamen's War Pensions and Allowances Regulations (Amendment), as contained in Statutory Rules 1988 No. 49.

These Regulations enabled overpayments under specified educational schemes to be recovered. They depended upon amendments being made by the Student Assistance Legislation Amendment legislation. The Committee's concern was whether the Regulations were a valid exercise of law-making power, since the enabling provision was to be found in a Bill which had not yet been enacted by Parliament.

The Minister for Veterans' Affairs, the Honourable Ben Humphreys, M.P., undertook to repeal the Regulations and to remake them when the enabling provision had been passed by Parliament.

The Committee thanks the Minister for his co-operation in these matters.

29 April 1988

The Honourable Ben Humphreys, M.P.
 Minister for Veterans' Affairs
 Parliament House
 Canberra, A.C.T. 2600

Dear Minister,

At its meeting on 28 April 1988, the Committee considered the Seamen's War Pensions and Allowances Regulations (Amendment) (being Statutory Rules 1988 No. 49, tabled in the Senate on 15 April 1988). The Committee seeks your clarification of a legal point arising from the Regulations.

The Regulations prescribe the educational schemes to which certain of the recovery of overpayments provisions of section 55A of the Seamen's War Pensions and Allowances Act 1940 (the Act) apply. Proposed new paragraph 55A (1) (aa) of the Act, as contained in paragraph (b) of clause 10 of the Student Assistance Legislation Amendment Bill 1987 (sic) provides that where—

. . . an amount has been paid to a person under a prescribed educational scheme that was not lawfully so payable . . .

an amount equal to the amount so paid shall be recovered by various specified means.

New regulation 42, contained in the Statutory Rules now under consideration, purports to provide that—

For the purposes of paragraph 55A (1) (aa) of the Act, the following educational schemes are prescribed:

- (a) the AUSTUDY scheme;
- (b) the Aboriginal Study Assistance Scheme;
- (c) the Aboriginal Secondary Assistance Scheme;
- (d) the Post-graduate Awards Scheme;
- (e) the Assistance for Isolated Children Scheme;
- (f) the scheme to provide an allowance known as the Adult Migrant Education Program Living Allowance;
- (g) the scheme to provide an allowance known as the Maintenance Allowance for Refugees.

This prescription, made on 31 March 1988 and gazetted on 8 April 1988, was for the purposes of a provision of a Bill which, as of today's date, is still before the Parliament. Senate Notice Paper No. 69 for Friday 29 April 1988 lists the Student Assistance Legislation Amendment Bill 1987 as item 4 in the Orders of the Day for which the Second Reading debate is still in progress.

Regulation 1 of the Statutory Rules provides that—

These Regulations commence at the commencement of the Student Assistance Legislation Amendment Act 1988.

The question exercising the mind of the Committee is whether, notwithstanding that provision, these Regulations are a valid exercise of law-making power, since the enabling provision is to be found in a Bill which has not yet been enacted by Parliament. The

Committee has some doubts as to whether there is any residual empowering authority in the general terms of section 59 of the Act to make such Regulations. If the general terms of subsection 59 (1) of the Act can be construed as being wide enough to empower their making then proposed paragraph 55A (1) (aa) of the Bill, when and if enacted, may well be redundant. However, it is unlikely that a court would treat that provision, when enacted, as anything other than the exclusive source of prescriptive power of the kind purportedly exercised in these Regulations.

In the course of its scrutiny the Committee has also examined the possible significance for this matter of section 4 of the Acts Interpretation Act 1901 (the AIA). Subsection 4 (1) of the AIA provides that—

Where an Act . . . being (a) an Act enacted on or after the date of commencement of this section that is not to come into operation immediately upon its enactment . . . is expressed . . . to amend another Act in such a manner that the other Act, as amended, will confer power . . . to make an instrument of a legislative . . . character . . . then, unless the contrary intention appears, the power may be exercised . . . before the Act concerned comes into operation as if it had come into operation.

It is doubtful whether reliance can be placed on this provision as authority to make the present Regulations since no relevant Act has yet been passed.

Similar remarks might also apply to the Veterans' Entitlement Regulations (Amendment) (Statutory Rules 1988 No. 50).

The Committee's scrutiny has raised a complex legal issue for your consideration. It is one which may be very significant for the successful reasonable recovery of overpayments from beneficiaries of the prescribed schemes. The Committee would be grateful to have your advice.

Yours sincerely,
 Bob Collins
 Chairman

Minister for Veterans' Affairs

Ben Humphreys, MP
 Member for Griffith

17 June 1988

Dear Senator,

Thank you for your letter of 29 April 1988 in which you express reservations about the validity of certain regulations made on 31 March 1988 under the Veterans' Entitlements Act 1986 and Seamen's War Pensions and Allowances Act 1940. Your reservations arose because the amendments to both those Acts, upon which the regulations were dependent, had not been enacted by Parliament at the time the regulations were made.

Officers of my Department have examined the question and agree with your reservations. Section 59 of the Seamen's War Pensions and Allowances Act 1940 and section 216 of the Veterans' Entitlements Act 1986 contain the existing source of power to make regulations in respect of matters to be prescribed under those Acts. Until amendments to those Acts are enacted to make provision for "educational schemes" as "prescribed" there can be no basis for the prescription of educational schemes in the regulations.

Attorney-General's Department has been consulted and confirms this view, expressing the opinion that in all the circumstances the safest course of action is to repeal and remake the regulations. I agree with this approach and appropriate action is now in train.

Finally, I would like to thank the Committee for drawing this matter to my attention. As you noted in your letter, the validity of the regulations has important implications for my portfolio in respect of the recovery of overpayments.

Yours sincerely,
(BEN HUMPHREYS)

Senator the Hon. R Collins

Chairman

Senate

Standing Committee on
Regulations and Ordinances

Canberra, A.C.T. 2600

Mr President, on behalf of Senator Collins, I seek leave to table the correspondence for the information of honourable senators and others.

Leave granted.

EXPORT CONTROL (FISH) ORDERS

Notice of Intention to Withdraw Notice of Motion

Senator MCKIERNAN (Western Australia)—On behalf of Senator Collins, Chairman of the Regulations and Ordinances Committee, and pursuant to standing order 109A, I give notice that, immediately after Question Time this day, I shall withdraw Business of the Senate Notice of Motion No. 1 standing in Senator Collins's name for this day for disallowance of the Export Control (Fish) Orders as amended (Amendment), as contained in Export Control Order No. 2 of 1988. Mr President, I seek leave to make a short statement.

Leave granted.

Senator MCKIERNAN—The Committee has obtained satisfactory explanations from the Minister for Resources, Senator the Hon.

Peter Cook, giving undertakings that future amendments to the orders will specify the actual instruments in existence at the time the order takes effect and that criteria will be included which must be satisfied before the secretary can exercise his approval. I seek leave to incorporate in *Hansard* a brief description of the Committee's scrutiny and the Committee's correspondence with Senator Cook.

Leave granted.

The documents read as follows—

Summary of Committee's Scrutiny

Export Control (Fish) Orders as amended (Amendment), as contained in Export Control Order No. 2 of 1988.

These Orders amend the principal Orders in a number of ways. The Committee sought the advice of the Minister for Resources, Senator the Hon. Peter Cook, in relation to the question of incorporation by reference of other instruments in the Orders. The Committee has frequently had doubts about the practice in delegated legislation of incorporation by reference, for the reason that often the strict and proper distinction between those future instruments that may be incorporated and those that may not be, is not clearly reflected in the drafting of the legislation or explanatory documents that come before the Committee.

The Minister undertook to ensure, in the preparation of amendments to the Orders, that the actual instruments would be specified and that the Committee would be provided with copies of the instruments that are so incorporated.

The Committee also raised with the Minister certain references in the Orders dealing with discretionary approvals that the Secretary was authorised to make. The Committee's concern was that the approvals may have been tantamount to a sub-sub-delegation of the Minister's legislative power, a consequence that is almost certainly beyond the scope of the Orders made under the regulations. This may have depended upon whether the application of the approvals was of a general or administrative nature.

The Minister indicated that the use of the power by the Secretary was intended to be on a case-by-case basis to cover new situations not previously used in a commercial production process. Senator Cook gave the Committee an undertaking that the Orders would be amended to include criteria which must be satisfied before the Secretary can exercise his approval.

The Committee thanks the Minister for his co-operation in these matters.

19 April 1988

Senator the Honourable Peter Cook
 Minister for Resources
 Parliament House
 CANBERRA A.C.T. 2600

Dear Minister,

At its meeting on 14 April 1988 the Committee considered the Export Control (Fish) Orders as amended (Amendment) being Export Control Orders No. 2 of 1988, tabled in the Senate on 24 March 1988. The Committee seeks your advice concerning the question of incorporation by reference of other instruments in the Orders.

Paragraph 46A (1) (b) of the Acts Interpretation Act 1901 (the AIA) appears to apply section 49A of the AIA to these Orders. Section 49A provides, in effect, that only federal Acts and regulations may be applied, adopted or incorporated into Orders to the extent that those Acts or regulations are "in force from time to time". Where any other instruments are incorporated by reference, only such the instruments as in force or existing at the time when the incorporating Order takes effect, may be validly incorporated into Australian law by means of the Orders.

The present Fish Orders make provision for various incorporations. Order 14 provides that—

Fish shall not contain any ingredients except as may be permitted by these Orders or otherwise approved and which conform with any relevant N. H. and M. R. C. standards.

Order 34.4 provides that—

An analysis of a sample shall be made in accordance with

- (a) the published methods of the Association of Official Analytical Chemists; [AOAC]
- (b) the appropriate standard methods published by the Standards Association of Australia [SAA]; or
- (c) another approved method.

Clause 9 (c) of Schedule 2 refers to "Australian Standards AS2730 1984".

It may be that each of these provisions (including possibly Order 34.4 (c)) can only properly refer to the documents (or methods) as in force when the amendment Order took effect. The reference to Australian Standard AS2730—1984, in so far as it contains a date, may seem to relate to an extant standard. However, the references to "any relevant NH and MRC standards" may be wider than the law permits and therefore be misleading to all concerned. Similarly, the references to the published methods of the AOAC and the SAA do not unambiguously confine the relevant methods to those described in extant published documents. While the approval power in paragraph 34.4 (c) may possibly allow the Secretary to approve methods that post-date the date of effect of the Orders, it is not immediately apparent from the Orders, or the explanatory statement, that such

an approval must actually be given before these other methods can lawfully be used.

The Committee has frequently had doubts about the practice in delegated legislation of incorporation by reference, for the reason that often the strict and proper distinction between those future instruments that may be incorporated and those that may not be, is not clearly reflected in the drafting of legislation or explanatory documents that come before the Committee.

The other dimension of the Committee's concern in this regard is that in its scrutiny role the Committee has an obligation to examine incorporated documents which by virtue of incorporation become part of the federal delegated law of Australia. Since in practice such documents (other than federal Acts and regulations) are rarely sent to the Committee with the incorporating legislation, the Committee is inclined to make the assumption that the incorporated instruments are possibly not extant, and that therefore, the incorporations are, to that extent, invalid.

The Committee would appreciate your advice on this difficult issue. Your assurance that all incorporated documents are extant would be welcome, as would your consideration of the general approach to the drafting of these kind of provisions to ensure that adherence to the statutory requirements is evident and unambiguous on the face of the drafting. Anything less is liable to give rise to confusion about intentions and, perhaps, create the risk of an avoidable and perhaps expensive mistake arising. That risk should, of course, be reduced to a minimum and a better drafting formula might well achieve this.

It would be very helpful if you would consider the possibility of instructing your officers to send the Committee copies of incorporated instruments. The Committee is presently corresponding with the Attorney-General inviting him to require that such a practice should be regarded as a standard operating procedure for the handling of delegated legislation.

It might also clear up some misunderstanding if you would comment on the references to "approvals" in Orders 14 and 34.4 (c). Order 5, the interpretation Order, in the Principle Fish Orders (Export Control Orders No. 7 of 1985) states that "'approved' means approved by the Secretary by instrument in writing". Paragraph 25 (2) (g) of the Export Control Act 1982 provides that regulations may empower the Minister to make Orders "with respect to any matter for or in relation to which provision may be made by the regulations." Regulation 3 of the Export Control (Orders) Regulations empowers the Minister to make Orders. Order 5 and Orders 14 and 34 empower the Secretary to approve of matters that are not otherwise provided for in the Orders. Thus, the Secretary's approvals may, *prima facie*, amount to quasi-legislative acts. If they are quasi-legislative the approval power is tantamount to a sub-sub-delegation of the Minister's legislative power, a consequence that is almost certainly beyond the scope of Orders made under the regulations. Approv-

als by the Secretary, may, therefore, be *ultra vires* the Orders and of no legal effect. It might be arguable that the Secretary's approval power is merely administrative in which case these consequences do not arise. However, the power is conferred in order that the Secretary may provide for matters not already legislatively provided for in the Orders. Approvals are likely to be, and are likely to be intended to be, of general and hence, legislative application across a relevant class of persons and not merely applicable to single, isolated, individuals.

In your letter to the Committee of 7 March 1988 you were good enough, in pursuance of an earlier undertaking, to let the Committee have the legal analysis prepared by the Attorney-General's Department on an analogous problem in the Export Control (Animals) Orders (Export Control Orders No. 15 of 1987, Attorney-General's reference GC/87/17296, memo dated 24 December 1987). In that opinion (with which the Committee's own legal adviser found no fault), the adviser, after referring to Pearce, *Delegated Legislation* (1977), para. 509 and Hotop, *Principles of Australian Administrative Law* (1985), p. 151, wrote—

. . . In the context of the present legislative scheme, involving sub-delegation of legislative power to make orders subject, however, to a requirement of public notification and Parliamentary review (see s.25 (4) of the [Export Control] Act and s.48 of the Acts Interpretation Act 1901), it is, I think, strongly arguable that the Act does not authorize further delegation of powers that are legislative in nature in circumstances where there would be no provision for matters such as public notification and Parliamentary review. Notwithstanding the width of the power to make orders conferred by ss.6 (2) (a) and 25 of the Act read with reg. 3 of the Orders Regulations this is particularly so in the context of an offence provision such as s.6 (1). Order 6 authorizes the determination of rules of general application having prospective operation rather than the making of decisions which apply general rules to particular cases. Nor does order 6 prescribe a basis or lay down guidelines according to which the power it confers is to be exercised (see, generally, Hotop, pp. 104-105 and 152-153 and Pearce, paras. 519-520). I think that it is likely that a court would hold that in conferring powers of this nature on the Secretary order 6 exceeds the order-making power . . .

It is extremely important in the national interest that the administration and enforcement of the export control scheme be legally unassailable. It may be that possible confusion between administrative discretions and sub-delegated legislative powers could be seen to have weakened or undermined the legal integrity of the scheme to the extent that a strongly contested court challenge to avoid a relevant criminal conviction of preserve an export licence might succeed to the detriment of administration and law enforcement needs. The Committee wishes to draw this matter to your attention for your comments and evaluation of the possible risks.

The Committee's scrutiny has raised two difficult issues concerning the legal certainty and validity of aspects of your Orders. The Committee draws these matters to your attention on the grounds of principle and to enable you to assess and, perhaps forestall, problems that could cause detriment both to your administration and to exporters who should be able to have complete confidence in the present and future legality of a scheme that regulates their livelihood. The Committee looks forward to receiving your comments and advice on these issues.

Yours sincerely,
Bob Collins
Chairman

17 June 1988

Senator Bob Collins
Chairman
Senate Standing Committee
on Regulations and Ordinances
Parliament House
CANBERRA, A.C.T. 2600

Dear Senator Collins

I refer to your letter dated 19 April 1988, on behalf of the Senate Standing Committee on Regulations and Ordinances, seeking advice on incorporation by reference of other instruments in the Export Control (Fish) Orders as amended ('the Orders').

As you point out the only instruments which can be incorporated by reference in the Orders are instruments in existence at the time the Orders take effect. This limitation is contained in subsection 25(5) of the Export Control Act 1982. The reference to "relevant NH & MRC standards" (order 14); "published methods of the Association of Official Analytical Chemists"; and "the appropriate standard methods published by the Standards Association of Australia" (sub-order 34.4) originally referred to documents in existence at 29 April 1985, the date on which the Orders were made. Following commencement of Export Control Orders No. 2 of 1988 on 30 March 1988 those references included documents in existence at that time.

I appreciate the Committee's concerns there could be doubts as to whether those references include future instruments and also doubts of which instruments are incorporated in the Orders. Consequently, I have instructed officers of the Departments of Primary Industries and Energy to prepare amendments to the Orders to specify the actual instruments, and to provide to the Committee copies of the instruments that are incorporated in orders by reference.

The Committee has also sought comments on whether the power of the Secretary in orders 14 and 34 to approve other ingredients and alternate testing methods may amount to quasi-legislative powers and be *ultra vires* the Orders. These powers are intended for use on an individual case by case basis, such as where a person wishes to use a new ingredient not previously used in a commercial production process

but which conforms with one of the NH & MRC standards for that type of ingredient.

Given the concerns raised by the Committee on this matter I intend to amend the Orders to include criteria which must be satisfied before the Secretary may approve the use of new ingredients or alternate sampling methods.

Thank you for drawing these matters to my attention.

Yours sincerely
PETER COOK

Senator McKIERNAN—On behalf of Senator Collins, I seek leave to table the correspondence for the information of honourable senators and others.

Leave granted.

PHARMACEUTICAL BENEFITS

Withdrawal of Notice of Motion

Senator PUPLICK (New South Wales)—Mr President, I seek leave to make a brief statement concerning a disallowance motion standing in my name, and to withdraw the notice.

Leave granted.

Senator PUPLICK—On Tuesday last I gave notice of a motion to disallow a pharmaceutical benefits declaration, No. PB3, made under subsection 85 (2) of the National Health Act 1953. It has been drawn to my attention that this declaration has not yet been laid before the Senate. As there is room for some doubt as to the effectiveness of a disallowance motion of which notice is given before the tabling of the instrument concerned, I now withdraw the notice of motion standing in my name. In doing so, I indicate that as soon as the declaration is laid before the Senate I will give a fresh notice of a motion to disallow it.

It is a matter of some concern that, although the declaration was gazetted on 20 July 1988, it had not been forwarded for tabling in the Senate as of yesterday. It is customary for statutory instruments to be tabled as soon as practicable after they are made, and if departments and agencies were to fall into the bad habit of delaying the tabling of instruments until the last statutorily permissible day, this could seriously interfere with the Senate's ability to review delegated legislation. I know this would be of particular concern to the Regulations and

Ordinances Committee, which is properly vigilant in such matters. I trust that there will now be no undue or improper delay in tabling this declaration.

I should add that there is judicial authority to be found in the 1931 case before the High Court of Australia of Dignan and Australian Steamships Pty Ltd for the proposition that a motion to disallow an instrument may be effective after the instrument has been laid before the Senate by a private senator, and I indicate that, if there appears to be any undue delay in tabling the declaration, I will consider that course of action and consider tabling the pharmaceutical benefits declaration myself and then moving for its disallowance. I trust that this will not be necessary and that the Department of Community Services and Health will now fulfil its proper obligations to this Parliament without delay.

PRESENTATION OF PAPERS

Senator ROBERT RAY (Victoria—Deputy Manager of Government Business in the Senate)—Papers are tabled in accordance with the list circulated to honourable senators. With the concurrence of the Senate, I ask that the list be incorporated in *Hansard*.

Leave granted.

The list read as follows—

1. Precious Metals, Gem and Jewellery—Industries Assistance Commission Report No. 412—3 May 1988.
2. Mining and Minerals Processing Plant and Equipment; Construction, Earth Moving, Materials Handling and Agricultural Equipment; Railway Rolling Stock; Pumps and Compressors; and Certain Associated Service Industries—Industries Assistance Commission Report No. 413—24 June 1988.
3. Ships, Boats and Other Vessels—Industries Assistance Commission Report No. 414—29 June 1988.
4. Northern Land Council—Annual Report 1986-87—section 37A of the Aboriginal Land Rights (Northern Territory) Act 1976.
5. Tiwi Land Council—Annual Report 1986-87—section 37A of the Aboriginal Land Rights (Northern Territory) Act 1976.

SELECT COMMITTEE ON LEGISLATION PROCEDURES

Senator ROBERT RAY (Victoria—Deputy Manager of Government Business in the Senate)—Mr President, I seek leave to make

a brief statement in relation to Government Business notice of motion No. 2 dealing with the establishment of the Select Committee on Legislation Procedures.

Leave granted.

Senator ROBERT RAY—The Opposition has an amendment to the motion. The amendment is acceptable to the Government. If the Opposition and all other honourable senators are in agreement, I ask for leave for the amendment to be incorporated in the motion and for the amended motion to be taken as formal.

Leave granted.

Senator ROBERT RAY—I move:

- (1) That a select committee, to be known as the Select Committee on Legislation Procedures, be appointed to inquire into and report upon:
 - (a) the referral of bills introduced into the Senate to committees for examination of the provisions of the bills;
 - (b) the allocation of one day each sitting week for meetings of committees to consider bills;
 - (c) the avoidance of an excessive concentration of bills to be dealt with towards the end of a session; and
 - (d) any changes to:
 - (i) procedures of the Senate,
 - (ii) the structure of committees of the Senate, and
 - (iii) procedures of committees,
 to facilitate the referral of bills to committees the consideration of bills by committees and the expediting of Senate consideration of bills.
- (2) That the Committee consist of six Senators, as follows:
 - (a) three to be nominated by the Leader of the Government in the Senate;
 - (b) two to be nominated by the Leader of the Opposition in the Senate; and
 - (c) one to be nominated by the Leader of the Australian Democrats.
- (3) That the Committee may proceed to the despatch of business notwithstanding that all members have not been duly nominated and appointed and notwithstanding any vacancy.
- (4) That the Committee elect as Chairman one of the members nominated by the Leader of the Government.
- (5) That the Chairman of the Committee may, from time to time, appoint another member of the Committee to be the Deputy-Chairman

of the Committee, and that the member so appointed act as Chairman of the Committee at any time when there is no Chairman or the Chairman is not present at a meeting of the Committee.

- (6) That, in the event of the votes on any question before the Committee being equally divided, the Chairman, or the Deputy-Chairman when acting as Chairman, have a casting vote.
- (7) That the quorum of the Committee be three members.
- (8) That the Committee meet in private session and may meet during the sittings of the Senate.
- (9) That the Committee report to the Senate by 1 December 1988.
- (10) That the foregoing provisions of this Resolution, so far as they are inconsistent with the Standing Orders, have effect notwithstanding anything contained in the Standing Orders.

Senator HARRADINE (Tasmania) Mr President, with your indulgence: could we have before us a copy of the Opposition's amendment? I think it would be desirable for that amendment to be formally before us. I have been consulted on this matter. Senator David Hamer was good enough to discuss it with me yesterday.

The PRESIDENT—I do not think the Senate has had any indication yet of what the amendment is.

Senator CHANEY (Western Australia—Leader of the Opposition)—With your indulgence, Mr President: the terms of the amendment were settled by the Chairman of Committees when he was acting as the agent for the Opposition, if you like, and dealt with the matter on my behalf with Senator Ray. The amendment picks up the second of the two elements raised by Senator Ray in his letter to honourable senators. He pointed out that concern had been expressed about two matters: improving the detailed consideration of Bills in this chamber and the rush of legislation at the end of the session. The motion deals only with the first matter that he raised. Our amendment covers that second point, which means that the proposed Select Committee on Legislation Procedures should examine the problem, which we have had so often and which we had in quite an extreme way last session, of a bunching of Bills at the end of a session, which precludes orderly and detailed consideration and, in the Opposition's view, sometimes proper consideration of Bills.

Senator HARRADINE (Tasmania)—With your indulgence, Mr President: in spite of everything Senator Chaney has said—and I was grateful to have been informed of the matter by Senator Hamer yesterday—I was not completely aware, on the basis of Senator Ray's statement this morning, as to whether that was the amendment to be considered and incorporated into his motion. Leave was sought for that to be done. I did not say anything. I have chosen to stand and debate what is a formal motion, thus being entirely out of order. However, I feel that in future copies of such amendments ought to be distributed in any event.

Senator ROBERT RAY (Victoria—Deputy Manager of Government Business in the Senate)—With your indulgence, Mr President: if I may explain, in regard to Senator Harradine and other honourable senators, I assumed that copies of the amendment were circulated this morning. That was not so, and for that we jointly apologise.

Question resolved in the affirmative.

EXPORT MARKET DEVELOPMENT GRANTS AMENDMENT BILL 1988

Bill received from the House of Representatives.

Motion (by Senator Button) agreed to:

That the Bill may proceed without formalities and be now read a first time.

Bill read a first time.

Second Reading

Senator BUTTON (Victoria—Minister for Industry, Technology and Commerce) 10.20)—I move:

That the Bill be now read a second time.

I seek leave to have the second reading speech incorporated in *Hansard*.

Leave granted.

The speech read as follows—

In his economic statement to the House on 25 May, the Treasurer (Mr Keating) announced that as part of the Government's package of microeconomic reform measures the export market development grants (EMDG) scheme was to be revised, effective from 1 July 1988. This Bill gives effect to the changes.

The EMDG scheme, first introduced in 1974, aims to encourage small to medium size Australian exporters to seek out and develop overseas markets. It provides financial incentives in the form of taxable cash grants for eligible expenditure incurred on over-

seas market research and development. Items covered include advertising, overseas representation, the cost of participating in overseas fairs and exhibitions, overseas travel associated with trade promotion, and the cost of bringing agents or buyers to Australia.

Generally, export activities covered by the scheme must involve goods with an Australian content of at least 50 per cent, certain specified service activities, or industrial property rights and know-how which are substantially the result of research or work performed in Australia. The scheme is administered by Austrade. It is due to terminate on 30 June 1990.

Grants are on the basis of 70 per cent of eligible expenditure in excess of a threshold amount and are subject to an export performance test. Grants are not paid where export earnings are in excess of \$20m in a grant year.

The effect of the grant, for a company not affected by the grant ceiling, is to reduce the after-tax cost of eligible expenditure by about two-thirds.

The Government intends that public funds provided for export development are used in a cost-effective manner and result in a sustained improvement in export performance.

Against this background, earlier this year the Bureau of Industry Economics (BIE) was requested to examine the scheme. Advice was sought on the most cost effective manner of delivering assistance to those actively involved in the process of undertaking exports particularly of manufacturers and services. At the same time Austrade commissioned Price Waterhouse to aid them in their own evaluation of the scheme's operation. I thank those organisations for their contribution to the advice received by the Government.

The BIE found that the case for government support for export market development relies on establishing whether there is likely to be a shortfall between the amount of export market development undertaken by private companies and the socially desirable amount of development. Two main arguments are put forward to suggest that this may be the case.

First, firms are unable to appropriate all the benefits to Australia that are generated by their exporting activity. Exporting firms bring back to Australia information about particular markets, and how to operate in these markets. They also help establish the reputation, and create awareness of Australian producers generally. As they are unable to prevent other firms from benefiting from this information their expenditure on export promotion will be less than is socially optimal.

Secondly, small and medium sized exporters without any prior exporting experience will find accurate estimation of the costs and benefits of such efforts an impossible task. This may deter potentially successful exporters from attempting to enter world markets purely due to a lack of information. In this situation a case can be made for the Government to assist companies in respect of their export market development in its earlier stages.

From this rationale, assuming the presence of the commitment essential for successful export market development, objectives which the EMDG scheme should possess include:

The scheme should concentrate on new exporters and on small to medium firms;

Firms should spend a significant amount of their own funds on market development;

An export performance test should be applied that provides an impetus for the firm to export after a reasonable time spent in market development;

Assistance should be given for the development of markets in countries about which potential exporters have the greatest difficulty estimating the costs and benefits of export market development;

Firms should be required to provide an export plan;

The external benefits generated by exporters should be readily available to potential exporters;

The scheme should be administratively efficient for both claimants and the government;

The scheme should complement other government industry programs and

Enough information should be collected from those using and administering the scheme that its effectiveness can be readily measured.

Both reviews found that overall the scheme has focused to a considerable extent on these kinds of objectives. However in a number of areas adjustments could be made to enhance the scheme's effectiveness.

Three principal findings common to both reviews pointed to areas offering scope to improve the scheme. First, the studies questioned the cost effectiveness in applying limited funds for export market development in New Zealand given the closeness and similarity of that market to Australia and in view of the negotiations on closer economic relations (CER).

The external benefits generated by the EMDG scheme are greatest where exporters are developing markets in countries where knowledge of the costs and benefits are least known. The reviews made the observation that the New Zealand market stands out as one where the differences between it and the Australian market are so small that government assistance to overcome uncertainty about those differences hardly seems necessary.

Furthermore, the CER agreement between the two countries provides for a gradual movement towards a single market by the removal of impediments to free trade. The conclusion was that the elimination of the EMDG scheme as it applies to New Zealand would, other things, assist in the fulfilment of this agreement.

Accordingly, the Government has decided that export promotion expenditure in New Zealand will no longer be eligible; correspondingly the value of exports to New Zealand will be excluded from the

ceiling and the earnings test calculations for grant entitlement.

Second, both the reviews canvassed the issue of whether a viable export market can be developed with expenditure as low as the current \$5,000 threshold.

It was acknowledged that little export market development could be achieved with eligible expenditure of only \$5,000 a year. Travel costs alone for the several overseas trips usually needed to begin market development would quickly amount to more than this. The purpose of this requirement was to obtain a minimal commitment from exporters. Given this criticism, the export expenditure threshold is to be increased to \$10,000 before firms become eligible for grants.

The third aspect revealed by the reviews was that of a diminishing rate of export returns over time with respect to assistance to individual exporters. While there were some exceptions to the general case, the evidence clearly pointed to a maturity of market development behaviour after firms had received an average of eight grants. As the EMDG scheme is intended to foster export expansion, delivery of grants in circumstances where export growth stalls is not consistent with the scheme's objectives.

Bearing this in mind the Government intends to tighten the export performance test and to reduce the maximum grants entitlements of claimants who have received eight or more grants. The present export performance test provides that after receiving grants for two years, the maximum grant for subsequent grants was the lesser of 70 per cent of eligible expenditure in excess of the threshold up to a maximum grant of \$200,000, and a decreasing percentage of export earnings. This percentage was set at 50 per cent for the third grant year and it fell in stages to 7.5 per cent after six or more years.

The new percentages of export earnings are: for year 3, 40 per cent; year 4, 20 per cent; year 5, 10 per cent; year 6, 7.5 per cent; and for the 7th and subsequent years, 5 per cent.

The maximum grant entitlement of claimants who are in receipt of a ninth grant will be reduced from \$200,000 to \$150,000 and to \$100,000 who are in receipt of a tenth and subsequent grant.

Both reviews found a case for a requirement for greater export planning and reporting. Also studies such as the Australian Institute of Management study of successful exporters—AIM, 1987—suggested that an export plan was a key feature of the approach of successfully established exporters. A requirement for exporters to submit an export plan need not impose an undue cost burden on them. It can be treated as a simple check list, aimed at ensuring that firms have at least a rudimentary knowledge and preparedness for export. Such a plan would be of help to both firms and to Austrade, while generally indicating a degree of readiness to develop export markets.

The Government, therefore, has decided that the effectiveness of the EMDG scheme would be further

enhanced if a reporting requirement was included in the scheme. Consequently, under the proposed amendments new claimants will be required to submit an export market plan—without the need for its formal approval—as an indicator of commitment to export. It is expected that Austrade normally only will require such plans from new claimants.

We live in an increasingly international environment, in which successful business transactions are determined not solely on financial criteria. Among other things, they also depend on cultural considerations. The ability to effectively communicate with all our trading partners, and not only English speaking countries is obviously an important factor. To assist in encouraging greater foreign language skills and proficiency within our business community, the Government has decided that expenditure for language training will become an eligible item of expenditure under the scheme.

The current arrangements presently place no restrictions on the number of grants payable to related companies—including wholly owned subsidiaries of a common parent. To an extent this can negate the impact of other mechanisms designed to effectively target the scheme such as the \$20m export ceiling and the \$200,000 maximum grant.

For this reason the Government is to introduce an 'affiliated corporations test' into the scheme. This test is intended to treat affiliated corporations which are claimants under the scheme, as a single entity for the purpose of applying the \$20m export ceiling test. The onus will be on claimant companies to identify whether they are affiliated corporations and to identify their affiliates. I refer honourable senators to paragraph 8 of the explanatory memorandum for a detailed explanation of what will constitute affiliated companies.

In addition to these changes that I have outlined the Bill will also amend section 19 in order to give effect to the original intention behind that provision. The intention of section 19 is to enable Austrade to trace a business activity as it is transferred from one legal entity to another and treat the successor as having previously carried on that business activity. This is to ensure any grant entitlements previously paid in respect of that activity are taken into account when determining subsequent grant entitlements. The amendment will achieve this by empowering Austrade to automatically deem grants paid to previous owners in respect of a business activity to have been paid to the new owner of that activity.

As noted previously the current scheme is due to terminate on 30 June 1990. The Government intends to conduct a major review of the scheme before this time. In the meantime it has also decided that in each of the next two years, special funding of \$5m will be provided to Austrade for new export market development activity outside of the EMDG framework. This will allow Austrade to implement some new discretionary targeted programs. It is envisaged that experience with these new programs will provide useful guidance to the Government in its con-

sideration of appropriate cost effective export market development programs post-1990.

The Government sees the amended scheme as maintaining a worthwhile level of assistance to committed, newly emerging, small to medium sized, exporting firms in a more cost-effective and measurable way. Australia thus remains firmly set on a course of improved export performance, continued economic development and a broadening of its economic base.

Debate (on motion by Senator Knowles) adjourned.

IMMIGRATION POLICY

Senator BUTTON (Victoria—Minister for Industry, Technology and Commerce) (10.21)—I move:

That the Senate—

- (a) acknowledging the historic action of the Holt Government, with bipartisan support from the Australian Labor Party, in initiating the dismantling of the White Australia policy; and
- (b) recognising further that since 1973, successive Labor and Liberal-National Party Governments have, with bipartisan support, pursued a racially non-discriminatory immigration policy to the overwhelming national, and international, benefit of Australia,

gives its unambiguous and unqualified commitment to the principle that, whatever criteria are applied by Australian Governments in exercising their sovereign right to determine the composition of the immigration intake, race or ethnic origin shall never, explicitly or implicitly, be among them.

In commenting briefly on the text of the motion, I make the point at the beginning of my remarks that I share some of the views expressed in the motion of which Senator Chaney gave notice today, in the sense that we recognise that it is the sovereign right of governments to determine the total immigration intake into a country and that machinery matters which fall within the overall immigration policy, such as the questions of family reunion and skills requirements, are matters for governments to determine. That is not the point of this motion. Indeed, the motion of which Senator Chaney gave notice this morning might be described unkindly as a sort of 'papering over of the crackpots' resolution which is designed to embrace all sorts of issues which are very much at the periphery of the debate which I now want to talk about.

I was talking about this issue with a Minister in the present Government on a plane

the other day, flying to Canberra. He made the point to me that as a child he was brought up in a country town in Australia. He said that his mother was always concerned at that time about new arrivals in the town. There were people called 'Balts' and 'DPs'. I remember those people, as will other senators. I remember those days. The complaint made by the Minister's mother was that she could never understand what they were talking about. She thought that perhaps they were talking about her because she could not understand them. It was a source of some resentment. I make the point that for 200 years Australia has been a migrant society. There have always been some little difficulties along the way but, by and large, the process of assimilation of various migrant communities has always been accommodated in a harmonious way. It is a success story of which Australians can be proud.

The one predominant failure concerns something that we talked about in the Senate the other day: a clash between European culture in this country and Aboriginal culture. That is the area of conspicuous failure, about which this Parliament is legitimately concerned. Concern was expressed on both sides of the House in the discussion on that resolution. I do not want to enter into a discussion in any detail about our success or otherwise in being a migrant society. I simply say that in my experience—I reiterate what I put a minute ago—we have really been successful in all of that.

The traditional source of migrants, of course, was people from England, Scotland, Wales and Ireland, some of them convicts. These countries then had strong cultural and economic links with the European settlers who were already in Australia. Later in the history of this country there were substantial numbers of migrants from countries like Italy, Greece and the Middle East. Those migrants came here at that time for economic reasons of their own, because of low living standards in those countries and for economic reasons which suited the people of Australia. There was a need for increased population, an increased work force and so on. The cultural and economic links which migrants from those countries had with the Australian community were much less strong and gradually the process was one of absorp-

tion. The cultural links perhaps grew stronger as time went by, as communities from those countries developed in Australia.

In the 1960s, of course, we went through a process where the balance of Australian economic interest began to shift from Europe to the Pacific region. At the same time we saw a progressive weakening of the cultural and political ties with Europe which had characterised the earlier Australian population. This shift from economic and political interests from Europe to the Pacific region was recognised in varying degrees by political leaders of the time. It is now 22 years since the Australian Labor Party at its national conference abandoned its traditional adherence to the so-called white Australia policy. It was the Holt Government, a Liberal Government, as the motion acknowledges, that specifically took steps to abandon that policy. What was recognised by the political leaders of the time was the idea that the racial discrimination inherent in any immigration program belonged to another era as a new set of relationships began to develop for Australia. From then on the governments of Holt, Gorton, McMahon, Whitlam and Fraser did not concern themselves with or wait for public opinion or noisy minorities to show them the way in terms of the immigration policy which this country should have. They did not pander to prejudice. They were concerned about where this country's real interests lay. They pursued an immigration policy which took that into account. It was a triumph of reason over prejudice, of statesmanship over politics.

I might, for a minute, contrast that with the last few weeks. I want to begin by referring to an article by Max Walsh in the *Sydney Morning Herald* of 8 August 1988, an article which begins with these words:

A by-product of the current debate on immigration has been the exposure of a near-universal, staggering ignorance and a truly dangerous complacency about what is happening in Asia. It's not just the average ocker, but politicians, senior journalists and astronomically-paid electronic commentators—

he would know—

who gave a view of Asia and its inhabitants that bears no relation to reality.

I assume that, in writing that, Max Walsh was concerning himself with public utterances about immigration like the one re-

ported in the *Australian* of 12 August when Mr Sinclair, the Leader of the National Party, said:

I certainly believe that . . . we need to, by changing the balance between skilled migrants and family reunions, reduce the number of Asians and encourage more migrants to fit the overall balance of our Australian society.

The implication in that sort of quotation is simply this: somehow, if we want to alter the balance of migration into Australia in favour of skills and economic criteria, that will automatically mean that we bring more migrants from Europe and fewer migrants from Asia. It is a view which expresses the mentality of the 1960s before the Holt Government's decision to which this motion refers. In talking about ignorance, one should point out that one-fifth of Taiwanese students now complete tertiary education; that a country such as Korea in producing twice as many engineering graduates as West Germany; that skills development in countries such as Thailand, Singapore and Malaysia is proceeding apace; and that when Australian computer companies want skills they look for them in South East Asia, not in Europe, because that is where they are. An extraordinary ignorance about these developments has characterised these debates. I just refer to that example of it in passing.

As I have said, since the 1960s there has been growing recognition that the future of this country, whether we like it or not, lies in the Pacific region. Our trading arrangements have shifted to the Pacific region, our cultural ties with Europe have lessened and increasingly we will have political and cultural ties with the countries of South East Asia. What we have been about as a government and what previous governments have groped towards being about is internationalising the Australian economy. I think the more thoughtful spokesmen in the Opposition recognise that that is a policy which is most important for this country. That internationalising of the Australian economy has been reflected in lowered tariffs, a floating exchange rate, deregulation of the financial sector, and deregulation of foreign investment guidelines. We must not be in the position of saying, 'We will have your money but not your people'. We can never be a country which says that.

Yesterday in the Senate, when this matter was raised at Question Time, Senator Evans quoted from Prime Minister Lee Kuan Yew's comments about the recent debate in Australia. I want to refer to that again. Lee Kuan Yew said:

...links with Europe and America are no way equal to the opportunities you're going to have in Asia. So if you don't involve yourselves in trade and development (with Asia), in culture and in social contact...you'll be suppliers of beef, mutton, wool. That's a very tiresome role.

I think that is a marvellous quote, because he says these things with such eloquence. That would be a very tiresome role and it is not a role that this country can in any sense aspire to. People might ask, 'What about Lee Kuan Yew? What does he do in Singapore?' Lee Kuan Yew has been a strong but friendly critic of this country through periods of different governments, consistently concerned about the welfare of this country and its relationship with its neighbours. In November last year, I was in Singapore and heard him being complimentary about this country in terms of the closer economic relations arrangements with New Zealand, and lowering of tariffs, and the increased integration with the economies of the region. The real point in all of this debate is whether, in terms of our economic, social and cultural relationships, this country wants to go forward or backward. There is something very attractive about the 1960s and 1950s. It was a quiet time. Everyone was prosperous. There were no threats or challenges to Australia. It was a time of lost opportunities.

I think the problem that the Opposition has with its policies is whether it is prepared to confront the realities and the challenges of the 1980s, the 1990s and beyond, or whether it is locked into re-inventing the 1960s. If one looks across a whole range of Opposition attitudes and policies, one really has to wonder what the answer to that question is. But for this Government there can be no retreat from the path on which we have launched ourselves in relationships with Asian countries and in terms of internationalising the Australian economy.

The realities of that government policy are very important. So many issues are confused in people's minds. Some people say they are concerned about Japanese investment in

Australia. That is a legitimate issue, a legitimate concern, that no-one would deny people the opportunity of discussing. But I find difficulty when I ask myself the question: if the Opposition is concerned about the role of this country in the Pacific, about its place in the growing economies of this region and its relationships with them, how do shadow Ministers in this Opposition go to South East Asia and say, 'I am here representing the alternative government of Australia, and we have very real concerns about immigration policy.'? Look at what has been said by members of the Opposition in the past few weeks. How does an Opposition spokesman go to Asia and say, 'I represent the alternative government of Australia and we are here to do business with you' when they have the sort of clutter of prejudice and so on that has been revealed in the last few weeks in statements by various Opposition spokesmen?

Senator Chaney—How do the Japanese do business with the United States in the light of derogatory remarks by some Japanese about the racial composition of American society?

Senator BUTTON—Senator Chaney has asked me how the Japanese do business with the United States and has referred to some derogatory remarks made by some Japanese about the racial composition of the United States. It has never deterred the Americans in their attitudes on questions of principle about the composition of United States society. The fact of the matter is that we are not the United States and we are not Japan. We are a country of 16 million people, dependent for our standard of living and for a whole variety of reasons on good relationships with the region in which we happen to live. There is really no point in saying that some people in Japan have attitudes which we would not approve of.

I want to refer again to the article by Max Walsh from the *Sydney Morning Herald*. Making the point that Australia has a geographical advantage in doing business with the new industrialising economies of South East Asia, he said:

It is obvious that in the future the NICs—that is, the new industrialising countries—

will, for the same commercial reasons that motivated the Japanese, seek to diversify their sources. An act of overt hostility, as implied by the Howard immigration policy, will encourage them to accelerate that process. Would you do business with somebody who considered you inferior? Sub-optimum export performance will simply hasten the day when these countries overtake Australia in per capita income. One ignores thousands of years of history if one does not appreciate that economic superiority is invariably accompanied by political superiority and rarely not accompanied by military superiority. It would be a purblind politician who advocated a less-than-friendly and cooperative attitude with Asia.

Australia's national interest . . . has never been clearer. It is at odds with Mr Howard's self-interest. Mr Howard proclaimed his new migration policy on his return from the United Kingdom.. Allegedly, he had had a transfusion of political courage from Margaret Thatcher.

It's a pity he did not stop in Singapore on his way home. Lee Kuan Yew might have been able to demonstrate to him why Australia faces the risk of becoming the poor white trash of Asia.

There are many concerns which go beyond that question of economic interest. There are cultural concerns, political concerns and, as I have said, economic concerns. They are recognised by a number of Opposition spokesmen. Mr Michael MacKellar, a former Immigration Minister in the Fraser Government, said on 12 August:

Events of recent days have in my opinion, threatened Australia's hard won international reputation for racial tolerance and the development of an integrated multicultural society.

Any suggestion by any major political party of a racially based migration policy will damage that reputation abroad.

He went on to point out:

It also gives a measure of respectability to racial bigots existing in my community and can unleash dangerous human emotions.

I think Mr MacKellar put that quite eloquently. I was saying in the earlier part of my remarks that Australia has been phenomenally successful at absorbing migration intakes which have been based on overriding economic consideration on the needs of this country, and sometimes on the needs of incoming migrant communities. It has been amazingly successful in doing that.

I might be doing other senators an injustice, but I probably spend more time in factories and workplaces in this country than any other senator. I have actually worked in them, and quite recently. The important point

about that is that I think average Australians, like every people on earth, are sometimes discriminatory in humour and attitude in relation to a whole range of little tensions that arise. No country is exempt from that, but the degree of harmoniousness which exists in most work places and so on is remarkable and a demonstrable sign of tolerance which this country can be very proud of. Mr Cadman, the Opposition spokesman on immigration, I think recognised that when he said there were no visible threats to social cohesion in Australia.

The point which I want to come back to is that in this debate we have a vested interest in world terms in being seen as a country characterised by the tolerance, compassion, richness and diversity of the people who live here but, above all, by commonsense. When one looks at the very small composition of various communities in Australia, whether they be Asian or European, which have contributed enormously to that richness and that mix, we have something of which we can truly be proud.

We talked in this Parliament yesterday about symbolism in relation to the Aborigines. Some people criticised the value of symbolism and other did not. The motion seeks simply to confirm and maintain what has been recognised by both political parties in this country through more than two decades as a most important aspect of our policy. It is a question of symbolism: it is also a question of political will and political leadership. As I said before, if this country and any alternative government are to confront the challenges and the opportunities which face this country in the next two decades, they cannot do so on the basis of the sorts of utterances made by the Leader of the Opposition, National Party spokesmen and others opposite in the last few weeks. They have done immeasurable damage.

In the last couple of weeks I have met delegations from Taiwan and Korea. The first issue that used to be raised by such delegations, which Senator Chaney raises frequently in this chamber, was: how are you getting on with your labour relations in this country? Is the level of industrial disputes going down? Every Asian delegation would ask that question first in years gone by. It was a legitimate question. Delegations now

ask, 'What is happening in this country in terms of your immigration policy and your attitudes to this region?' and so on. That is the thing which concerns them, and properly so. That is where both the symbolism and the reality are very important. As the political institution, as the Senate and as the Parliament of this country, I believe that we must confirm our commitment—whether we agree about the method of getting there or not—to the present and the future interests of this country in the region where we happen to be. That does not mean that we have to be flooded with migrants from wherever.

Senator Chaney—Why not?

Senator BUTTON—Because, as I said earlier—perhaps Senator Chaney should listen and stop trying to make cheap points—

Senator Chaney—I was listening.

Senator BUTTON—No, he did it before about the Japanese and he is doing it again. The point which he recognised in the notice of motion which he gave, which I recognise and which everybody ought to recognise, is that a government has the sovereign right to determine the total immigration intake into this country, the relevant economic criteria and whether humanitarian issues are relevant in a particular circumstance. That is true. We do not dissent from the Opposition about that and it does not dissent from us. That has always been the basis of bipartisan immigration policy. So has the question of non-racial discrimination been bipartisan policy up to this point. That is why the motion has been moved in its present form. I commend it to the Senate. It is not just a matter of this country being recognised internationally as a tolerant, compassionate, rich society but as one which is determined, in the economic interests of Australians and the world, to establish its place in the region where we live and where we belong.

Senator CHANEY (Western Australia—Leader of the Opposition) (10.49)—The Senate is debating a motion which has been moved by the Leader of the Government in the Senate (Senator Button) relating to migration policy. At the end of his speech, in response to my interjection, he chided me for seeking to score points. I found that a rather sad comment by the Leader of the

Government and, in responding to this motion on behalf of the Opposition, I charge him with making a fairly obvious attempt to score points himself. I ask him why this motion has been brought forward today. On Tuesday of this week, the Leader of the Australian Democrats (Senator Haines) gave a notice of motion on the subject of immigration. That notice of motion had some significant points of similarity with the motion which has been moved by the Leader of the Government in the Senate. Senator Button swung around and said to his colleagues, 'That is our motion'. But Senator Button did not give notice of the motion until yesterday. As we all heard on this morning's Australian Broadcasting Corporation news, the Government has produced a motion for a debate on immigration today, the day of Mr Howard's response to the Budget, and it has been seen—in my view, seen correctly—as simply a political tactic. Certainly, the timing of this is no more than a political tactic. In the bringing forward of a matter which is so fundamental and important for Australia, I would expect a little more sincerity from the Government that is evident from what we have seen today.

In what is the context of the debate, we have an immigration policy which is a matter of great concern to many Australians. It was of sufficient concern to the Government for it to establish a committee of inquiry. It was not the Opposition but the Government which asked Mr FitzGerald and others to report, to advise, on Australia's immigration polity. The report of the FitzGerald Committee to Advise on Australia's Immigration Policies shows that there is very substantial disquiet in this country about our immigration policy. FitzGerald and the rest of his Committee took hundreds of submissions and spoke to very many Australians. I do not have time to go through the full report that has been put down by Mr FitzGerald, but I will quote from part of his summary at the beginning of that report. Mr FitzGerald said:

Immigration, worldwide, is under pressure. At present, Australia's immigration policies are not managing the increasing demand. Without immediate reform, current selection mechanisms will deliver many tens of thousands of immigrants more than the planned immigration program.

In other words, Mr FitzGerald is reporting that in basic administration this Government has failed. We know that Mr Holding has been sacked. He has been demoted. He is the last in a line of Ministers to hold this portfolio for a brief time, and he has been sacked by the Prime Minister (Mr Hawke), demoted to the outer Ministry, and given the administration of arts in this country. There is the Government's Committee report. Mr FitzGerald goes on to say:

Problems with current immigration policies are not limited to the numbers. Widespread mistrust and failing consensus threaten community support of immigration. The program is not identified in the public mind with the national interest, and must be given a convincing rationale.

That is the second comment that the FitzGerald Committee makes about our immigration program—'widespread mistrust and failing consensus'. The Committee refers to the 'need for a sharper economic focus, for the public to be convinced that the program is in Australia's interests', and says:

Without it, the core principles of current immigration policy, non-discrimination, and family immigration plus the need for opportunities for non-English speakers, are clearly at risk.

FitzGerald refers to the skills profile having fallen. He refers to the fact that many Australians are not convinced that immigrants are making a commitment to their new country:

Inevitable changes to their society, brought by immigration, trouble them. Poor rates for the taking up of citizenship disturb them.

The status of citizenship is seriously undervalued.

And so it goes. I mention that because the current debate on immigration and the release of the Opposition's updated immigration policy this week are occurring in the context of widespread dissatisfaction with the immigration program. That has been expressed, as I said, not just by the Opposition but also by the Committee which was established by the Government under the distinguished chairmanship of a man who has served this Labor Government in a number of capacities—as our ambassador to China and in other respects. I simply put that down as part of the context of this debate.

The policy which we have issued and which is reflected in the motion which I gave notice of today and in the amendment I intend to

move to the Government's motion which is in the terms of the motion of which I gave notice today is a policy which has been identified by the *Australian* newspaper as correct. In its editorial today, it expresses its support for a policy which 'contains no suggestion of racial prejudice and declares its dedication to equal treatment and equal opportunity for all Australians, regardless of race, colour, creed or country of origin within the framework of a just, tolerant society'. The editorial goes on to say—and this is a point which reflects the one point of disagreement between us and the Government with respect to this motion:

Australia should not allow itself to be bluffed into surrendering its national sovereignty by reports that some of our neighbours to the north, few of whom are models of racial tolerance, will take economic reprisals against us if we follow an immigration policy designed to preserve our cultural and political traditions and our social cohesion.

It goes on to say—and I agree with it:

But it should not be necessary to remind ourselves that, if our politicians make disparaging comments about Asians, we shall not be able to retain good relations with Asian countries.

We have issued a policy and, pursuant to that policy, I move:

Leave out all words after paragraph (a), insert the following paragraph:

- (b) confirms a total commitment to equal treatment and equal opportunity for all Australians regardless of race, colour, creed or country of origin within the framework of a just and tolerant society;
- (c) condemns the Hawke Government's maladministration of immigration policy over the past five years which has led to public disquiet as evidenced by the findings of the FitzGerald Committee;
- (d) confirms that it is the very essence of national sovereignty that only the democratically elected government has the right to determine both the overall and the specific composition of our migrant intake;
- (e) confirms, without qualification, that it must be the role of the elected government, acting on behalf of and with the support of the whole community, to make the final and absolute decisions on who will or will not be granted entry to Australia on a temporary or permanent basis;
- (f) confirms that this means that any government must reserve the right from time to time to vary and alter policy, including adjustments to the size and composition of the immigra-

tion program in response to changing requirements, be they social, economic, political or humanitarian;

- (g) confirms that established principles of any immigration policy will always be subject to this overriding right;
- (h) confirms that migrants accepted for permanent settlement in Australia must share the Australian people's basic values and commitments and be able to make a positive contribution to national well-being and advancement;
- (i) expresses its support for One Australia and welcomes all those who share that vision and are ready to contribute to it; and
- (j) confirms that:
 - (i) no person other than an Australian citizen, or a permanent resident of the Australian community, has a basic right to enter Australia.
 - (ii) migrant entry criteria should be developed on the basis of the economic and social benefit to the Australian community for people other than those admitted for family reunion or as refugees. As a general principle, Australia should not admit for settlement people who would represent an economic burden to Australia through inordinate claims on welfare, health or other resources, or who would endanger the community by criminal or other anti-social activities, or whose entry would be to their own detriment.

(iii) the capacity of the Australian people to accept and absorb change must always be a major factor in immigration policy. The size and composition of our immigration policy should not jeopardise social cohesiveness and harmony within the Australian community.

(iv) in selecting between one individual and another, immigration policy will not discriminate against applicants on the basis of their race, colour, nationality, descent, national or ethnic origin, gender or religion.

(v) applicants should be considered for immigration as individuals or individual family units, not as community groups. An exception will be refugees in designated refugee situations, although even in such circumstances, the criteria for selection will be related to the characteristics of individual applicants.

(vi) the standard for eligibility and suitability of migrants should reflect Australian social mores and Australian law. Polygamous unions should not be accepted, nor the entry of child fiance/ies. The concept of "immediate family" for eligibility purposes will be derived from the Australian norm, that is, the unit consisting of husband, wife, dependent children and aged parents.

(vii) migrants will be expected to respect the institutions and principles which are basic to Australian society, including parliamentary democracy, the rule of law and equality before the law, freedom of the individual, freedom of speech, freedom of association, freedom of assembly, freedom of the press, freedom of religion, equality for women, universal education. Reciprocally, Australia will be committed to facilitating equal opportunity for participation of migrants in society.

(viii) immigration to Australia should be for permanent settlement, although there should be no barrier preventing the departure of people wishing to leave. The guest-worker immigration flow, until recently popular in the industrialised countries of Western Europe, should not be adopted for Australia.

(ix) citizenship is the ultimate expression of an individual's commitment to Australia and its future and requires respect for Australia's institutions and values. Migration to Australia should lead to Australian citizenship.

(x) while migrants will have the same rights as other Australian residents to choose their place of residence individually or collectively, enclave settlement will not be encouraged.

(xi) policies governing entry and settlement should be based on the premise that migrants want to integrate into the Australian society. Migrants will be given every opportunity, consistent with this premise, to preserve and disseminate their cultural heritage.

The motion would then read, as does the existing motion moved by the Government, that we acknowledge the historic action of the Holt Government, with bipartisan support from the Australian Labor Party, in initiating the dismantling of the white Australia policy, and would go on to confirm a commitment to equal treatment and equal opportunity for all Australians, and so on. It condemns the Hawke Government's maladministration of the immigration policy over the last five years and confirms that at the very essence of national sovereignty only the democratically elected government has the right to determine both the overall and specific composition of our migrant intake.

I will not go right through the whole motion, because I have read it to the Senate before and I do not believe it is necessary to do it again. However, I express my personal and very strong view that it is absolutely essential that we have a total commitment on all sides of this chamber to equal treatment and equal opportunity for all Austra-

lians, regardless of race, colour, creed or country of origin within the framework of our just and tolerant society. I say that because, whilst I agree generally with what was said by Senator Button about the great success of our 200 years of migrant society and I agree that it is a success story of which we can be proud, I do not believe that it can be said that it is only with respect to the position of our Aboriginal Australians that we can be said to have had failure.

Senator Button was in the Senate in 1975 when his Government, the Whitlam Government, introduced into the Senate the Racial Discrimination Bill. That Bill was an acknowledgment that within Australia there have been problems of racial discrimination to the point where the government of the day sought to legislate to make it quite clear that racial intolerance was to be no part of Australian society. That legislation was passed with the support of the coalition Opposition at the time, and I, among many others, spoke in favour of it because of my personal experience of racial discrimination within Australia.

Whilst I accept that in general we have a splendid success story to tell the world about our immigration program, it is also true—and the evidence comes forward from time to time through the newspapers and through the works of the Human Rights and Equal Opportunity Commission and so on—that there remain pockets and examples of discrimination. It is certainly true, as was said by Senator Button, that for many Aboriginal people we have conspicuously failed to find a successful and working place in Australian society. So there are difficulties, and that again is part of the context of this debate.

I remind the Senate that just one day ago we were debating in this place a proposal by the Government that we should recognise the special place of Aboriginal Australians in this community. As one who believes that Aboriginals have a special place as the indigenous people of this country, I simply say to the Government that that in itself is an acknowledgment of a race which has been made in a positive way by Parliament. I am sure that you, Mr Acting Deputy President, joined in making that acknowledgment believing that was a very positive thing to do. It was, of course, a recognition of a racial

matter, of the existence of a racial group that has seen its own position as being different in significant respects and in that respect has sought some special treatment and consideration.

If one looks at the actual performance of Australia one will see that our past is not actually unsullied at the government level. In 1975 at the very time when the Whitlam Government was supporting legislation against racial discrimination, the fact of the matter is that the Prime Minister of the day, Mr Whitlam, played what I would regard as a most disreputable role in the immigration program of this country with respect to the entry of people from South East Asia and in particular Indo-China during that troubled and difficult period. I interjected on the Leader of the Government in the Senate when he used the expression 'Balts' and referred to the concerns of the mother of one of his ministerial colleagues in years gone by about Balts being immigrant members of the Australian community. I reminded him of the expression 'Vietnamese Balts'. I ask Government speakers to remember that it was their own leader who used that discreditable term when he took the management of the refugee program out of the hands of the Minister of the day, Senator James McClelland, and imposed the most rigid restrictions on the entry of those Indo-Chinese refugees. He even presided over a requirement that a number of Indo-Chinese refugees admitted here should enter into some commitment not to speak on political matters. He was prepared to make that sort of attack on those people because of the colour of their politics.

Senator Stone—He even refused entry to those who had worked in the Australian Embassy.

Senator CHANEY—I am reminded by an interjection from Senator Stone that members of the Indo-Chinese community who had served Australia as embassy employees were refused admission. When I took a refugee case up with the then Senator James McClelland, a heart-rending case of a person in an Indo-Chinese refugee camp who had his fiancee in Australia, the Minister told me the matter was totally out of his hands. The Prime Minister had taken the matter out of his hands and put on the most restrictive

and difficult conditions. That is part of the recent history of this country and part of the history of a government of which the Leader of the Government, who has spoken at this table, was a supporter.

Who will forget the concerns which were felt in the Australian community in 1977 when the first boat people arrived? It may be a fact that the Macassan people have visited the north-east coast of Australia for centuries. But for most Australians the spectacle of refugees arriving directly in small, leaky boats on our northern shores was an extraordinary shock. In responding to this motion I remind the Leader of the Government, who has now returned to the Senate, that in 1977 when we faced a wave of public concern—I remember public demands that we turn those boats and push them back out to sea—we got very little aid and comfort from the labour movement in this country, whether at the parliamentary level or the organisational level. The Prime Minister of the day was conspicuous by his failure to provide the sort of moral support that I believe we were entitled to. For as long as I am in politics, I will remember with pride the strength of purpose and the political courage which were shown by the then coalition Government in 1977 in the face of an election, in the face of widespread public concern, and in the face of a labour movement led by Bob Hawke which was reminding us that it was the responsibility of the Government to determine who should come into this country. What did Mr Hawke mean by that?

I think back over the debates on immigration and I say that the statements in our policy which make it clear that the selection of migrants will be on a non-discriminatory basis can be believed because our record is so clear. I find the current use of this by the Government an attempt simply to gain political points. It is pathetic when one looks at the record of those who are doing this. I do not remember Senator Button, who has chided me about a lack of understanding of the situation with respect to our Asian neighbours, leading any charge or making any complaint when his Prime Minister, Gough Whitlam, was administering the refugee program in a way which was absolutely uncon-

scionable. It combined both racial and political prejudices.

So far as I am concerned, there is an enormous degree of hypocrisy. Senator Button in this speech today has in fact not sought to advance the national interest at all. He has simply given aid and comfort to those people who could misrepresent our position on this delicate and sensitive issue. He has done it for short term political gain and he has done it in a way that will add to and not diminish the difficulties in South East Asia to which he has referred.

The fact of the matter is that Mr Howard has made it quite clear, and indeed our policy makes it quite clear, that we in no sense advocate a return to the white Australia policy. That is dead; it is gone; it is finished; it is no part of coalition policy. We do not advocate the cessation of migration from Asia. That advocacy, as far as we are concerned, is dead and gone and finished. All that we are advocating is that the ultimate national responsibility rests with the government of the day to control all aspects of the migration program in the national interest. I find the hypocrisy of much of the attack on the Opposition in this matter surpassing anything I have seen before in politics. I would include in that complaint the media. I got my Sunday paper in Perth last Sunday. The headline was to the effect that Asians were urged to buy up Australia cheap. It was a huge banner headline, the sort of thing calculated, I would have thought, to cause concern and to cause community unrest. I find it sad that the media report so much of this debate in a way that can be calculated only to cause difficulties rather than to ease them.

Let me go back to the Opposition's position. We have made it quite clear that we are not advocating the white Australia policy. We rejected that policy when we were in government in the 1960s. We are not advocating a cessation of Asian immigration or, indeed, a cessation of immigration from any particular source at all. We are saying no more than what is contained in the amendment which I have moved, which is in the terms of the notice of motion which I gave this morning; that is, that it is the role of the elected government, acting on behalf of and with the support of the whole com-

munity, to make the final and absolute decisions on who will or will not be granted entry to Australia on a temporary or permanent basis.

I have already referred to some of the past failures of Labor Party governments with respect to their showing regard for the principle of non-discrimination. I now want to refer to some of the things about the current Government which suggest to me, and indeed make it clear, that this Government is not accurately expressing its position in the motion which is before us. Mick Young was—I nearly said a distinguished Minister for Immigration; that would be a gross misdescription—a Minister for Immigration in this Government. In an interview on 18 October 1987 he said this:

The quota for Thailand this year out of that 12,000—the 12,000 is the quota of refugees—

is 2,100, if we allocate the figure as best we can on the known applicants that we are going to get. I mean, we get thousands and thousands of applicants, more than we can possibly handle, but we have said as part of our intake total migration program this year 12,000 will be in the category of refugee and special humanitarian. We have taken over the last 11 years 33,000 people out of Thailand but this year the number will be 2,100. It is not an additional 2,100. It is part of the 12,000 we have already announced.

The simple point I make is this: Of necessity the government of the day, in managing its immigration program, has settled at a figure for refugees and within that has settled for the number which will come from Thailand. To suggest that that is not putting some sort of quota on the number of people who will come from that part of the world is, of course, a contradiction in terms. We had, I think, a clear illustration of that in the controversy that was briefly aired in the Senate earlier this week arising from the *Sydney Morning Herald* article on the administration of the business migration program. A most extraordinary explanation of that situation was given in the Senate by Senator Reynolds, who is for the time being representing the Government on immigration in this place. She sought to explain the fact that the Government had set out to increase the number of European immigrants coming to Australia as part of the business migration program on the basis of an explanation that had been received from the consultant, Mr

Cullen, in a letter to Mr Holding. Mr Cullen said:

At no time did I mention that increased proportion of Business Migrants from Europe and US were to be at the expense of Asians (or anyone else for that matter).

What is disclosed by both the *Sydney Morning Herald* and by the papers which have been tabled is that the Government set out under the business migration program to get all business migrants from Europe and North America and in that way to change the proportion. No allegation is made that the Government was trying to stop Asian businessmen from coming to Australia. No suggestion has been made by the Opposition that it should. The Government chose in recent times to seek to change the proportion by increasing the proportion of migration from Europe. Even that sort of an adjustment would be prohibitive to the Government under the motion which it has moved here today. That is one of the reasons why the amendment we have moved should have the support of the Senate. The reality is that to suggest that there can be no regard under any circumstances in the immigration program to a matter of race is trying the hands of a future Australian government in a way which is totally unrealistic.

Let me take a situation which could arise, where there might be discrimination in favour of a particular racial group in our program. Yesterday I raised in the Senate the fact that we had yet another example of international genocide, or genocide in another nation. I referred to the situation in Burundi. Earlier I referred to the situation in Cambodia. In Burundi another 24,000 members of the majority group had just been slaughtered by the dominant minority group. In Cambodia, when the then Prime Minister, Mr Whitlam, was making life difficult for refugees to get into this country, literally millions of people were being slaughtered. Is this motion suggesting, as on the face of it it does, that a determination by an Australian government to provide some relief for people who are being subject to persecution would be out of order?

Let us go back to the issue of Jewish migration in the 1930s. The sad reality is that many countries around the world restricted the capacity of Jewish people to escape what was happening in Europe.

Senator Crichton-Browne—They sent the ships back.

Senator CHANEY—Ships were sent back, I am reminded by Senator Crichton-Browne. In those circumstances a migration policy which overtly stated that in the current circumstances people of Jewish religion were clearly at risk and therefore should be given concessional or easier entry would be a proper and humane policy. In exactly the same way, at some future time we may well determine that members of some particular racial group are in such circumstances that we should give them preference over other people who might otherwise be satisfactory, indeed admirable, settlers in Australia.

Yet this motion calls upon us to give an unambiguous and unqualified commitment to the principle that race or ethnic origin shall never explicitly or implicitly be among the criteria to be applied by the Australian government with respect to the entry of immigrants to this country. That seems to me to be an absurd attempt to score a point without regard to the realities which can face a government in this difficult area. I am in no sense going to apologise to members of the Australian Labor Party for the attitudes which have been adopted by the coalition with respect to immigration. I have touched on some of the areas where the Labor Party has shamefully failed to face up to important questions which have gone to the rights of people who have been seeking entry to this country, where the crudity of the Labor Party approach has been something of a disgrace to this country.

As a Senate, we must affirm our commitment to the absolute equality of all Australians within Australia. We should affirm our commitment to a non-discriminatory policy. But we should also affirm our commitment to the absolute right of the government of the day to manage the immigration program in the best interests of Australia. To suggest that we can or should in some way tie the hands of future governments to exclude the consideration of matters which may be of humanitarian, national or community interest is, in my view, foolish.

I commend to the Senate the carefully worded principles which are contained in the amendment to this motion. I ask the Senate

to consider the wisdom, or rather the unwise-dom, of tying the hands of a government in the way that this motion purports to do. I say to the Senate that we have a responsibility to all of the Australian people—not just to the trading nations that are of such concern to Senator Button—to administer our immigration policy in a way which is first and foremost in the interests of this country and of maintaining a harmonious community. We have done that in the majority of cases with signal success, but the situation is one that we should not take lightly. We should see it as a central government responsibility.

Senator JENKINS (Western Australia) (11.18)—It is unfortunate that we are debating a motion such as this. There should be no need for the Senate to feel that it should acknowledge the historic action of the Holt Government with bipartisan support from the Australian Labor Party in initiating the dismantling of the white Australia policy. It is shameful that we need at this stage to recognise further that since 1973 successive Labor and Liberal-National Party governments have, with bipartisan support, pursued a racially non-discriminatory immigration policy to the overwhelming national and international benefit of Australia. It is unfortunate that at this stage we need to give our unambiguous and unqualified commitment to the principle that, whatever criteria are applied by Australian governments in exercising their sovereign right to determine the composition of the immigration intake, race or ethnic origin shall never explicitly or implicitly be among them.

We are forced into the position of debating this matter because of the unfortunate remarks of the Leader of the Opposition (Mr Howard) and the intemperate remarks that were then made by other members of the coalition Opposition. I quote from the editorial in today's *Australian*:

When Mr Howard voiced his opinion that Asian immigration should be reduced, as if this was self-evident, and without offering any justification other than that some people do not like it, he should have expected a raucous response.

His uncompromising refusal to resile from that statement seemed to reinforce the impression he had given of being unfriendly towards Asians. The subsequent comments of some of his colleagues must have been hurtful to many good Australians of Asian

descent or origin and made it inevitable that immigration policy would be discussed in an atmosphere of strident confrontation.

That has unfortunately happened. I was relieved to hear Senator Chaney's words that this in no way means that the Opposition is advocating a white Australia policy, but it is unfortunate that Mr Howard has been seen by the community to advocate a Clayton's white Australia policy: the white Australia policy one has when one is not having one. Again, it is equally unfortunate that the media have taken up this debate with, in some cases, a great deal of irresponsibility. One of FitzGerald's recommendations is that the media should be temperate in its comments on all immigration matters. In fact, to mention discrimination, even to put a toe on that particularly slippery and dangerous path, is a very dangerous thing for us to do. It will cause and has caused Australians to feel shame and it can and will demean us in the eyes of the world if we in any way continue on this path.

When the FitzGerald Committee—the Committee to Advise on Australia's Immigration Policies, known as the CAAIP Committee—was set up, it was given terms of reference, and it was also stated that 'in carrying out its work, the Committee should have regard to the principles that Australia's immigration policies are non-discriminatory in respect of national or ethnic origin, race, sex and religion, and that it is a sovereign right of the Australian Government to determine who should enter'.

Senator McGauran—What was its finding?

Senator JENKINS—I am about to come to that, Senator. I now quote two of Fitz-Gerald's recommendations. The first quotation is as follows:

That the Government affirm its commitment to immigration policies which are non-discriminatory in respect of national or ethnic origin, race, sex or religion, and that this principle be asserted in all relevant published information.

Secondly, recommendation 9 (v) reads as follows:

In selecting between one individual and another, immigration policy will be non-discriminatory on grounds of race, colour, descent or national or ethnic origin, sex and religion.

Even the terms of reference of the Fitz-Gerald Committee did not discuss a policy

which was discriminatory, and the recommendations bear that out.

As Senator Button described, immigration has been a constant theme in Australia's history since 1788. In fact, migrants were here before British settlement started 200 years ago. Earlier, Japanese and Chinese people were involved in the pearlling industry off the northern coast of Western Australia, in the Broome area. From the start of British settlement 200 years ago we were a multicultural society. There were different cultures, because the cultures of the Governors and officers at the time could be in no way regarded as similar to those of the prisoners, the military and the gaolers. Of course, the indigenous Aboriginal people had already been here for 40,000 years. I think it is pertinent to mention them in the debate on this motion, just as they were mentioned by Senator Button and Senator Chaney. In a paper delivered in October 1987 at a conference entitled 'Canada 2,000—Race Relations', Professor Jayasuriya stated:

In considering the overall patterns and dynamics of inter-group ethnic relations, one aspect stands out clearly. From the earliest days group relations in Australian society have been handled differently with respect to the indigenous people and 'new settlers'. Settler-native (Aboriginal) relations from the outset have been marked by a policy of social exclusion, heavily laden by coercive control of Aboriginal people are exemplified in the alienation of their rights to land and restricted access to resources. Aboriginal peoples in Australia, contrary to the experience of indigenous groups in what we shall describe later as, 'anglo-fragment' societies such as Canada, have remained powerless, politically disenfranchised, economically deprived and the victims of oppression and discrimination. Since the 1970s various efforts have been made by government to redress this situation. However, while this alienation persists, there is amongst Aboriginal people, a great sense of the injustice inflicted upon them; and their sense of outrage continues to bedevil the political and social landscape.

In fact, from the start of assisted passages in 1831 it was deemed essential to bring from Britain only those who could find useful jobs in Australia. Later, of course, there were Chinese in the goldfields and then the post-Second World War mass migration period. During this period of migration, of course, it was not people's skills that were looked at, but the needs of people to come here—the displaced persons, or DPs, as they were called—and also Australia's perceived need

at the time to populate or perish. This occurred during the white Australia policy period.

Later, the refugees who came here included people from Poland, Hungary, Czechoslovakia, Vietnam, Kampuchea, Chile and other countries. But it is interesting that a fundamental characteristic of Australia's immigration policy is that it is a migration of settlement; it is not like the guest-worker situation in many countries in Europe, such as West Germany. This difference is not always apparent to people. We tried, first of all, the policies of assimilation and integration, and they did not really work. All that that achieved was to make our migrants feel shame because they spoke a language other than English. It made them want to hide that fact. In many cases it made them want to hide the fact of their origin, because otherwise there was certainly discrimination against them.

One of the worst things that happened was the incarceration of such people during the Second World War. The Hon. Franca Arena, member of the Legislative Council of the Parliament of New South Wales, referred to this matter in a speech that she made to the Italo-Australian Women's Association Conference in Perth in 1986. She spoke about women whose husbands, fathers or brothers were interned during the Second World War, many of them because they were citizens of a country with which Australia was at war, but in many other cases because of their Italian origin, despite the fact that they had become Australian citizens. These women found themselves alone in a society which was often hostile. They had to keep the shop open, the farm going or quickly find a job to keep the family alive and together. In fact, during that early period of mass European migration there was a lot of discrimination in Australia against our new Australians, our migrants at the time. But times have changed. It is now recognised that these people have made a great contribution to our society. I would say that not only have discrimination and bad feelings towards these people finished completely but also we have gone right to the other side of the coin. They are now fully appreciated. It is very easy to feel fear in respect of people whose culture may be different from ours

and whom we do not understand. We are indeed a multicultural society and, as Senator Button has said, that cannot be denied. That is simply a fact of life. The word 'multiculturalism' seems to upset a lot of people and it is indeed unfortunate that FitzGerald did not seem to understand the word. But a word is just a word and maybe a better term to use would be 'democratic pluralism', and I acknowledge that we are a democratic pluralistic society. As I said before, it is unfortunate that FitzGerald did not seem to understand the word 'multiculturalism' and this has also given rise to a debate which we really should not have. Dr James Jupp, Director of the Centre for Immigration and Multicultural Studies at the Australian National University and Chairman of the Review of Migrant and Multicultural Programs and Services of 1986, in response to the FitzGerald report said:

The trouble is that he has not been adequately briefed on some of the complexities of Australia's multicultural society. He has not been sufficiently restrained by his fellow committee members from putting too strongly, views which might damage the likelihood of his report being accepted without considerable rancour and confusion.

This was a further comment by Dr Jupp:

It is undoubtedly true that very few people understand what is meant by multiculturalism—the fact that so well-intentioned and liberal a public figure as Stephen FitzGerald can get it all wrong attests to much confusion.

And again he said:

What many do not like is the "fact" of multiculturalism—that several million Australians are not of British origin and that well over one million normally use a language other than English. This "fact" is irreversible and must be acknowledged and dealt with by government whether a certain percentage in opinion polls likes it or not.

Because of the events that have happened, and the tone of public debate that we have had, I called a meeting in Perth last week to reaffirm Australia's non-discriminatory immigration policy and Australia's policy of multiculturalism. There were some members of the National Socialist Movement who attended that meeting and we did let them speak and give their viewpoints. In quite a spirited debate that eventuated towards the end of the meeting one person who spoke—he is an Australian citizen and also a black African—was told by one of the National

Socialist members that he could not be an Australian because only a European can be an Australian. At this point a European, who has been here some 25 or 30 years but who still has a thick European accent, stood up and said, 'Well then, I'm an Australian'. He was told, 'Well, not you; you can't be an Australian with an accent like that'. I am afraid this is the level of debate that is going on out there as a result of Mr Howard's words and this is unfortunate. What, of course, multiculturalism is is a fair go for all and nothing could be more Australian than that.

We have also had a lot of talk about the skills and business migration area. Mr Howard has stated that this is the area that we should be concentrating on as far as our migration schemes are concerned. What is very interesting is that our Asian neighbours who wish to migrate here do so quite successfully under these two categories. In fact I do wonder whether Mr Howard is saying one thing in one breath and another thing in another. Mr Lippmann, in response to the FitzGerald report, stated that he was:

Concerned at underlying assumption that economic aspect of immigration is more important than the human one. Focusing on skills and entrepreneurial acumen seems to me to pursue vague and often illusory short term economic factors.

I believe this is an issue which does need rational debate as far as our immigration policies are concerned. One of the problems with the business migration scheme is that people that have the required half a million dollars to migrate do not have to proceed through our normal immigration procedures. That is wrong. It is quite wrong that they should be able to pay \$1,000 to an agent and be processed that way. Another area which causes great concern as far as business migration is concerned is that there is no follow-up as to what happens with the half a million dollars. FitzGerald has an interesting recommendation on that one. He recommends that there should be follow-up and I would absolutely support that.

Another area of concern is whether we should be looking to bring in migrants on a skills basis when we have high unemployment in this country. A lot of second and third generation migrants see their own adult children unable to find jobs and also feel

concerned on this score. Likewise, Fitz-Gerald does have a recommendation that tied up with our immigration numbers there should be a constant, ongoing review of education, training and retraining policies. I would hope we have tripartisan policies here. I think and I hope we would all agree with FitzGerald's statement that our refugee, humanitarian and family reunion immigration must continue. There is a suggestion that the increase should be to 15,000 per annum. Certainly I would agree with Senator Chaney here that when we have disasters in the world that come on us very unexpectedly there should always be a relaxation of that figure. It is unthinkable that we would not play our part with the other countries in the world which are also signatories to the international agreement on intake of refugees and take in people who find themselves in great danger unexpectedly. One worrying thing about FitzGerald's recommendation is that only half of our intake of refugees should have their fares paid. I think that is a cause for concern and needs further discussion.

Another point that has been raised is that it is possible for government to vary the intake of migrants without reference to the Parliament. In fact, the present Government did raise the points from 70 to 80 in June. This change and its implications have not been discussed by the Parliament and are not even addressed in Mr FitzGerald's model Bill—the new proposed Bill—on immigration. It has been mentioned that one of the dangers of discriminatory policy is that it will prevent trade in the Asian area or make it difficult for us to trade in the Asian area. I believe that this is so. If we go any way towards discrimination because of race or ethnic background, then we cannot be regarded as a fair country. Therefore it must affect the way we trade with other countries. On the other hand, the matter of overseas investment was raised and that is of course quite a different issue when we have non-Australian citizens who have no intention of being Australian citizens investing in and buying up land and properties in this country. We do not even have a register which explains to us exactly who is here and what they own. That is a matter for concern and really is unconnected with our immigration policy as such.

Citizenship is another matter that has been raised. What are we going to do if people do not take out citizenship? People who do not take out citizenship are, for the most part, from the United Kingdom, New Zealand and North America. Are we going to send them back after so many years—I guess it could then be regarded as a free holiday; a person could come to Australia, not take out citizenship and go back at government expense—or are we going to turn them into second class citizens by, as FitzGerald suggests, not giving them some benefits? I think the Government is going along the right path by encouraging people to take out citizenship.

I would just like to mention an interesting and ironical anomaly. We are about to vote on four important referendum questions which may change our Constitution, yet we have non-citizens who will be forced to vote on those referendum questions. I would like to give some figures because, as was stated in today's *Sydney Morning Herald*, there are a lot of myths concerning the number of people of Asian origin. An article in today's *Sydney Morning Herald* headed 'The Immigration Debate' states:

The 'Asian invasion' is also a myth. Come 2025 just 7 per cent of Australia's population will be Asian-born. The bigger 'threat' to Australia is posed by Britain and Ireland, and New Zealand.

Another inconsistency, which is mentioned in the same article, is one of the arguments put up in the anti-Asian debate. Asians are blamed for forcing up the prices of Sydney houses, yet they are also blamed for forcing down the prices of houses in certain areas. In one breath they are said to be a tax burden because they are on the dole and, in the other breath, they are said to be taking all the jobs. I think this gives some indication of the level of debate which, as I have said before, is unfortunate and should not be happening.

In the same article figures are also quoted for migration to Australia between 1945 and 1986. Figures for the top 30 countries are given. Of course, the top countries are: the United Kingdom and Ireland at 41.2 per cent; Vietnam at 2 per cent; India at 0.7 per cent; Malaysia at 0.6 per cent; Sri Lanka at 0.5 per cent; China at 0.5 per cent; and other countries which everyone can read. I also have some figures from the Department of

Immigration, Local Government and Ethnic Affairs and I seek leave to incorporate them in *Hansard*.

Leave granted.

The tables read as follows—

Table 6
MIGRATION FROM ENGLISH SPEAKING COUNTRIES JULY-DECEMBER 1987

UK	13,484	19.5%
New Zealand	9,907	14.3%
South Africa	1,607	2.3%
Australia	1,176	1.7%
Ireland	1,154	1.7%
USA	1,054	1.5%
British Dep. & Terr. Citz.	1,011	1.5%
Canada	607	0.9%
British O/sea. Citz.	6	0.0%
Total	30,016	43.4%

Source: DILGEA Settler Arrival By Country of Citizenship Figures.

Table 4
ARRIVALS JULY-DECEMBER 1987 BY LAST COUNTRY OF RESIDENCE

1. UK	11,770	17.0%
2. New Zealand	9,964	14.4%
3. The Philippines	5,506	8.0%
4. Hong Kong	3,623	5.2%
5. Malaysia	3,405	4.9%
6. Lebanon	2,271	3.3%
7. Yugoslavia	1,941	2.8%
8. South Africa	1,886	2.7%
9. Mauritius	1,783	2.6%
10. Fiji	1,730	2.5%
11. Thailand	1,527	2.2%
12. USA	1,406	2.0%
13. Singapore	1,253	1.8%
14. Sri Lanka	1,145	1.7%
15. India	1,069	1.5%
16. Germany	1,064	1.5%
17. Ireland	1,050	1.5%
18. Korea	952	1.4%
19. Portugal	905	1.3%
20. Chile	886	1.3%
Total	55,136	79.7%
Other countries	14,077	20.3%

Source: DILGEA Settler Arrivals by Last Country of Residence figures.

Table 5
ARRIVALS JULY-DECEMBER 1987 BY COUNTRY OF CITIZENSHIP

1. UK	13,484	19.5%
2. New Zealand	9,907	14.3%
3. The Philippines	5,225	7.5%
4. Vietnam	2,850	4.1%

5. Malaya	2,714	3.9%
6. Lebanon	2,313	2.5%
7. Yugoslavia	1,750	2.5%
8. Fiji	1,714	2.5%
9. South Africa	1,607	2.3%
10. Sri Lanka	1,455	2.1%
11. Mauritius	1,280	1.8%
12. India	1,241	1.8%
13. Australia	1,176	1.7%
14. Ireland	1,154	1.7%
15. USA	1,054	1.5%
16. British Department of Territories and citizens	1,011	1.5%
17. Portugal	972	1.4%
18. Singapore	953	1.4%
19. Korea	952	1.4%
20. Poland	904	1.3%
Total	53,716	77.6%
Other	15,497	22.4%

Source: DILGEA Settler Arrival by Country of citizenship figures.

Table 12
REFUGEE INTAKE JULY-DECEMBER 1987

Indochinese	1,880	73.4%
East European	523	20.4%
Latin-American	62	2.4%
Middle Eastern	73	2.8%
Other	24	0.9%
Total	2,562	100.0%

Table 13
SPECIAL HUMANITARIAN INTAKE JULY-DECEMBER 1987

Asian	1,008	34.2%
East Timorese	1	0.0%
Middle Eastern	505	17.1%
South American	307	10.4%
Central American	445	15.1%
Eastern European	665	22.6%
Other	14	0.3%
Total	2,945	100.0%

Table 14
REFUGEE AND SHIP INTAKE JULY-DECEMBER 1987

Asian	2,889	52.4%
Latin American	814	14.8%
East European	1,188	21.6%
Middle Easter	578	10.5%
Other	38	0.7%
Total	5,507	100.0%

Senator JENKINS—I thank the Senate. Let us look, first of all, at the refugee intakes. I have the figures from July to December 1987 which are the most recent ones I was able to obtain. From July to December 1987 the refugee intake was: Indo-Chinese, 1,880, out of a total of 2,562. The special humanitarian intake for the same period, July to December 1987, was: Asian, 1,008; East Timorese, 1—I draw that figure to honourable senators' attention—and the total is 2,945. I have very interesting figures for arrivals from July to December by country of citizenship. They are: the United Kingdom, 13,484; New Zealand, 9,907; the Philippines, 5,225; Vietnam, 2,850; and Malaysia, 2,714. Those are the top figures but the figure goes down to 904 for Poland. In the figures for arrivals by last country of residence Vietnam does not rate a mention which I think tells the story for itself. Here again, the top figure is for the United Kingdom with 11,770, going down to Chile with 886.

To sum up, the Democrats support the Government's motion. Of course, it is very similar to the motion put forward by the Democrats a day earlier. We have not seen in writing the lengthy amendments put forward by the Opposition so I would prefer not to comment on them at this stage. We believe that Australia in no way can have a discriminatory policy as far as immigration is concerned. We believe that it is very important at this stage to state that we never explicitly, or implicitly, wish to have such a policy. Therefore, the Democrats support and commend the Government's motion.

Senator ROBERT RAY (Victoria—Minister for Home Affairs) (11.46)—The motion moved in the Senate today by Senator Button is one of the most important motions to come before the Senate in the time that I have been a senator. Very few countries could carry such a motion and not look hypocritical. The same could not be said about Australia, given our recent history of non-discrimination and tolerance. Migration has been the cornerstone of the economic and social development of Australia. In 1987-88 it is estimated that migrants brought over \$3 billion to Australia—the same amount as our total foreign tourist industry. Business

migrants brought over \$1 billion. Eighty per cent of those business migrants came from the continent of Asia. Asian migration reflects our changing economy and our closer links with the region. In 1986-87 our exports to Asia were worth \$17.5 billion and our imports from Asia were worth \$13.8 billion. This represents a 365 per cent increase in exports on the figures for 10 years ago. Five out of 10 of our largest export markets are in Asia. There has been a tenfold increase in the amount of Asian tourists over the past decade.

The debate caused by the coalition's statements has been widely reported and followed in Asia, particularly in Hong Kong, Singapore and Malaysia. So it is not only morally wrong but also economically irresponsible to introduce an element of anti-Asian discrimination into our immigration policy. Australia has come a long way since Harold Holt moved away from the white Australia policy in 1966. In 1973 Prime Minister Gough Whitlam enunciated a policy of non-discrimination on grounds of race, colour or nationality. In 1978 Prime Minister Fraser proclaimed non-discriminatory principles as most fundamental to immigration. A discriminatory policy would be running counter to the Racial Discrimination Act 1975 and the Affirmative Action (Equal Employment Opportunities for Women) Act 1986.

The real statistical situation of Asian immigration needs to be restated. Asian born people represent only 2.6 per cent of our current population. If present trends continue that figure will be around 7 per cent by the year 2025. That hardly constitutes what some have called an Asian invasion. Unfortunately, every group of new arrivals has been regarded with suspicion by a percentage of our existing population. A national poll conducted in 1964 and the Sydney-Melbourne poll conducted in 1971 for the Australian Sales Research Bureau found a majority opposition to both Italian and Greek immigration. So it can be seen that before the Indo-Asians it was the Turks, and before them it was the Greeks, and before them it was the Italians, and so on. All of these suspicions have proved groundless. All have been proved to be fine contributors to our nation. The Italian-Australian and Greek communities are today the two most substantial

tial non-Anglo groups in our society, and who would dispute their contribution and their commitment? In any event, I believe it is misleading simply to use the term 'Asians'. We do not refer to Europeans, but speak of British, French, Dutch, German and so on. Similarly we should refer to Vietnamese, Filipinos, Indians, Chinese, et cetera, rather than lumping them all together under the broad definition of Asians.

It has been illuminating to watch the Opposition desperately searching for an issue—any issue—to shore up their declining support and to watch them make the transition to their current unfortunate position. The Fraser Government had a fine record in this regard and Malcolm Fraser has made known his displeasure at the recent dropping of those principles. I want to have a look at the change that has occurred. I looked at John Howard's statement made in the House of Representatives four years ago. I quote from *Hansard* of 23 August 1984, in which he said:

It is very important that we try to have a bipartisan approach.

. . . past coalition government policies were built upon a non-discriminatory approach to immigration and a level of intake and a pace of change . . . I expressly rejected the proposition that the Liberal Party should take a stand against Asian immigration.

I supported the policies of the former coalition Government which were humanitarian and liberal in the true sense of the word.

We were prepared to take, with the Labor Party's generous support, people from war-torn parts of South East Asia. We were prepared to persuade people around Australia to accept that policy.

We were prepared to preach tolerance and liberalism.

They were very fine sentiments indeed. Quite a few times over the last four years I have heard that speech referred to by diplomats. They remembered it. They were impressed by it. Regrettably, now it is going to go into the dustbin of history, for what did Mr Howard have to say earlier this month on the broad question of Asian immigration? On the ABC radio program *PM* on 1 August he said:

I wouldn't like to see it greater. I do believe that in the eyes of some in the community it's too great. It would be to our immediate term interest and supportive of social cohesion if it were slowed down.

The Leader of the National Party in the Senate, Senator Stone, said the following in the *Melbourne Herald* on 9 August:

Asian immigration has to be slowed. It is no use dancing around the bushes.

He was further quoted in the *Age* of 15 August 1988 as saying:

The Opposition has determined a policy that will go to the back bench committee and the party room. It contains no specific reference to any racial group. I've said and I don't withdraw—that what the Opposition has been talking about, and what John Howard has been talking about, is to bring the composition of the immigration stream back into better balance.

And that will require a reduction in what has become the excessively high proportion of immigrants from Asia in that stream.

Fortunately, not all in the Liberal Party have necessarily expressed those sentiments. Andrew Peacock, on the *Ray Martin* show on 15 August 1988, said:

I couldn't belong, I'm telling you, to a Party that based an immigration policy on race . . . in my own view I am very happy with multiculturalism, provided it doesn't override a loyalty to Australia.

One of our Senate colleagues, Senator Teague, had the following to say on the Australian Broadcasting Corporation *World Today* program on 8 August 1988:

I believe that the approach of successive governments over the last twenty years to support a non-discrimination principle in immigration is the correct one and I don't have any problems with the current levels of immigration from different parts of the world.

My final source from the Liberal Party is Mrs Sham-Ho, a member of the Legislative Council of New South Wales, who said:

I am concerned for the Liberal Party's sake that people generally misunderstand us now, because of John Howard and a couple of Liberals. I don't know what has gone wrong. I think he's had bad advice.

I am not normally in the habit of quoting in this chamber editorials from newspapers. It is rare that I do so. But some of them were very well written and I want to put them on the record. They represent what I suppose most people would regard as the four quality newspapers of Australia—some may dispute that—the *Age*, the *Sydney Morning Herald*, the *Australian* and the *Australian Financial Review*. The *Sydney Morning Herald* of 16 August explained 'Why Howard must pull back'—the title of the editorial. It read:

Mr Howard's immigration policy was always going to be opportunistic and high risk. It was calculated to appeal to Labor's blue-collar voters and to give the Opposition (and Mr Howard) an immediate boost in the public opinion polls. However, the risks were enormous. It was likely to alienate the ethnic vote. It was certain to cause the opposition to be tarred with the racist brush. And, as was clear from the beginning, it was bound to cause deep division within the Liberal Party.

Unfortunately for Mr Howard, the Liberal discomfort about his policy will increase as the party finds itself caught in the company of less savoury participants in the immigration debate.

The *Age* of 12 August observed, in an editorial headed 'Howard lets Stone fly at migrants':

Mr Howard has been careful not to spell out what precisely he means by maintaining social cohesion or how a coalition government would interpret and implement it. This semantic fastidiousness suggests that he wants the best of both worlds: to signal to those who fear and resent Asian immigrants that a coalition government would reduce the intake, and set to avoid giving offence to ethnic communities already here and to countries with which Australia has important links.

As long as Mr Howard continues to speak in coded slogans and to allow Senator Stone to translate them without correction, the Opposition will continue to wallow in the mud of apparent racial prejudice and conspicuous political confusion. Mr Howard should reject Senator Stone's demand for blatant discrimination and affirm an immigration policy free from racial bias.

The third paper, the *Australian Financial Review* of Thursday, 11 August, pleaded 'for Australia's sake, Mr Howard, think again'. It stated:

John Howard is wrong. There is much that is obscure or ambiguous about the proposed opposition immigration policy, but it is at least crystal clear that with all its implications it is the responsibility of one man, Mr John Howard.

How on earth can it help the process of continuing to build 'one Australia' out of the wonderful influx which has occurred over 40 years, to introduce discriminatory policies and encourage the jealous, the racist and the foul-mouthed to believe that a great political movement is with them?

Single-handedly, John Howard is trying to move Australia into a maelstrom of division, hatred and international condemnation.

The final comment from an editorial that I wish to quote today comes from the *Weekend Australian* of 6 August, entitled 'On our Australia remaining Australian'. It read:

Two points should be made from the start.

The first is that Australia, like all other nations and particularly those that claim to be founded on humanitarian principles, has a moral obligation to play its part in providing a refuge for those people who have been driven from their own countries where they have been denied basic human rights by dictatorial regimes.

The second point that must be made is that it would be unforgiveable if we returned to the sort of immigration policy that was still applied in the years immediately after World War II and under which even the Asian spouses of Australian citizens could be refused admission or deported on no ground other than the colour of their skin.

There is certainly no reason to believe that the Asian immigrants at present settled in Australia have been anything but beneficial to this country or to see any good reason why their present rate of intake should be reduced.

I have to state equivocally that the Hawke Government has been accused of many things—of being too pragmatic, of being ruled by opinion polls, even by some of being the best Liberal Government ever. But on Sunday, 7 August, on the *Face to Face* television program the Prime Minister, Bob Hawke, spoke for all Australian Labor Party members when he said:

In politics, at times you have to make compromises. You have to do things sometimes that you'd rather not do. But while I am the Prime Minister of this country there will be no compromise on the question of discrimination. None.

Let me make this point, and I say it without equivocation: If I thought I'd lose an election on that issue, I'd still fight it.

I can say on behalf of all members of the Labor Party—with its varying groupings and its varying attitudes—that we are at one with that proposition. If, to maintain government, the Labor Party needs to adopt an immigration policy with any racist overtones, we will not do so.

I regret the way in which this issue has come up in the last few weeks. Racism is a very poisonous thing. It would be hard to argue that in human nature tolerance is a natural attribute. It is something that has to be cultivated. We need only look to the history of the twentieth century to see the mark that racism has left on various parts of the world. I would caution politicians, before they embark on a debate that may be racist, about the effect that it will have on migrants who are already here as Australian citizens. It is hurtful for people that have come to

this country to be called names and to be treated as second-class citizens. People should think about that when they raise the immigration issue.

As an ex-schoolteacher, I think people should think about one more thing: the group in this society hardest hit by racism is our own children. When racism becomes rampant in a society, children are the first targets. Often with limited language skills, they are exposed, hurt and sometimes traumatised for life. I hope the Opposition's motive is not political gain because if it is, to the cost of those people, I argue that it could never be worth the price that we will have to pay.

Since the issue of Asian immigration was first raised in 1984 it has remained alive because of one factor only: the preparedness of fringe groups within the coalition—I stress, fringe groups—to lend their credibility to extremists. There is only one party that can take race discrimination off the political agenda—the majority party in the Opposition coalition. I conclude by imploring members of the Liberal Party to do the right thing within their own internal councils. Some of the most important debates for the future of Australia will take place not in this chamber or in the House of Representatives but in the party rooms of honourable senators opposite.

Senator PUPLICK (New South Wales) (12.02)—I speak with both interest and commitment on the subject of migration. I do so from the perspective of being a migrant to this country myself. Immigration is one of the most significant forces in building any nation. It helps shape its character, it modifies its land, it strengthens its institutions, it widens its horizons and it infuses it with new ideas. The coalition parties have proudly adopted the use of the phrase 'one Australia'.

The coalition parties recognise that, in building one Australia, one nation on the Australian continent, immigration—first, by our Aboriginal people; secondly, by our European nation builders; and, more recently, by other arrivals in the last 200 years—has been of profound significance. But, equally, we assert that it is the very essence of national sovereignty that only the democratically elected government has the right to

determine both the overall and the specific composition of our migrant intake. The Liberal and National parties assert without qualification that it must be the role of the elected government, acting on behalf of and with the support of the whole community, to make the final and absolute decisions on who will or will not be granted entry to Australia on a temporary or a permanent basis. In doing so, governments must from time to time vary and alter policy to adjust to changing requirements, be they social, economic, political or humanitarian.

The Opposition policy asserts that migrants accepted for permanent settlement in our country should share our basic values and commitments and be able to make a positive contribution to our national well-being and advancement. The principles which are laid down in the policy adopted by the Liberal and National parties are restated in the amendment which Senator Chaney has moved to the motion before the Senate. They affirm a total commitment to equal treatment and equal opportunity for all Australians, regardless of race, colour, creed or country of origin, within the framework of a just and tolerant society. They affirm, as I said, the essence of national sovereignty as the right of the government to make final decisions about the migrant intake. They affirm that this means that governments should reserve the right to vary those decisions to meet the changing national requirements of Australia.

This motion in part notes the dismantling of the white Australia policy, but let it not be thought that some sort of monopoly of virtue on this matter is suddenly being shown opposite on the benches of the Australian Labor Party; that all of a sudden there is some great commitment, part of the Labor Party's historic tradition, in this matter. The Labor Party's historic tradition is not something that bears close scrutiny in this place. I propose to talk a little about the Labor Party's historic commitment to matters such as this.

To go back to three of the last four Labor Party Leaders in the postwar period in this country is quite revealing. Arthur Calwell is often brought forward as one of the great forces in migration history in this country. Indeed, in the immediate post-war period he

certainly was—on a policy which was fundamentally discriminatory and under which a Labor Party leader was unashamedly prepared to make a statement about two wongs not making a white. That policy was not denounced or repudiated by the Labor Party; it is part of the Labor Party's historic tradition in this matter.

We then come to Mr Whitlam, a former Leader of the Labor Party. Is Mr Whitlam to be put to us now as some latter day saint as far as immigration policy is concerned? Senator Chaney is a man of great politeness. He did not quote accurately what Mr Whitlam said about Vietnamese refugees. For the sake of the Standing Orders, I will not use the exact phrase that Mr Whitlam used, but he described Vietnamese refugees coming to this country as 'f'ing Asian Balts'. They were his words; that is how he described Vietnamese people coming to this country. It was Mr Whitlam, not in his early days but after he had been Prime Minister of this country, who said, among other things, that the Fraser Government policies were the reasons behind the influx of Vietnamese refugees to Australia, who wanted to know what was going to be done about it and who criticised the governments of South East Asia for moving on the Vietnamese boat people as a way of settling foreign affairs scores with this country. We will come back later to Lee Kuan Yew and the extent to which this country's policies will be determined by some tin-pot dictator in Singapore.

Mr Whitlam was the one who wanted to have particular inquiries about Vietnamese refugees being admitted to this country. Because he was not satisfied, he attempted, as blatantly as anybody ever has in the post-war period, to make the issue of race a divisive political issue in 1977 and to criticise the Fraser Government—the Government of which John Howard, Fred Chaney and others in this chamber were senior Ministers at the time—for allowing too many Vietnamese people to come into this country. That is the Labor Party's historic tradition as far as Vietnamese migration is concerned.

We remember Mr Clyde Cameron. You, Mr Acting Deputy President, are a great supporter of the trade union movement. So was Mr Clyde Cameron. What did he have to say about the Vietnamese refugees coming

to this country at the time? He said in the Parliament:

I rise to express my concern, which is shared by many millions of Australian people, about the number of Vietnamese who are invading our shoreline and about the Government's failure to do anything to prevent it . . . the vast majority of them are not genuine refugees. They are people who have chosen voluntarily to leave their own country . . .

These are rich people who have been racketeers, drug pedlars and, in some cases, prostitutes in their own country and who have not found it possible to fit in with the new lifestyle.

Labor Party members come in here and talk to us about sensitivity of language, about discriminatory comments. Is it prepared now to stand up and repudiate the comments made by Mr Hawke, for instance, in his previous incarnations? When he was President of the Australian Council of Trade Unions in November 1977, he said:

Any sovereign country has the right to determine how it will exercise its compassion and how it will increase its population.

He made the point in 1981, when he was the shadow Minister for Employment, Industrial Relations and Youth Affairs, that it had to be a restrictive immigration policy. He said:

We want to know the condition and nature of the people who are coming here, their health and their capacity to be part of the community. The point is to have control of it. We can't be completely open ended about it.

That was the person who, in a speech to the Young Labor Conference in January a couple of years ago, said:

In that situation it's absurd, where you have young people unemployed, to be bringing people from overseas to fill alleged or actual shortages.

There is absolutely no virtue in the Labor Party coming in here and telling us that the great historic traditions of its party, the great views put for it by Mr Whitlam and the great views put on its behalf by Mr Hawke, have somehow never had a discriminatory element built into them. The one instance in the last decade or so in which there was an overt attempt to make immigration—and in particular migration from Vietnam—a politically divisive issue was the occasion when the Australian Labor Party and its leader, Mr Whitlam, sought to make it a divisive issue. On that occasion he sought to exploit it and sought to appeal to every base preju-

dice that could possibly be rounded up and gathered into the Labor Party's fold. Labor Party members come in here now with cant and hypocrisy and try to indicate that somehow a policy document—I shall come back to that document in a few minutes—which clearly commits itself to treatment of people on an equal basis and to making decisions based primarily on the protection of Australia's national interests is something of which any political party in this country should be ashamed. It is not. It is the absolute essence of what a government's responsibility is to its nation—its people; its existing population.

We are told that the Government has a non-discriminatory policy. Let me give a couple of examples of just how non-discriminatory this Government's policy is. Is there a single person opposite who is prepared to rise and tell us that there is not positive discrimination against applicants for migration from the Republic of South Africa? Is anyone opposite prepared to make that assertion? That is not true. Those opposite say that there is an argument about social cohesion. Mr Holding, in an interview in the *Bulletin* on 9 August 1988, made the point that he wanted to be able to exclude from this country people who he believed would be dangerous for the maintenance of political and social cohesion in this country. Nobody says that there is anything wrong with that. What we do say is that it is the act of the most gross hypocrisy to say that the Labor Party's policies do not do that. Of course they do.

Let me turn to another area of the world, with which I have a great deal of familiarity, and the question of migration from Iran. Will anybody in the Labor Party stand up now and tell us that it is not a fact that applications for visa entry and migration by Iranians cannot be accepted other than through our embassy in Tehran? Is it not a fact that no Iranian citizen, no matter where he or she lives, can make an application to enter Australia other than through the embassy in Tehran and under the strictest, special, one-off guidelines applied in that embassy? It is simply a fact that there is a departmental instruction that people who are the holders of Iranian citizenship will not be allowed to make entry into this country from

any post in the world other than with a certificate from the embassy in Tehran. Let the Minister designate, the present Minister for Home Affairs (Senator Robert Ray), tell us that that is not an act of deliberate discrimination against a particular ethnic group—in this case the Iranian people.

Is anybody going to tell us that there was not a positively discriminatory policy undertaken by Stewart West, when he was the Minister for Immigration and Ethnic Affairs, in identifying and promoting entry into this country of people who held specific political opinions among those coming from South America? They were sought out and given preferential treatment to come to this country on the basis of their left wing political opinions. What we on this side of the chamber are not prepared to put up with is this absolute cant and hypocrisy about the non-discriminatory nature of Labor Party policy and Labor Party administration of our immigration program being tossed around without being properly answered.

Harking back to Mr Whitlam's great contribution to this debate, it is a fact that, as a result of policy on the part of this current Government, Vietnamese migration to this country has fallen by 26 per cent under the Hawke Labor Government. Despite the fact that the pressure from people wanting family reunion and to come to this country from Vietnam continues to be great, there has been a systematic and, I put it to you, Mr Acting Deputy President, a deliberate attempt to depress levels of migration from certain countries. If one looks at the figures one sees that migration from Holland is down 65 per cent; from Italy 57 per cent; from Poland 37 per cent; from the United Kingdom and Ireland 28 per cent; from Germany 22 per cent; and from most of the countries of western Europe it is down, as part of a deliberate policy, pursued by this Government, to change the immigration mix.

I repeat the point that nobody denies the right of a government to change the immigration mix. We deny two things: first, that the Labor Party should assert that it is not doing it; and, secondly, that it should attempt to conceal from the people of Australia the knowledge of what is actually being done by the Government in terms of policy. We have seen the clear indication from the

revelations of Mr Cullen that there has been a method by which immigration policy has been changed. Instructions have been issued to posts, migration offices and embassies around the world to favour certain areas and not to favour certain areas; to favour certain types of migration and to discriminate against other types of migration.

We have seen the very clear indication of community and academic concern about the failure of the overall migration policy of this Government. If one reads the report of the FitzGerald Committee to Advise on Australia's Immigration Policies that becomes obvious. Interestingly, one of the things that are under way at the moment is an attempt to delegitimise the FitzGerald report. Attacks are being made on Dr FitzGerald. He was once hailed as one of the great intellectual forces in this country: indeed, I concede that he is a person of quite outstanding repute. The FitzGerald report was going to be a great contribution to the national debate. However, as with the report of the Helsham Commission of Inquiry into the Lemonthyme and Southern Forests—as my colleagues from Tasmania recall—the moment the Government receives a report which contains advice it does not want to receive, it starts the whole process of attacking the commission and the commissioners and suddenly says that they are ill-informed. Self-appointed spokesmen for various communities around the place say that Dr Stephen FitzGerald did not know what he was talking about. Let me go to a couple of points in the FitzGerald inquiry report. On page 1 it states:

Worldwide pressure on migration is on the increase. Countries of immigration are feeling the pressure. In the current financial year, and without us publicly soliciting any other than a handful of business immigrants, over one million people will have registered an interest in migrating to Australia. And this year we had planned to take only 120,000.

Our selection mechanisms, however, can neither deal adequately with the external demand nor meet our own requirements for planned immigration numbers.

That is a damning indictment of five years of failed administration of immigration policy by a succession of Ministers, most of whom have met political fates which none of us would wish on Senator Robert Ray because of our personal admiration for the man. But now that one has seen a consider-

able number of Labor Ministers for immigration fall by the wayside, fail in their administration of the policy, fail in their administration of the Department, we can see that the criticisms made in the FitzGerald report are absolutely correct. FitzGerald says:

Selection in immigration is about rationing and choosing. That means limiting the numbers to available places annually and, in the appropriate immigration categories, choosing immigrants in Australia's national interests.

There is nothing in the coalition's immigration policy which in any way departs from that fundamental principle that immigration is about selecting; it is about choosing and it is about putting Australia's national interests as the primary test of how we choose and how we select.

We have had put to us the concerns of South East Asia, the concerns of Lee Kuan Yew. One of the things that presumably cause people to want to leave Singapore is that it is hardly the most democratic and open society run in South East Asia. We are to be told that lectures from Lee Kuan Yew are to be significantly taken into account in making determinations. The Labor Party is deliberately attempting to create, as a divisive political tool, a mythology about the enormous level of concern felt on a government to government basis about an immigration policy determination by the Opposition which puts Australia's national interests first. That is just so much nonsense. Senator Ray said in the conclusion of his speech that he wanted to quote a series of editorials. He wanted to take great newspapers and to put before the chamber the views of those great newspapers. Anybody can play that game, but perhaps Senator Ray would care to address himself to this morning's editorial in the *Australian* newspaper under the heading 'Migration: Liberal policy is correct'. It states:

The immigration policy adopted this week by the Federal Coalition embodies a commitment to Australia's national integrity and traditions.

One can well imagine what it is that gets forces in the Labor Party so upset about a policy which clearly embodies a commitment to Australia's national integrity and traditions. The editorial goes on:

It contains no suggestion of racial prejudice and declares its dedication to 'equal treatment and equal

opportunity for all Australians, regardless of race, colour, creed or country of origin within the framework of a just, tolerant society.

This policy should not cause offence to anyone who is not actively seeking an excuse to be offended. It is a policy that deserves public support.

I said earlier that the most shameful and disgraceful attempt to use race as a politically divisive tool in the Australian political debate was that undertaken by Gough Whitlam in 1977. This particular motion from Senator Button and this particular exercise today come precious close to repeating precisely that, because Senator Button knows, if he reads the immigration policy adopted by the Liberal and National parties and if he looks at the wording of Senator Chaney's amendment to his original motion, that the comments in the *Australian* editorial this morning are quite correct. This is, in fact, a policy which causes offence only to those who actively seek an excuse to be offended and actively seek to raise the issue of migration as a divisive issue in the Australian community. That is what underlies the Labor Party's behaviour today—an attempt to exploit, by deliberate misrepresentation, the policies which have been adopted by the Liberal and National parties as their immigration policy.

Honourable senators on the other side of the chamber and the various alleged spokesmen for communities—self-appointed and self-anointed spokesmen in most cases—know that it is on this side of the House that the record stands most clearly in terms of the pursuit of policies of tolerance and non-discrimination. It was this side of the political spectrum that moved to dismantle the white Australia policy, which for so long was the cornerstone on which the Labor Party and the trade union movement were actually founded. They know that the succession of immigration Ministers on this side of the political spectrum administered immigration policy in a sensitive, compassionate, caring and intelligent fashion in pursuit of Australia's national interests. They know full well that whatever they may claim, they are unable, under any circumstances, to characterise John Howard as a racist or a person who has done anything other than devote a large part of his public life to fostering tolerance and diversity in the community. They know

that it is only by misrepresentation and deliberate exploitation of fear and prejudice that they can keep this debate alive and make it run. As I have said, whether it is the last bastion of racial discrimination which exists within this country to which the Labor Party has so assiduously sought to draw attention in the last couple of weeks, whether it is the long term Labor Party tradition exemplified in the views of Arthur Calwell, of Gough Whitlam in 1977, of Clyde Cameron and of Mr Hawke when he was President of the Australian Council of Trade Unions, it will make it clear where the real emphasis on racial discrimination has been used as a political weapon. Whether it is the discrimination practised in relation to people making application in South Africa, or people who happen to be Iranian citizens, whether it is the deliberate running down of migration from the sources which I have already discussed, whether it is the disclosures made by Mr Cullen, whether it is the criticism of their maladministration made by Dr Fitzgerald, who is now under attack for his integrity and for his willingness to speak out on the particular matter, or whether it is Senator Button with his canard about people wanting to invest in this country, to do business with this country, trooping into his office to complain about immigration policies, it can be seen clearly what the direction of the debate is. Why it has been raised today on the day Mr Howard is making his Budget reply and why these tactics are being used by Senator Button, supported by the various spokesmen on behalf of the Australian Labor Party and the Australian Democrats, become evidently clear.

Nobody on this side of the chamber has any reason to complain about or to back away from the fundamental principles which are stated in the immigration policies adopted by the Liberal and National parties which fundamentally indicate our commitment to the equal treatment and equal respect of all Australians or those which are based upon clear indications of the right of a government to determine the size and composition of its migrant intake, or the responsibility of a government to ensure that in making those decisions it puts Australia's national interests as the primary test which it must apply as

far as dealing with immigration policies are concerned.

It will be interesting to see the extent to which the Australian Labor Party will vote against Senator Chaney's amendment and vote against the clear establishment of those principles of equal treatment, national sovereignty and national interest as the primary test as far as immigration policy is concerned. It will be seen that the sleazy attempts of Mr Whitlam in 1977 to exploit race as a political issue have now been rediscovered by the Hawke Labor Government and brought back into this chamber in the first week of sitting in this new Parliament House for no other purpose than to raise the spectre of racism as a cover-up for all of the Government's manifest failures. If the Government thinks that senators on this side of the chamber will go quietly with the abuse, the hypocrisy, the cant and the canard brought forward by the Labor Party on this occasion it is sadly mistaken. We will defend our policy because it is the right policy for Australia. We will defend it on any platform, at any time, in front of any audience. I have absolutely no doubt that it is supported by the majority of thinking Australians. It is something which the Opposition parties, in pursuit of their long-established traditions of tolerance, diversity and non-discrimination, are perfectly prepared to defend and support.

Senator COLLINS (Northern Territory) (12.32)—Senator Puplick has just succeeded in whipping himself into an absolute frenzy. He said that the Australian Labor Party's history of policy on immigration does not bear close scrutiny in the Parliament. I do not see why it should not. I thought Senator Gareth Evans covered it rather well yesterday in Question Time when he said that he belonged to a generation, as I do, that grew up with a policy and tradition in the Australian Labor Party that none of us were particularly comfortable with. It has taken a long time and a lot of hard work by a lot of people to change that situation in the Australian Labor Party. That is not to say that I will be silly enough to be as irrelevant as Senator Puplick was in canvassing the events of the last 20 or 30 years. I do not think it is reasonable for us to stand here today and condemn the people of those days for having the views that they did and say that they

were racists or bigots or whatever. It was just another time and another place. A tiny community of Anglo-Saxons, 12,000 miles away from what they saw as home, suffered a dreadful feeling, and still do to some extent, of insecurity on what they regarded as hostile shores. People from Asia were not seen as being part of our region. Australia was seen as a small piece of Europe in the South Pacific. What is of relevance in this debate is not what happened 30, 20 or even 10 years ago. The relevance, as Senator Gareth Evans said yesterday, is what is going on right now.

The position on migration to Australia is in itself a highly controversial subject. When one talks about Asian migration that is only one small part of the subject. The reality is—one does not need statistics or research to prove it—that the entire question of immigration is a controversial subject in Australia. It is not one that many Australians readily accept. Fully half of the people in this country—indeed the research does show this, and people in public life who travel around the community know it—disagree with immigration generally. It is a view that I do not happen to accept. There is an obligation on people in public life to try to provide some sort of leadership and views of their own while this debate is being conducted. There are many people in this country who would not like to see immigration of any kind. I do not think that in a nation of 16 million people, covering 3½ million square miles, we can afford to take that view.

The difficulty with the whole question of Asian migration is that the subject itself touches on one of the oldest, longest and deepest rooted fears and prejudices that white Australians have had. That is the difficulty with the debate and that is the reason why it has to be handled so carefully, particularly by people in public life.

I come from a part of Australia that has had an interesting history of Asian migration. At the turn of the century in the Northern Territory Chinese people outnumbered people of European extraction. Originally they were mainly employed on the goldfields around Darwin and Pine Creek. The Chinese-Australian population of Darwin is the second largest ethnic group that still resides in our

city of Darwin. Some 6,000 people in Darwin are Chinese-Australian. The difficulty—Senator Ray touched on this—of the current debate is the effect the debate is having on those Australians.

I was talking to my long time friend the Lord Mayor of Darwin, Mr Alec Fong Lim, only a few weeks ago. Alec has been Mayor of Darwin for four years now. He was in the happy position of being elected unopposed in office. This is not a position a lot of us enjoy. One of the reasons he was unopposed—there is no question about this—is that he has been such a popular Lord Mayor. He is not the first Chinese Australian Lord Mayor of Darwin.

Senator Tate—It was a lady, wasn't it?

Senator COLLINS—No, one of his predecessors was Harry Chan, who was not only indisputably male, who was not only Lord Mayor of the city of Darwin, but also President of the Northern Territory Legislative Council, which was the forerunner of the current Northern Territory Parliament. Indeed, I had the great pleasure for the 10 years that I was a member of the Northern Territory Parliament to work with another distinguished Chinese Australian resident of the Northern Territory who subsequently became the Clerk of the Northern Territory Parliament, Ray Chin.

It has been said, and only in recent weeks, that people who want to raise serious questions about the success with which Asian migrants can integrate in Australia should pay a visit to the Mindil Beach markets in Darwin, which are held every Thursday night. I commend that experience to anyone who visits Darwin. In the last 12 months 10 or 12 international film crews have come through the Northern Territory. Every one of those film crews has been to the Mindil Beach markets. They have become quite a focus of attention these days. I must say as a side comment that if it were not for the number of Asian people that we have in Darwin there would not be a lot to eat at the Mindil Beach markets because most of the food that is supplied there is Asian food, and very good it is.

Four or five thousand people, residents of Darwin and visitors to Darwin, congregate at Mindil Beach near the casino every Thurs-

day night. It is indeed one of the more pleasant things one can do on a Thursday night. It indicates the cosmopolitan nature of our city and demonstrates what Alec Fong Lim describes as a very successful exercise in multiculturalism.

I do not think that anyone needs to be particularly alarmed about what was finally arrived at in terms of the Liberal Party's official policy. What has alarmed everybody, of course, reasonably and justifiably so, is the public statements that preceded it and what was obviously the very public back-down that produced the policy that we now have. John Howard said on Australian Broadcasting Corporation radio—I heard him say it—that he was particularly concerned about Asian immigration. One of the difficulties with this whole debate is that the premise on which the debate is currently based is that there has been a sudden and dreadful upsurge in Asian immigration as compared with immigration from other parts of the world. The debate in that sense is based on a false premise. The figures clearly show it. Other senators from both sides of the House have already accurately canvassed in this debate the history of Asian migration in recent times which, of course, was precipitated by the Vietnam war and our involvement in it. I want to place on public record my commendation of the attitude displayed by Prime Minister Fraser, an attitude which many of his colleagues found then, and still find, extremely uncomfortable. In fact, Malcolm Fraser is largely portrayed by many sections of his Party as being a left wing wimp. Malcolm Fraser was not only a true liberal in his attitude towards immigration; he was also a true liberal in his attitude towards Aboriginal Australians. I have acknowledged that publicly on many occasions. I remember well, as someone who participated in the negotiations that led to the signing of the Ranger agreement and the establishment of Kakadu National Park, the absolutely crucial and fundamental role that Malcolm Fraser played in getting the result that was gained.

No-one can deny that this debate started with comments that were made about discriminatory policies in respect of Asian migration. The one thing that I like about Senator Stone—I have said this before in

Parliament—is that at least Senator Stone says what he means.

Senator Tate—He does not beat around the bushes.

Senator COLLINS—He does not. It results in what must be an increasingly uncomfortable number of gags being placed upon him subsequently by his party. I think he is wearing three at the moment that I can think of. But at least he says what he means. Ian Sinclair, for all his other failings, did exactly the same thing. John Howard, to his eternal discredit, engaged in at least a week of wink-wink nudge-nudge policies which, I think it is fair to say, impressed nobody. I do not think people in the electorate are impressed with that sort of thing: ‘We really have a policy of non-discrimination but we can choose the right to determine in future years whether we are going to discriminate or not. However, I refuse to say absolutely who it is we are going to discriminate against’. That was John Howard’s latest public position on this question. No-one was fooled by that. Neither is anyone impressed by it. At least people can say, ‘We know where Senator Stone stands on this issue—at least we did the week before last—and we know where Ian Sinclair stands’.

The interesting thing about this debate, for me anyway, is where John Howard stood on this issue not such a long time ago. In the House of Representatives in 1984 John Howard delivered a fine speech in debate on a censure motion that was moved against Bill Hayden for allegedly making or causing some sort of racist remarks to be made. Ian Sinclair led that debate for the Opposition. I will not read out his contribution to the debate because none of it is particularly relevant to anything at all, but this is what John Howard said in that debate in 1984. I read from the *Hansard* of 23 August:

I remind the House that at the New South Wales convention of the Liberal Party held only two weeks ago I was successful in moving a motion on immigration which was carried overwhelmingly, as my colleagues who attended that convention will testify. It recalled, amongst other things, that past coalition government policies were built upon a non-discriminatory approach to immigration and a level of intake and a pace of change. During that debate, which was reported fairly extensively by the media, I expressly rejected the proposition that the Liberal Party should take a stand against Asian immigration. I

supported the policies of the former coalition Government which were humanitarian and liberal in the true sense of the word. We were prepared to take, with the Labor Party’s generous support, people from war-torn parts of South East Asia. We were prepared to persuade people around Australia to accept that policy. We were prepared to preach tolerance and liberalism.

They were fine sentiments which I applaud, but there is no question that John Howard seems to have shifted his position dramatically since 1984. I am pleased to say that he has shifted it back a little in the past week. All of the chopping and changing and all of the screaming fits, like the one Senator Puplick engaged in, cannot really cover that up. I am pleased that he has gone back the other way, but we cannot expect the electorate to see a debate precipitated on immigration by the coalition, to have the leader of the alternative government of Australia singling out on national radio the Asian part of our immigration intake as being the part that concerns him—

The ACTING DEPUTY PRESIDENT
(Senator Burns)—Order! The time being 12.45 p.m., pursuant to sessional orders, the debate is interrupted. The Senate will proceed to consideration of matters of public interest.

MATTERS OF PUBLIC INTEREST

Senator REID (Australian Capital Territory) (12.45)—Mr Acting Deputy President, I wish to refer to one matter which was not included in the Budget and which affected the Australian Capital Territory (ACT), then go on from that to deal with other matters that are important in the health area. Honourable senators may remember that in May of this year the *Canberra Times* published a report relating to the recommendations for the refurbishment of the Royal Canberra Hospital. It was indicated that, over the next seven years, \$130m would need to be spent to refurbish, provide new buildings, demolish some of the old ones and generally get that hospital back to the sort of standard that it should be. In addition to that, all through this year and long before that, we have been hearing of things that are needed in that hospital—wheelchairs, frames for people to walk on; the list is quite lengthy.

I do not want to deal with the full details of that report, but it is certainly on the

public record. The very next day, while he was at the Royal Canberra Hospital to officially open the first stages of a modernised coronary care unit and the isolation ward, the Minister for the Arts and Territories (Mr Punch) said that the time was right to make decisions on how much to spend on upgrading Royal Canberra Hospital. There was other comment about the matter. The Minister indicated that he was keen to see further refurbishment and that the Australian Capital Territory Administration would look at the priorities for spending in the Australian Capital Territory's budget, which was to be announced. Nobody could doubt that this was a matter of high priority.

In addition, what has happened at the Woden Valley Hospital oncology unit is a matter of great concern especially to people who need treatment from that unit. I am told that the unit has broken down and people can no longer get radiation treatment at Woden Valley Hospital. If their condition is serious they have to go to Sydney, Melbourne or somewhere else. At 9 o'clock this morning my office rang the Australian Capital Territory Health Authority and spoke to the public relations section. We asked whether it could tell us the name of the equipment, its precise use and the length of time it had been broken down. Not having received a reply, we rang back at 9.45 a.m. and it was suggested that we contact the Woden Valley Hospital and speak to a couple of people there who were looking into the matter. We asked if we could have this information by lunchtime. My secretary was asked whether she was interested in other information about the fact that there was to be a new unit in the area and we, of course, indicated that we wanted any information that we could get.

We have spoken to doctors involved in the oncology unit. The equipment apparently broke down some four to six weeks ago and, at that time, it was not available for a week. A new computer board arrived and it lasted only five days before it broke down again and now the equipment has been unavailable for two weeks. Apparently a new board had to come from Canada; it has arrived, but it is stuck in Customs in Sydney. Apparently the Health Authority has been ringing Customs daily to try to get this board out of

wherever it is and to Canberra, to the Woden Valley Hospital, so that treatment for cancer patients can be resumed.

The story is a bit worse than that though, in the sense that it is clear that everybody knew in 1985 that the machine was obsolete and needed to be replaced. It is so old that new parts are no longer made for it and the parts that the hospital is getting—there are two sections to this equipment which are broken down—are coming from a decommissioned machine still in existence in England. Apparently money has been allocated for a new computer now, but I would remind you, Mr Acting Deputy President, that it was 1985 when it was first made known that this equipment needed to be replaced. The new computer will probably be available in about another three months and I hope it will not be held up by Customs, any waterside or other dispute and that it can be installed. It is not known whether this new board will last until then or whether it will break down again as it has in the last few weeks. I am told that the linear accelerator, which is the actual treatment machine, is six years old and is also in desperate need of replacement. But the Government seems little interested in even discussing that aspect of the problem.

The question is: what happens to cancer patients in Canberra who need treatment from this equipment—those who need it urgently and those who just need it? If people have to take leave from work and go to Sydney to get treatment it means that they are losing time from their job and losing money. They need to have accommodation in Sydney while they are having treatment. They may be living by themselves in Sydney, isolated from family and friends at a time when one would think that family and friends would perhaps be needed most. If a patient is a family person it means total disruption to the life of the family while he or she goes to Sydney for treatment. I know of one young person who has been told that she needs treatment and needs to go to Sydney for a month—a month off work, a month when she will have to provide her own accommodation and living in Sydney, a month when she will be away from her family and friends in Canberra. What assistance is being given to people who have to go to Sydney or Melbourne to get treatment while this

unit is not available? Is there any, or do they have to make their own arrangements? What if this happens to a person who is a sole parent at home with children? What arrangements can he or she make to get treatment?

Since this Government came into power there have been problems in health in the ACT. I have recounted them previously and I shall not go through the list again. Clearly, right now there is a serious problem at the Woden Valley Hospital oncology unit and cancer patients are being told to go elsewhere to get treatment. In addition, we now find that the much needed refurbishment of the Royal Canberra Hospital did not receive any funding in the budget brought down this week.

There was one report that indicated that that was a matter that really ought to be decided in the future by the ACT Government when it is elected and formed. That may be so, but it is a fascinating answer to this question, especially when one considers the other matters that the Minister is deciding—matters which people have suggested should be deferred until there is an ACT government. I suggest that he cannot have it both ways. If he is prepared to be the Minister and make decisions now, how is it that this very vital area is put off? Yet there are other matters that he says must be decided now because he is the Minister and he will make the decision. Somebody is not looking after the health of the ACT in the way that it should be looked after. I suggest that this is a serious matter and not one in which to play politics. Some answers should be given to these questions.

Senator MICHAEL BAUME (New South Wales) (12.53)—I want to draw the attention of the Senate to some very serious allegations being made in financial markets today that this Government has interfered with the role of the Reserve Bank of Australia in monetary policy to the extent that it is alleged that the Treasurer (Mr Keating) or the Treasury, or both, have sought to influence the Reserve Bank not to increase a vitally politically sensitive interest rate—the rediscount rate—because, in fact, of the political consequences this would have for this Government. I do not repeat that allegation lightly and I do say that it is so serious that

this Government must respond to those fears and suggestions that are now common place in the financial markets today. I draw the Senate's attention to the financial markets, Reuters screen today, which said:

The Treasury Note tender yesterday produced an average yield close to the rediscount rate. However, money and securities markets were unsettled following the budget and other announcements. In the circumstances the Bank has taken no action on the rediscount rate today but will be reviewing the situation after markets have settled.

That is the comment from the Reserve Bank of Australia. It is a most extraordinary statement. It is clear that the market expectation, in fact the normally acceptable thing for the Bank to have done, would have been to increase the rediscount rate today following yesterday's activity. It would normally have done so automatically, given that the rediscount rate is usually set at a significant margin above the treasury note rate. I quote from this morning's *Sydney Morning Herald* on this matter:

Rates moved up sharply yesterday as money markets reacted negatively to the Government's commitment to continue pursuing a firm monetary policy.

This emerged, I suppose, because of the risks taken in the fiscal area in the latest Keating Budget. The *Sydney Morning Herald* went on:

The moves reflected, the market's belief that the Reserve Bank had tightened policy. Unofficial rates were up 30 points at 14 per cent, while official cash moved up to 13 per cent.

Bill rates jumped in response to the higher cash rates with December bills closing at 13.55 per cent, and 90-day bills rising 35 points to 13.6 per cent.

This is the key element and I quote:

At the Treasury note tender, \$800m of notes were auctioned at an average yield of 12.68 per cent, well above last week's 12.31 tender. This convinced the market the Reserve Bank will raise the rediscount rate today.

Mr Warren Bird, chief economist at Lloyd's Bank NZA Ltd said: 'An increase in the rediscount rate to 12.9 per cent would be sufficient to confirm the Reserve Bank has tightened monetary policy without making the market panic.'

Then the *Sydney Morning Herald* went on: This, and speculation that monetary policy had been tightened, pushed up short term bond yields.

As a result of that activity the honourable member for Wentworth, Dr John Hewson, issued a press release a few minutes ago,

which I think is of such significance that I shall read it into the Senate record. Dr Hewson says:

There seems little doubt that the Treasurer is again meddling with monetary policy.

Specifically it seems that he has 'leant' on the Reserve Bank to prevent the Bank increasing the rediscount rate, as it would have normally done, automatically, given the result of the Treasury Note tender yesterday.

Obviously the Treasurer has become concerned that financial markets have totally discounted his Budget.

This was clearly reflected in the result of yesterday's Treasury Note tender which produced a yield for the 90 day notes of 12.679 per cent, significantly above last week's outcome.

It also seems that in the last couple of days the Reserve Bank has been trying to tighten monetary policy another 'notch', as suggested by the jump in cash rates.

But it seems that Paul didn't like this. So the Reserve Bank was apparently forced to forgo the increase in the rediscount rate.

The Reserve Bank obviously found this difficult to explain and had to put out an incredibly 'wimpish' explanation for why the adjustment in the rediscount rate was not made . . . Markets were not really unsettled post Budget, as the quote suggests. They had a very clear view of what the Budget was worth. But this sort of action by the Reserve Bank has definitely unsettled them.

Clearly this 'free market' Treasurer doesn't understand that market forces and interests rates are not things for him to play with when he doesn't like their trends or reaction to his policy initiatives.

There is no doubt in my mind that this is a clear example of the Treasurer not liking the free market response to his Budget and appearing to take action to influence, or seeking to influence, the Reserve Bank to carry on differently from what I believe would have been its normal and automatic procedure in such a circumstance. Of course, that would have resulted in a rise in interest rates which clearly would not have suited the Treasurer's political book. I invite the Government to respond to the clear fears and concerns of the marketplace and, of course, also to the clear statement that Dr Hewson who—and I think the Government acknowledges this—is a man of very high competence in economic matters on this issue.

Very briefly I would like in this, my first speech to this chamber in the new Parliament House, to refer to the recent death of

someone who many members of this Senate and certainly the House of Representatives would have known very well, I refer to my mother, Mrs Peggy Baume. She lived in Canberra for most of the time I was a member of the House of Representatives and she was certainly a well-known person around the chambers and the corridors. She was almost the de facto mother of many of my colleagues when they were in Canberra. She was very short in stature, but I think she stood about 10 feet tall. She had a very determined, positive approach to life and she was prepared to give anyone the benefit of her advice. I remember her on some occasions giving the former Prime Minister, Mr Malcolm Fraser, the benefit of her advice and I think perhaps he should have taken it more often. She certainly aroused some concern among members of what was the Labor Opposition in those days by sitting in the Speaker's gallery behind them. On occasions, finding herself unable to contain her views on what a Labor participant in the debate was saying, she muttered things which she believed to be under her breath but which, I am assured, were not inaudible. As a result at one stage she was asked whether she would mind sitting on the Government side of the House of Representatives, rather than in the seats behind the Opposition.

Her death is not just a great loss to me. She was such an enormous political asset to me; in her period in Canberra she used to open my mail for me and perform many political duties with great goodwill and enthusiasm. I am certain that all those who knew her and loved her, not only members and senators, but also many of the staff, the attendants and the transport officers, will also be sad at her passing.

Sitting suspended from 1.04 to 2 p.m.

MINISTERIAL ARRANGEMENTS

Senator BUTTON (Victoria—Leader of the Government in the Senate)—I inform the Senate that Senator Gareth Evans is absent from the chamber for Question Time today as he is representing the Government at World Expo 88 on the occasion of Indonesia's national day. Any questions which would normally be directed to Senator Evans in relation to his portfolio or those that he

represents should be directed to Senator Robert Ray.

QUESTIONS WITHOUT NOTICE

REFERENDUM QUESTIONS

Senator DURACK—I refer the Minister representing the Attorney-General to the official Yes case in relation to the referendum question No. 1, which is headed 'Vote Yes for Fewer Elections', and which claims, 'The public will be spared the disruption caused by having too many elections'. Does the Minister agree that, contrary to those assertions, the success of question No. 1 would not guarantee fewer elections but would enable the Prime Minister to call an early election for both Houses later this year or at any time thereafter without the need for any Bill to be twice rejected by the Senate, as is currently required? Why is the Government persisting with this deliberately misleading assertion when it knows full well that if question 1 succeeds, there could well be more rather than fewer Federal elections?

Senator TATE—Question No. 1, which is to be put to the people on 3 September, will have the effect of enabling the term of the House of Representatives in a future election to be a maximum of four years and for the term of the Senate to be a maximum of four years also. It is the opinion of the Government that this will create a political atmosphere in which the conditions will have been established whereby a government would suffer a very severe penalty if it went to the electorate earlier than some time near the end of the prescribed maximum term. The fact is that the community has become very well acquainted with the notion of four-year terms throughout Australia. I believe that in every State apart from Queensland lower Houses are now elected to four-year maximum terms. The electorate is accustomed to such a term of the parliament, and that is why I believe that the fearmongering campaign by the Opposition has failed to have any impact in regard to this question. Half-Senate elections also have a destabilising effect on the administration of government and business and programming arrangements. I believe that the passage of this referendum on 3 September will create con-

ditions of greater stability and longer terms for the Parliament.

Senator DURACK—Mr President, I ask a supplementary question. In light of the answer given by Senator Tate, I ask: Is it not a fact that the present Prime Minister, Mr Hawke, called two early elections under the existing three-year maximum terms during the first four years of the life of his Government? Does he guarantee that Prime Minister Hawke has had a change of heart? Will he guarantee that the Prime Minister will not call an early election, say, at the end of this year if this referendum question is passed?

Senator TATE—I have great faith in the ability of the Australian electorate to make its judgment as to whether it considers an election to have been called too prematurely. One can recall that a former South Australian Premier, Mr Corcoran, suffered diabolical consequences as a result of underestimating the community's reaction to calling an early election as, of course, did Mr Fraser in 1983. I believe that with those precedents in mind any political leader, whether it be a Premier or Prime Minister, will be anxious to call an election as close as possible to the end of the natural term, of the parliament.

MR ROBERT WOOD

Senator COLSTON—My question, which is directed to the Minister for Finance, is prompted due to my membership of the Parliamentary Retiring Allowances Trust. Has the Minister seen the transcript of an interview of Mr Robert Wood on an Australian Broadcasting Corporation radio program earlier this week in which Mr Wood claimed that the Government had confiscated his superannuation payments? Is there any basis for this claim? What, if any, action is the Government taking in relation to this matter?

Senator WALSH—I have seen a transcript containing the sorts of allegations to which Senator Colston has referred. I have also had referred to me by Senator Robert Ray a letter from a firm of accountants acting on behalf of Mr Wood, seeking a payout of superannuation contributions that were made by him during the period that he received the salary of a senator. Of course, we all know that on 12 May the High Court

of Australia ruled that the place occupied by Mr Wood since the previous election to that time had been contrary to the Commonwealth Electoral Act. Therefore, the High Court declared his place vacant, which throws doubt on what entitlements Mr Wood might have had to a salary during the period—how should one put it—that he never was Senator Wood. I have asked my Department to seek legal advice about that matter and about the consequences of the High Court's disqualification of him, including whether there is any legal obligation for him to repay the salary that he received and to which the court later said that he was not entitled.

Under the Social Security Act there is, of course, provision for repayment of overpayments. The standard repayment, if I recall correctly, by pensioners is that they are required to repay 11 per cent of the gross ongoing pension until such time as any overpayment they may have received in the past has been erased. Senator Chaney is looking surprised about that. I point out that that may be waived under special circumstances.

Senator Chaney—I was curious. I was not aware that there was a standard procedure.

Senator WALSH—It has applied for at least the last two years. It normally applies even if the overpayment was not the fault of the pensioner concerned. In Mr Wood's case the court found that he was not entitled to be a candidate even though he had made a declaration that he was entitled to be a candidate. Indeed, all the confusion and the costly litigation which has occurred since then was caused by what was Mr Wood's negligence or worse in making that declaration.

REFERENDUM CAMPAIGN

Senator ALSTON—My question is directed to the Minister for Local Government. Is it not a fact that the Referendum (Machinery Provisions) Act prohibits the Government from promoting the Yes case during the referendum campaign other than via the Australian Electoral Commission booklet distributed to all households? Can the Government explain why the Commonwealth Office of Local Government July newsletter explicitly argues the case for constitutional recognition of local government on its front page? Did the Minister know of

or approve of this disgraceful editorial performance in advance of publication? Is this not yet another example of the Government's refusal to abide by the rules and absolutely typical of its deceitful and misleading referendum campaign?

Senator REYNOLDS—There was no deliberate attempt to infringe the provisions of the Act by publishing an article dealing with the forthcoming referendum on constitutional recognition of local government. I say to Senator Alston that, given that local governments have been campaigning for recognition for over 40 years, it would have been rather surprising if the Office of Local Government had not featured an article on the issues arising in the referendum. In fact, the Office of Local Government sought and obtained the prior approval of the wording in the article concerned from the Solicitor-General. However—

Senator Puplick—The same advice as that on which the High Court ruled—that the Acts were illegal?

Senator REYNOLDS—However, Senator Puplick, following Justice Dawson's recent ruling on 12 August 1988, it appears that the article may contravene provisions of the Act. As a result I have instructed the Office of Local Government to withdraw all newsletters from further circulation and I have also withdrawn copies that are available in my two electorate offices.

Senator ALSTON—Mr President, I ask a supplementary question. Prior to the publication of that document, were the contents of that editorial page brought to the attention of the Minister and did the Minister consider whether it could be regarded as promoting the Yes case? If not, how could she possibly argue that it does not?

Senator REYNOLDS—The answer is no. It was not brought to my attention.

REFERENDUM PAMPHLET

Senator CHILDS—My question is directed to the Minister for Home Affairs. At a recent referendum debate I participated in, farmer representatives repeated Opposition claims that the Government had manipulated the 10 million copies of the Yes-No case pamphlets sent to enrolled electors. Did the Government produce a pamphlet that

made the Yes case clear, attractive and succinct and the No case poor in style and turgid in argument—in short, unimpressive? Is this yet another sinister Government plot?

Senator ROBERT RAY—Mr President, I realise that Senator Childs is very busy and I know how hard he works; so he would have missed my very impressive speech in the Senate yesterday in which I outlined some of these points. I never waste a good set of notes and I might proceed through them again because it is a matter that, of course, gets brought up by the Opposition. It is constantly trying to draw a whole series of red herrings across the referendum trail. It does not want to go actually to the meat of the referendums; it only wants to cast doubt—to debate around the edges—as no doubt was done in the areas the honourable senator visited.

Section 11 of the Referendum (Machinery Provisions) Act 1984 requires the Electoral Commissioner to distribute to every voter a pamphlet setting out arguments for and against referendum proposals. In previous referendums, the Electoral Commission typeset and designed both cases. Following a request to include graphs, charts and pictures in the one case, the Electoral Commissioner agreed to permit both cases to provide camera-ready copy format. The qualification was that the cases consist of words only in accordance with the wording of the legislation.

As an additional guarantee, both groups were requested to provide the Electoral Commission with a typescript of their arguments, a computer disk containing text and a camera-ready copy. It is true that the Commission did allow the Yes case to provide a new bromide to correct one typographical mistake. In contrast, the Electoral Commission permitted the No case to, firstly, deliver its artwork late; secondly, to have typographical errors corrected; and, thirdly, to amend its summary by the addition of a headline and rearrangement of a page. In discussions with the Electoral Commission, neither Mr Reith nor the No case person handling the technical details raised any objection to this procedure. The Electoral Commissioner personally explained to Mr Reith that the Yes and No cases would be presented one after the other. Mr Reith again accepted this view.

Yet of course we have the people that Senator Childs has referred to. We have also had the honourable member for Adelaide, Mr Pratt, making statements on ABC radio on 15 August. He said:

The Shadow Attorney General will bring forward some excellent information that in between the proofs that were ready and the bromides that were made, that things have been changed.

The only things that ever got changed were typographical errors. The reality of comparing the Yes case and the No case is that both sides went off and designed their own cases. Now we are getting whingers opposite—

Senator Alston—So much for the impartial umpire.

Senator ROBERT RAY—Senator Alston refers to the impartial umpire. Umpires are impartial but they do not select the two opposing sides, Senator Alston. In actual fact the Opposition put up an inferior design and now honourable senators opposite are squealing like stuck pigs. It just shows once again to the Australian electorate that when it comes to campaigning in politics this side of the chamber, allied with the Democrats on this occasion, is far more professional than the good old do-gooder amateurs opposite.

TELEVISION SERIES: TRUE BELIEVERS

Senator HAMER—My question is addressed to the Minister for Home Affairs who represents the Minister for Transport and Communications. Is it a fact that the Australian Broadcasting Corporation (ABC), when it has been able to sort out the royalties problems with Actors Equity, plans to offer the television series *True Believers* for showing in schools? Is it not a fact that the series *True Believers* is a gross distortion of history and insulting to the characters of most of the politicians identified, with the one glaring exception of Mr Chifley? Is it not also true, as Senator Evans with his previous responsibility for Australian Security Intelligence Organisation would undoubtedly know, that the events surrounding the Petrov defection are grossly misrepresented? If this film is to be shown in schools, will the Minister ensure that the ABC, which has used public money for the production of the

series, inserts frequent breaks during which the school children will be informed that the series does not pretend to be history; that it is largely sheer fantasy; that it is an example of blatant Labor Party propaganda; and that it should be viewed in that light?

Senator ROBERT RAY—I will pass on Senator Hamer's concerns, especially in relation to this film being shown in schools and the ABC's role in it. Senator Hamer has raised other questions as to whether it is an historical series. Of course it is not an historical series. It does have characters that were in history. If the ABC or anyone else suggests that this is an absolutely true portrayal of history, of course, they are wrong and no-one should pretend otherwise. I do not know whether there has ever been anything written or recreated that can accurately reflect history. If history were an absolutely accurate science we would not have historians and revisionists in history. It is not. History is very unscientific and that is the joy of history and writing about history. Maybe there could be a disclaimer put on the series but I do not think people are that gullible that they will watch it and say, 'Oh, this is exactly—'

Senator Messner—Come on!

Senator ROBERT RAY—Sorry, I left out Senator Messner. Of course he would believe anything. Leaving that aside, I approach this on two levels: firstly, I do not know that people will necessarily regard it as history. The honourable senator says it is great propaganda for the Labor Party. Well, I watched all eight hours and I am not so sure about it. But the one message I got out of it, Senator Hamer, is that it is rotten being in opposition for 23 years. I hope he gets the same message.

SOIL EROSION

Senator GIETZELT—I direct my question to the Minister for Resources. I refer to reports that suggest there are increasing areas of soil erosion taking place in many parts of Australia. Given the Minister's previous comments on soil conservation and his commitment to 1990 as the year of soil conservation, can he advise the Senate of the Government's continuing support in soil conservation?

Senator COOK—The Government is of course, in consort with the governments of all of the States and Territories of the Commonwealth, committed to combating soil erosion and land degradation in Australia. Senator Gietzelt is right that we agreed at the National Soils Conference of all the State Ministers and the Commonwealth in Cairns last month that we would declare 1989 as national soil conservation year. It is a major problem in Australia. We lose over \$600m in annual agricultural production because of increasing soil erosion. Rick Farley, Executive Director of the National Farmers Federation, describes land degradation as the AIDS of the earth. I am not quite sure I would be quite as dramatic as that. It is in some places reversible and to my knowledge AIDS, at this stage at least, is not curable. However, it is a graphic way of portraying in the minds of Australians the dimensions of the problem and the type of problem that we face. Senator Richardson has often commented to me about it because it is an issue that he is concerned about, but it is one of the foremost conservation issues in Australia. Both he and I are working to try to do what we can about that.

The Budget brought down on Tuesday night increased grants for the national soil conservation program (NSCP) by 77 per cent. The NSCP is now allocated \$10.634m in this Budget to combat soil erosion and land degradation around Australia, and that comes hot on the heels of the May economic statement increasing the land degradation and soil conservation program for 1989–90 by \$13.5m and for 1990–91 by \$15.8m.

The main focus which the Government wishes to take on this matter and which is a focus shared by the State governments is that we should mobilise community awareness and community action in the regions where land degradation is occurring. We do not believe it is a problem that can be solved simply by throwing money at it. We believe that, if those in charge of the land care for the land in a way in which land degradation is prevented and we provide extension support and backup services, that would be the correct way of approaching it. The grant increase of 77 per cent in this Budget is an indication of the Government's commitment to the issue.

TAX FILE NUMBERS

Senator KNOWLES—Is the Minister representing the Treasurer, or the Treasurer, aware that some employers, at the suggestion of the Australian Taxation Office, are already requesting employees to furnish tax file numbers in anticipation of the extended use of the tax file numbering system after November? Does the Treasurer or the Minister condone such an invasion of privacy at a time when legislation is yet to appear before the Parliament and has no guarantee of being passed?

Senator WALSH—I do not know whether the last part of the honourable senator's question should be taken as an ominous threat, but I suppose that it is unfortunately a matter of record that, even if the tax dodgers do not have any friends anywhere else in the world, they can usually find them here in the Senate. I do not know whether it is true that employers are seeking that information. I will ask the Treasurer to find out from the Commissioner of Taxation.

MEDICARE

Senator AULICH—Has the Minister for Finance seen a transcript of an interview of Andrew Peacock on Adelaide radio 5AA yesterday in which the shadow Treasurer identifies Medicare as a possible government spending cut? Will the Government cut Medicare? I ask again: What would be the financial implications of cutting Medicare as Andrew Peacock proposes?

Senator WALSH—I have seen the transcript. I cannot be precise about the financial implications of the Opposition's proposal, because the proposal itself is not spelt out clearly, nor was the amount of money concerned quantified. But when asked by the interviewer, who I think was Vincent Smith, which programs the Opposition would cut, Mr Peacock said, among other things:

I mean . . . firstly health, looms as the first one with Medicare . . .

Later he said:

But you're talking billions of dollars there.

I presume that Mr Peacock is proposing to go back to one of the variants of health policy that the Fraser-Howard Government had between 1976 and 1983. I think it had five different health policies in those seven

years. I cannot be sure which of those five health policies that the previous Government had in seven years Mr Peacock proposes to adopt, except that it is very clearly a proposition to take billions of dollars off the Commonwealth Budget and put them back into household budgets.

If that were all it did, it would just be a cosmetic exercise. But I have been asked what effects it would have. It would have a number of other undesirable effects, the first of which would be that it would probably add 2 per cent to the consumer price index (CPI) and would help to get going another wages explosion such as the one that Mr Howard engineered in 1981-82. Adding a couple of percentage points to the CPI is like throwing petrol on a fire so far as feeding inflation is concerned. That would be the first effect.

If the Opposition managed to engineer another 13 or 14 per cent wages explosion, like it did in 1981 and 1982, fiscal drag would then produce the sort of revenue that Mr Howard claims it does now. Indeed, we could look forward to fiscal drag producing about \$3 billion extra each year in real terms. I presume that the discredited perception of the world which lies behind the policy Mr Peacock is espousing is that a move towards private health insurance, in terms of total resources required for a given outcome, would be reduced.

If we look at the cost of total health spending as a proportion of gross domestic product (GDP) in a number of countries, we find that in Australia it is about 7½ per cent; in the United Kingdom, which has a similar health system, it is a bit lower; and in Canada, which again has a similar health system, it is a bit higher. In the United States of America, which has the sort of health system to which Mr Peacock and others would like to move, the cost as a proportion of GDP is 11½ per cent. Of course, the difference to the Australian economy between 7½ per cent and 11½ of GDP is something in excess of \$12 billion. There would be extra spending on health with no better outcome.

On efficiency of administration, the administration cost, as a proportion of income for private health insurance funds, is around 14

per cent and for Medicare it is around 5 per cent. There is no particular trickery about that; it is just that Medicare has the capacity to take advantage of the economies of scale. Because it is a very big enterprise it can operate at lower cost per unit of revenue than others. I do not want to say very much more about this other than to mention that the underlying misconception which so often leads the Opposition into error on the subject of health is a belief that market forces will be able to deliver health services more efficiently than any sort of regulated system.

Senator Aulich—That is rubbish.

Senator WALSH—No, I would not say it is rubbish. It may be so if the market forces were allowed to operate, if all we were looking at were costs, and we were not terribly concerned about what happened to individuals. But the fact is that not even the Opposition—nobody to my knowledge around the world—has suggested that a health policy should be so draconian that the improvident, the old or the chronically ill should have to pay for their medical services out of their own pockets or remain sick or die. If we really want market forces to operate, that is the sort of health policy that would have to be adopted. In other words, it requires not only the abolition of the community rating principle for insurance but also the banning of insurance itself.

LOCAL GOVERNMENT ASSISTANCE

Senator POWELL—I draw to the attention of the Minister for Local Government Budget Paper No. 4, pages 40 to 41, and ask: On what basis has the Government implemented a formula for general purpose assistance to local government which provides for a real terms cut of some 4.5 per cent for local councils situated in Australian States, while the grant is to be pegged to the consumer price index and so maintained in real terms for local government in the Federal capital? Would the Minister agree that this indicates a lack of commitment to local government in all parts of the Commonwealth except the Australian Capital Territory, where obviously the electoral pork barrel is being let loose in anticipation of the re-establishment of local government in the near future?

Senator REYNOLDS—I would not agree with the interpretation in the honourable senator's question. When the details of the Commonwealth Act were negotiated in 1985 it was agreed that funding going to local government could not increase more rapidly than that going to the States. However, recognition was given to the need for a transition period for changes to State relativities. Therefore, a real terms guarantee was provided for the first two years of the new arrangements under that legislation. This guarantee has now expired and local government is being treated no less favourably than the States. The increase in grants from 1987-88 to 1988-89 is 2.5 per cent in nominal terms, compared with an increase in similar payments to the States of 1.1 per cent. In other words, local government has done better than the States.

Senator Archer—Tell that to the Tasmanians.

Senator REYNOLDS—This is a good result for local government in a period of economic constraint. Members of the Opposition interject about so-called cuts in government spending, yet on their front bench they have Senator Stone, who has consistently advocated major cuts in government expenditure. It is the usual double standard that we hear from the Opposition. As to the matter relating to finance for the Australian Capital Territory, I will have to ask Senator Powell to direct that part of her question to Senator Richardson, who has responsibility in that area.

INDIRECT TAX CHANGES

Senator DEVLIN—My question is addressed to the Minister Assisting the Treasurer for Prices. It concerns the indirect tax changes for beer and other goods which the Treasurer announced in his Budget Speech on 23 August 1988. What will the tax changes mean for the ordinary Australian household? How will the Government ensure that the tax cuts flow through to prices?

Opposition senators interjecting—

Senator BOLKUS—It is obvious from the response from members of the Opposition that they are already benefiting from some of the changes introduced in the Budget the other night. As Senator Devlin recognised in

his question, there are obvious benefits to all Australian households from the effects of Tuesday night's Budget, particularly as a result of the indirect tax changes. The indirect tax changes will mean a number of benefits to consumers. In the first place, they will have the effect of reducing the consumer price index by approximately half a percentage point in 1988-89. For a typical household, I am informed that the effects of the cuts in this area will represent an increase in real purchasing power of over \$100 per year. As Senator Devlin mentioned, the most visible of the tax changes are those that will affect the price of beer. It has already been made clear that the Government anticipates that the cost of a full carton of low alcohol beer will decrease by \$5.50 and the cost of full strength beer will decrease by \$2.20.

Senator Harradine—I can't hear. Will you shout?

Senator BOLKUS—I notice that Senator Harradine cannot hear me. Given his interest in this subject, I shall redirect some of my answer to him. As has been recognised, beer is not the only item to be affected by the tax changes. The rate of sales tax on women's cosmetics and perfumes will be reduced from 30 per cent to 20 per cent, which will bring it down to the same level as the sales tax on men's toiletries. The other areas covered are photographs and photographic equipment. As I have said, the changes should reduce the consumer price index by about half a percentage point this financial year.

The Government is determined that the effect of these changes will flow through to consumers and that they will benefit from them. To that effect I have written today to the chairperson of the Prices Surveillance Authority, Mrs Hylda Rolfe, directing the PSA to keep price falls in these areas under close surveillance. Beer is already a notified good under the Prices Surveillance Act. If the Government finds that the price decreases do not flow through to that or other areas, but particularly in other areas, we will consider action to include those other areas as notified goods under the Act. That action would be taken only with the advice and recommendation of the Prices Surveillance Authority.

SALES TAX ON BEER

Senator PARER—My question is directed to the Minister representing the Treasurer. It refers in part to the answer given just now by Senator Bolkus. Can the Minister explain how Mr Keating arrived at his calculations that, with the reduction in excise, savings on a dozen bottles of full strength beer would be about \$2.20 and the savings on a dozen bottles of light beer would be \$5.50, when the Australian Hotels Association estimates that the savings will be less than \$1.80, which is a 20 per cent error, and \$4.08, which is about a 30 per cent error on the Treasurer's figures? Does the Treasurer realise that, with a 20 per cent sales tax now imposed on beer, each time there is a rise in the wholesale price the sales tax will apply not only to the cost of the beer but also to freight costs, which is a considerable item in most States, particularly the larger States such as my own? Who is correct? Does this mean that the Treasurer cannot add up, or was his beer saving claim in the Budget statement deliberately inflated to hoodwink the Australian beer drinkers, as well as casting doubts on the credibility of other statements in his Budget Speech?

Senator WALSH—I do not believe that the Treasurer cannot add up. But if I happen to be wrong about that, if it is a fact that he cannot add up, he should apply for a job as shadow Treasurer in the Liberal Party and follow the precedent that was set last year. If indeed the Treasurer cannot add up he should be perfectly qualified to take the same job in opposition. The new taxation arrangements for beer are that there will be a sales tax of 20 per cent and no additional tax on beers which contain less than 1.15 per cent alcohol. To my knowledge there is only one that comes into that category—Swan Light—although there may be others. For those that have an alcohol content above 1.15 per cent, an excise directly related, as I recall it, to the alcohol content in excess of 1.15 per cent will be levied. The actual excise applied will, therefore, vary with the alcohol content of the beer, in direct proportion to the amount of alcohol in excess of 1.15 per cent.

I do not know what the alcohol contents of all beers are but what is described as full strength beer is, in most States I think, a

little over 5 per cent. There is, however, a substantial variation in the alcohol content of what is commonly known as light beers. For example, Tooheys is marketed as 2.2, and I think that refers to the alcohol content. What is probably regarded as the equivalent product in Western Australia, Swan Gold, I think has an alcohol content in excess of 3 per cent. So, obviously, the price reduction for Tooheys 2.2 will be substantially greater than for Swan Gold. There may well be other light beers with lower or higher alcohol contents than those that I have quoted.

I assume—and I shall have the Treasurer check this—that the calculations were based on a notional average or a weighted average of the beers sold in Australia. I will have that checked out. If, however, any brewer—such as the Swan Brewery—which was paying a much higher excise on light beer because of its relatively high alcohol content wanted to avoid the excise, that brewer of course would have the option of reducing the alcohol content of the beer. That brings us to one of the other reasons that the Government has made the change, and that is to provide a significant financial incentive to people to switch to lower alcohol drinks.

Senator PARER—Mr President, I ask a supplementary question. The Minister referred to weighted averages. That term was not used in the Budget Speech. I quoted what the Treasurer said, which was that on full strength beer the saving would be \$2.20. I am taking the most conservative case. The claim for light beer was considerably higher. Yet the Australian Hotels Association has put out a press statement saying that because of the new sales tax on the wholesale price of beer, the saving will in fact be something like \$1.80, which is a 20 per cent error on the figure given by the Treasurer in his Budget Speech. Again I ask the Minister: Was this an adding mistake, or was it a deliberate statement by the Treasurer to hoodwink the Australian public and also to give credibility to the other figures in the Budget which now appear to be rubbery?

Senator WALSH—I did not think that the Opposition would want to start talking about rubbery figures. Some of us have a memory that goes back further than yesterday and we can remember the notorious 1977 Budget, which had no figures in it that

were not rubbery. The figures were deliberately falsified because Malcolm Fraser and his cronies of the day had decided to have an election—and they were going to give tax cuts on 1 February 1978. Do honourable senators remember the fistful of \$5 notes? There were to be tax cuts on 1 February 1978. Do honourable senators remember how long they lasted? They lasted until the next June—and then all the \$5 notes were snatched back again. I did not think the Opposition would want to give me a free kick in the square to talk about rubbery figures.

Senator Chaney—Mr President, I raise a point of order. I may be being misled by the tone of voice that the Minister has adopted, but he appears to me to be debating the question. He was asked a question about the 1988 Budget and he is now back in 1977. I suggest that if he is going to work his way through we will exhaust the afternoon. I ask you, Mr President, to direct the Minister to stop debating the question and to answer it.

The PRESIDENT—I ask Senator Walsh to answer the supplementary question he was asked.

Senator WALSH—If Senator Parer wants to talk about rubbery figures or numerical pedantry or whatever, I suggest he start with his own. He said that the figure of \$2.20 being taken down to \$1.80 represents a reduction of 20 per cent. In fact, to get a 20 per cent reduction from \$2.20 we have to go to \$1.76. I know this is a small error, but if the honourable senator is demanding arithmetical precision he ought to work on his own figures. Otherwise, I have nothing to add to what I said before; that I will seek precise details of the calculations from the Treasurer.

Senator Parer said that the line he quoted from the Treasurer's speech did not refer to weighted averages or explain the concept of weighted averages. Perhaps the honourable senator wants a Budget Speech that is about the same length as Budget Paper No. 1—for that is what would be needed to put all of that sort of detail in the Budget Speech.

SPORT: FUNDING

Senator MORRIS—I direct my question to the Minister for the Arts, Sport, the Environment, Tourism and Territories. Mr John

Sharp made a statement yesterday that the sports budget had been cut by 8.3 per cent. Is that a correct statement?

Senator RICHARDSON—I recall that in the election campaign last year the Liberal and National parties made a \$1½ billion error. In respect of that error, I would not attribute to them any attempt to mislead. There was no deviousness; they simply got it wrong.

Senator Walsh—They were incompetent.

Senator RICHARDSON—They were incompetent, as Senator Walsh says. Mr Sharp, in his press release of yesterday, to which Senator Morris has referred, cannot really claim incompetence. No-one—I repeat, no-one—could be as incompetent as that. I suspect that Mr Sharp was attempting to lay claim to future leadership of the National Party of Australia and, following in Mr Sinclair's renowned footsteps, had a go at some rather clever and selective accounting. The reality is that the sports budget has risen by 4 per cent, not declined by 8.3 per cent as he claimed. Of course, the way he got his figures was to exclude all of the increases and include only the areas of the portfolio in which funding was decreased.

Looking at the figures for the Australian Institute of Sport (AIS) and the Australian Sports Commission, there was a small decrease overall—and I am the first to acknowledge that. However, this was more than offset by some other programs. Excluding capital works, the AIS budget for 1988-89 is \$13.625m, which is an increase of 1.3 per cent; and the Sports Commission's budget of \$10.58m was down by 2.5 per cent. Capital works for both organisations in 1988-89 will total \$2.9m, down from \$5.1m. Funding for the recreation and fitness activities of the Department—which of course include the provision of programs for the disabled, the printing of publications for us and the provision of grants to sporting bodies such as surf lifesaving clubs—has gone up by 2½ per cent, and these figures were not included at all. But what was worse—where Mr Sharp really tried to out-juggle Mr Sinclair—was his statement:

The national sports facilities program will be cut out altogether.

The national sports facilities program, like most others, was given life by the Government; and it is true that it is coming to the end of that life and it is being wound down. But its allocation this year is not nothing, as indicated by Mr Sharp in his figures, but \$1.8m. As I said, no-one could be as incompetent as that; such variations could have come about only by way of deliberate distortion. But to make things worse still, Mr Sharp deliberately ignored the fact that there is a new community sports facilities program costing \$13m over the next three years, including \$4m in this year alone. So while Mr Sharp can make all of these claims, the fact is that he got it wrong—deliberately so. The sports budget is up to \$33.9m, an increase of 4 per cent. I might add that the areas of the environment, the arts, tourism and territories also did pretty well.

REFERENDUM PROPOSALS

Senator MICHAEL BAUME—My question is addressed to the Minister for Justice. As the Minister has now effectively admitted in his answer to Senator Durack that the first referendum proposal would enable a Prime Minister to call an election for both Houses whenever he wanted to—because the only restriction that presently exists against double dissolutions, that is, the requirement for important legislation to be defeated twice in the Senate, would be removed—and as the Minister flatly refused to give an assurance to Senator Durack that no election would be held this year in the event of the passing of the first referendum question, does this mean that a No vote in the forthcoming referendum is the only way to guarantee that there will be no Federal election this year, an election which would be the fourth such election within six years, called by a Prime Minister who piously promised that under him parliaments would serve their full terms?

Senator TATE—The fact remains that the passage of this referendum proposal on 3 September will create a political environment in which great damage and penalty would be exacted by the electorate from any politician of the eminence of the Prime Minister—as would be the case in respect of an election for a Federal government—taking the people to an election. The fact is that the calling of an early election is not some-

thing which is undertaken lightly. As I have already indicated, this has been shown to be so in the cases I have already enumerated, that of Mr Corcoran in South Australia and that of Mr Fraser in the Federal arena in 1983—the electorate exacted retribution.

It is in that context that I say that the passage of this referendum proposal will create a political environment in which, in decades to come, we will see a move away from the type of pattern which has emerged in the post-war years in Australia of Federal elections being called every two years and four months. That is something that the Australian people are getting heartily sick of, and I believe they are looking forward to a new framework in which Federal elections can be held.

Senator MICHAEL BAUME—Mr President, I ask a supplementary question. I remind the Minister that I asked him: Would a No vote in the forthcoming referendum be the only way to guarantee that there will be no Federal election this year? The Minister failed to answer that. I asked: If any other guarantee is available that there would be no Federal election this year in the event of the referendum being passed, would he advise the Senate what it is? The Minister did say that a great penalty could be imposed by the electorate. I have asked him what guarantee there would be that, in the event of the passing of referendum proposal No. 1, the removal of the present restriction which would prohibit such an election for both Houses this year would not in fact, as I have suggested in the question, enable such an election to be held. I ask the Minister for a straightforward, uncomplicated answer to that question.

Senator TATE—I have already explained the situation as it will develop after 3 September. I believe that the electorate—the general Australian public—well understands how this referendum will change markedly the political environment in Australia as compared with that which has prevailed since the Second World War.

TAX CUTS

Senator DEVEREUX—My question is directed to the Minister representing the Treasurer. Has the Government been persuaded by the shadow Treasurer's call to

phase in tax cuts over three years, or will the Government stick to its promise announced in the Budget to deliver fiscally responsible tax cuts on 1 July next year?

Senator Patterson—I raise a point of order. I refer to standing order 99 which states that questions shall not ask for an expression of opinion. The question asked for an expression of opinion.

The PRESIDENT—Order! I will allow the question. It is in the area of the Minister's responsibility. I call the Minister.

Senator WALSH—Mr President, I know that you have ruled on the point of order, but it is quite wrong to say that the question sought an opinion. If I heard it correctly, it asked whether the Government had been persuaded by some argument—if one can dignify it by calling it that—put by Mr Peacock yesterday that there should be something different. The answer is no, the Government has not been persuaded by what Mr Peacock said yesterday and I think that it is unlikely to be. I do not think that Mr Peacock has persuaded too many of his colleagues. If one looks at the Opposition's recent record on taxation cuts, one finds that just over 12 months ago Senator Michael Baume got sacked from the front bench for saying then that the proposed tax cuts would be phased in over a three-year period.

Senator McKiernan—Who got sacked?

Senator WALSH—Senator Baume, who is sitting over there. He got sacked because he said that there would be a three-year phase in of the tax cuts which the Opposition proposed last year; whereas at the time Mr Howard said that they would all be done in one big hit. Mr Howard seems to be saying the same thing again. He seemed to be saying a couple of days ago that we should have \$10 billion worth of tax cuts this year. He added that \$10 billion only accounted for fiscal drag anyway. Even with the sorts of wage explosions which Mr Howard managed to engineer in 1981 and 1982, fiscal drag would not be as much as \$10 billion.

However, if we phased in \$10 billion worth of tax cuts over three years and engineered a wages explosion of the 1981 and 1982 magnitude, it would not do any more than compensate for fiscal drag of that sort of

wage increase—that is, of course, if the Opposition managed to engineer another wages explosion should it be in government. As I said earlier in Question Time, it would be a way to a good start if one of the first things it did was to go back to one of the various versions of health policy which it had the last time it was in government, which would kick up the consumer price index by 2 per cent or a bit more straight away.

By 1 July next year, the notional surplus will be very different from what it is now because, on top of the \$54 billion expected this year, we will have had some fiscal drag, it is true—I acknowledged that yesterday—but much less than half the fiscal drag that there would be if inflation and wages exploded at the 1981 and 1982 level. Because of economic growth and the fact that another couple of hundred thousand people will be employed and so on, we will get somewhere between an extra \$2 billion and \$2½ billion. On present estimates of expenditure, there will be a further reduction of expenditure in the next financial year—as against this year—of \$700m, and so on. In other words, if growth can be maintained at the level forecast for this financial year, the prospective Budget surplus for next year will be something—one cannot be too precise about this—approaching \$10 billion. It is a prospective surplus which just happens to be about the same size as the prospective deficit which we inherited from Mr Howard.

WATERSIDE WORKERS FEDERATION OF AUSTRALIA

Senator McLEAN—I preface my question to the Minister for Industry, Technology and Commerce by reminding him and honourable senators of my question of 20 April this year and the Minister's answer concerning alleged extortion and threats regarding advertising in the *Maritime Workers* journal. I ask: Has the Minister read copies of correspondence between Amalgamet (Aust) Pty Ltd and officials of various trade journals indicating that Amalgamet has been regularly billed for advertising which it has not requested and which indeed in some cases it has actively rejected? In particular, has the Minister read the transcript of a telephone conversation made to Amalgamet in which the caller identified himself as a representa-

tive of waterside workers and, when told that the company would not be interested in advertising in the journal in question, terminated the call with the comment, 'Okay, I will relate that back to the wharves.'? Does the Minister agree that the telephone conversation could be construed as being threatening to Amalgamet? In view of the other pieces of correspondence, especially the letter from the Trade Practices Commission, and the amount of time over which the correspondence has been carried on between Amalgamet and these journals, will the Minister tell the Senate what steps have been taken to rectify the situation and whether it has yet been determined who is responsible?

Senator BUTTON—On 20 April this year Senator McLean asked me a fairly detailed question regarding these allegations. Following the question, the Department of Industrial Relations made contact with some of the claimants, or informants, and some of those who were allegedly involved in the matter. I will summarise the answer which I have and which is somewhat lengthy. The Waterside Workers Federation of Australia, for example, advised that it had no knowledge of a Mr Michael Ross who claimed to represent the Waterside Workers Federation with a view to soliciting advertising. The Federation confirmed the position, which I conveyed to the Senate on 20 April 1988 in answer to the honourable senator's question.

The Federation publishes one national journal, advertising for which was organised through an advertising agency. I informed the honourable senator then that the Federation was aware that there had been a racket involving people purporting to represent the Waterside Workers Federation. The Federation raised the matter with the New South Wales police and the Trade Practices Commission. The Department of Industrial Relations made contact with various other people, organisations and so on referred to in Senator McLean's question. I do not wish to go to any detail of the responses, but they are of a similar kind.

Senator McLean also mentioned that the Trade Practices Commission was contacted and, on 7 May, wrote to the company, Amalgamet, advising what it regarded as good practice, which was essentially to ensure that one person in a firm has the authority to

authorise expenditure such as advertising, and that the authorisation should be given in writing or signed order forms. The letter concluded:

As you know from experience that usually has the desired effect on persons making payment demands for unauthorised services.

I will convey all the material that the honourable senator has passed to the Government to my colleagues the Attorney-General and the Minister for Justice to see whether any further action can be taken in this matter. I seek leave to have incorporated in *Hansard* a more detailed answer dealing with the specific allegations to which Senator McLean refers.

Leave granted.

The response read as follows—

Proposed Response

Following receipt of material from Senator McLean concerning allegations of improper soliciting of advertising for various union journals, offices of the Department of Industrial Relations contacted the company concerned, Amalgamet (Aust) Pty Ltd, and the four relevant unions (namely, The Waterside Workers Federation, The Australian Foremen Stevedores' Association, the Customs Officers Association of Australia and the Ships Painters and Dockers).

The Waterside Workers Federation had no knowledge of a Mr Michael Ross who claimed to represent the Waterside Workers Federation with a view to soliciting advertising, when he contacted Amalgamet. The Federation confirmed the position that I conveyed to the Senate on 10 April 1988 in answer to a question from the Senator. The Federation publishes one national journal, advertising for which was organised through an advertising agency. As an extra safeguard it now channels its advertising through ACTU publicity.

I informed the Senator that the Federation was aware that there had been a racket involving people purporting to represent the Waterside Workers Federation. The Federation raised the matter with the NSW Police and the Trade Practices Commission, and it also took out public advertisements warning people of these practices. The Waterside Workers Federation publication known as "The Maritime Worker" now carries a message indicating that it is the only Waterside Workers Federation publication. The Federation has also written to companies affected to express their concern regarding this practice and to clarify the situation.

The Customs Officers Association of Australia (Fourth Division) advised that it severed all connections with a body known as R & R Corporate Publishing Pty Ltd some 18 months ago because it was concerned with that company's method of operation.

The Australian Foremen Stevedores' Association confirmed that it wrote to Amalgamet on 16 June 1987 soliciting advertising for "Australian Foremen Stevedores' Review". However, in its reply, the company did not express any concern regarding the method used to solicit advertising. In Amalgamet's 7 July 1987 reply to the AFSA, it stated in part:

"Whilst we certainly do acknowledge the invaluable service your Association offers within the shipping industry, through its widely distributed, quarterly publication of "Australian Foremen Stevedores Review", unfortunately our advertising budget is fully committed and are therefore regretfully unable to assist you."

I should also point out that, as far as I am aware, there has not been any further correspondence on this matter since the AFSA's letter to the company over 14 months ago.

The company was recently contacted and recorded nothing further to the matters contained in the correspondence.

Contact was also made with the Federated Ships Painters and Dockers Union of Australia. The Federal Secretary of the Union denied that any duress was placed on companies to advertise in its journals. He also advised that the task of selling advertising space is the responsibility of the publishing firm.

The Senator has also asked me what steps have been taken to determine who is responsible and on whose behalf the telephone approach was made to Amalgamet. That would seem to be an impossible task as an examination of the transcript would demonstrate. Any company which believes it is the subject of extortionate demands should take the matter up with the police.

All I can do, however, is reiterate the sound advice given in the letter of 7 May from the Trade Practices Commission to Amalgamet:

"It is suggested that a good practice is to ensure that only one person in a firm has the authority to authorise expenditure such as advertising, and that the authorisations given be in writing, for example, signed order forms. Demands for payment can be met by a request for copy of the signed order. As you know from experience that usually has the desired effect on persons making payment demands for unauthorised services".

Finally I will convey all the material the Senator has passed to the Government to my colleagues the Attorney-General and the Minister for Justice.

TRADESMEN: EDUCATION TAX

Senator NEWMAN—I ask the Minister for Finance: In light of the fact that plumbers can usually expect to earn considerably more than teachers, can he say whether plumbers and other tradesmen will be the next to be required to repay the cost of their education by way of a post-secondary tax?

Senator WALSH—I have two comments to make. The Opposition's policy on charges for education, as I have understood it for the last few years—I will concede that all Opposition policies are subject to frequent change and frequent contradiction by other members of the Opposition—was to charge a fee for tertiary education. If that is no longer the Opposition's policy, I would be grateful to be told about that. But if there is such a thing as a definitive statement of what Opposition policy is on anything, I certainly would not be going to Senator Newman for it. Incidentally, I would not be going to the Leader of the Opposition either; I would go to the National Party, because that is where we get the definitive statements on what Opposition policies are. We do not get them from anybody in the Liberal Party.

I thought even Senator Newman knew that plumbers get their tertiary education, if that is the right category—put in their trade training at technical and further education (TAFE) colleges and on the job. I thought even Senator Newman might have known that the average cost of tuition in a TAFE college is of the order of \$2,000 a year and that the average cost in colleges of advanced education and universities is of the order of \$8,000 to \$10,000 a year. If Senator Newman wants to understand and is capable of understanding the question in terms of how much subsidy from the taxpayers the respective students get, the answer is that, even after tertiary students have paid back 20 per cent of the cost of their tuition, the residual subsidy they get is still about four times as high as that which the people in TAFE colleges get.

DISTINGUISHED VISITOR

The PRESIDENT—I draw the attention of honourable senators to the presence in my gallery of former Senator Lajovic. I wish him well.

Honourable senators—Hear, hear!

EXPORT CONTROL (FISH) ORDERS

Withdrawal of Notice of Motion

Senator COLLINS (Northern Territory)—Pursuant to my notice of intention given earlier today, I now withdraw Business of the Senate, Notice of Motion (No. 1, standing in my name for disallowance of the

Export Control (Fish) Orders as amended as contained in Export Control Order (No. 2) 1988.

PERSONAL EXPLANATION

Senator PANIZZA (Western Australia)—by leave—Mr President, I claim to have been misrepresented. Yesterday, arising out of a question from Senator Beahan, Senator Gareth Evans referred to a newspaper article in the Asia-Pacific region headed 'Racist thinking will only make it hard for Aussies'. Although Senator Evans did not align me with the article, which appeared in the *Kuala Lumpur Star*, the article alleged that I had referred to Asian immigrants as unemployable. I totally reject the essence of that article. I have never publicly, whether by public statement, media release or in any other media comment, made such a statement. I have written to that particular newspaper demanding a withdrawal and an apology.

CONSTITUTIONAL REFERENDUM Discussion of Matter of Public Importance

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

The failure of the Hawke Government to disclose the real meaning of the Constitutional change proposed in referendum Question One.

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

More than the number of senators required by the Standing Orders having risen in their places—

Senator ALSTON (Victoria) (3.04)—The failure of the Hawke Government to disclose the real meaning of the constitutional change proposed in referendum question one I think is now well understood by the vast proportion of the population. It was not always so but, thanks to the newspoll published in today's *Australian*, we can see a dramatic decline in the fortunes of the Government on this particular question. Support has gone from 66 per cent in May to 45 per cent now. There is only one State—and that is Western Australia, with a rating of 51 per cent—that is in favour of that question.

Senator McKiernan—Where did you get your figures from?

Senator ALSTON—Today's *Australian* newspoll. The explanation for that dramatic decline in electoral support is clear. It derives from the fact that this Government has embarked upon the most dishonest and misleading campaign in history. It is one thing for a political party to gild the lily—I suppose there have been times when even we on this side of the chamber have been guilty of it—but it is another thing altogether to engage in a marketing, advertising agency driven approach to constitutional change. As a result of the gross distortions that have been used to present this campaign, we are now seeing an avalanche of opposition and adverse reaction.

There have been a number of honest but misguided attempts over the years, as seen by those proposing the changes, to improve the Constitution or rectify perceived weaknesses. It is another thing altogether for an Attorney-General to take the approach that is being adopted by Mr Lionel Bowen. He has told his colleagues to keep quiet. He said that they should deliberately avoid debate on the matter. I will give the Senate a stark example. I went to a conference organised by the Royal Australian Institute for Public Administration in Canberra about a month ago, supposedly to debate Senator Evans on this matter. When I got there, who did I find had been wheeled in but Senator Tate. Was there any prepared text? No. He had simply some handwritten notes. I do not think Senator Tate set out to put people to sleep but he certainly had that effect. He made every effort to avoid being contentious. He was determined to keep the temperature so low that no-one would get excited. It was quite clear that it was part of a deliberate strategy. My inquiries subsequently suggested that Senator Evans had been taken off the ground by the coach because it was thought that Senator Evans might be got in and that somehow he might let the cat out of the bag and start debating some of the real issues. That is the tragedy of this approach: too clever by half, but certainly dishonest by a long way.

Perhaps the best way to examine the duplicity of the Government on this first question is to look at the booklet that has been distributed to all households, supposedly designed to enlighten the populace. By way of

general introduction to the vote yes to question one, we find the statement:

Australians have always been wary of attempts to change the Constitution.

One reason for this is that often in the past changes were seen as increasing the power of governments and politicians.

As one would expect, of course, it then says that these questions are different, and continues:

They do not seek any extra power for politicians or governments.

That is just the usual hyperbole, no doubt designed to disguise the fact that this is a naked power grab designed to weaken the power of the Senate and to transfer power over the Parliament to the Prime Minister of the day. Apart from some gratuitous observations that the proposals are all sensible, modest and practical, the statement then goes on to say:

They are the result of an extensive process of consultation with ordinary Australians.

I suppose that is meant to imply that somehow they are a response to the Constitutional Commission, which has laboured for the last two years and received something of the order of 4,000 submissions and which has identified some 90 areas of possible constitutional change, some of them very important. Some of the demarcation problems in industrial relations, some of the ways in which defamation laws vary from State to State, the difficulties we have in the family law area and in the companies and securities area—these are all serious areas of constitutional change. But did the Government pick out any of those 90? No. It chose four to suit its own political agenda. Of those four, three were not even recommended by the Constitutional Commission. So to say that these questions, in particular question one, are the result of an extensive process of consultation with ordinary Australians is laughable. To say that they reflect the concerns of ordinary Australians is again downright dishonest.

In a few words it says, 'What they will mean is fewer elections'. Let me deal with that canard. The headline states: 'Vote yes for fewer elections', and it continues:

With four-year maximum terms business will be able to plan ahead with more certainty. The business community has strongly supported four year terms.

Let us understand what the attitude of the business community has really been. The business community for many years has thought that it would be a good idea if we had fewer elections. There are many people in the community who support that simple proposition. It is indeed simple if one does not examine it carefully. That is why the Constitutional Commission, seized with the validity of that argument, recommended a four-year maximum, three-year minimum term for the House of Representatives and, in respect of the Senate, twice the term of the House of Representatives. In other words, it clearly recognised that one needed a mechanism to ensure fewer elections. That was the recommendation of the Constitutional Commission, but it was blatantly and dishonestly ignored by the Government without explanation. It chose a proposal that has never before been put before the Australian people. It has certainly never been canvassed. I am not aware of anyone suggesting four-year terms for both Houses of parliament.

One gets further dishonesty when the Government says that all States except Queensland have already recognised the value of four-year terms. I suppose that is meant to include the New South Wales upper House, which has a 12-year term, and the Victorian upper House, which has an eight-year term. It is an absolute nonsense to suggest that somehow the States recognise the value of four-year terms. Victoria has a fixed minimum of three years for this very reason. That proposal is light years away from what this Government has in mind.

I want to deal now with the Government's real agenda because it is becoming more evident every day that the business community is deserting the Government in droves on this issue. Firstly, the Small Business Association of Australia resolved some weeks ago not to support the proposal. There at the bottom end of the market the body that represents thousands of small businesses around the country opposes this proposal because it does not do what it purports to do. At the top end of the market is the Business Council of Australia, which represents 100 of the largest corporations and their chief executives. What did it do last week? It decided that it could no longer

support this proposal either. Sir Roderick Carnegie put out a Press release that said: The Senate proposal differs significantly from the Council's preferred position. In the absence of bipartisan agreement the Council is, therefore, not able to support the proposals as put by the Government.

Who is there left in the business community that supports this proposal? There is one person, and that person has a lot of explaining to do. He is Mr Andrew Hay, President of the Australian Chamber of Commerce. In that position he has been seduced by the Government into participating in several television advertisements promoting a four-year term—the usual simplistic, naive nonsense that somehow that will ensure greater stability and allow governments greater opportunity for forward planning. Mr Hay has done that despite the fact that all but one of the State chambers of commerce and industry to which he is accountable have resolved—the sixth will resolve it this Thursday night—to oppose all four questions. Mr Hay is now in an untenable position. I suggest that he should promptly resign from his office, he should acknowledge that he is flouting the wishes of his constituents, and he should apologise to the Australian people. Part of the duplicity is this: the chambers have approached Mr Hawke's office and explained that Andrew Hay was not authorised to do what he did.

Senator Button—He'll be after you next, so watch it.

Senator ALSTON—I am feeling perfectly secure, Senator. The Prime Minister's office has refused to acknowledge those approaches and instead has persisted with this misleading advertising campaign, putting Mr Hay forward as though somehow he represents someone other than himself. There is the business community support! Yet, we have a Yes case being distributed to all householders. We have the Australian Labor Party distributing through letterboxes literature which perpetuates this gross distortion, which claims that it is all about fewer elections when it clearly is not.

Let me just demonstrate why it is not. If this proposal were to be passed it would be possible to hold elections for both Houses tomorrow. If it were not passed—and it will not be—one would not be able to have a half Senate election until July next year. One

could not have an election for both Houses of parliament unless and until one had the basis for a double dissolution. As we know, that is rather difficult, despite the efforts of the Prime Minister (Mr Hawke) to fabricate a double dissolution last year and run a campaign without mentioning the basis of it. Nonetheless, it is very difficult in ordinary circumstances to achieve a double dissolution. One cannot do it in the last six months of the life of a parliament. All of that would be out the window. This proposal is really about the opportunity for more elections whenever it suits—and suit it does, because this Prime Minister already has two prior convictions for going to the people early and unnecessarily.

We hear pious statements about elections costing \$50m a year. There is absolutely no reason, of course, why money should be wasted on this occasion because we know full well that the Government ignored the timetable of the Constitutional Commission, insisted on having interim recommendations put forward, and then proceeded to follow a very dishonest timetable, allowing some three months for debate rather than six. It is ensuring that the matters will be voted on by the Australian people after a two-week parliamentary session, supposedly dominated by the Budget. It is gagging the debate in the Parliament and in all sorts of ways making life very difficult for serious and informed debate. Yet, here we have it being paraded that somehow this proposition is about ensuring fewer elections. It is nothing more or less, in the Prime Minister's view, than an opportunity to have an early election for both Houses whenever he wants to, untrammeled by the current constitutional difficulties that might otherwise be in his path. I suggest that is what motivates the Prime Minister. There are others in the Labor Party who have a more ideological view of the world. We do not have to go back to the remarks of people such as Senator Button. In 1977, when talking of simultaneous elections, he made it very clear that he was a great supporter of knocking off the Senate and so were many of his colleagues.

Senator Button—I was disillusioned in those days.

Senator ALSTON—I do not know whether Senator Button has become 'illu-

sioned' since then. Perhaps we should remove those illusions from him.

Senator Button—From *Hansard*, not from me.

Senator ALSTON—Unfortunately one cannot rewrite history in a democracy. Senator Button is hoist on his own petard. Of course, he is not alone. Many of his colleagues shared the same view. It is only the pragmatists, the latter day Bob McMullans, and the like who have realised that that sort of stuff is lead in the electoral saddlebags and that rather than talk about abolishing the Senate the sensible thing to do is to cut it down by degrees.

Senator Button—I was one of those, too, you know.

Senator ALSTON—Is the honourable senator a latter day pragmatist?

Senator Button—Absolutely. I was years ago. You ought to have studied history better.

Senator ALSTON—The honourable senator would probably subscribe to the article that Senator McMullan wrote in the *Australian* earlier this year when he gave some gratuitous advice to the Government. One of the things he said was that, rather than being distracted by things such as privatisation, the Government should embark upon some low risk political distractions such as constitutional reform. Undoubtedly, that was very sound advice. Mr Hawke, knowing the sorts of political problems that he was facing at the time and all those horrendous figures that the Treasurer likes to conveniently ignore, knew that it might appeal to the Government to have this sort of three to six month distraction. That is what has happened. Of course, it is not just the question of abolishing the Senate that concerns us at the moment. What is much more serious is the way in which the proposition would limit the independence of the Senate. We do not need long memories to go back to the ID card and Bill of Rights debates. Even those on the Labor side of politics, who would no doubt have loved to see those proposals pushed through, finally came to realise that there was little or no community support for them. They were tremendously relieved when the magpies gave enlightenment to Ewart Smith and they were no doubt secretly very pleased when the Attorney-General (Mr

Lionel Bowen) decided to call off the Bill of Rights debate.

Those things could not happen if this proposal came to pass. One would simply find the nervous nellies saying, 'Well, the moment that we oppose'—the Government would say 'destruct'—extensive discussion on an issue we would be trumped by a Prime Minister who would decide that it was time for another early election'.

Senator Stone—Senator Macklin says he would be too honest for that.

Senator ALSTON—Of course, Senator Macklin has a great vested interest in this particular proposal. As we well know, if we were to have an ordinary half Senate election, people such as the Democrats would need to get something of the order of 14.2 per cent of the vote. If this passes then they are looking at around 7 per cent. One can understand the irresistible attraction of that situation to those who otherwise would have been wiped out less than 12 months ago. If we address ourselves to the merits of the issue I think we will find that this will do nothing at all for the role of the Senate. Probably just as importantly, it will fundamentally destroy what was intended by the founding fathers.

It was no accident of history that the House of Representatives was given a three-year maximum term and the Senate a six-year fixed term. That is the basis of the constraints on the setting of election dates and timetables. The whole purpose of the exercise was to ensure that in ordinary circumstances only half of the Senate went to the people, that a Prime Minister could not terrorise the entire Parliament, and that if he were minded to waste \$35m to \$40m on an election for the House of Representatives only that should be upon his head but the whole of the Senate should not also pay the penalty. Yet that is another thing that would go by the board if this proposal were to pass.

I find it extraordinary that this Government had the temerity even to embark upon such a misleading marketing campaign. What is so offensive about the whole approach of the Attorney-General—that somehow people should sit back and let it slide through, that politicians should get out of the game and in all sorts of ways hope that the matter will

not be the subject of too much heated debate—is that the recent polls show that 52 per cent of Australians do not even know that we have a written Constitution. What is it all about? Surely, if it is an important document it merits serious and informed debate and discussion. That is, thankfully, happening now. It is happening because of the imperative of 3 September. It is certainly not happening due to any action on the part of the Government, which has gone out of its way to disclose, to hide, the real meaning of these constitutional proposals, to ensure that there is little or no informed debate in the community and to confine itself to a marketing strategy.

It is a sad day for democracy if we are reduced to government by marketing strategies, yet that is what Senator Ray was boasting about in this chamber only an hour or so ago. He knows full well that the page relating to question No. 1, with a huge 'Vote Yes', juxtaposed to a small 'Tell Canberra No', is the result of a deliberate abdication of responsibility on the part of the Electoral Commission. Dr Hughes, the Chairman of that Commission, has a lot to answer for, in my judgment. I do not for one moment accept the proposition that all he has to do is look at what is served up to him. I will tell honourable senators why. The Electoral Commission's own advertising agency felt so guilty about the one-sided presentation that it contacted the Opposition and said, 'Do you realise that the typeface on the introduction to the 'Vote No' is far too small and unfairly presents your case? Would you like to blow it up a bit?'. It did not tell us what was on the Yes side of the page, but gave us that opportunity. We, as best we could, accepted that invitation. But it simply shows—

Senator McMullan—All they were telling you is that you are a bunch of mugs.

Senator ALSTON—No, what it was telling us was that it had a conscience, that it realised that it was an unfair presentation. That was something the Electoral Commissioner obviously was not prepared to do. It speaks volumes for the agency's integrity but does not say much for the Electoral Commission. So much for the impartial umpire, so much for the balanced presentation. This has reacted against the Government. The

entire Australian community is up in arms at the one-sided presentation in the referendum booklet, and that will work very much to our advantage. We are grateful for the deceptive and misleading approach that has been adopted. We welcome this marketing strategy, which will backfire to such an extent that, according to the polls, each and every one of these questions will go down the drain. They will go down the drain because of the Government's refusal to take the issue seriously, because it has chosen to put together four questions from which it somehow thinks it will derive electoral advantage. The questions are not in response to any community pressure and are not addressing any real issues in the community; they are simply designed to provide the Prime Minister with some cheap kudos. That is not the way we on this side of the House want to see our Constitution dealt with, and it is certainly not the way it deserves to be dealt with.

Senator TATE (Tasmania—Minister for Justice) (3.24)—The Opposition has put before the Senate a matter of public importance entitled:

The failure of the Hawke Government to disclose the real meaning of the Constitutional change proposed in referendum Question one.

As one would expect, the presentation by Senator Alston, who proposed the matter of public importance, ended with a whinge and a whimper, as the failure of the Opposition to present its case convincingly in a form which would be attractive to the people it is trying to convince is brought home to it. We know that the failure in the presentational terms of the No case is to be laid at the feet of Mr Peter Reith and his advisers, who chose to present to the Australian Electoral Commission the format of the No case in the fashion it did. (*Quorum formed*)

To move to the substantive issues, the question put by the Parliament to the electorate—and one must recall that this is not a question put by the Government; it is put to the people by the Parliament, including the majority in this chamber, which we do not control—asks that the people endorse the provision of a four-year maximum term for members of both Houses of the Commonwealth Parliament. There can be nothing more straightforward. There is certainly

nothing deceptive about that question being put to the people. It is being put to the people in order to create a political environment in which there can be some hope that we will move away from the practice that has prevailed since the Second World War whereby a Federal election has been held on an average of every 2 years and 4 months. That has created disruption which can tempt a government, as we know, not to make hard decisions because it is keeping an eye on a pending election. I do not say that we in the Australian Labor Party have ever succumbed to that temptation but, obviously, it is a matter which one has to take account of when one is trying to craft a constitutional framework within which those who may succumb may, on some sad occasion, achieve the treasury bench.

So what we are trying to do in this proposal is simply to create a framework within which, as I say, more stability can be given to government. It will be conducive to better decision-making and it will create a situation where, as I say, the terrible frequency of elections which has bedevilled the Australian electorate in the Federal sphere will not recur.

The general argument for the four-year term is clear in relation to the House of Representatives. The fearmongering which the Opposition enjoys indulging in around the country has fallen flat in this matter because in every State except Queensland the lower House has a four-year term. The electorate is well accustomed to the idea of four-year terms. When the Constitution was put together by the framers back in the late nineteenth century, three-year terms were the norm for the colonial legislatures. In that situation a three-year term was chosen as what should prevail in the Federal Parliament. But the fact is that Australia has changed over the last decade. As I say, every mainland State except Queensland has followed the Tasmanian example of moving to a four-year term for the House of Assembly. So there is nothing in the general electorate that can be stirred up by this proposal.

Senator Puplick—What did they do about the upper House terms in New South Wales, Senator?

Senator TATE—As far as upper Houses are concerned, a certain portion of the Legislative Council stands for election on the same day on which the House of Assembly election in that State is held. That is also the case in Victoria and South Australia. Once again, the electorate in those States understands that it is quite a fair proposal for a portion of the upper Houses to go to the electorate on the same day as the lower Houses go.

Our proposal is for the whole of the Senate to go to an election on the same day as the lower House goes. I do not believe that the charge that somehow one is attacking the role and independence of the Senate can be sustained. Indeed, a former Leader of the Government in the Senate, former Senator Reg Withers, has said quite openly and publicly that he believes that the situation which will prevail when this referendum is passed, under which the Senate will receive a mandate from the people on the same day as the House of Representatives receives its mandate, will strengthen the clout of the Senate and enable it more vigorously and robustly to claim for itself an independence and a deliberative role; a role which requires consultation and which allows its committee system to work to the fullest possible extent. This was put to me by my branch of the Australian Labor Party as a reason for not going down this path: at the end of the day, with a fresh mandate being given to the Senate on each occasion when there is a Federal election, one is really giving to newly elected senators political clout not possessed by those senators who were elected many years before the election of the current Government which enjoys the confidence of the House of Representatives.

As I say, a four-year maximum term for senators would make them accountable. I am very happy to face the electorate of Tasmania at a maximum period of every four years. I believe that facing the people every four years is a good thing for me and is certainly far preferable to any proposal that senators ought to enjoy twice the term of House of Representatives members which, in this case, would be an eight-year term. In that situation accountability would not have due weight given to it. I believe that a four-year term is about right. I am very happy to

face the Tasmanian electorate, as I say, every four years. I think it will also make senators more responsible in the discharge of their duties, including those decisions they make to fail to pass legislation and, in particular, the failure to pass those Bills which provide money for the ordinary services of government. I believe that, particularly in the latter situation, it is only right and fair—it is recognised as fair in the general community—that the Senate should not be able to stand to one side and create a political situation in which the House of Representatives needs to be dissolved because the Prime Minister cannot obtain for his government the moneys which are required to service its needs, the programs and matters for which expenditure is required and for which a mandate had been obtained.

As we know, in 1975, had certain double dissolution Bills not been in the storehouse, which the Governor-General required to be used as a trigger for a double dissolution, the Senate could have created a situation whereby the House of Representatives would have been forced to an election, while the Senate could have stood to one side and not gone to that election. It need not have faced the people. I do not believe that that is fair. I believe that if the Senate is to exercise the powers which are claimed for it in relation to that matter, it should be prepared to face the people and, as I say, be electorally responsible and accountable for the exercise of that extreme power.

This proposal will permit the Prime Minister that general flexibility which is inherent in the Westminster tradition. It would surprise me if, at the end of the day, those opposite who pretend to say to the contrary really support the idea that the Westminster tradition should be modified in such a way that the Prime Minister does not have the flexibility to seek from the people an endorsement of the policies of the government at a crucial time when those policies are being questioned in the electorate, in the Senate chamber and elsewhere.

The Senate's powers are not affected or modified in any way by this proposal. The Opposition really fails to surmount the hurdle which is placed before it when it claims that the Senate's powers are somehow affected. The general rhetoric of the Govern-

ment and the fine print of the proposal—as found in the back of the Yes or No booklet—are in total harmony and no jot or tittle of Senate power is modified, deleted or in any way affected by the proposed passage of this referendum. All the powers available to the Senate at the moment—in relation to the use of its committee system, legislation and its ultimate power to reject that legislation or amend it when it is permitted to do so under other provisions of the Constitution—will still be available to it after 3 September.

The number of senators exercising those powers will remain precisely the same. As I travel around Tasmania the common question asked is: 'Will the number of senators we are entitled to be the same and will they be able to exercise the same powers?'. The answer is a resounding yes. Once one tells people that, one finds generally that they are pretty satisfied.

With regard to the alternatives that have been put forward, I have already mentioned eight year terms for senators, which would be an intolerably long time for elected persons to make laws and to govern the people of Australia. It would be quite wrong for people to be subjected to the law-making powers of those elected representatives in the Senate for eight years without the possibility of calling them to account. I cannot believe that the fixed term proposal would really have the support of those on the other side of the chamber. By giving the Senate a fixed term one would be saying to the Senate, 'You cannot reject Supply during those three years if you are so minded and you cannot deal with legislation in a way which allows you to exercise the full powers claimed under the Constitution'. I believe that that would be a real modification of the powers of the Senate. That would be a real disabling of the Senate, if one thought that that power was inherent in it. That is something which a fixed term would require. Of course, that is one reason why the Government knew that that suggestion would not receive bipartisan support and that is why it put forward what is acknowledged in all the forums in which I have spoken to be a very modest proposal.

Senator Puplick—Why did the Labor Party in New South Wales introduce 12-year terms for the upper House in that State?

Senator TATE—I am not concerned about what the Labor Administration in New South Wales may have done. I am putting what I believe to be a fair, democratic, responsible and accountable proposal for the organisation of the two chambers of the Federal Parliament.

Senator Puplick—So theirs was not fair, democratic and accountable.

Senator TATE—I am not saying that. I am saying that I am just not concerned about it; it is not a matter of interest to me on this occasion. What is of interest to me is the way in which we provide for the parliamentary consideration of legislation which will bind the people of Australia. In that regard I believe that the proposal put forward is very fair in a democratic sense. It will create a situation whereby the House of Representatives, from which the government is drawn, enjoying the confidence of a majority of those members elected to the House of Representatives, would have the opportunity to carry out its program in a much more stable fashion than is the case at the moment.

Senator Puplick—Because the Senate will be made weaker.

Senator TATE—Senator Puplick says the Senate will be made weaker. I have already said that former Senator Withers, who had great experience in this chamber, including during the 1975 period and who, I suppose, would be acknowledged as a master of the procedures of this chamber, takes the diametrically opposite view. He takes the view that this proposal will increase the power of the Senate by enabling it to claim that it has a concurrent mandate with the House of Representatives to represent the people although, of course, the mode of election will undoubtedly continue to create a situation in which there will be great tension between the two chambers. He says the tension will be resolved in the political sense more in favour of the Senate than would otherwise be the case because of the concurrent mandate given to it by the people. If honourable senators opposite are not talking about the Senate as a whole but referring to individual senators who may be weaker and not able to withstand the fear of an election being called on by a Prime Minister if they should reject certain legislation, then they are reiterating

what Senator Newman has been saying in Tasmania. What she said in various articles—she has been on the back foot ever since in the letters to the editor trying to explain it away—is paragraphed in what she said in the *Examiner*:

The Prime Minister says: "Pass this Bill or else I'll call an early election," and the result could be that some senators allow themselves to be railroaded into passing the legislation in order to retain their seats.

I do not take such a dim view of the integrity, the robustness and the independence of honourable senators—certainly not those elected from Tasmania and, indeed, certainly not most other senators elected to this chamber. I do not believe that, faced with a crucial piece of legislation, they would allow their decision whether or not to pass that legislation to be influenced by the Prime Minister being able to call an election, that they would allow themselves to be railroaded, as Senator Newman says, 'into passing the legislation in order to retain their seats'. That is a very diminished view of the individual strength of senators. As I say, I certainly reject it on that individual level. At the chamber level as a whole, I believe that Senator Withers has satisfactorily answered the claim that the Senate, as a whole, is weakened by this proposal.

I believe that what the Parliament has put to the people for their consideration on 3 September, for their affirmative vote, as I believe will be the case in a majority of States and as recorded by a majority of electors throughout Australia, is a proposal which, because it is so akin to the way in which the State houses of assembly operate with four-year terms and because of the notion of accountability of the Senate which is built into this particular proposal, will certainly achieve the necessary majorities and that Australian parliamentary democracy will be the better for it.

Senator HAINES (South Australia—Leader of the Australian Democrats) (3.43)—Senator Alston has proposed in the Senate today a matter for discussion, namely:

The failure of the Hawke Government to disclose the real meaning of the Constitutional change proposed in referendum Question One.

I found myself in agreement with only one of the comments that he made during the 20 minutes that he argued for his question.

Sadly, I have to agree with him when he said that he suspects that most, if not all, of the questions will fail on 3 September. I have always suspected that something like that would happen and I think anybody who looks at the fate of referendum proposals through the years must harbour a suspicion that people prefer to vote no rather than yes. In this particular case I would have to say that Senator Alston is wrong about the reasons for people voting no to the first question and, if they do to any of the others, to the others as well. It has nothing to do with anything inherently wrong with question one. It has nothing to do with anything devious or hidden in the question or, indeed, the legislation behind the question for four-year terms. It has to do with the very misleading campaign that is being waged by the Opposition parties that has caused confusion and uncertainty in the minds of an electorate that says, 'When in doubt vote no'. I would have thought that most intelligent people would have said, 'When in doubt seek a little more impartial information'. But it is probably easier to vote no given that, as Senator Alston and other people including I have said on a number of occasions, the electorate is basically unaware of the existence, much less the contents, of the Constitution. It is much easier for the people to say, 'When in doubt vote no'. That is a very real pity. It is a pity on this question; it is a pity on the other three questions; and it is a pity that it happens in so many other areas. The electorate is simply so unaware of the parliamentary process, of the value of the electoral system, of the power and protection in the Constitution, as well as its deficiencies, that it takes this sort of attitude.

The Opposition is arguing in Senator Alston's remarks today, in the remarks that were made yesterday and in the official No case—which I agree is turgid prose at its worst, but that is its own fault—that there is a hidden agenda, that there are dangers here and that they relate specifically to the powers of the Senate. On page 8 of the booklet that has been sent around by the Australian Electoral Commission are these comments, presumably put together by Mr Reith and his advisers on behalf of the Opposition:

This proposal would cripple the Senate's independence. It makes it possible for a government to control the Senate. It turns the Senate into a rubber stamp.

It silences the independent voice of the small States.

The fundamental importance of the Senate is this:

It goes on:

It is a House of Review and acts as a check against the excesses of the Government in power.

It is an added protection for the rights of the people.

It also protects the rights of the States and their people.

I challenge anybody in this chamber to tell me the last time—much less the first time—that we divided on the basis of States. I have never known it to happen and I very much doubt, given the party political system that operates in the Senate, which was not ever expected by the founding fathers to become a party House, that it will ever happen. We have legislation brought before us in this chamber from time to time that is good for New South Wales and Victoria from whence the majority of members of the House come and which the Government therefore believes to be good for everybody else but which in fact is very damaging indeed, if not to all the smaller States, certainly to some people in some States.

One recent example was the Government's legislation which cut Austudy payments for 15-year-olds in the last two years of secondary school—the two non-compulsory years. That was fine for Victorians and people in New South Wales; very few 15-year-olds are in those two years of school. But South Australia and Western Australia have something like 54 per cent of their year 11 students aged 15 for all or part of the year. Did I see Senator Schacht join me in opposing that? Did I see Senator Teague from the Opposition join me in opposing that? Of course not. The same thing happens when we get legislation before this chamber with regard to things like road funding. Senator Bjelke-Petersen, I and people from Western Australia get up and quite justifiably argue that the funding is inequitably being distributed. Do we divide Queenslanders, South Australians and Western Australians against the rest—Labor, Liberal or National? No, of course we do not because this chamber is no longer a States House

and it has not been at least since the war. So to argue that somehow question one is going—

Senator Schacht—The First World War.

Senator HAINES— Senator Schacht says the First World War. Certainly I think it goes back probably beyond that and if we had been around when the Boer War was running it would have been then too. For the Opposition to argue that somehow this chamber is a States House and that question one is going to remove the protection that the Senate gives to the States—small, large or indifferent—is an absolute nonsense. The No case and Opposition senators then go on to say, 'The Senate is a House of review. It is the inalienable right of senators, in this place, to look at legislation on its merits, to amend it, support it, defeat it accordingly'. I always thought that. Indeed that is exactly the way the Australian Democrats operate. We look at legislation on its merits and then deal with it accordingly. That is how it operated until 1983.

What happened in 1983? We had a Labor government in power. But it was not the fault of a Labor government that things changed. When the Labor Government got into power we had a Liberal-National Party Opposition which made the extraordinary, unilateral decision that it would not touch any piece of legislation that was signalled as part of the Budget Speech that the Treasurer brought down in August. If it was mentioned in the Budget Papers, it was sacrosanct. Members of the Opposition said that, no matter how terrible money Bills, non-money Bills and all sorts of pieces of legislation were, they would not amend or defeat the legislation. So much for the Senate being a House of review. So much for the integrity of this place. So much for the argument that question one will somehow remove the role of the Senate as a House of review. It simply has not been so since 1983.

I wonder where the memories of Opposition senators are. I wonder at what level their intellect is that they cannot see what they have done to remove the power of the Senate in the decision they made in 1983. For a start, it had one major consequence. I think most of the time this Labor Government is pretty stupid, but it is not slow and

it did not take it long to introduce two Budgets a year instead of one. So we now have a May economic statement and a Budget in August. And what happens? The Opposition extends that protection to legislation that comes out of the May economic statement to legislation that comes out of the August Budget.

Have Opposition senators not worked out that there is a difference between what happened in 1975, when the Supply Bills were delayed to such an extent that the Whitlam Government believed it would not have the legal right to spend money, and what happened in 1981, when the Australian Labor Party (ALP) and the Democrats, in opposition, amended severely the then Fraser Liberal Government's sales tax legislation? There is a connection, certainly, between money Bills and the Government's revenue raising capacity and Supply but that connection is in the size of the deficit or the surplus. There is nothing in the Constitution—quite the reverse in fact—that states that people in this place cannot amend, or request amendments to, money Bills and that they cannot amend or oppose legislation that is introduced in the Budget. I think the behaviour on the part of Liberal and National Party senators to give immunity to any piece of legislation that this Government introduces in a May economic statement or a Budget is the worst thing that could happen to the integrity and the independence of this place and to its capacity as a House of review.

The other question that is usually raised by Opposition senators in opposing four-year terms is that this will reduce the Senate term from six years to four years and that somehow this, too, will reduce the integrity of individual senators and the chamber as a whole. I remind anybody here who does not remember very well that no current member of this chamber has ever served a six-year term. I have been elected for three six-year terms since 1980, along with a lot of other people, and I have not served one of them.

Senator Schacht—Doug McClelland was the last.

Senator HAINES—Doug McClelland, who retired last year, was the last senator who served a six-year term. It is nearly 20 years since a senator has been able to serve

a six-year term. Two-thirds of the double dissolutions held since Federation have been since 1974, and we will go on having double dissolutions from now until doomsday, thanks to an alliance between National Party senators and the ALP. The minute that those two parties joined forces, as they did recently to increase the size of the House of Representatives, we saw an end for all time to half-Senate elections. Why did they do it? The answer to that is fairly easy. They justifiably saw a chance to pick up more seats in northern New South Wales and, of course, that is exactly what happened. However, it had another consequence. The Constitution requires, as near as possible, a nexus of 2 : 1 between the size of the House of Representatives and the size of the Senate. That meant that, instead of each State returning 10 senators to this chamber, they had to return 12. It does not take a mental giant to work out that, when we have a half-Senate election when a State is entitled to 10 senators, five people are up for re-election and a party needs 50 per cent of the vote to get three out of five senators. But when we have 12 senators per State and six up for re-election in a half-Senate election, 42 per cent of the vote will give a major party three out of six senators; and that is possible in almost every State in this country.

I can tell every senator in this chamber and a few who are not and who are not aware of that fact already that there is nothing more unstable to government than a hung Senate, because every division is determined in the negative. Whoever wins government from the next election onwards will feel compelled to produce an idiotic piece of legislation—outside of the Budget Bills if it happens to be a Labor government—in order to produce a double dissolution and in order not to face a hung Senate. That is why we are facing a future where the power of this Senate will be severely undermined. Question one will simply ensure that, instead of having elections every 2 years and 3 months, which has been the average for the last 20 years, we might get them every 3 years and 3 months and, just maybe, this country will be governed a little better.

Senator BJELKE-PETERSEN (Queensland) (3.52)—The matter proposed by Sen-

ator Alston for discussion today in the Senate is:

The failure of the Hawke Government to disclose the real meaning of the Constitutional change proposed in referendum Question One.

I believe that that is a very important subject. In fact, I believe that we could say the same about all four referendum questions. For the past couple of months I have been travelling right through Queensland, speaking on all the available media, saying that these four questions look very innocent on the outside but underneath have a hidden, underlying meaning. I think it was Senator Lewis who said in the Senate on Tuesday that it is the big con of the Constitution.

The first question in the referendum concerns the Constitution of our country. People in Australia are being asked, 'Do you approve of an Act to alter the Constitution to provide for four-year maximum terms for members of both Houses of the Commonwealth Parliament?'. This proposal is an outright attack on the Senate but has been presented under the completely false promise of fewer elections. The Government claims that a Yes vote will lead to a more stable system of government and an end to early elections. In fact, the proposal could well lead to more elections rather than fewer.

It was interesting to listen to the questions and answers at Question Time in the Senate today. I think it was Senator Michael Baume who asked, 'Could we have an election as early as the end of this year?'. Senator Tate replied, 'The people would not like it'. The people might not like it, but they certainly would not be surprised by it. I listened to Senator Haines speaking about the number of elections she has been involved in and the fact that she has never served a six-year term. I suppose that I could say the same thing. In the seven years that I have been in the Senate we have had three elections and, if we had another at the end of this year, that would be four. Senator Tate went on to say that in the States people are well accustomed to four-year terms. Most certainly, as far as Federal elections are concerned, they are getting used to two-year terms. Maybe the reason the Government is suggesting four-year terms is that it thinks it might get closer to three years. That is all I can say. The Government propaganda on the first ques-

tion has cleverly focused public attention on the length of parliamentary terms, but that to me is not the real issue. The real issue here is the destruction of the independence of the Senate.

Senator Maguire—How?

Senator BJELKE-PETERSEN—If the Government was at all interested in presenting the issues honestly, the first question would ask the voters whether they approved of an Act to substantially weaken the power and independence of the Senate. Of course, the Government is not interested in presenting issues honestly; it is interested only in securing a Yes vote and is determined to achieve its objective by any means. The question should really ask voters whether they approve of a change to the Constitution which will, in effect, reduce senators' terms by two years, abolish the fixed term of the Senate, abolish the principle of staggered terms for senators and entrench simultaneous elections for both Houses. There is no doubt that the role of the Senate as a House of review will be severely undermined if this proposal is implemented. Constitutional protection of the institution of the Senate will no longer exist. The Government set up a Constitutional Commission at a cost of many millions of dollars. Senator Schacht knows all about that. It appointed dignitaries such as Mr Gough Whitlam, Sir Rupert Hamer and Sir Maurice Byers. These people advised the Government to extend parliamentary terms to four years and to provide for a minimum of three years in office. The Government accepts that there should be a maximum four-year term, but has not accepted the Commission's advice that there be a minimum term of three years. The Commission also recommended that the term of senators should continue to be twice the term of members of the House of Representatives, so that at least half of the Senate would be protected from the political will of the Prime Minister of the day. However, the Government chose to ignore that recommendation.

The Government plans in one fell swoop to do away with fixed terms for senators and abolish the system of Senate rotation, a system which has served our country admirably since Federation. Is it any wonder that one of Australia's leading pollsters has gone so

far as to describe the referendum questions as blatantly biased?

Senator Schacht—Who was that?

Senator BJELKE-PETERSEN—It was Mr Gary Morgan, the managing director of Roy Morgan Research Centre. I might say that the Labor people are very good at quoting Morgan gallup poll results when it suits them. This time, of course, they are not interested in what he said. He said that the questions do not honestly convey the issues being asked. Mr Morgan said there was no doubt that the questions were biased in order to obtain a Yes vote from the voters. Enlarging on that point, he went on to say that any public opinion polling company that asked questions as blatantly biased as the Government proposes would lose credibility. That is the opinion of an independent person—one who has a great deal of professional experience in this area. The Australian people have firmly rejected three past attempts by the Federal Government to make the Senate and the House of Representatives terms simultaneous—in 1974, 1977 and 1984—and I honestly believe that they will be sensible enough to refuse it this time, too.

Senator Stone—It shows how desperately they want it.

Senator BJELKE-PETERSEN—That is right. I point out to Senator Schacht, who is trying to interject, that I would like to be able to make my speech without interruption. He can answer what I have said later, if he wants to. Those proposals made the terms of senators equal to two terms of the House of Representatives, thus still allowing rotation of senators. The present proposal goes much further. It makes the terms of senators entirely dependent upon the duration of one term of the House of Representatives, thus greatly reducing the Senate's independence. Senators' terms could be suddenly terminated through no fault of their own by a mid-term dissolution of the lower House.

This proposal effectively introduces permanent double dissolutions, so that every time a Prime Minister is confronted with a Senate which refuses to bow to his will he will be able to call an election for both Houses and require every senator to face that election. If this proposal is accepted, the

independence of the Senate will well and truly be a thing of the past. This is a very real concern, because it is only in the Senate that the smaller States have an equal voice with the larger and more populous States. The proposal poses a very real threat. Should the referendum question become entrenched in the Constitution, the Prime Minister would gain power to sack the Senate and force an election for the whole Parliament at any time. The Senate's independence would be shattered and its capacity to stand up for the States would be thrown out the window.

In my opinion—and this is an important matter—the Government should be made to tell the Australian people whether it wishes to retain the Senate or not. The Government should be forced to answer that question before the referendum on 3 September. The Labor Party's desire to do away with the Senate is no secret, and it never has been. Senator Button in 1977 admitted that simultaneous elections reduced the power of the Senate. In 1977 Senator Gareth Evans wrote an article in the *Canberra Times* entitled 'The way to abolish the Senate, or at least muzzle it, is to white ant it from within'.

In 1979 at the Australian Labor Party National Conference Senator Evans advocated the abolition of the Senate, saying that it was not and never had been a States House; it was not a democratic chamber. He said it was not performing any role which the House of Representatives could not perform equally as well. In 1980 Bill Hayden admitted that the Australian Labor Party was committed to the eventual elimination of the Senate.

Senator Stone—He is capable of changing his mind, though, Senator.

Senator BJELKE-PETERSEN—It just sounds like the actions of the Labor Party in Queensland when it abolished the upper House there. In 1983 Mr Hawke made no secret of his contempt for this place when he said:

I've had enough of this recalcitrant Senate blocking the will of the Government. I'm not going to be in a situation . . . where we are dictated to as the democratically elected Government by the mish-mash of opposing forces in this country. If they think they can determine the pattern of the Government, then they have got another think coming.

We all know how the Senate opposed the ID card last year, and that the Treasurer, Mr Keating, described the Senate as 'the swill of Australian politics'—a very nice way of describing the Senate, which has played such a vital and important role in Australian politics over the years. I believe that this move is to destroy the independence of the Senate and is the first step down the road to a republic. The Government simply cannot deny that, if this first referendum question is carried by a majority of voters in a majority of States, the Senate's ability to act against bad legislation will be severely jeopardised.

The Senate acts as a watchdog on the Government but, as Mr Howard said recently when launching the No campaign, the Labor Party would rather that the Senate was the lap-dog of the Government. This Government, I believe, is doing all it can to reduce and eventually destroy the independence of the Senate. We all realise that we would be carrying ID cards if it had not been for the fact that the Senate stopped the ID card legislation because the people of Australia did not want it. The Government was seriously embarrassed by the events surrounding the demise of the ID card legislation and set out to strip the Senate of its powers. It is determined to ensure that the Senate will never again thwart its plans.

I believe that if the Government succeeds on this first referendum question, if the people of Australia fail to realise the real meaning behind the constitutional change, the Senate will be no more than an appendage to the House of Representatives. Its powers will be severely weakened and its role will be merely to rubber stamp the legislation passed by the lower House. This proposal would turn the Senate into a mirror of the lower House, with an identical four-year flexible term, and the whole purpose of the Senate would then be severely undermined.

This proposal, under the guise of a proposal for a four-year term, is an attack on the integrity and independence of the Senate. The real question confronting Australian voters on 3 September is whether or not they really want a Senate. In relation to the first question that is, after all, the bottom line. I hope that people, as they go to the polls, realise that any constitutional change

which they approve will be there for all time unless a subsequent referendum is held to change the Constitution later on.

The proposal is also an attack on the States, as far as I am concerned, for this place is called a States House. Senator Haines dealt with that matter at some length. I agree with her observation that one never sees Labor parliamentarians standing up for things that are of importance to their States. One could look at the rainforest situation in Queensland. One could look at Tasmania. Do we ever see the Labor senators from these States standing up and being counted? I received a letter which I was asked to forward to all the senators from the different States. The gentleman who wrote it said that Senator Richardson destroyed the north Queensland timber industry and crippled the jobs of so many people up there. He described how the town of Ravenshoe has been weakened and mentioned the poor compensation it received. Of course, Tasmania was treated in exactly the same way. This proposal seeks to destroy the power, the influence and the independence of the Senate. I believe the Government is attacking the rights of all people in Australia. So I am certainly very glad to support this matter of public importance that has been raised by Senator Alston.

The ACTING DEPUTY PRESIDENT (Senator Powell)—Order! The honourable senator's time has expired.

Senator McMULLAN (Australian Capital Territory) (4.13)—When people interpret other people's actions one can always get a fair indication of the way their minds work: they tend to judge other people's actions by their own standards. I must admit I have been subjected to a little bit of that in my own party recently. But it certainly is indicative—when people see everything in terms of conspiracy theories it says a lot about the way their minds work. Senator Alston and those who spoke in support of him have been in the most convoluted contortions trying to find a threat—there has to be a threat somewhere; it is not conceivable to them that somebody would act in the interests of the nation; there must be a conspiracy somewhere. That says a lot about Senator Alston and it says a bit about Senator Bjelke-Petersen, who was not quite so

convoluted—but it does not say anything about the proposal. It is true that there has been some confusion—and some of the newspapers have accurately represented the source of it—in this debate about the referendum. For example, the *Brisbane Sun*, in its editorial of 24 June, said:

The Liberals continue to confuse . . . It doesn't have to make sense—just politics.

The *Adelaide Advertiser*, in its editorial of 23 June, said:

Sadly, the Opposition has sought to exploit these suspicions and ignorance. It has expressed concerns about some implications in some of the four questions to be put, and seems somehow to argue that these minor concerns are grounds for a blanket condemnation of the whole referendum. It seems that the only hope of the referendum's not being futile is for the people to listen less to the carplings of the Opposition and to contemplate more the four worthwhile questions.

Both editorials accurately indicate the source of such confusion as there is. We have to analyse the reason for people deliberately creating confusion. Of course, it is not hard to find; it is an act of absolute desperation. The Opposition's leadership is in self-evident crisis. We did not need Senator Bjelke-Petersen's guru, Gary Morgan, to tell us that the popularity of the Leader of the Opposition (Mr Howard) has plummeted to below 30 per cent. Actually we have not found any of the 26 per cent of people who would vote for him. There are not many of them within the parliamentary party; we know that. Apparently some 26 per cent of people support his leadership—but nobody else. So the Opposition is consumed by desperation. It does not want to see its already weakened Leader suffer the greatest humiliation to occur to any Leader of the Opposition since Federation. If any of these four referendum proposals are passed, Mr Howard will add to his litany of failures the fact that he is the first Leader of the Opposition in history to have opposed a referendum which was passed. That would be another first for Mr Howard—like his being the person who has produced the biggest deficit of all time, like his perhaps being the worst Treasurer of all time. To his various firsts of that kind he could add being the most unsuccessful Leader of the Opposition of all time.

We have listened with care to the two Opposition speakers in the debate. They

spoke at some length about how this proposal will weaken the powers of the Senate. There has been no response to questions about which power it will weaken. No power which the Senate currently has will it not have after this referendum is carried—none. Every power which it has now it will still have. There is no implication, as far as I can tell, that the mere lengthening of the House of Representatives term will cause any weakening of the powers of the Senate. Nobody has alluded to that possibility; so, somehow, it must be the fact that the elections would be simultaneous.

This is certainly a very recently discovered crisis. In 1976, the Constitutional Convention—the Constitutional Convention, of course, with an overwhelming conservative majority—carried a recommendation for four-year terms and simultaneous elections. The Liberal Party of Australia in 1977, responding to its own proposal from the Constitutional Convention which it controls—and Mr Howard was a senior member of Cabinet at the time—proposed and campaigned for a referendum to achieve simultaneous elections. Despite receiving the support of the Australian Labor Party, those proposals were unsuccessful. So the Opposition seems to have had a latter day conversion. Honourable senators opposite have only just discovered that they desperately need to find something to campaign on, so they have decided to oppose something they have always believed in up until now.

Is there any justification for this concern that, somehow or other, if there were simultaneous elections the Senate would be cowed into submission and would never again be prepared to oppose a Prime Minister? In 1974 we had a simultaneous election. There was a double dissolution and the whole Senate was dissolved and all members of both Houses were elected at the same time. Was that Senate cowed into submission? Was it too frightened to oppose the Prime Minister? It seems to me that in 1975 the Senate was all too prepared to oppose the legislation of the Government. Not only did it block Supply but it had at that time been prepared to defeat more than a dozen important pieces of legislation, which constituted the basis of the double dissolution so improperly called by the Governor-General. In 1987 this Sen-

ate was elected simultaneously with the House of Representatives—and I have not noticed its being cowed into submission. I have noticed certain inadequacies in the Opposition, but one of them has not been its being cowed into submission.

If we are to believe that some oppositions in the Senate will be too frightened to oppose legislation if there is a possibility that the Prime Minister will call an election, all it proves is that those who have that view are a bunch of wimps—they would not stand up for that they believe in; they would not oppose things that they disagreed with for fear that the Prime Minister might call an election; they are prepared to stand up for the things they believe in only if they can be guaranteed that they will not have to answer to the electorate. All that proves is that such an opposition would be a bunch of wimps. They would not be trying to hide from the Prime Minister; they would be trying to hide from the voters.

As I have said, every power which the Senate now has it will have if this referendum is carried. So where is the conspiracy? There is nothing in the substance. Is there something in the process by which we have gone about achieving this proposed constitutional change that is in some way a conspiracy? There has been the most free and open discussion ever of a proposed change to the Constitution. That does not mean everybody has to support it. I understand a lot of people have spoken against it. The Constitutional Commission was set up years ago. It has received thousands of submissions. People have been talking about the proposals in this group of referendums and many others for years. The consequences of simultaneous elections have been the subject of debate in this Parliament and elsewhere—at least since 1976 in the Australian Constitutional Convention and could go back further. There has been a uniquely free and open discussion about this, generated in this instance by the Constitutional Commission but going back over more than a decade.

There has been some limitation on the Government's capacity to communicate its views to the people by setting that rather fearful limit to restrict governments expending money. I believe that both Yes and No cases should have some facility, assistance,

financial capacity to present their cases more effectively to the people. That is an Opposition and Australian Democrats imposed limitation and it is a law with which we must comply. Have the conservative controlled States complied with the spirit of that legislation? Have they said that we should not spend taxpayers' money on a referendum? Not on your life! The National Party in Queensland has spent \$800,000 telling outrageous lies to defend what Russ Hinze so graphically described as the rigging of the boundaries in Queensland. When political thieves fall out, there are wonderful consequences. Russ Hinze has said, once and for all, that the boundaries in Queensland are rigged. The temerity of the Premier of Queensland, after all members of his National Party in this so-called States House voted that there should be no capacity for taxpayers' money to be spent on referendums! I have not heard any of those States House people saying, 'It is terrible that the Queensland Government is spending \$800,000 of taxpayers' money telling pork pies to the people'.

That is an outrageous abuse of the taxpayers' money in Queensland. The Queensland Government will come squealing to the Federal Government at the next Premiers Conference saying that it needs more money. I suggest to my colleagues Senator Walsh and Mr Keating that, whatever Queensland gets under the formula, \$800,000 should be subtracted because it does not need that much money: it has just wasted that. There is no doubt that the conservative parties in this country have infinite flexibility of principle.

Let us look at the principles that have been espoused consistently by the Constitutional Commission in conducting its review. It has said that the three principles that have guided it have been that the Constitution must remain federal, parliamentary and democratic. Those three principles are absolutely enshrined in these four proposals, as well as in the others that have been put forward. It is crystal clear that the conspiracy theories proposed by Senator Alston and Senator Bjelke-Petersen have no foundation.

The other furphy which has suddenly started to run is that somehow or other there will be more elections if the referendum is carried. There is no way in the world that

anybody can prove that will not happen, but all the evidence is against it. In the countries that have longer terms than ours, without fixed terms—for example, the United Kingdom and Canada—the relationship between the length of term and the frequency of elections is similar to our own. In five-year term countries the average election comes every 3½ to 4½ years. In four-year term countries it comes every 2½ to 3½ years. Close to election time speculation builds up and sometimes an early election is called.

From studying our history, we can get a fair indication of what is likely to happen and what the voters are prepared to accept in Australia. Although it is true that we have elections all too often—about every two years—there is nothing in the constitutional arrangements at the moment to prevent State and Federal governments, with the exception of the Victorian Government, having an election every six months if they choose to do so. However, they do not do so because that would be an entirely unacceptable to the voters.

If this referendum is not carried we will still have the absurd possibility of separate Senate elections, as occurred in the 1960s. We could reach a situation of having elections every year—a House of Representatives election one year and a Senate election the next. There is no question but that all the evidence points to the fact that if this referendum is carried we will have far fewer elections. That \$50m which an election costs will be saved every third year and that is a not insubstantial contribution. As Senator Haines so graphically said, this passionate defence of six-year terms for senators is very funny. No current senator has served a six-year term. No-one has been elected and served a six-year term since the 1964 Senate election.

Senator Vanstone—Because the Senate has never been afraid to face an election.

Senator McMULLAN—The logic of that is up to the honourable senator's usual standard. The fact of the matter is that, if people are afraid to face an election, it is a comment on them; it is not a comment on the Constitution or the Senate. If they are not prepared to oppose things because an election may occur, all they prove is that they

are wimps. That says nothing about the merits of a constitutional change.

Senator Vanstone—I have made the point that we haven't been afraid.

Senator McMULLAN—Then there is no problem with the referendum: there is nothing to worry about. The Senate—

Senator Vanstone—No, I am sorry; you don't seem to understand the difference.

Senator McMULLAN—I do, indeed. If people are not afraid of facing an election, the Senate will not be cowed by any so-called threat and nothing will change. No power will be affected whatsoever. I believe that the Opposition, on its past performance, probably would be cowed, but no decent opposition would. The problem is not in the Constitution: the mote is in the Opposition's eye. The only fear we find is not a fear of the Prime Minister; it is a fear of the voters. We have had a flight from accountability and an attempt to hide from the voters. All we can hope is that this sad attempt to create distortion fails and that this sad attempt to spread fear and confusion, as so accurately reported in various editorials I have quoted, fails. We can only hope that we can get this constitutional reform and bring the Constitution up to date.

Senator KNOWLES (Western Australia) (4.27)—This afternoon we are debating a matter of public importance submitted to the Senate by Senator Alston and bringing to the attention of the Senate:

The failure of the Hawke Government to disclose the real meaning of the constitutional change proposed in referendum question one.

To a senator, particularly one from Western Australia, the importance of the Senate is absolutely and utterly overwhelming. In my State, the average person remains particularly conscious of the fact that the Senate was placed in the Constitution as an essential protection for the less populous States. The less populous States should never forget that. We must draw that point into this afternoon's debate.

To maintain a strong and independent Senate, it has long been considered essential to ensure that its members are elected by rotation; so a normal Federal election involves only half the senators. The Leader of the Australian Democrats (Senator Haines),

Senator McMullan and the Minister for Justice (Senator Tate) have said that the rotational basis is no longer important. I very much dispute that point. The fact that half the Senate is not up for an election means that not all senators can be intimidated by threats of an early election. Only last year, honourable senators—not just those on this side of the chamber but predominantly those on the other side—were petrified about going to an early election because they knew that the Australia Card would be an issue. They knew that they did not have a chance to win that debate and they were very worried about it. Unfortunately, the reason for that election was buried by the Government. It chose not to even raise it in the election. The rest is history. We must ensure that the rotation of senators is maintained.

Equally, the fact that not all of the Senate is elected at any one time is a check on the unfettered power of a successful government that might have reaped the benefit of a temporary surge in public opinion. We all know that the Prime Minister (Mr Hawke) is an absolute and utter, unequivocal, political opportunist who will go to an election whenever he looks at an opinion poll. Frankly, I think he is rather tempted to go to an election whenever he looks in the mirror, because he thinks he is just so fantastic that no-one is able to beat him.

Senator Vanstone—He wants an election before Christmas.

Senator KNOWLES—That is quite right. If the first question of the referendum is passed, it is a real and distinct possibility that this country will have an election before Christmas. This Government, in framing its deceptive amendment to the Constitution, has ignored the view of the Australian Constitutional Commission, which the Government set up and which recommended that, even if the three-year House of Representatives term was to be extended to four, the longer terms of senators and the rotation of half the Senate should be preserved. This Constitutional Commission, as I said, was established by this Government, but what has the Government done? It has ignored the recommendations and made up recommendations of its own, and away it goes.

Simple electoral arithmetic shows just how essential the Senate is to the less populous States, particularly Western Australia. Senator Bjelke-Petersen talked earlier about how the balances are particularly important and how the States House, where there is a balance of numbers, is particularly important. My State currently has 13 seats out of 148 in the House of Representatives—less than 9 per cent of the representation for a huge, isolated region that produces far in excess of 9 per cent of Australian export income. It is not something to be sneezed at. On the other hand, New South Wales and Victoria have 90 of the 148 seats between them. More to the point, there are 38 members representing the urban areas of Newcastle, Sydney and Wollongong, and a further 30 whose seats are substantially within the Melbourne-Geeelong urban area. That means that the 68 members of the House of Representatives outvote the representatives of the States of Western Australia, South Australia, Queensland and Tasmania, which, with the Northern Territory, have 56 seats. Is it any wonder, therefore, that Western Australia and the nation need a second chamber of parliament where the States have equal representation? The existence of the Senate has meant that smaller States overall get a stronger voice in Canberra, both in the Parliament and in the party rooms.

It is one of the great furphies advanced by the Australian Labor Party (ALP) and other critics that because political parties dominate the Senate it has failed to be a States House. We heard Senator Haines bleating away in her normal fashion this afternoon about how this is not a States House. This argument ignores the fact that the extra voices in the party rooms of the smaller States have been a strong check on policies that might disregard the smaller States' interests. Events of recent years have shown that the Senate has fulfilled an essential role in Australian political life. It is the one chamber where vital legislation is properly debated, and we know that.

Senator Schacht—Ha, ha!

Senator KNOWLES—Senator Schacht laughs. That is just a disgrace, because Senator Schacht was not even in this place when the Bill of Rights was introduced into the House of Representatives and passed in that

House in one day. If the honourable senator thinks that is proper debate in the House of Representatives, good luck to him, because I do not consider it is. It came into this place; it had proper and due consideration; the people of Australia suddenly found out what his Government was all about, and they said, 'Hey, hey! Hawke and Keating are up to their same tricks'.

Senator Richardson—And then re-elected it.

Senator KNOWLES—No, they did not have an opportunity to voice their opinion in an election, but they did have an opportunity to force the Government to withdraw the Bill of Rights. The Government withdrew the Bill of Rights because of what the Senate was able to do in having a long and meaningful debate on that subject. The same occurred in the last session with the Industrial Relations Bill. It is impossible for any member of the Government to claim with a straight face that the House of Representatives is doing the job of careful examination of legislation. It does not. Any time that there is controversy about any legislation, it is simply guillotined and rammed through. Look at how many Bills were guillotined in the last session of the House of Representatives. Look how many were guillotined in this place. We all know that Australians rely on the Senate to give legislation proper examination and debate. It follows that the weakening of the independence of the Senate by shorter terms and the end of the rotation can only diminish its hard-won authority as the keystone of parliamentary tradition—tradition under threat by dictatorial executives.

Senator Schacht—Just like Reg Withers when he ran the Senate for you.

The ACTING DEPUTY PRESIDENT (Senator Powell)—Order! I notice, Senator Schacht, that you are listed to speak. I think we can wait until then to hear more from you.

Senator KNOWLES—Thank you, Madam Acting Deputy President. Western Australia and the less populous States understand that the taking away of fixed terms for the Senate will leave the Senate particularly vulnerable to sudden elections that will reduce its ability to act in the public interest. Last year we had the ID card proposal. Where would this

country be today without the Senate, which again made sure that the public was made abundantly aware of what that ID card really meant? It was not just a little system or scheme to catch the crooks, the rogues, the thieves and the vagabonds; it was an actual tagging of every Australian citizen and an actual checking of every Australian citizen. So on the ID card, the Bill of Rights, and the industrial relations legislation—the list goes on—the Senate has given the public the opportunity of knowing exactly what a government is planning to do. The Government cannot claim, and should never claim, that the Senate has stopped it from governing. Since 1983 the Senate has been responsible as well as strong, and the Budgets have not been tampered with—something which Senator Haines thinks is rather deplorable. That goes to show the responsibility of the Democrats. I am proud, as a Western Australian senator, to remind the Senate that on three occasions the electors of Western Australia have said no to referenda that would have removed the fixed Senate terms. They said no to Prime Minister Whitlam in 1974, to Prime Minister Fraser in 1977 and to Prime Minister Hawke in 1984. Of all those proposals, not one contained the abolition of fixed terms. The ALP, in its public face, declares in the argument for the Yes case that the proposed amendment will not weaken the powers of the Senate. In so doing, this Government acknowledges the fact that Australians want a strong Senate, so the real intentions of this Government must be concealed from them. That is an absolute disgrace.

It is also a disgrace that the Democrats are supporting this question for reasons of expediency. If this question were passed, they would need to get only half a quota instead of a full quota to become double the nuisance. That is the problem. Somehow they think they are the repository of all that is right, proper and moral—and that is not so. Anyone who listens to the Senate will know that that is not so. The Democrats have a wonderful decision-making process—either they stick their fingers up in the air to see which way the wind is blowing, or they do deals with the Government to see what they can get out of it. This is all going on with the Government and the Democrats sup-

porting a weakening of the Senate. Senator Haines admitted the reason for the Democrats' support: so that they can stay here and be a jolly nuisance. Many members of the public are sick of them being a nuisance. The great tragedy also is that it is on the record that senior members of the Government are hostile to the principles of federalism and of constitutional checks and balances that the Senate represents. They are determined to weaken its role.

Senator Gareth Evans in the past has talked of 'abolition by 1,000 reforms' and of 'abolishing or muzzling the Senate'. Let us look at the position of the Minister for Community Services and Health (Dr Blewett). Writing in a 1978 *Labor Forum* he stated that, in reducing the powers of the Senate, the ALP 'should avoid spelling out the goals in minute detail' and instead 'dramatise and personalise' constitutional issues. Trivialise, I suggest, would be a more apt description, but the formula is certainly being followed. The Government has an agenda and it is following it to the letter. In 1977 Senator Button, a senator who is often seen as a responsible and moderate force in this Government, said some very significant things when the 1977 referendum was debated. He stated that the proposal to end fixed terms would weaken 'the significance and influence of the Senate' and that the ALP had 'a very strong view that the powers of the Senate should be delimited at every opportunity'. That is a pretty clear statement of intent.

More recently, at the 1985 Australian Legal Convention, the Attorney-General (Mr Lionel Bowen) explicitly denied the constitutional importance of the Senate. He said that it was not 'an integral part of the Federal system'; rather, its importance lay in its powers and the fact that it was 'less democratically elected than the House of Representatives'. The people of the smaller and less populous States would take great exception to the fact that he thinks that because the Senate has equal representation it is somewhat undemocratic. It is not undemocratic. The founding fathers did not consider it undemocratic. I cannot understand why now the Attorney-General, in all his supposed brilliance, should think that it is now undemocratic.

Senator Vanstone—Australians don't think it is, either.

Senator KNOWLES—That is quite right, Senator Vanstone. Australians do not think it is undemocratic, either. Mr Bowen went on to say that the Australian Labor Party had removed the plank for the abolition of the Senate from its platform in 1978 because it could tolerate a Senate 'stripped of its obstructive and destructive powers'. That is what this amendment to the Constitution is all about, a stripping of power. The so-called destructive powers that this Government is attacking are essential for the Senate to perform strongly and fearlessly as a House of review. The Senate has been strong and fearless. It should continue to be strong and fearless and not be subject to the manipulation of this type of amendment to the Constitution. Fixed Senate terms impose a penalty on Prime Ministers and governments to inflict early elections on Australia for partisan reasons. One should ask the Liberal Party of Australia about that. In 1963 when the Liberal Party expeditiously called an early election we ended up letting more of the minority parties in to create havoc. This is a sanction which the Government wants to remove. The ALP Government, in its determination to weaken the Senate, should not use the analogy of the Westminster system of parliament, in which the lower House of parliament is sovereign. The fact is that the British system acknowledges the disadvantages faced by distinct and remoter regions, such as Scotland, by traditionally giving them more seats in the House of Commons than their population would justify.

It is the Senate that ensures that Australians outside the two major conurbations get a fair go. The strength of the Senate is imperative to the Commonwealth Parliament. It is imperative to Australians and it is absolutely imperative to the individuals within our States.

Senator SCHACHT (South Australia) (4.43)—First of all, I apologise for my interjection when Senator Knowles was speaking, but some of her remarks were so outrageous that they prompted one to respond immediately. This matter of public importance is really amazing. (*Quorum formed*) It really does show that the coalition parties are in disarray. We have a situation in which there

is a leadership crisis in the coalition, as Senator McMullan so eloquently explained in his remarks. One goes back to when the coalition was trying to decide what it was going to do on these referendums. There were all sorts of accounts of some Liberals wanting to support question No. 2, of others wanting to oppose question No. 4 and of some wanting to support question No. 3. In the end, the lowest common denominator became the factor of its decision. The Opposition could not agree on bits and pieces so it decided to oppose the lot because that was the only way that the Opposition could all hang together. In particular, the Liberal Party of Australia caved in to the National Party of Australia on the question of fair elections and one vote one value. It was not game to stand up to Ian Sinclair and the National Party.

I find particularly amazing the position of the Liberal Party and the National Party on the referendum question about the frequency of elections. In 1977 they supported a referendum on simultaneous elections. It was promoted by Malcolm Fraser and Ian Sinclair—by the leadership of both parties. When someone said to Reg Withers, 'Isn't this a bit unusual compared with our previous stance?', Reg remarked—it is a classic—'Look, in politics consistency is a sign of a small mind. We do not want to show that we have small minds'.

Looking at the Opposition members at the moment and the way they have argued this case, the inconsistency shows they have small minds. Opposition members must have very large heads with very empty spaces in between when we get some comments made by various people identified with the Opposition forces of Australia. Senator Alston dropped a bucket on Andrew Hay earlier today. Andrew Hay is no supporter of the Labor Party. He has consistently attacked us, has taken great credit from the Liberal Party for being involved in the loans affair in the Whitlam Government, and was made a hero of the Liberal Party. He now has the bucket dropped on him in the Senate. Senator Alston demanded that he resign as President of the Australian Chamber of Commerce because Andrew Hay said:

Four-year terms will enhance the Government's capacity for long-term decision making and facilitate the making of necessary but unpopular decisions.

So Andrew Hay is going to hit the fence within the Liberal Party. His chances of pre-selection are gone even though the Opposition cheered and clapped him on in years gone by for the services he gave to the conservative forces.

We then had a series of other comments from members of the Opposition, some of whom are still active. The comments go back to 1983 to the Constitutional Convention when the argument about four-year terms and the term of the Senate was being debated. We had, of all people, Senator Shirley Walters saying in December 1983:

We are here for six years and I think six years is a long term for the people of Australia to elect senators . . .

Is Senator Gareth Evans really frightened to put on the ballot paper that senators are to be elected for a term of eight years? He knows darn well that the people of Australia would not agree to that.

That is exactly the compromise that, supposedly, Mr Howard put. He would support the change to a four-year term if the Senate got eight years. Even Shirley Walters, who is not noted for her progressive views on any matter, particularly on constitutional matters, can recognise that the Australian people will not cop politicians sitting in this place for eight years without having to face the people. Senator Harradine, a Tasmanian Independent senator, said at the Constitutional Convention:

The remaining 34 or 35 lines or so of the legislation deal with the extension of the terms of senators from six to eight years. In other words, it would bring senators in Australia in line with senators in Brazil, Brazil—that well-known example of democracy. That is the sort of thing Senator Harradine tapped on the head but it is the sort of thing Mr Howard wanted to put up as a compromise: 'We will support the four-year term so long as senators get eight years'. Honourable senators opposite wanted to make themselves equivalent to senators in Brazil. The late Alan Missen, who was probably often a pariah in his own party because he had the conscience to speak as a small 'l' liberal, said in 1983:

I can understand that a proposal for the term of senators to be eight years is not one of the best feature from the Yes point of view.

Alan Missen recognised that the people will not give the Senate what John Howard wanted, that is, eight-year terms. The Liberal Party in particular has reached the nadir of consistency in trying to find a way around all these propositions. All it can do is say no, despite the fact that many Liberal senators in the past have seen the need for constitutional reform.

It has been mentioned today that this proposal will weaken and change the powers of the Senate. I suggest to the Senate that the most significant change to the operation of the Senate has come not from any referendum proposal, whether it has been carried or defeated, but from changing the method of election of senators. Until the 1949 election, senators were elected by a preferential system of voting which meant, basically, winner take all. Often 32 or 33 senators out of 36 were from one party. The late Arthur Calwell, as Minister in charge of electoral matters in the Chifley Government, proposed that we introduce proportional representation so that there would not be the ludicrous situation of an Opposition with only three or four senators, all the rest being from the Government party. That method of election was carried by the Labor Government at the time because it had the numbers in the Senate, and proportional representation was introduced.

That system of proportional representation as it has evolved has meant that more Independents and smaller parties are represented. We have heard honourable senators opposite saying that we cannot have the Senate being a reflection of the views of the House of Representatives. The proportional representation system of counting the votes in the Senate ensures that we will never get an exact reflection of the representation in the House of Representatives. One way to enhance the situation is to ensure that, every time there is a Senate election, the whole Senate comes out. Under the proportional representation system the quota is only 7 per cent, rather than 14 per cent. All of us in the major parties have sometimes decried but have recognised the fact that senators are elected on a first preference vote of 1½ per cent—one issue people. The Australian Democrats have seven senators. The National Party has seven senators.

This chamber, therefore, is not a reflection of the lower House. It is an absolute myth to suggest to the Australian people that this chamber will carry on the same way as the House of Representatives because of a four-year simultaneous election term. The Senate, because of the method of counting the votes, will always be different—in my view sometimes unfortunately, because it will stall Labor government legislation. But that is the method of voting. If we really want to change the powers and operation of the Senate we should change the system of counting the votes.

This referendum proposal is very modest. If we study the proposal at the back of the document circulated to every Australian citizen we see that the changes involved in this proposal are very modest indeed. They do not affect any of the fundamental powers of the Senate. If honourable senators opposite want to go back and represent States rather than the Liberal Party or the National Party which elected them, so be it. But we know on this side of the chamber, as they know on their side, that if they do that they will get kicked off the party ticket.

Earlier in the debate Senator Puplick made some derogatory remarks about Senator Tate's preselection. I am sure that Senator Puplick would rather have the whole Senate coming out every four years, because his chances of getting preselection for the Liberal Party in New South Wales would be greatly enhanced. He would not have to have the dogfight he is about to have with Senator Bronwyn Bishop, the Eva Peron of the Liberal Party in New South Wales. We look forward to watching that debate. For Senator Puplick's own survival he ought to be supporting this proposal because his chances of getting elected would be greatly enhanced because he would need a smaller quota with all the Senate coming out.

It is a lot of humbug on the part of those opposite to say that this proposal will disadvantage the operation of a States House. I defy anybody on the other side of the chamber to show us the last time the Senate voted on a major issue on the basis of States rights. I defy anyone to tell me when all Liberal senators from Western Australia voted against the Fraser Government's or the Menzies Government's proposals when those govern-

ments were in power. They never did. It is an absolute myth to suggest that the States rights of this House exist. They do not. We all know it. Honourable senators opposite should at least have the courtesy of suggesting to us that the people of Australia know that a States House does not exist. Even in the case of Tasmania, the last repository for the argument for States rights, I cannot remember when a whole bunch of Liberal senators voted against the Fraser Government or the Menzies Government on any issue of substance. I commend referendum proposal No. 1 to the Australian people. I hope that it is carried. It will mean that we will have a better parliament in Australia and better government.

The ACTING DEPUTY PRESIDENT
(Senator Powell)—Order! The time allotted for the discussion is concluded.

ASSENT TO BILLS

Assent to the following Bills reported:

Appropriation (Parliamentary Departments) Bill (No. 2) 1987-88
 Statute Law (Miscellaneous Provisions) Bill 1988
 Interstate Road Transport Amendment Bill 1988
 Interstate Road Transport Charge Amendment Bill 1988
 Appropriation Bill (No. 3) 1987-88
 Appropriation Bill (No. 4) 1987-88
 Supply Bill (No. 1) 1988-89
 Supply Bill (No. 2) 1988-89
 Supply (Parliamentary Departments) Bill 1988-89
 National Health Amendment Bill 1988
 Departure Tax Amendment Bill 1988
 Departure Tax Collection Amendment Bill 1988
 Migration Amendment Bill 1988
 Local Government (Financial Assistance) Amendment Bill 1988
 Primary Industries (Recovery of Levy Collection Expenses) Bill 1988
 Fertilisers Subsidy Amendment Bill 1988
 Customs Tariff (Rate Alteration) Bill 1988
 Aviation Fuel Revenues (Special Appropriation) Bill 1988
 Commonwealth Authorities Legislation (Pay-Roll Tax) Amendment Bill 1988
 Broadcasting (Ownership and Control) Bill 1988
 Transport Legislation Amendment Bill 1988
 Social Security Amendment Bill 1988

Research and Development Legislation Amendment Bill 1988
 Customs Tariff Amendment Bill (No. 2) 1988
 States Grants (Schools Assistance) Amendment Bill 1988
 States Grants (Tertiary Education Assistance) Amendment Bill 1988
 Civil Aviation Bill 1988
 Cash Transaction Reports Bill 1988
 Crimes Legislation Amendment Bill 1988
 Crimes Legislation Amendment Bill (No. 2) 1988
 Defence (Superannuation Interim Arrangement) Amendment Bill 1988
 Customs Tariff Amendment Bill 1988
 Customs Tariff (Anti-Dumping) Amendment Bill 1988
 Superannuation Benefit (Interim Arrangement) Bill 1988
 United States Naval Communication Station (Civilian Employees) Bill 1988
 Anti-Dumping Authority Bill 1988
 Audit Amendment Bill 1988
 Australian Film Commission Amendment Bill 1988
 Commonwealth Employees' Rehabilitation and Compensation Bill 1988
 Customs Legislation (Anti-Dumping Amendments) Bill 1988
 Referendum (Machinery Provisions) Amendment Bill 1988
 Taxation Laws Amendment (No. 2) Bill 1988
 Community Services and Health Legislation Amendment Bill 1988
 Employment, Education and Training Bill 1988

NEW PARLIAMENT HOUSE PROGRESS REPORT AND BUDGET UPDATE

Ministerial Statement

Senator RICHARDSON (New South Wales—Minister for the Arts, Sport, the Environment, Tourism and Territories)—Madam Acting Deputy President, I seek leave to make a progress report relating to the new Parliament House and to incorporate the statement in *Hansard*.

Leave granted.

The statement read as follows—

Now that the Parliament has taken possession of this great Australian building, it is fitting I deliver a progress report on the latest costings and progress of work.

There are works still being completed at this stage including office areas in the southern portion of the

building and some landscaping. For some considerable time there will also be rectification work for defects, which is normal after completion and occupation of any large project. This will proceed over the next 12 months.

All of this type of work is planned to take place with the minimum of disruption to the work of honourable Members and Senators.

The revised building budget up until February 1988, now stands at \$901.54 million with another \$162.63 million for non building items. The total project budget has therefore increased from \$1056.31 million at November 1987 prices to \$1064.17 million at February 1988 prices.

This updating includes \$4.52 million for the effects of inflation in the three months to February.

Additional components to cover costs outside the control of the Parliament House Construction Authority include an allowance of \$1.77 million for the cost of industrial disputes. This compares favourably with the \$2.41 million, \$4.05 million and \$5.5 million announced in the preceding three quarters.

The other allowances include \$300,000 for the creation of the thirtieth Minister's suite and \$650,000 for additional costs of exchange rate variations over a period of two years.

With respect to the decision to cease using rainforest timber on the new Parliament House project, by the end of February 1988 the Authority had received and settled most claims from timber suppliers and furniture manufacturers. The cost at that stage including all of the settled claims was approximately \$770,000. This needs to be discounted by approximately \$150,000 which was the cost already incurred by the Authority due to delays in receipt of timber withheld from the Authority's furniture manufacturers from June 1987. When the decision was taken not to use further rainforest timbers, those supplies were still being withheld. If the decision had not been taken the cost of delivery delays would have continued to increase while the bans remained in place. The Authority has now been reimbursement \$620,000 by the Government.

While having had only a short space of time to become accustomed to the size, layout and function of the building, honourable senators are, with obvious pride becoming the building's greatest protagonists, including some previous detractors. I'm sure all Members and Senators would agree that the permanent Parliament House is a great example of Australian construction skills.

Senator SHORT (Victoria)—by leave—I move:

That the Senate take note of the statement.

The document that has just been incorporated in *Hansard* by Senator Richardson on behalf of the Minister for Administrative Services (Mr West) is a progress report and budget update to February 1988 on the new

Parliament House. It is interesting to note at the outset that, despite the fact that it is a budget update and progress report to February 1988—that is, six months ago—the opening sentence of the report reads:

Now that the Parliament has taken possession of this great Australian building, it is fitting I deliver a progress report on the latest costings and progress of work.

That statement concludes with the reference to the obvious fact that we have now, as a parliament, occupied the building. That is a logical inconsistency, given that this is a budget update and progress report to a date six months ago, well before the time of our occupation of the building. The second paragraph of the report reads:

There are works still being completed at this stage including office areas in the southern portion of the building and some landscaping.

That update is occurring well beyond February 1988. In the short period we have been here, whilst in many ways it has been an exhilarating experience and certainly a learning experience, there have been some real indications that we have occupied this building a little too soon. It was, of course, the objective of the Government to have us occupy the new Parliament House in our bicentennial year. Obviously, that was a laudable objective. It was also the objective of the preceding Fraser Government. Nevertheless, the various delays that have occurred in the construction process made the achievement of that objective very difficult. I believe that experience has shown that we have occupied the building a little too soon. Senator Cooney's experience of spending 43 minutes in a lift last night bears full testimony to that.

The statement, as I said, is six months out of date, certainly with regard to the financial costings, and with regard to much of the rest of the report. Once again, it is a very skinny statement, comprising only one page. It purports to provide a progress report on a project which has cost the Australian taxpayer well in excess of \$1,000m. I would have thought that the Parliament and, through the Parliament, the Australian people, deserved the courtesy of a much more detailed report. I guess that that was too much to expect from this Government, because this is the

third or fourth consecutive report of a very inadequate and flimsy nature.

The report is six months out of date. I think that that is quite disgraceful. The last statement, for the period to November 1987, was five months out of date, so the accountability to the Parliament and to the taxpayer is getting worse, not better, in regard to the Government's reporting of its activities. As was the case with the report for the period to November 1987, there has been another blow-out in the budget. The figure has blown out by a further \$7.86m to a total of \$1,064.17m. That is a smaller blow-out than last time, but it is still a blow-out. Last time the increase was \$8.51m. The main reason for the increase in cost this time was the inflation factor. A figure of \$4.52m to take the effects of inflation into account for the three months to February 1988 has been included in the costings. Of course, since that time considerable further expenditure has been required on the building. The rate of inflation in this country has increased since that period, so the inflation factor for the period beyond February 1988 will obviously be even larger.

It is pleasing to see that the additional cost for industrial disputes is less than the figures shown in the last two quarterly reports. But there was still an additional cost of \$1.77m for industrial disputes in the three months to February 1988. I need hardly remind the Senate that that three-month period covering Christmas is a period when strikes are notably reduced in this country, as people take their annual leave and get paid for not being at work. So the figure of \$1.77m for additional costs relating to industrial disputes is certainly an underestimate.

While I am on that point, I refer to the fact that industrial disputation, the difficulties in the building industry, far from improving, are getting dramatically and rapidly worse. The blackmail tactics of the building unions—I refer particularly to smaller employers and employees in the building industry, such as subcontractors, in my State of Victoria—have become a matter of such grave concern that legal action is being taken on a regular basis to try to protect the rights and livelihoods of many of the small subcontractors. We will hear a great deal more about that in future months.

Senator McKiernan—Have you got any statistics on that?

Senator SHORT—I will produce them very shortly, but not tonight. In relation to that point, I say to Senator McKiernan that it is a matter for regret that the report on this very impressive building contains no details of the nature and causes of the disputes that have occasioned a cost blow-out of a further \$1.77m.

The inflation factor, which has been the main reason for the increase, represents a larger proportion of the total cost increase than last time. The inflation rate has since increased still further. It is a matter of continuing concern to the nation and to our economy that this Government has continually failed to implement policies that would bring down inflation to a level that would make us competitive once again in the world trading environment and the world economic environment. Our inflation rate is still way out of line with the rates of the rest of our major trading partners. The Treasurer (Mr Keating) in his Budget Speech this week made the absolutely heroic assumption that the inflation rate will be reduced to 4½ per cent by the end of June next year. That is an assumption that no-one believes. It is still the biggest problem facing this country.

One of the other items of additional cost mentioned in the report is the creation of the thirtieth Minister's suite, which cost an additional \$300,000. That suite was for one of the three additional Ministers appointed by the Hawke Government after the last election to enable the Prime Minister (Mr Hawke), who was unable to solve his factional problems in any other way, to settle his Ministry without a major blow-up, simply by saying to the taxpayers, 'I will solve my problem by appointing another three Ministers, with all the attendant costs associated with them'. Those attendant costs run into millions of dollars and in part have flowed through to the cost of the building that we are now occupying. That comes on top of a major cost blow-out occasioned in 1984 and 1985, and which subsequently flowed on, due to the expansion of the Parliament, against the very strong wishes and vote of my party. The size of the Parliament was increased by 23 members of the House of Representatives and 12 senators, totally unnecessarily, in 1984.

The report also mentions the \$620,000 cost of the timber debacle which occurred as a result of the decision to cease using rainforest timber on the new Parliament House project. By the end of February 1988 the Parliament House Construction Authority, according to the report, had received and settled most claims from timber suppliers and furniture manufacturers. The net cost of that whole exercise was \$620,000. It was an absolutely ridiculous decision, given that much of the timber had been cut before the decision was taken to cease using it. The costs, again borne by the taxpayer, were enormous and absolutely unnecessary—yet another cave-in by this Government both to the unions and to the extreme edges of the environmental movement.

Senator Richardson—Oh!

Senator SHORT—I hope and expect that Senator Richardson knows that better than anyone else here. Other things can be said about the report. I will not go into further detail at this stage as I know that my colleagues have other things that they wish to say about it. I regret the paucity of this report and the fact that it is very late in coming to us. However, I agree with the final sentence in the report, which states:

I'm sure all Members and Senators would agree that the permanent Parliament House is a great example of Australian construction skills.

There is no doubt that this is a building of world dimensions. It is a building of which this nation will be extremely proud. The objections that I have always expressed about this building are not in terms of its concept or its size but in terms of the cost, because I believe that we have finished up paying hundreds of millions of dollars more than should have been spent. I am sure that it is a building that we will all get pleasure from, once we have worked out how to use it and how to find our way around it. It will also require a lot of effort on our part as parliamentarians and politicians to make it work properly. Unless we do that, there is every prospect that we will find ourselves working in a vast and impersonal arena which will make the process of politics much less efficient and effective. I believe that we all have a considerable responsibility in that regard.

I think we have all set out with the necessary good intent towards it and I hope that

that will continue. I hope, though, that the next progress report that we receive from the Minister, which presumably will be near to the final report, will be much more comprehensive and descriptive and be much more in accordance with the needs of senators and members here so that they will be able to report adequately to their representatives on a project that has cost those members of the electorate, one and all, such an enormous amount.

Senator MICHAEL BAUME (New South Wales) (5.13)—I join Senator Short in expressing concern about the grossly inadequate nature of this interim report, but I also wish to underline the point he made that honourable senators would agree with the last statement in that report: 'the permanent Parliament House is a great example of Australian construction skills'. I add that I am not prepared necessarily to accept the preceding statement:

. . . honourable senators are, with obvious pride becoming the building's greatest protagonists, including some previous detractors.

I do not want to overstate it, but the simple fact is that there are some problems with this building. Most of the problems we are now facing have emerged because of the obsessive requirement of the Prime Minister (Mr Hawke) to come into this building in the bicentennial year as some kind of flag waving and drum thumping exercise. But for that we would not be facing the ludicrous situation of major things not working, of breakdowns of equipment, of people falling down stairs in this chamber, and of Senator Hill not being able to see his word processor screen because he has no blinds in his room. Basically, all the western facing rooms in the southern end of the building do not have blinds, but I believe that they are being installed now. I thank the Parliament House Construction Authority for ensuring that, as a squeaky hinge, my blinds were installed.

Senator Peter Baume—Have you got yours?

Senator MICHAEL BAUME—Yes, I got mine and I am very grateful that they were installed, because frankly I could not see the word processor printout, which made it very difficult to operate. I stress that a lot of this sort of criticism cannot be laid at the door

of the Construction Authority or the project management. They have endeavoured to get this building ready on time. There were plenty of warnings to the Prime Minister that this building would not be ready on time. It is no sudden surprise that it is not finished and we are working in it. As the statement admits, work is proceeding on office space in the southern part of the building and, as this work proceeds, builders and workers are trampling dust through this place. The impact of this dust is particularly significant on state of the art transport facilities such as the letter shunting system. This Parliament House is simply not ready to be occupied, as we have seen from the breakdown in the audio system in this chamber. I have personal views about this chamber—I think it is an architectural disaster—but it may well have been able to succeed had the audio system worked well in the beginning.

Senator Harradine—You have to admit that it has improved vastly over the last day or so.

Senator MICHAEL BAUME—I agree that it has improved and I commend those people who have had to work extraordinarily hard to try to make this place work. I commend them for their enormous efforts. All I am saying is that this building was not ready to be occupied and it is up to individual senators as to where to put the blame. For years I have been warning that this situation would develop, particularly as a result of the enormous delays created by the disruptive and disgraceful behaviour of the Builders Labourers Federation before it was deregistered. That organisation stood over the Construction Authority and the project management and all sorts of deals had to be negotiated. I go along with my colleague Senator Parer in saying that some of them were excessive and added enormously and unnecessarily to the cost of the building. People have said that, if we had not arrived at those deals, the building would not have been ready. I suppose the answer is that it was not ready anyway. Senator Short's point that there has been excessive expenditure simply reinforces what has been said for a long time by the Waste Watch Committee, which demonstrated clearly, with many examples, how the cost of this building esca-

lated far beyond anything that was reasonably justifiable.

In brief, it is vital to recognise that the total breakdown of major new items of equipment—for example, breakdowns in the kitchens and the breakdowns of the lifts—cannot be blamed on the equipment itself but on the fact that there was not enough time to get it into running order. Every major building has shakeout problems. I am strongly of the view also that some of these problems have emerged, quite frankly, simply because of bad design. I cannot believe that an architect would design a dining room which required waitresses, with full trays, to walk up and down eight steps without being able to see where they are going because they have a tray in front of them. No wonder one of them fell over. As I understand it, the lower part of the members' dining room has been declared black and there has been a strike. I suppose many honourable senators—particularly those who are fortunate enough to have outside rooms looking out, theoretically, at the lake—have already noted that when they sit at their desk to look out at the lake there is a large aluminium beam right across their sight line—

Senator Parer—At eye level.

Senator MICHAEL BAUME—Exactly at eye level. Those architectural features will no doubt endear the architect to every senator. The thing that concerns me is that because we moved in here so much too soon we are going to see a massive cost escalation in the next couple of interim reports. I notice that this interim report gives no indication of what we can look forward to in an interim report for a period that has already passed. As Senator Short said, this report is six months late. I say for the benefit of Senator Richardson, in case he cannot count, that there have been two three-month periods. Two full interim report periods have now passed. It would seem to me that any Minister would be capable of giving some indication to the chamber, when he presents a report that is six months late anyway, of what has been the further cost trend.

There is no doubt that there will be a major cost, which has yet to be revealed, as the result of senators moving into this building something like six months too early. That

cost will, I think, run into millions of dollars. There is no doubt that trying to run a parliament in a major building while it is still being completed is the most costly and damaging way of proceeding with things. To that extent, I wonder what on earth the latest figures really mean. It seems to me that the estimate in this statement of \$1,064m at February 1988 prices as the latest available cost of Parliament House massively understates what the final cost will be. The current cost figures must inevitably far exceed the expected cost because of the way the move has been gone about by this Government.

I wonder what this latest \$8m increase means in terms of the real cost rise. I complained the last time such a statement was presented. We do not know from this statement what the outstanding amount of work to be done is. This report says that of this \$8m the update includes \$4.52m for the effects of inflation in the three months to February. What is the amount that that \$4.52m relates to? Does it relate to \$100m of outstanding work still to be done, in which case the inflation rate in just three months would be a 4.5 per cent? Does it relate to \$200m of outstanding work? This kind of report is meaningless unless we are told the amount of outstanding work to be done so that we can get a view of whether the escalation of cost is substantial, significant or inconsequential.

I complained about this type of thing when the last such report was presented. I regret that the Minister decided to take no notice of my request for facts that would be meaningful and useful to us. His decision is part of the Government's clear policy of trying to mushroom this Senate. That policy was evident in the Budget Papers, where the Treasurer (Mr Keating) made no attempt to explain where the huge increase in revenues was coming from. I have already pointed out in a notice of motion in this chamber that huge rises in items such as sales tax were at that time successfully excluded from any discussion by the Treasurer. He did not feel they were worth mentioning in his Budget Speech. An increase of something like 147 per cent in sales tax has taken place under the Hawke Government following this Budget. That is three times the rate of infla-

tion. The same sort of principle is applied here, where we are told as little as possible.

I simply do not know how much more work is to be done, or the value of that work, from the date in February to which this progress report applies. It would seem to me, in looking at some of the items, that a substantial amount of work may still have to be done. Let me look at the question of the blinds that Senator Hill was so concerned about. When they were being installed in my room I was advised that the wooden slat blinds cost \$1,500 for each window. I have four windows in my office. That means a cost of \$6,000 per office. I would like the Government to let me know whether that information is correct. I think there are something like 5,000 rooms in this place. If there are two windows per room, that would suggest 10,000 blinds at \$1,500 each, which amounts to \$15m for blinds. I find that significant at least. It is the sort of issue that the Waste Watch Committee pursued to find out why such contracts should be let. Was there a more cost-effective way of providing protection from the sun so that Senator Hill would not go blind trying to read his word processor? It would be useful if the Government could let me know the cost of that contract and how many blinds of that nature were to be installed. It seems to me that cost increases have taken place because consciously there has been an attempt to go to the Rolls Royce solution in almost every instance.

This is, of course, a great building. It is one of the most significant buildings ever constructed in Australia. The question, though, is whether it is user friendly. We have not found that out yet. We have found it to be user unfriendly at the moment. This may be because of the shaking down period. To that extent, it is unfair to the builders and the people who constructed it that we were moved in before it was ready for occupancy. All I can say is that I hope it turns out to be far more user friendly than it has proved so far, and I hope the Minister will be far more honest and forthcoming when he presents the next report—for a period, by the way, which ended three months ago. We have still to see that. Presumably we will have to wait a further three months before we get the next belated interim report.

Senator PARER (Queensland) (5.28)—I would like to say a few words about the report brought in by Senator Richardson. I support the remark of my colleagues that the report is fairly skimpy. On the other hand, it spells out some of the problems that we have. In regard to the defects, I think I reflect the views not only of people on this side of the chamber but also of those on the other side. I am sure my experiences reflect the experiences of most people. I will give a few small examples. When I walked into my office last Monday I opened the door of a cabinet to see what was in it, and the door fell off. On attempting to put it back on, I found that it never fitted in the first place. A report was made. I am told it is going to be fixed. I am not using the cabinet, so it does not really matter.

I went to a meeting in House of Representatives Committee Room No. 3. I might tell honourable senators that the committee rooms on the House of Representatives side are big rooms, not like ours. One of my colleagues went to open the door to get out of the room and the handle came off in his hand. I tried to turn on the light over my desk. It did not work and I complained to somebody that I thought it was not plugged in. I checked the power point and found that the wiring may not have come down through the desk. I found that both the desk globes had been put in broken. Those were subsequently replaced.

The next matter is another bipartisan one, for it concerns also my colleague Senator Black. We were subjected for three days to a high pitched scream that came out of the ceiling. It was impossible for us to hear. We became very clever. We found that if one slammed the door the pitch went up another octave, and if one slammed the door again the scream disappeared for about five minutes; so there was a five-minute break before the scream would resume. We were advised that the cause was a water valve and that, by opening and shutting the door, somehow we stimulated this water valve and it developed a scream of protest.

Of course, there is also the incident with Senator Cooney, who was supposed to speak before me yesterday on the Industrial Relations Bill. He was delayed 43 minutes in the lift. I should mention two other examples,

because they are ongoing problems in this place. Instead of the speakers we had in the other place to listen to what was going on in this chamber, we now have radios. It is impossible to hear on my radio what people are saying in the Senate chamber. I had a couple of very good chaps from the Australian Broadcasting Corporation come in and test it. It took them a couple of hours because they thought that what they were doing might be wrong. They found out that what they were doing was perfectly right. What happened was this: because of a cost-cutting exercise—and this is fascinating in light of the blow-out in the cost of the new Parliament House by hundreds of millions of dollars—a decision was taken to buy some cheap radios. They do not work in some offices. A better sort of radio was brought in. I was told, ‘There you are, that works. But unfortunately we have to take it away, and sometime in the near future you may be able to hear what is going on in the Senate chamber’.

I invite those who doubt what I am saying to come into my office and listen. First of all they can try to tune the darn thing—and it moves off the frequency from time to time. Having got it tuned they can listen to it moving backwards and forwards with the static coming through. The only thing I can make out is the person who is speaking, but I do not know what he or she is saying. I think that is common in many places throughout the building.

Let us talk about the blinds. I am not unique in this regard; I am just giving honourable senators personal examples. My office is on the western side with those of Senator Hill, Senator Black and a whole lot of others. I am advised—and this shows honourable senators the magnificent planning that can go on—that these expensive blinds to which Senator Michael Baume referred have been put up in all the internal offices where they are not needed to keep out the sun. But we do not have them on the western side. That means that from about midday to about five in the afternoon one cannot work at one's desk and neither can the staff work in their office. We were talking about rectification of defects. I thought it worth recounting those defects. We might get some action.

One of the comments made in the report concerned the additional components to cover costs outside the control of the Parliament House Construction Authority, including an allowance of \$1.77m for the cost of industrial disputes. The Minister says, 'This is great', because it is all relative, you see. The costs in the previous three quarters were, per quarter, \$2.41m, \$4.05m and \$5.51m. So over 12 months we have a total of \$14m as the cost directly resulting from industrial disputes. What would be the total indirect cost? The report gives figures for the previous three quarters, so if all the quarters are added together we get \$14m. I have spoken about this matter on previous occasions, so honourable senators will all be aware of it. Over a two-year period, which I think ended in October or November last year, this site had a strike that went for one week every month. That is one week in every month for 24 months. This amounts to \$14m. God knows what the cost has been for the period of the contract. I suppose one could make a conservative stab at it and say \$100m.

Who pays? This is something I raised yesterday in the industrial relations debate. We get these quite irresponsible actions, but somebody has to pay. In this particular instance it has been the taxpayers of Australia. So, if I am correct in my \$100m estimate, 10 per cent of the total cost of this building has been quite unnecessarily caused by industrial disputation which in most cases was unwarranted. I am sure honourable senators on both sides of the chamber agree, because I have discussed it with them. Here is a classic example, another reason for an increase, this one of \$770,000. I am not sure what is meant by these words:

The Authority has now been reimbursed \$620,000 . . .

This is a little bit woolly. A discount is mentioned. I do not know whether \$150,000 was paid beforehand, but it is either \$770,000 or \$620,000 in respect of a decision to cease using rainforest timber—a symbolic protest. Contracts had been let. World Heritage listing had not been obtained or applied for at the time those contracts were let. The Minister said, 'I must make a symbolic protest. To hell with the taxpayers. We will charge them \$770,000 for this symbolic protest'. That is our loss—the loss of the Australian tax-

payers. I am sure many people were very happy, because that timber was already cut. Those of us who have been to the area know that the timber was cut. So, while there were many unhappy taxpayers, many other people are now obviously using that timber in their own homes because it had to have a final use.

Lots of rorts went on with this building, none of them reflected really in the estimate I gave earlier. I could go through them again. I have done it so often. There was the climbing time allowance applying to crane drivers when they went to fork-lifts. I think an hour's climbing time allowance was paid. Initially we were advised that it was two hours. We were corrected by the Construction Authority which said that it was only an hour's allowance a day for someone to climb into fork-lift. There was the attendance allowance and the over generous site allowance. There were the under the table payments to workers to encourage them to return to work, the infamous \$500.

I do not blame the Construction Authority or Concrete Holland Joint Venture for this, because when we discussed it with them we were told, 'We have to make a business decision'. They meant by that that it is better to make these payouts for work not done than run the risk of continued disputation which, in their judgment, would have cost the taxpayer a lot more. What was wrong was the system that allowed that to happen—that allowed those standover tactics and blackmail to occur at the cost of the taxpayers of this country. The Government has missed a marvellous opportunity—in its introduction yesterday of the Industrial Relations Bill—to change the direction of industrial relations in such a fashion that this sort of thing could be curbed.

I make it quite clear that I am not opposed to trade unions. I would support the right of someone to join a union and participate in union activities just as vehemently as I would support the efforts of people not to. However, we have a system which this Minister has said in his introduction to an industrial relations Bill has served Australia well. How on earth can it be claimed that we have a system that has served Australia well when we have a situation like this? The taxpayer was expected to pay over \$1 billion;

the more militant unions—I am not referring to all trade unions by any means; it is not necessary for them all to be involved—could thumb their nose at any decision by an industrial tribunal, a conciliation and arbitration commission or whatever; and the construction authority and the construction manager knew that the only way to solve a problem was to pay out—pay out taxpayers' money.

In conclusion, I join my colleagues in saying that, notwithstanding the so-called teething problems we are having, we do have a building of which most Australians will be proud. They will be pleased to come here and visit it. I hope that it will fulfil the expectations of this Parliament and the people who have put it together. I hope that it will serve Australia for the next 200 years, because I do not know whether our taxpayers could afford another one.

Senator COLLINS (Northern Territory) (5.41)—The only reason I rise to speak is that I have been provoked into doing so.

Senator Crichton-Browne—If we apologise will you sit down?

Senator COLLINS—No, but I will be brief. There is no question that the debate on the pros and cons of this building will rage for a long time. There are features of this building which we all like or dislike. For example, I think that the much vaunted marble hall, as it has come to be called, is as overdone and as frightful as the Members Hall is beautiful. We all have various opinions, but perhaps those features are good counterpoints. I think this chamber is magnificent.

Senator Crichton-Browne—Oh!

Senator COLLINS—Beauty is in the eye of the beholder, which is very fortunate for me; otherwise no-one might have married me. The debate will rage about these things. One of the things which I like about this chamber, for example, is the coat of arms; it is a thing of great beauty. I have, however, to say that the one thing I do not like about this chamber and I am disappointed about, particularly considering the amount of money spent on the building, is the distance between the seats we sit on and the desks in front of us. I touch on this point with some trepidation; perhaps I am the wrong person to do

it. Without being too indelicate, may I say that it is not really a gut problem; it is a leg problem. I am sorry that, after spending \$1 billion on Parliament House, we are forced to speak from a crouching position in the chamber. I find it much easier to step out to one side of my seat. I understand that this problem will be redressed. In fact, I was warned about it by Senator Haines 12 months ago. Senator Haines is built like a sparrow, so I do not think anybody could rightly allege that this is simply my personal problem.

I said a minute ago that the coat of arms was a beautiful thing. There is no question in my mind that if the casual kangaroo on that coat of arms came down from its place and stood behind this desk he would not be quite as casual and as comfortable as he looks about the President's chair.

I was somewhat taken aback—this is the reason I speak this afternoon—to hear the litany of complaints delivered by Senator Michael Baume and Senator Parer. I could not believe what I was hearing. We are standing in the middle of this absolutely magnificent building and senators are making points they consider worthy of the cost of debate in this chamber: they have burnt-out light bulbs in their light fittings, blinds not fitted to their windows and a bit of dust on the floor. We all have similar problems. I have a clock that does not work. I have a telephone from which the digital display has disappeared. I do not think that is the end of the world as we know it. Those very minor problems will be attended to.

If the full canvas of the complaints with this building is that knobs have fallen off some committee room doors, I think those who have laboured on it and the craftspeople who have put it together have done extremely well indeed. With a project of this size, perhaps not all the money will be spent wisely. However, once one comes into the building and sees the absolutely magnificent workmanship and craftsmanship that have gone into every single part of it, it is not very difficult to understand why it cost \$1 billion. We have only to look at the desks in front of us, the seats behind us and the furnishings in the building. It is that craftsmanship that will be one of the significant

points of this building that Australia will be very proud of.

In response to the complaints about light bulbs, doorknobs and lifts, I say in conclusion that I honestly think that we will have an extremely hard job persuading the electorate that we are having such a rough time in here. The reality is that these quite small teething problems will be sorted out before too long and things will settle down. What is indisputably the fact, in the face of these complaints, is that even without the blinds and the light bulbs there is absolutely no question that the working environment in which we are now placed, with its minor deficiencies, is far superior to the one we have just come from down the hill.

Senator CRICHTON-BROWNE (Western Australia) (5.46)—I listened with interest to Senator Collins. I do not know whether I was intended to be intimidated and discouraged from making comments which are contradictory to those he made. I hope that that was not the case. I was not conscious that a ministerial statement was to be made today. But the statement having been made, I do not understand its purpose. I think it is deserving of some comment, I hope in an objective way. Some of what is contained in the statement is statistically correct. Some of the judgments are subjective.

Very few people would deny the aesthetic virtue of this building. Nobody would doubt its intrinsic merit. I suspect that very few in the community do not think that it was necessary. Almost nobody would deny that such buildings in capital cities such as Canberra, Washington, New Delhi and Brasilia—cities built specifically as capitals—should not only be constructed for parliament's functional purposes but also be a part of a monument and part of the character of the capital and the country. It is impossible to suggest that this building is not splendid and magnificent in the real and precise sense of those words.

In the short time that I have occupied the new Parliament House I have drawn the conclusion that the aesthetic virtue of the building is not matched by its functional capacity. I would have thought that it was as important for it to be functional as it was for it to be aesthetic. I am not talking about

light bulbs, door knobs or other issues raised previously but about matters which it will take some cost and some time to correct.

At the risk of sounding trivial, I will touch on a couple of individual examples. In the provisional Parliament House I was always struck by the fact that during the Budget session members and guests were spread right through the private dining room, the members' dining room, the public dining room and along every available veranda. I guess one simple measure by which one could have worked when designing the dining rooms of this Parliament House was that they had to be larger than the space provided in the old provisional Parliament House of 1927. But for reasons which escape my logic the area of space available in this building for the simple purpose of eating is less than that in the old Parliament House. Already there have been major problems, not only of space but also of design. We have already had in this building a strike with which I have a great deal of sympathy, because one of the girls fell down six or eight steps which were badly designed, badly conceived. Imagine building a dining room which has eight steps down which the waitresses have to carry large trays. One does not have to be an engineering genius to understand that was going to be inherently risky.

Putting aside the design, I cannot for a moment begin to imagine what was fertilising the mind of the designer who provided us with dining rooms with less space than those in the cramped and crowded 1927 building; yet that is what we got. I cannot guess how that problem will be overcome or solved. I assume that it is not beyond the wit of man, but it is beyond my capacity to judge how it will be overcome. We have problems with the acoustics. I detect that they are slightly better in this chamber today than they were yesterday. Yesterday they were bad. If that exotic piece of electronic equipment in my office, the radio, is doing what it is designed to do, I can only assume that the acoustics are not up to scratch in here.

Senator Knowles—You cannot hear the proceedings in the office.

Senator CRICHTON-BROWNE—No, I cannot hear the chamber on my radio.

Senator Collins—It is the radio.

Senator CRICHTON-BROWNE—Is it a radio problem? I will come to that in a second. Yesterday the House of Representatives Standing Committee on Foreign Affairs and Defence met a visiting delegation of United States congressmen in committee rooms 1 and 2. Although my hearing is not defective, I missed the greater part of a very important meeting because the acoustics were so bad. I had to assume that there was nothing unique about the design or functioning of those committee rooms and that we will have the same problem in the other committee rooms. If there is one major disadvantage that members of parliament cannot suffer from, it is having difficulty listening to what other people are saying. I hope there is some way in which that problem can be solved.

It seems to me from my superficial observations and from experiences of my colleagues that there is something wrong with the arrangements in the kitchen. I was not blessed with the patience of Job, but I think I have a fair to average degree of patience. The night before last, when we all had, as we invariably do at meal hours, committee meetings and important meetings to attend in respect to the forthcoming Budget, I ordered myself a simple course of soup. It took 25 minutes. I do not know whether it was being pumped up from the kitchen to the second floor or whether it was being delivered by a one-legged waitress but, whatever the reason, it took that long.

Senator Newman—It is a 'waitperson'.

Senator CRICHTON-BROWNE—There is no such thing as a 'waitperson', I understand. It is either a waitress or a waiter. In this case it was a waitress. Then, with great courage, one of my colleagues ordered a piece of steak. After 45 minutes it still had not arrived, so he departed for his meeting. To my knowledge, that system has not been solved. It might sound petty, it might sound the sort of thing one does not say in the chamber, but I have to say that this building has to function. There is something intrinsically wrong with its construction.

Senator Collins—It should be of considerable benefit to me.

Senator CRICHTON-BROWNE—Senator Collins, do not feel lonely—I am with

you. There is a major problem in the construction, the design and the location of the kitchens. The radios were one of the Government's cost cutting measures. It was one of Senator Walsh's smarter moves. No doubt, in two or three years' time, they will be thrown out and we will have the proper television sets that will allow us to hear and see the proceedings, instead of these bizarre little radios that come about the size of a matchbox. I spend half the day trying to decipher the voice from the crackle and trying to locate the frequencies of the House of Representatives and the Senate from among the local pop stations. I cannot understand why we could not have the same system that we had in the old Parliament House—a speaker going straight into our rooms which we could flick on to one chamber or the other. We have this upmarket, electronic equipment which is absolutely no help to anybody. I understand that we have these because we do not have the sight and sound system—a cost cutting measure. No doubt, when this great expensive order fails we will go back to the type of system we should have had in the first place. A simple but vital part of the functioning of the parliament is for senators and members to be able to see and hear what is going on in the chambers while they are working in their offices. It was only because I happened to be dabbling with my dial, as I flashed from station to station in eager pursuit of the goings on in the House of Representatives or in the Senate, that I discovered that we were dealing with a statement to the Parliament on behalf of the Minister for Administrative Services (Mr West).

Senator Collins—It's easy to tell the difference: if you hear the word 'sleazebag' it's the House of Representatives.

Senator CRICHTON-BROWNE—Yes. When I hear that I can even say who is speaking in the House of Representatives. It seems that there have been bad judgments. I refer now to the transport office. Let us imagine for a moment what happens on a Friday afternoon when Parliament rises at 4.15. There are 75-odd senators.

Senator Reynolds—No, they are not odd.

Senator CRICHTON-BROWNE—There are 76 senators to be exact, none of whom

can be described as odd, coming into the Parliament, each with at least one piece of baggage.

Senator Panizza—It might be their wife.

Senator CRICHTON-BROWNE—That being the equipment which carries their clothes. They seek to deposit it in the room set aside by the world's best architects only to find that the room would probably accommodate 10 bags. If 75 bags are put in there, there is every chance that the poor bloke at the back who is stacking them could be lost for days. It is an absurd proposition. Of course, there is not enough room. As for the office space provided for the Senate transport officers, it is an absolute disgrace. Can honourable senators imagine what the ordinary union representative would do if he found that one of the union members had to go to the lavvy to wash his cup and saucer? No consideration has been given to the simple functional requirements of those in the transport office—those two men who work very long hours for, in their words, modest remuneration.

Senator Messner—As you do.

Senator CRICHTON-BROWNE—As do I. I do not know how that part of the building can be structurally changed without considerable cost, but it cannot stay the way it is because it is just not functional, it is not efficient, it is not effective, and it is certainly not fair.

There are some other parts of the building with exactly the same problems. I am brave enough to say that last night I visited very briefly the three bar facilities: the non-members' bar—I will go on record as saying that that was my first and last visit—the members' bar and the cocktail bar.

Senator Messner—There's a cocktail bar?

Senator CRICHTON-BROWNE—Yes, there is a cocktail bar. It is interesting to note that to deliver the beer to the taps of the non-members' bar requires 14 kegs of beer. Whenever they have the taps at the non-members' bar on, slaking the thirst of the journalists, who always pay their bills, and the staff presumably, it takes the pressure off the taps in the members' bar; so there is no beer. I do not find that offensive but for those who might like the casual drop

of amber fluid, particularly given the Government's generous cuts in indirect tax on beer, it seems to be an absolute waste of money, if nothing else.

Senator McKiernan—Mention no names.

Senator CRICHTON-BROWNE—That is right. The layout and design of the two bars are absolutely absurd. There is certainly no privacy, no culture, no character and no distinction. The layout and design are what I would describe as poor taste.

To add to all these problems, I am now advised as a result of being a member of a committee that it is Senator Walsh's intention unilaterally to cut the Budget allocation to the Parliament by \$18m. This cut of \$18m follows previous cuts. We always argued when we were in the old Parliament House that it was not possible for any of us, including Ministers, to be as efficient or effective as is necessary or desirable simply because of the lack of facilities and services. We now find ourselves in this splendid monument, the most lavish part of it being the ministerial wing. Yet, we discover Senator Walsh wishing to make significant cuts in the operating costs of the building which will have one effect and one effect only, that is, to mitigate against the efficiency of honourable members and honourable senators. It will reduce their capacity and competence to make the contribution for which they are elected. It can be said of all my colleagues in this building that they have laboured under very real difficulties and circumstances in the interests of trying not to be seen as indolent with taxpayers' money. I think their capacity, their confidence and even their health have been affected as a result.

We are in this building but one day and Senator Walsh is seeking selectively, subjectively and, more particularly, unilaterally, to cut the budget. This will cut the effectiveness and efficiency of honourable members and honourable senators. All I can say is that it will be over my body. I have no doubt that it will be against the will of honourable members and honourable senators on both sides. It was Senator Richardson as I recall, who is now in Cabinet, who said when he was chairman of one of the committees that it was a parliament's right to preserve unto itself an ultimate determination as to what

was required to allow it to function efficiently and effectively.

The only people at the end of the day that suffer as a result of honourable senators and honourable members not being able to make their contribution effectively and efficiently are the voters. It has the inevitable effect of ensuring that governments are able to govern without being monitored, checked, questioned or scrutinised. Parliament no longer performs the function for which it is intended and provided and for which honourable members and honourable senators are elected. If there is one thing that ought not to be denied the people of Australia it is the opportunity to ensure that the people they elect are able to guarantee to them that the government of Australia is functioning in the way it was intended.

I come back to the design of the building for a minute. I could tick off a whole range of other things but I do not know that it is necessary at the moment. I do find it a pity that because there has been so much emphasis by the architects on the design and style of the building there has been little consideration given to ensure that the inside of the building is designed in a way which makes for good management. While we have magnificent entry halls and reception halls, the functional areas of the building are, of course, much too small and are not functioning in the way they should. The budget that has already been allocated for parliament does not take into consideration one-off contingencies such as putting right the wrongs of structural and design changes or variations. Senator Walsh wants to take away \$18m for the functioning of the building; never mind about the changes that abound and are inevitable. I am sorry that it seems that the architects, and to a lesser extent the Parliament House Construction Authority, disregarded the views, advice, knowledge and experience of those who have been in the Parliament for a great number of years. I do not refer here, of course, only to the honourable members and honourable senators who served on the Joint Committee on the New Parliament House. I refer particularly to the enormous amount of wisdom and experience that have been developed over the years by the heads of the various departments of the Parliament who know better than anybody

the minimum requirements of design and equipment to ensure that the Parliament functions effectively.

I know from my own experience that the architects and the Construction Authority were told on numerous occasions that their design intentions were incompatible with the efficient functioning of the Parliament. One only has to look at this chamber which Senator Collins finds magnificent to understand that it was designed on the American system where one walks on and off the floor of the chamber. It was not designed on the Westminster system. That is only one example. Of course, there will have to be changes to many parts of the building. I am sorry that when we have a pool of people with enormous amounts of experience—the Clerks and the various departmental heads—who are able to provide advice to the Construction Authority and architects on the basic necessities that advice was ignored; it was overruled; it was neglected. Ultimately, of course, so was the advice of the Joint Committee on the New Parliament House.

I am sorry that the aesthetic beauty and the magnificence of this building are not matched by its functional competence. I only hope that these matters can be put right in the very near future to ensure that not only is the building something people can be proud of from a distance but also that their taxes in supporting honourable members and honourable senators in their daily work are being utilised to the maximum.

Senator MCKIERNAN (Western Australia) (6.09)—In my brief comments on this ministerial statement from the Minister for Administrative Services (Mr West) I want to open up by joining with other honourable senators and previous speakers in this place this week in commending all of those people who have worked on the conception, design and construction of this magnificent building. I think, as the Minister said in his statement, it is a great example of Australian construction and architectural skills.

I have listened with some interest to the previous speakers. I can empathise and sympathise with some of the problems that have been encountered. For example, my room faces west, as does Senator Hill's room. My staff and I have had the same problems with

the video monitor. I have had my blinds installed this week. I do not know whether Senator Powell had anything to do with that. Senator Powell's room is directly opposite mine. I was caught with a great shortness of time for the opening of the Parliament on Monday of this week and had to make a rapid change of clothes. It had to be done without the advantage of blinds. Now I have blinds I will be able to do it at will, provided that I close them. I have not yet had time to count how many windows there are in my office. However, we have a much better office than the one we had to endure in the old Parliament House.

All of us, senators and members, will find reason to complain. Things will, from time to time, cause us some difficulty and irritate us. But all we have to do is look back to the conditions we experienced in the provisional Parliament House where we had to operate on some days for up to 16 hours in an area that was no bigger than a toilet block. We had to share that space with staff who were involved in research and other work, and we had to interview lobbyists and constituents at the same time. In the long term this building will lead to a vast improvement in the output of members and senators of the Australian Parliament.

There are some problems. No doubt problems will continue to arise. Doors will not open, will not close or perhaps will still fall off. I do not know of anybody who has moved into a new house and found it to be perfect. In my lifetime I have probably lived at 50 different addresses. I have never lived in the perfect home yet.

Senator Short—I hope you don't vote 50 times—one for each address.

Senator McKERNAN—No, I am speaking about a lifetime. I did a lot of moving around in my youth. Somebody mentioned the 1960s earlier, but we will not develop that theme. I vote only from one address, and always have done. When one is buying a home one tries to select the perfect home for oneself at the time. But immediately one moves in, one starts altering it because there is no such thing as a perfect home. Neither is there a perfect home in which to bring 76 individuals together and have it suit each and every one of them, because each and

every one of us is different. If we take a figure not quite double that figure and add the two figures together, we end up with 224 individuals—the number of members and senators. It was an enormous task for the officers of the Parliament, the Parliament House Construction Authority and the various individuals who were responsible, along with us, for the running of this place. It is probably, in the long term, an impossible task to fulfil.

Some things could be improved. The directional signs around the building certainly could be improved. It would not be a bad idea if we put committee room numbers on each side of the corridors, so that, whichever side one entered a committee room from, one could tell that it was a committee room, rather than sticking one's head into a committee room and asking at a meeting of members of the right wing faction of the Labor Party whether it was a meeting of the Left.

Senator Crichton-Browne—Now that we have been here two days and know how to get out of the place, you would think they could turn the exit lights off.

Senator McKERNAN—That might be a fire regulation. I think the exit lights have to be lit in theatres in Australia. To some extent this chamber is a theatre. I make a plea to everyone to exercise some perseverance, because there will be difficulties. There will be many more difficulties in the coming months. We are working under a strain, but I do not think that strain is as great for us as it is for those people who are directly responsible for the handling of this building. We will need to have some patience. There are probably better ways of rectifying the difficulties and faults we encounter rather than taking up what has now been close on an hour and a half of the debating time of the Senate. We have so much important legislation before us. There ought to be a place where our complaints, our gripes, our bitchiness can be directed. As we solve one problem others will develop.

I conclude by pleading again to all concerned, not only senators and members, but also the staff of this place to exercise a little more patience and to continue to exercise that patience. A great deal of patience has

been exercised so far. In the long term the building will become a really functional building and will be a credit to Australia and the people of Australia.

Question resolved in the affirmative.

PRECIOUS METALS, GEMS AND JEWELLERY

Industries Assistance Commission Report

Senator ARCHER (Tasmania) (6.16)—I move:

That the Senate take note of the paper.

I found the report of the Industries Assistance Commission on precious metals, gems and jewellery a very interesting and useful document. It has been undertaken in a thoughtful way. Whilst I have not had time, naturally, to read it all, there being some 300 or 400 pages of it, it certainly is a blueprint for the development of these industries. As the title suggests, the report covers precious metals and gemstones and the manufacture of jewellery in this country. This area offers great potential for specialisation in this country.

We have the raw materials. We have the training programs in various places. The Tasmanian Institute of Technology in Launceston has a substantial silversmithing tuition program. Quite a few graduates have come from there and are doing excellent work. We have all the technology that is necessary. There is no reason why we cannot catch up with any of the world leaders. It is a worthwhile industry for us to become involved in. We should capitalise on the advantages we have and use them in any way we possibly can. The preface to the report states:

Indeed, concern has been expressed that the country is missing opportunities to add value to its natural wealth, whether to win new export markets or increase local manufacturers' market share against imports.

Government influences on these industries are pervasive, from the regulation of mining and pearl fishing through to a luxury-rates sales tax on jewellery and tariffs which deliver high assistance to the jewellery sector.

The Commission proposes rationalisation and reform of many Commonwealth and State government policies which can hinder development of the industries. These proposals include review of mining regulation and royalty payments; changes in income and sales tax arrangements, management of pearl fisher-

Industries Assistance Commission Reports

ies, and coin production; and reduction of the high tariffs on jewellery.

That sums up what is involved. If the Government is prepared to follow the suggestions of the report, particularly in the areas of tax on development and promotion, there is a great future for these industries. We have already established the fact that we can make gold coins in Australia. We should be able to make them for other countries as well. This should produce a worthwhile, long term industry and enable us to get a lot more value from some of the things we naturally produce but whose potential we are not maximising because we are not selling them in bulk. Madam Acting Deputy President, I seek leave to continue my remarks later.

Leave granted; debate adjourned.

MINING AND MINERALS PROCESSING PLANT AND EQUIPMENT; CONSTRUCTION, EARTH MOVING, MATERIALS HANDLING AND AGRICULTURAL EQUIPMENT; RAILWAY ROLLING STOCK; PUMPS AND COMPRESSORS; AND CERTAIN ASSOCIATED SERVICE INDUSTRIES

Industries Assistance Commission Report

Senator ARCHER (Tasmania) (6.20)—I move:

That the Senate take note of the paper.

While I said that I had not read the last report, I have read even less of this one because it is probably 100 pages longer than the last one. It would take up most of the five minutes allotted to me to read the title, so I do not intend to do so. I do not intend to speak for five minutes anyway. I want to see that this report, because of its length and complexity, remains on the *Notice Paper*. I will seek leave to continue my remarks.

This Industries Assistance Commission report on mining and minerals processing plant and equipment; construction, earthmoving, materials handling and agricultural equipment; railway rolling stock; pumps and compressors; and certain associated service industries is wide-ranging and cannot be done justice in the sort of time that is available to us. It covers, amongst other issues, the current tariff structure, tariff options, harmonised tariff, tariff concessions, government and

industry initiatives, bounty assistance, and engineering, construction and consultancy services. It is an all-embracing and conclusive document. The Commission takes into consideration the 10 to 15 per cent tariff ceiling regime to be phased in over the next four years as a starting point, which favours making no immediate changes to tariffs beyond those recently announced. It seeks to address some of the anomalies which were brought to its attention during the inquiry, where parts of an item have been classified to tariff categories with higher rates than the finished goods, and some substantial increases in tariff product, principally parts, have occurred through harmonisation, which the Opposition has been pressing the Government to change.

One typical example of what the Opposition has been pressing, but which is not specifically mentioned, is Waltanna Tractors of Hamilton, which makes a timber forwarder and which is charged a 20 per cent tariff on the imported crane components and drive transmissions, whilst a complete transporter can be entered free. The Commission also acknowledges that the customs tariff concession system (CTCS) raised many problems in relation to the type of goods covered in this inquiry, and in particular includes the application of the criterion 'not capable of being produced in the normal course of business', which is contentious because of the jobbing nature of much local activity. The Opposition welcomes the fact that the Commission will recommend a public review of the objectives and operations of the CTCS. The report covers many of the issues which have been raised by the Opposition since the introduction of the harmonised tariff which do not appear to have been perceived by the Government. I believe that the report highlights the shortcomings in the harmonised tariff, bounties and tariff concessions which the Opposition has been pressing the Minister to change. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

SHIPS, BOATS AND OTHER VESSELS

Industries Assistance Commission Report

Senator HILL (South Australia) (6.24)—
I move:

That the Senate take note of the paper.

I am not opposed to industry assistance. I want to see an efficient export oriented shipbuilding industry in this country. But I am concerned about the criticisms of the existing bounty system that have been made in this report by the Industries Assistance Commission (IAC). They seem to be consistent with independent allegations that have been brought to my attention regarding irregularities within the system. It seems to be an industry of reducing employment—employment has been reduced by 25.7 per cent between the years 1981 and 1986—but one of rapidly expanding public expenditure. Bounties increased by 70 per cent, from \$26.6m in 1983-84 to an estimated \$45m in 1987-88. Although the Government has now imposed a limit—vessels must be completed by 1 July 1989—that limit represents \$144m of taxpayers' money.

As I said, the report is critical of the inefficiencies and generally unsatisfactory administration of the bounty system. For example, in relation to the registration process, page 4 of the report reads:

The effect of the registration process is to restrict bounty to a select group of ship builders. Access to the industry by a firm is determined by bureaucratic review rather than performance in the market . . . Registration or refusal does not have to be publicly justified and in some respects, is not subject to appeal.

* * *

New firms can only enter the industry by taking a risk that registration will be granted.

The registration process is arbitrary and no reasons are given for decisions. Therefore, a vicious circle exists in that it is impossible to gain registration without a guaranteed contract for a ship or having already commenced building a ship. Obviously, shipbuilders are reluctant to write new business as there is no guarantee that the Government will top up bounty funds. Furthermore, the whole system is complicated for new applicants in that existing registered builders can reserve allocations of bounty for future years. That, in conjunction with the limit that I mentioned and the fact that for intervening years there has been no annual limit, has meant that as at the end of March 1988 the entire \$144m had already been disbursed or reserved. That is obviously arbitrary and inequitable and is not con-

dutive to fostering the type of industry that we in this chamber would want.

Furthermore, I am advised that because of the system of increasing the bounty as costs in the building process increase, if, in fact, costs increase as a result of delays caused by industrial disputes, the taxpayer must pay approximately 20 per cent of such additional costs by means of a bounty—something with which the taxpayer would be unimpressed. Again, problems arise out of the orderly development policy which the Government imposed which is related to registration. The guidelines developed by the shipbuilding consultative group are not public. We do not know how many are refused or the basis of refusal. Basically, it is at the Minister's discretion, which I regard as unsatisfactory. As I mentioned when I quoted from the IAC report, what is worse, it is not open to appeal.

I am advised of one instance of a shipyard that was being paid bounty earlier, was still building ships, and was unable to gain registration. I do not understand why that is so. I have been told of another company, a \$2 shelf company, which received \$450,000 in bounty, yet the Act specifies that applicants for bounty must be adequately funded and be able to meet all liabilities. It seems that in 1985-86, according to the report, there were 27 builders, yet there were 45 recipients of bounty. In 1986-87 there were 25 builders and 42 recipients of bounty. These matters require explanation. The IAC has brought these matters to our attention, expressed its concern and made recommendations. I believe that not only should those recommendations be taken seriously by the Senate, but also the Senate should investigate the allegations of irregularities that have been brought to the attention of honourable senators.

Senator ARCHER (Tasmania) (6.28)—I completely agree with what Senator Hill said. It has been a most unsatisfactory industry Australia-wide. This is not the first time that the Industries Assistance Commission has looked at shipbuilding and associated industries. I believe that we need to encourage the Government to follow through this matter very considerably. There are, however, some very successful shipbuilders in Australia. We do not wish to see them lumped

together as being inefficient and unhelpful to our national endeavours.

I will give a little information on a firm that is currently preparing to build a ship for Tasmanian Ferry Services Pty Ltd, which is an organisation that has been formed to run a catamaran service across Bass Strait. It is intended to provide a service across the Strait in 4 to 4½ hours by using a very fast, wave-piercing catamaran that is under design. The vessel is 70 metres in length.

Sitting suspended from 6.30 to 8 p.m.

Senator ARCHER—Before the suspension of the sitting for dinner I was discussing the Industries Assistance Commission (IAC) shipbuilding report and I was making mention of Tasmanian Ferry Services Pty Ltd and the proposed catamaran service between Tasmania and Victoria. The builder of the ferry and one of the major partners, Mr Bob Clifford of Tasmanian Catamarans, has already built about 72 of these substantial catamarans, some in Tasmania, some in Queensland and some overseas. Their design has been quite revolutionary and their success rate has been exceptionally high. To have a service between Tasmania and Victoria which will take 4½ hours at the most, or possibly under four hours, and to be able to service this route at a price which should now be little more than half but not more than two-thirds of the price of an economy air fare is making it a very attractive proposition.

Tasmania depends very heavily on its freight equalisation system, but it needs that only because of the lack of economy in the shipping service. I think all Tasmanians hope that, ultimately, they will be able to get a shipping service that can run between Tasmania and the mainland on a basis that requires no subsidy of any sort. We are a long way from that yet, but we need to work on it. The proposed catamaran service would be big enough to take about 350 passengers and 70 cars and, once the first one is in operation, it will be determined whether extensions of that service, or of a freight service, will be considered.

The purpose of the IAC report was to consider the situation as far as ships, boats and other vessels are concerned and the position that the Government plays in their operation. It is essential for us to get what

is left of the shipbuilding industry in as economical a position as possible. There is no reason why we should not be extending our shipbuilding service and why we should not do it well. We have the skills, we have the locations and we have the needs. Australia is very dependent on the sea and I hope that we will be able to get the shipbuilding industry back into a condition that makes it competitive with industries in other countries. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

NORTHERN LAND COUNCIL

Annual Report 1986-87

Senator TAMBLING (Northern Territory) (8.04)—I move:

That the Senate take note of the paper.

The 1986-87 annual report of the Northern Land Council makes very interesting reading. The role of the Northern Land Council has been shrouded in controversy for quite some time. Mr Deputy President, you will recall that, in the debates last year with regard to the Auditor-General's report, a number of issues were raised regarding unsatisfactory accounting procedures of the Northern Land Council, and I raised these at the time in a Senate Estimates committee. I note that in this report a qualification from the Auditor's report is attached. That qualification from the Auditor states:

- (d) during the year, the royalty trust account was not properly reconciled. The reconciliation of the account transactions including investments, for the year ended 30th June 1987, was not completed until March 1988.

The fact that the Northern Land Council is unable to get its procedures in order is I think a matter that needs to be addressed very seriously by this Parliament, particularly with regard to the proper functions of the land councils. A number of other issues in the report give me cause for concern, in particular the suggestion regarding the operation of local government in the Northern Territory and the degree to which it is consistent with the Aboriginal Land Rights (Northern Territory) Act. I am concerned at this statement in the report:

If the Northern Territory Government refuses to amend the Local Government Act, the NLC is to undertake a legal challenge to the validity of the Northern Territory Local Government Act on the

grounds that it is inconsistent with the Aboriginal Land Rights Act.

I believe that that is a provocative and unnecessary way of approaching a particular problem. The Northern Land Council is given a particular function and job under its charter, which is the Aboriginal Land Rights Act. The Northern Territory Government has devised a special scheme of community and local government for Aboriginals in the Northern Territory and we must ensure that a body such as this, which has no political or parliamentary prerogative, does not seek to usurp that function. Similarly, I am concerned that the Land Council stresses its involvement with groups such as the Federation of Land Councils and the National Coalition of Aboriginal Organisations, and I note that it has now become a member of those organisations. They are political organisations. The Northern Land Council is given a task as a steward on behalf of the Aboriginal traditional owners and the Aboriginal land trusts. If it seeks to become involved in the political agenda, I believe that it will go beyond its proper charter.

Similarly, on page 14 of the report concern is expressed about the independence of the Aboriginal Arts Board. I raised issues yesterday with regard to the Northern Land Council seeking to intimidate the traditional, cultural and ceremonial Aboriginals of the Northern Territory. I would not want to see that continue. The elders of the Northern Territory Aboriginal community have a particular role and function. For many years the Aboriginal Arts Board has been dominated by urban part-Aboriginal people from the rest of Australia and many of the decisions that they have made have been totally inconsistent with the proper preservation of Aboriginal culture. We must not see emerging a threat to the cultural integrity of those Aboriginals who still seek and wish to live an Aboriginal traditional lifestyle.

I would hope in a moment to talk about the report of the Tiwi Land Council, where we see a very distinct difference on this major issue. The Northern Land Council and, in particular, its Chairman, Galarrwuy Yunupingu, must not flout the particular powers and functions that they have been given. They must not exceed those powers. They must live within the rules and controls

that have been given to them by the legislation under which they operate.

Question resolved in the affirmative.

TIWI LAND COUNCIL

Annual Report 1986-87

Senator TAMBLING (Northern Territory) (8.09)—I move:

That the Senate take note of the paper.

In contrast to the critical comments that I have just made with regard to the Northern Land Council, I would like to make some complimentary statements about the 1986-87 annual report of the Tiwi Land Council and, in particular, I would like to quote from the Chairman's main report, which is incorporated in this annual report. Jimmy Tipungwuti said:

The benefits of our defined Island ownership and single group identity provide the ability for us to focus fully on the affairs of our people.

Whilst accepting our advantages we recognise the problems facing Aboriginal people elsewhere in Australia. The Tiwi people support the struggle for land rights for all Aboriginal people and the Land Council has expressed regret at opposition from various bodies seeking to halt or delay the development and security of our people. We have also conveyed our annoyance towards many statements made by Mr M. Mansell and dissociate the Tiwi from the voice of that man. His way is not our way.

That statement is in direct contrast with the previous one. This report looks at an Aboriginal community that has got it made. The Tiwi people are insulated by being on an island. Nevertheless, they have looked at their own lifestyle and their activities on Bathurst and Melville Islands. They have been able to incorporate habits, culture, work ethic and business activities that are complementary. I drew attention to the reservations expressed by the auditor about some aspects of the Northern Land Council that were unsatisfactory. There are no such qualifications in the report on the Tiwi Land Council. I mentioned that the Tiwis have been able to develop an ongoing and involved economic community. It is important to refer to another quote from the report at page 17, where the outstations movement is dealt with. It is stated:

The four week Tiwi Bush Holiday in July remains the one time of the year when there is a general and genuine move of the people to leave the central communities and live on their land.

The Tiwi people have been able to develop tourist ventures and at the same time to preserve their own lifestyle which is so important. As they are part of the general Northern Territory community I hope that they will pick up and incorporate a form of local government under the Northern Territory Local Government Act that will be complementary and involve them in the Northern Territory community. The leaders of the Tiwi are to be commended for the particular function and role that they have given their own land council. This may be an example to other groups throughout the Northern Territory, such as the Groote Eylandt community that has flagged its interest in the Northern Land Council and has been quashed because of the intimidatory actions of the Council and its various executives. I hope other groups will consider coupling and modelling on these activities that the Tiwi Land Council has been able to incorporate. This is a perfect example of the Aboriginal land rights Act working effectively and the people responding to the problems of their own community and the peculiar government structures that have been asked to meet as a challenge.

Question resolved in the affirmative.

RESERVE BANK OF AUSTRALIA

Annual Report

The PRESIDENT—In accordance with the provisions of section 81 of the Reserve Bank Act 1959, I present the report of the Reserve Bank of Australia Board on the operations of the Bank, together with financial statements and report of the Auditor-General for the financial year 1987-88.

(*Quorum formed*)

STANDING COMMITTEE ON INDUSTRY, SCIENCE AND TECHNOLOGY

Reference

Senator CHILDS (New South Wales)—by leave—I move:

That the following instruments be referred to the Standing Committee on Industry, Science and Technology:

- (1) The Southern Bluefin Tuna Fishery Management Plan (Amendment), as contained in Plan of Management No. 15, and made on 12 April 1988 under the Fisheries Act 1952.

- (2) The Fisheries Notice entitled "Southern Bluefin Tuna Fishery—Quota Requirements", as contained in Fisheries Notice No. 170A, made on 12 April 1988 under the Fisheries Act 1952.

I move the motion at this time, without notice, because of the short time the Committee has to consider the instruments before the deadline for their disallowance is reached.

Question resolved in the affirmative.

CONSTITUTIONAL COMMISSION

First Report

CONSTITUTIONAL COMMISSION

First Report—Summary Paper

Debate resumed from 17 May, on motion by Senator Walters:

That the Senate take note of the paper.

Senator TAMBLING (Northern Territory) (8.15)—I want to speak with regard to papers No. 2 and No. 8, which are related to the Constitutional Commission first report. I seek leave for them to be taken together.

Leave granted.

Senator TAMBLING—I thank the Senate. In respect of the Constitutional Commission first report—summary paper, I move:

That the Senate take note of the paper.

On 6 May the Government tabled in this place the first report of the Constitutional Commission. This was a most important document. It had arisen from serious consideration by the Constitutional Commission and its various advisory committees over some time. That organisation had received some 4,000 submissions. As a result of very detailed discussion throughout the community the Commission resolved in the final report to present to this Parliament 51 recommendations with regard to the Constitution. What happened? Four days later in this Parliament the Attorney-General (Mr Lionel Bowen) presented the legislation for the referendum that is to take place on 3 September.

What is contained in the referendum proposals? Six questions, gobbled up into four peculiar questions, are to be placed before the people. There had not been a satisfactory debate in this Parliament with regard to the first report of the Constitutional Commission. That was a very serious problem that

the Government presented the Australian nation with. The Government decided to ramrod the legislation through this Parliament. As you will recall, Mr Deputy President, it guillotined the debate in the House of Representatives. Then in this place we debated the matter for some 36 hours. Certainly the debate on the proposals that were being presented for the referendum was comprehensive, but there was not the full, adequate and proper discussion, either in the community or in this Parliament, that there should have been with regard to that important first report of the Constitutional Commission. In effect the Government decided to march on its own agenda. I am taken back to the period prior to the Aboriginal land rights Act which was presented to this Parliament by both the Whitlam Government and the Fraser Government in response to the Woodward report. The Woodward report, which had considered the matter comprehensively, was never discussed or debated properly in the community or in this Parliament.

Ever since, we have seen the need for continuing and constant amendment in this area because the problem was not put right. The position with regard to the referendum proposals for 3 September is similar. They are not right. They do not pick up and mirror the final recommendations of the Constitutional Commission. Sure there are some parallels. But we are operating a referendum on 3 September on the Government's agenda without adequate and proper consideration of the report of the Constitutional Commission. From memory, I believe the first report was a document of some 800 pages. Certainly the summary document referred to in the second report was also quite comprehensive. I spread it around my electorate and I received considerable comment on it, particularly from lawyers and civil libertarians who have felt considerably frustrated that they had not been able to make a good and proper response to it.

Now, if this matter is not adjourned tonight, it will disappear off the agenda of this Parliament. That is a sin that I believe the Labor Government will have to live with for a long time. The referendum on 3 September will, I believe, sharply reprimand the Government with No votes on the four questions

the Government is putting—there are six principal issues—because the Australian community has not had adequate and proper consideration of the detailed report of the Constitutional Commission, a body the Government has chosen to treat in such a cavalier manner. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

RECOMBINANT DNA MONITORING COMMITTEE

Report

Senator PATTERSON (Victoria) (8.18)—
I move:

That the Senate take note of the paper.

This report is the last report of the Recombinant DNA Monitoring Committee. It should not be neglected because in this report Professor Nancy Millis and Frank Gibson, the Chairman of the Scientific Subcommittee, point out some of the problems which have been associated with the Recombinant DNA Monitoring Committee. I should start by saying how effective this Committee has been in ensuring that recombinant DNA experiments have been properly supervised. All Australians should be very concerned that there is adequate supervision of this research, which could become a time bomb if it were not adequately and properly supervised.

The universities, research institutions and businesses undertaking recombinant DNA work have been closely supervised by the Committee. As a member of a recombinant DNA committee at Monash University, I was very impressed with the way in which the Recombinant DNA Committee attempted to educate lay members—all recombinant DNA monitoring committees have lay members—in an attempt to ensure that they also understand the aims and objectives of their committees. I was concerned to read the covering letter with the report which stated:

. . . the Committee found itself in limbo for a lengthy period between the presentation of the *Five Year Review* and the announcement of the Government's decision—a period of some fourteen months.

That was the decision to form a new committee. It continued:

While the Committee maintained its routine project assessment functions it found it difficult to initiate longer term activities except on a tentative basis. A considerable part of the secretariat's energies were devoted to the review throughout this interim period.

I suppose that would have been acceptable if I had not read in the *Age* newspaper of Saturday, 20 August that scientists were angry over the genetics body and that the Genetic Manipulation Advisory Committee, which is the committee to replace the Recombinant DNA Monitoring Committee, had not been formed. On further inquiry I discovered that the old committee was still functioning under its old guidelines, despite the fact that it had been dismantled, so to speak, and that this committee had fallen between its transfer from one department to another. I do not know where the blame lies, but I think that it is very poor that such an area of supervision of very important research, which could have drastic consequences if it were not supervised, should be left in limbo on two occasions.

Further inquiries have suggested that only this week people have been written to and asked to be members of the new committee. I hope that the Government will take recombinant DNA monitoring much more seriously than it has in the past. From these two examples, I think that the Government is neglecting a very serious area. It is another indication of this Government's mismanagement in not being able to ensure Australians' safety. Australians are especially at risk if a cavalier researcher or cavalier businessman decides that he knows best and is not supervised appropriately. I commend the work of the Recombinant DNA Monitoring Committee. Hopefully, the new Genetic Manipulation Advisory Committee will take its role as seriously, because it is a very serious issue for the Australian public.

Senator COULTER (South Australia) (8.20)—Like Senator Patterson, some years ago I was on the genetic advisory committee of Flinders University in South Australia. This very important area of research has a potential for harm. Also involved in this is the potential for harm to be done if the public misconstrues the consequences of some genetic engineering experiments and the release of some genetically engineered organisms. In the United States of America,

Jeremy Rifkin has raised a number of issues concerning the release of organisms which, in one case, were not even genetically engineered but simply natural mutants of a particular organism. That held up work for a considerable period on what could have been quite an important piece of research. Public opposition is more likely to arise if the Genetic Manipulation Advisory Committee (GMAC) does not come into operation and does not begin to play its function in supervising laboratories, ensuring safety standards and, moreover, ensuring that the public is fully aware of the nature of this work.

As Senator Patterson has pointed out, the earlier committee ceased to exist officially but has carried on as a committee, without pay, under Professor Nancy Millis. It is a very sad reflection on Senator Button, whose responsibility it was to ensure that GMAC came into existence, that almost 12 months have gone by and that has not occurred. Senator Button says a great deal about the stimulation of profitable industry. He is on record as saying that genetic engineering is one of those areas which may be of benefit to Australia. However, he has done precious little. Indeed, he has inhibited the development of this area by refusing to address himself to the matter of bringing the Genetic Manipulation Advisory Committee into existence so that it can carry out the functions which I mentioned earlier.

Question resolved in the affirmative.

IMMIGRATION: A COMMITMENT TO AUSTRALIA

Statement and Paper

Senator CHAPMAN (South Australia)
(8.23)—I move:

That the Senate take note of the paper.

I wish to address my remarks to the report of the Committee to Advise on Australia's Immigration Policies (CAAIP) entitled *Immigration: A Commitment to Australia* and popularly known as the FitzGerald report. I believe that report is both timely and welcome. Its central themes have long been reflected in Liberal Party policy. They have been reaffirmed in our new immigration and ethnic affairs policy which was released this week and which has been the subject of so

much heated debate and sensationalist misinterpretation in recent weeks.

While this is not the time to make a detailed analysis of the report's findings and recommendations, let me just say that the overriding conclusion of the report is that major reform of all aspects of our immigration policy is a matter of urgent necessity. So, on the one hand, we have the FitzGerald report identifying the shortcomings of present immigration policy and administration, and the Liberal-National coalition developing a policy to overcome them. On the other hand, the Prime Minister (Mr Hawke) has just sacked his Minister for Immigration, Local Government and Ethnic Affairs (Mr Holding) after only six months in office, underlining the incompetence of the Hawke Labor Government with regard to immigration—something that is brought out in this report. The report exemplifies the Government's total failure to respond to community concerns in immigration matters. This is the fourth ministry change in immigration since July 1987. The fact that there has been a total of five Ministers in just five years demonstrates the incapacity of each of them to come to grips with the requirements of this important and sensitive portfolio. This is an admission on behalf of the Hawke Government that, where immigration is concerned, it still has not got it right.

Although the Government has conceded that changes are necessary, by making some minor moves towards implementation of the CAAIP report's recommendations, such as increasing the intake of migrants and expressing an intention to put greater emphasis on economic criteria in migrant assessment, it still has a long way to go. The Government deserves condemnation for thus far ignoring the major recommendations of the report.

One particular aspect of migration that is a matter of longstanding and widespread concern in the migrant community, and to which the report draws attention, is the question of recognition—or rather the non-recognition—of overseas qualifications. The deep concern felt on this matter has been highlighted recently in a heated public debate on Australian Broadcasting Corporation television. Many people are being brought into Australia, primarily for the particular

skills and qualifications which they possess. However, once here, many of these highly qualified and trained people are finding that they are unable to use the skills and qualifications they have because of the failure by various controlling bodies in Australia to recognise those skills. No doubt a measure of vested interest on the part of professions or trades is reflected in the refusal of those bodies to recognise the qualifications of certain people.

In many cases the power to license or register people is vested in the professions and trades themselves and can vary from State to State. This leads to a wide diversity of rules and regulations and much confusion and disappointment among those seeking to use their skills and among those bodies trying to offer assistance to these migrants. It is recognised that some retraining or upgrading of skills may be required, especially for those from a non-English speaking background. But what on earth is the point of bringing to Australia highly qualified people if we are not prepared to recognise those qualifications or to offer adequate facilities for bridging training and upgrading? Not only is it immoral, but it is also a waste of valuable talent from which Australia stands to gain enormous benefit at very little cost. The CAAIP report acknowledges the problems in this area and one of its recommendations is:

That as a priority the National Board of Employment, Education and Training take responsibility for developing a strategy to integrate accreditation procedures within the relevant Federal body responsible for labour market planning.

From the FitzGerald Committee's comments it is obvious that it believes that it is rigidities in the labour market that are contributing to problems inherent in the recognition of overseas qualifications in this country. So one of the main benefits to be achieved from a deregulation of the labour market is greater ease in overcoming these problems so that new arrivals can contribute their skills sooner for the benefit of all Australians. It is therefore important, I believe, that urgent action be taken to implement these particular recommendations of the report.

Senator SHORT (Victoria) (8.28)—I rise to speak briefly to the report *Immigration: A Commitment to Australia*, more commonly called the FitzGerald report. In my

view, this paper is one of the most significant, important and well-prepared reports to have come to government in a long time. It certainly deals with a matter of fundamental importance to Australia and to the type of Australia that we will see over the next generation and beyond. It is an appalling criticism of the Government that it has failed abjectly to recognise the importance of the report and to deal with it in the professional manner that is required if we are to have the advantage of proper deliberations on reports such as this. I say to the Government that if it is going to treat the reports from distinguished groups of people in the community which it has brought together to study matters of great interest and importance to the Australian community in as cavalier and disgraceful a manner as it has treated this one not only is that an indictment of the Government but also it means that in the future the Government will simply not get such people to be prepared to contribute in the way that all members of the FitzGerald Committee contributed. I commend them one and all—Dr FitzGerald, Tony Bonnici, Professor Hughes, Mr Jim Hullick, Alan Matheson and Dr Alessandra Pucci—for the tremendous effort and dedication they put into that report.

I do not understand how the Hawke Government could have fouled up the handling of this report in the way that it has. As I understand it the Government has proved itself incapable of taking decisions on the report and has pushed the onus back on to its own back bench Caucus committee, which is under the chairmanship of Dr Theophanous, to do a real hatchet job on this report by querying the bona fides and the content of the very thorough submissions on which the report is based.

The report touches on fundamentally important issues. It relates to the gamut of our immigration and ethnic affairs policy. It deals particularly with the question of multiculturalism and with the balance of our migration program. In terms of the balance of our migration program it very much makes the point which the coalition is making in its immigration policy which was released recently. It is a policy which is designed to promote an intake into Australia which is in the overall national interests of Australia and

whereby the newcomers to Australia will have as the prime criterion the betterment of Australia.

The present program, which has been developed by the Hawke Government over the last five years, has got itself absolutely and totally out of balance. The number of skilled migrants in the intake over the last five years has fallen from about 35 per cent to less than 20 per cent of our total intake. The family reunion category, important though it may be, has got itself completely out of balance by going from something like 20 per cent to 50 per cent of our total program. The policies of the coalition are designed to change that, to restore the balance that the Fitzgerald report, and everyone in the Australian community, knows is necessary if we are going to have a migration program in this country which meets with the broad wishes and acceptability of the Australian community as a whole. It is only if we have a program that is acceptable to the Australian community as a whole that we will continue to have the great and successful immigration programs that have so benefited this nation over so many decades of our recent history, a migration program that has brought to Australia a tolerance, a compassion and a vitality unsurpassed throughout the world.

Senator JENKINS (Western Australia) (8.33)—The report of the Fitzgerald Committee to Advise on Australia's Immigration Policies was tabled in the House of Representatives on 3 June this year. That was the last day on which the House of Representatives sat in the last session. At that time the Senate had already risen. It was tabled in the Senate on 23 August, just two days ago. It comes in three volumes: the report itself; a very thick volume of submissions from consultants; and a volume which contains model draft legislation for a new immigration policy.

I met the Fitzgerald Committee very briefly when it was first set up last November and I expressed my concern that the time it had to report was so short. It was due to report in March this year. It was able to hear many submissions and to use consultants. Nonetheless, as that time contained the summer break, I feel the length of time was not sufficient for it.

I also attended a weekend conference in Sydney last month, which was attended by some 400 people, during which the Fitzgerald report was discussed at length. The few minutes we have here to debate the report is not long enough to do that. For a start there are 73 recommendations in the report. As I mentioned in an earlier debate today there is a concern that Dr Fitzgerald himself is confused about the term 'multiculturalism'. I will refer to some of the more important recommendations. To my mind the key one, because of the public debate we have had recently, is 9.v which states:

In selecting between one individual and another, immigration policy will be non-discriminatory on grounds of race, colour, descent, or national or ethnic origin, sex and religion.

That is a very important recommendation. Recommendation 29 states:

That the Refugee and Humanitarian category remain as a humanitarian provision to respond to resettlement demands which arise overseas.

Recommendation 10 states:

That in the adoption and implementation of any of the measures proposed in this Report for the selection of skilled immigrants there should be concomitant measures, including particularly negotiated arrangements, to ensure that the commitment and the obligation of employers and education authorities to train and retrain Australians are fully and properly discharged.

Although there is a push to take in more migrants on a skilled basis, I repeat that it is very necessary to look at the same time at the present high unemployment rate in the country, especially in certain areas. It is regarded in the public arena as being socially unacceptable to deliberately import skills when we should be training and retraining our own people here. Recommendation 12 states:

That in public spending, priority be given to four areas which the Committee identifies as critical to the settlement process: English, skills recognition and bridging and upgrading, support for women immigrants and interpreting and translating services.

That also is a very important recommendation that I hope will be upheld. When the Fitzgerald report was tabled in June, the Minister for Immigration, Local Government and Ethnic Affairs (Mr Holding) stated that there was to be a period of some three months of public debate. It is unfortunate that the debate has taken the turn that it

has; there are so many things that need to be debated on a rational basis in the public area.

Another element of the numbers of migrants coming into the country that we should consider is the resources that we have in Australia. We need to discuss the method of operation of the overseas office of the Department of Immigration, Local Government and Ethnic Affairs, the numbers of immigrants leaving Australia and the reasons, the numbers of Australians leaving Australia and the reasons, the methodology of the business migration scheme, illegal immigration, and also FitzGerald's recommendation that the post-arrival era should be regarded as two years, and that after that time support for migrants should go into main stream. Those issues need to be debated properly and thoroughly. I hope that we will start on an era of rational debate in this area.

Senator COULTER (South Australia) (8.38)—I wish to speak on the report of the FitzGerald Committee to Advise on Australia's Immigration Policies. When this Committee was first set up I made representations both to Senator Richardson and to the then Minister for Immigration, Local Government and Ethnic Affairs (Mr Holding) pointing out that immigration has a great deal to do with the numbers of people in Australia and who will be in this country in the future—the subject which generally goes under the title of demography—and that it would be an excellent idea if the FitzGerald Committee had among its members a demographer and, because the number of people in a country bear upon the resources of that country, it would be a good idea to have a biologist on that Committee. Both of those requests were refused.

In furtherance of what my colleague Senator Jenkins said, the Australian Democrats certainly do not support any program of immigration to this country which is based on considerations of race, religion or sex. However, we are concerned with the numbers of people coming into the country. I put to the Senate a number of factors which seem to have been misunderstood both by FitzGerald and the popular media. It is true that the natural rate of population increase in Australia has fallen to a fairly low level—a reproduction rate of about 1.8. Nonethe-

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less, because of its age structure, Australia's population will go on increasing. It will increase by over three million people without any migration to this country at all, and that increase will continue until the year 2030 or beyond. Moreover, as regards a fear of a falling population, the population of Australia will remain above its present level for another 100 years, again without any migration whatsoever.

The ageing of the population has already been mentioned on a number of occasions. It is quite clear that the introduction of migrants to Australia, even at a younger age, cannot permanently alter the age structure of the country. It should be fairly obvious to everybody that migrants age at exactly the same rate as native Australians and that when the migration process slows or stops the age structure will simply revert to what it would have been without that migration.

Another factor which has not received nearly enough currency in this debate is that since the late 1940s, when the migration program began, 80 per cent of the population increase has occurred in Australia's capital cities. Part of that has been a natural increase, particularly in the 1940s and 1950s because of the baby boom, but it has also been a consequence of the migration program. The Federal Government at the moment is doing nothing to help the establishment of further infrastructure, either physical or social, in capital cities. Given the Government's intention to have an increasing migration rate, one can confidently predict that the population of Australia's capital cities will double or more than double by the 2020s. Given that fact, it is also clear that the quality of life in Australia's cities is very likely to deteriorate.

Figures released in South Australia recently regarding the replacement merely of the physical infrastructure indicate the likely trend of events. Between 1985 and 1990 South Australia expects to spend \$800m on the replacement of physical infrastructure in the city of Adelaide, and in the five years from 1995 to the year 2000, only one decade later, it expects to spend \$3 billion. That is the total expected capital spending simply to maintain the existing physical infrastructure of the city of Adelaide. I believe that many of those who have expressed a concern

through popular polls regarding Asian migration are concerned simply about the increase in numbers—and numbers is something that has been left largely out of this debate and needs to be raised to much more prominence.

Senator PANIZZA (Western Australia) (8.43)—I rise briefly to talk on the report of the Committee to Advise on Australia's Immigration Policies. I found it a very interesting and far-reaching report. When he was still in this Parliament, Mick Young some months ago told the other chamber that this would be the greatest document on migration ever to come out. Of course, as soon as it came out the Government decided to shoot the messenger because it did not get the message it liked. One thing that I concluded from this report was that multiculturalism and migration certainly need to be considered separately. Multiculturalism, as far as I am concerned, is a statement of fact. It is a statement that the Australian population is multicultural, made up of people from different cultures that have been welded together and are being welded together for Australia's future well-being; whereas migration is something we need to meet our future economic needs. Migration has to suit our economic needs and, the way this Government has run it, it has certainly got out of balance.

Senator Robert Ray—In what way?

Senator PANIZZA—I am just coming to that. It has got out of balance because, even though skilled and semi-skilled migrants are coming here, we still have unemployment in certain areas and full employment—in other words, we cannot fill jobs—in other areas. I refer mainly to the areas in which jobs cannot be filled—and there are many of them—due to the mining, agricultural and pastoral boom in Western Australia. There are well paid jobs there which we cannot fill. Perhaps we could go back to the days of the 1950s, when migrants had a certain obligation to the host country to fill jobs and to go into some of the harder areas, as my parents certainly had to do and as did many other migrants over the years, to meet the needs of those areas.

Turning to the cities, where it is very easy to live, I refer to the difficulty of getting hold of a bricklaying team. Bricklaying is not

an extra-highly skilled occupation, and it is not, for that matter, regarded as being very high on the social scale. Whereas about three months ago one would have to pay a bricklayer \$260 per thousand bricks, now we are battling to get his services for \$400 or \$450. If Australians are not available or not willing to learn such a trade, that is something that could be looked at in the area of migration. Without being too dictatorial, I say that the least the Government could do is to get back to a balance of migration to fill up the jobs that are available.

I wish briefly to make a further point. The report certainly makes the point that, although we accept migrants regardless of colour, creed, religion or the part of the world from which they come, we expect migrants, as was the case in the past, to be part of one Australia in the future and to comply with the need for naturalisation as a proper acceptance of their new-found country.

Debate (on motion by Senator Hill) adjourned.

JOINT COMMITTEE ON FOREIGN AFFAIRS, DEFENCE AND TRADE—DEFENCE SUB- COMMITTEE—REPORT ON MANAGEMENT OF AUSTRALIA'S DEFENCE

Government Response

Senator HILL (South Australia) (8.45)—I move:

That the Senate take note of the paper.

I seek leave to continue my remarks later.

Leave granted; debate adjourned.

OPERATIONAL EXPERIENCE OF THE VETERANS' ENTITLEMENTS ACT AND HIGH COMPENSATION FOR RETIRED VETERANS

Papers

Senator MESSNER (South Australia) (8.47)—I move:

That the Senate take note of the papers.

The report of the Independent Monitoring Committee is a comprehensive and constructive approach to the many anomalies contained in the Veterans' Entitlements Act. In line with that report, the right to assessment of rates and pensions and the controversial

lifestyle questionnaires will be completely revamped. The area which is particularly important is the last recommendation of the Committee, namely, that the Act be amended to provide for an extreme disablement adjustment. This is a proposal which the Opposition commends very strongly. At present there is an anomaly in the totally and permanently incapacitated pension which has existed since May 1985 whereby veterans in their retirement phase are no longer eligible to access to the TPI and are eligible only for a maximum of the much lower rate, the 100 per cent disability pension.

The Independent Monitoring Committee has recommended the introduction of an extreme disablement adjustment effectively aimed at veterans of 65 years or over who do not have TPI entitlements but whose impairment is assessed at the 70 per cent level or higher and who have a severely restricted lifestyle. This adjustment will be paid at the 150 per cent level. The payment would currently be about \$122.30 a week. This will go a long way towards providing some real assistance for veterans in their retirement phase, particularly former prisoners of war and others who suffer further sharp deterioration. It is not a matter now for the Government to consider all the recommendations in the report and to make an announcement to the Parliament. Perhaps we will get that later in the Budget session.

Raised in the report is the issue of the integration of repatriation general hospitals with the State health systems. There are many concerns in the veterans community about this. The Opposition can well understand the fears that may be generated from any precipitant action in this area. We in the Opposition shall be monitoring and following this issue particularly closely to ensure that priority is given to the veteran and the war widow for access at all times to treatment in repatriation general hospitals. The Opposition firmly believes that the integration of these hospitals should not be done in any circumstances which could possibly be to the detriment of the veteran.

Question resolved in the affirmative.

AUSTRALIAN QUARANTINE REQUIREMENTS FOR THE FUTURE

Paper

Senator BROWNHILL (New South Wales) (8.59)—I move:

That the Senate take note of the paper.

Given the present number of criticisms rather than concerns about Australia's quarantine performance, the arrival of the report entitled *Australian Quarantine Requirements for the Future* is not before time. I commend members of the Quarantine Committee Review who put the report together for the speed with which it was done. A time frame of 12 months is quite remarkable, given the wide reaching nature of the subject. I cannot possibly cover all the relevant points, so I will confine my remarks to a few more pertinent issues. I accept the Committee's assertions that the Australian Quarantine Inspection Service will have to accommodate, with increasing frequency, technological advances, a doubling of passengers into Australia by 1996 and increased risks. I agree that there should be an expanded national coordinated program of survey and monitoring for pests and diseases and their likely hosts.

I also agree there should be more coordination between apiarists and the Bureau of Rural Science to develop a mutual data basis. I cannot accept that, as this report asserts, apiarists will probably operate in a climate of increasingly severe budgetary constraints. I am not saying that I do not believe that will happen but, given this Government's predilection for cutting anything vaguely to do with the rural sector, I think it is an absolute certainty. But I ask why it should happen, given that there are literally dozens of recommendations contained in this report, nearly all of which should be adopted without delay.

I have expressed concern in the past about the quality and extent of our quarantine services, particularly in the northern surveillance areas. I have expressed concern about the ability to monitor exotic disease spread, about training staff to handle exotic diseases and about educating the public to the dangers of the flower seed or the salami that returning tourists are so wont to bring home with them. The report said:

The public is generally ignorant of the purpose of quarantine in Australia and the risks to the country's agricultural industries that could be precipitated by a breach of quarantine. The chances of an unwitting offence against quarantine regulations are high.

A great variety of potentially dangerous material is transported, particularly by air, where fresh agricultural materials retain their freshness because of the relatively short transit times.

Screening of passengers . . . is carried out by customs officers almost exclusively on the basis of a questionnaire filled out by the passenger before arriving. Only when passengers are referred to them by the ACS do the quarantine officers examine goods for quarantine purposes.

All of the things that this paper talks about are vital to Australia. Our surveillance needs to be improved and extended. Yet, it is accepted as a fact that it will have to happen with less and less money. It cannot happen with less and less money. If this or any future Government tries to cut back on quarantine and customs it will be at the peril of all the people of Australia, especially the agricultural industries which give everyone such a high standard of living.

Senator ARCHER (Tasmania) (9.04)—I too would like to speak on the report *Australian Quarantine Requirements for the Future*. I too am concerned about the clear indication in the report about shortage of funds for the carrying out of the quarantine service. Absolutely nothing is more important to Australia's trade and primary industries than proper quarantine services. I will not under any circumstances tolerate an apparent conflict among divisions, both of whom have some part in this. If there is any thought of such conflict, the services of the officers concerned should be dispensed with forthwith.

There are also suggestions that quarantine is being played down to achieve advantages in trade. I think anybody who is involved in anything to do with quarantine is totally opposed to this and would not wish to see this trend even discussed. There is no substitute for quarantine. It is not a matter of non-tariff barriers; if we need to have quarantine arrangements, they need to be absolutely and totally thorough.

There is still a lot of discussion about things like the screw-worm fly as far as our relationships with our northern neighbours are concerned. There are problems with fruit

fly and the potato nematode as far as our trade with New Zealand is concerned. There are various issues that we do need to work on. We need to help these countries to get better. In the meantime, we have to understand that, whether it is them or whether it is us, there is no substitute for proper quarantine and we do not make any deals about getting around the normal quarantine requirements.

Clearly, quarantine will need to be tighter, not looser. To make that happen inspection is going to be more extensive; and if it is more extensive it will be more expensive. There is no substitute for that. Various groups in Australia are concerned—not only the livestock people but groups such as the potato growers and the apple and pear growers in particular—and have been very active in drawing our attention to some of the issues that are before them. I believe that the whole question of quarantine and the fact that we have this report does not mean that the debate is over. It means that we are only now in a position in which we can start to work on it. I have already had various critiques of that report which raise issues which I will certainly be following up and I presume the Government will be doing likewise. I am pleased to see the report and I wish to encourage anybody who has an interest in the subject to use it as a means of getting the discussion going on a broader basis.

Question resolved in the affirmative.

HARMONISATION OF ROAD VEHICLE REGULATION IN AUSTRALIA

Second Report

Senator PANIZZA (Western Australia) (9.07)—I move:

That the Senate take note of the paper.

I would like to speak briefly on the report of the Inter-State Commission on the harmonisation of road vehicle regulation in Australia. I consider this to be the best and most far-reaching recommendations on road transport that I have seen. It was on the recommendation in this report that the Government put through in the last session the Interstate Road Transport Amendment Bill 1988 to try to get some uniformity throughout Australia on speeds and loads. The Senate will remem-

ber that it was then that licence fees for interstate vehicles were lifted from \$800—probably at the insistence of the Minister for Finance (Senator Walsh)—to \$4,000 and that I advocated at the time a very gradual incline in that charge from \$800 to \$3,800. Obviously, the Government was hell-bent on putting the figure at \$3,800.

Mr Acting Deputy President, you have probably deduced by now that was the cause of the truck blockade a couple of months ago at Greenmount in Western Australia and Yass in New South Wales. The blockade in New South Wales should be especially well known here because the Minister for Transport and Communications (Senator Gareth Evans) drove to Yass to try to placate the drivers. I do not know whether he was very successful as the dispute carried on for a while and there was a lot of disharmony. The truck drivers went back to work but nothing has been settled.

I did say at the time that it was a harsh rise because the Government said it did not seek to recover road costs, while at the same time it was recovering 100 per cent plus of road costs. That is right, Senator Walsh. The Government decided to leave the cost of railways down around 70 per cent. That was a great bone of contention with the road transport industry.

Senator Walsh—It does not recover costs from heavy transport only. There is cross-subsidy from private motorists.

Senator PANIZZA—That may be so, but the Government is recovering 105 per cent; whereas the Government chose to leave the railway costs at 70 per cent. If the Government had brought railway costs up, I do not think there would have been any great beef. They are the facts and perhaps the Government should look at them in that way. At the same time, the Government has chosen over the last four years to let road funding go down by 40 per cent in real terms. I know that Senator Walsh will have a way of explaining that, but I have listened to and seen through his explanations before.

I will briefly get away from that point. This report bears out the great need for harmonisation in Australia with respect to drivers licences, speed limits and hours of driving. I have not got time to mention the

first two matters, but the matter of hours of driving is certainly a problem that Australia must tackle. Victoria, New South Wales and South Australia have certainly done something towards tackling the problem and making sure that they are not making the situation dangerous. I am critical of the other States. Queensland, the Northern Territory, which is not a State, and Western Australia, my home State, have not been prepared to do the same and I would urge them to do so.

Question resolved in the affirmative.

ADMINISTRATION AND MANAGEMENT OF CIVIL COASTAL SURVEILLANCE IN NORTHERN AUSTRALIA—NORTHERN APPROACHES

Report

AERIAL LITTORAL SURVEILLANCE AND NORTHERN AUSTRALIAN QUARANTINE STRATEGY

Interim Report

Senator HILL (South Australia) (9.10)—I move:

That the Senate take note of the papers.

These two reports, *Northern Approaches: A report on the Administration and Management of Civil Coastal Surveillance in Northern Australia* and *Aerial Littoral Surveillance and Northern Australian Quarantine Strategy*, reinforce the shortcomings of the Australian coastal surveillance system, shortcomings that have been indicated by a whole series of previous investigations. I regret that, despite the evidence produced on previous occasions, little has been done about such shortcomings. They include, firstly, a lack of accountability. No single individual or agency has been responsible and accountable for the overall effectiveness of the coastal surveillance system. Secondly, they include a lack of authority and resources. The Government gave the responsibility to the Australian Federal Police but did not give it legislative authority, budgetary powers, or the authority to allocate resources. It really set it up only as a clerical administrative type body. It was, therefore, unable to structure any particular course of action.

The third shortcoming that has been indicated by these reports and previous reports

is one of conflicting interests. When this Government applied a user pay principle to coastal surveillance it meant that a number of different departments became involved, each with conflicting interests and priorities, competing for time and resources and, as I said, without any overall direction, to the cost of doing the job effectively. The fourth shortcoming has been a lack of operational flexibility. There has been very little operational flexibility in the system, which has meant that when the Australian Federal Police had their monthly surveillance priorities they were unable to vary them, to make changes on a daily basis, to re-route littoral surveillance aircraft—an entirely unsatisfactory situation in coastal surveillance.

Fifthly, there has been a lack of night detection capacity, which I would have thought was an obvious shortcoming in any system of coastal surveillance. I pause for a moment to say that I am astonished that our bodies do not have such a capacity. Yet we have Australian companies selling to the American Coastguard Australian made equipment that does the job perfectly well on a Nomad aircraft. It seems to me astonishing that our own authorities have not used this capacity and have left open a huge gap for anyone wishing to enter Australia with drugs or in any other way breach the laws upon entry to Australia.

Furthermore, these reports have again shown up the fact that inappropriate equipment is being used for the purpose of coastal surveillance. The P3 aircraft, costing \$8,000 an hour for fishing surveillance, was obviously totally unsatisfactory from a cost resource point of view, as a result of which the Government phased them out completely, leaving a gap. The reports have also again shown up the inadequacy in relation to Torres Strait coverage.

It seems obvious to me that there are a number of essential elements in any new arrangement. This Government has now transferred the responsibility to the Australian Customs Service but, as much as we can gather from the skimpy press reports that have been put out, these essential matters do not seem to have been covered in the new arrangement. The new body must have legislative power and responsibilities, it must have a separate and centralised budget, it

must not be based on the user pays principle but must be able to prioritise what is necessary to be done. It must have proper administrative control and, as I said, determine priorities rather than simply carry out assigned tasks, and operational control must be flexible. But it must be able to choose the right equipment to do the job properly. It must have a night detection capacity and the whole system must have a capacity to monitor aircraft movements across our north, which is totally lacking at the moment, apart from one small sector covered by the Darwin radar, which picks up aircraft coming in. All that happened with that information in the past was that it was advised to the Federal Police and ended up on a docket somewhere.

It seems to me that the best answer to Australia would be an Australian coastguard set up under the authority of the Department of Defence, which has the resources and assets to do the job properly. It could be started on a modest basis, but it could develop into something really worth while in the protection of Australia's coastline and work in a much more effective way than anything in the past.

Senator ARCHER (Tasmania) (9.16)—I would like to support Senator Hill again. I commend him on the suggestion he has just put forward. He has referred to a couple of very depressing reports, *Northern Approaches: A report on the Administration and Management of Civil Coastal Surveillance in Northern Australia and Aerial Littoral Surveillance and Northern Australian Quarantine Strategy*. Clearly, there needs to be a lot of reconsideration. As the Minister for Finance, Senator Walsh, who is in the chamber, would attest, I have been asking questions about this area for probably 10 years at Estimates time. I do not think I have ever had a satisfactory response.

Senator Walsh—I signed a letter to you today.

Senator ARCHER—I thank the Minister for his reply. That would be the reply to the questions I asked at the Estimates last year. After it left the Minister's desk eventually—I think it was about March—I was then referred to the Prime Minister (Mr Hawke). I was then told that it was going to the

Australian Federal Police. Now it is back to where it started from.

Senator Hill—That just reflects the whole coastal surveillance system.

Senator ARCHER—Yes. It is an inglorious operation. As we all know, it comprises such an incongruous group. It includes the Department of Primary Industries and Energy, both the Australian Quarantine and Inspection Service and, in the general sense, the Australian Federal Police, the Australian Customs Service, the Department of Defence, the Department of the Arts, Sport, the Environment, Tourism and Territories, the Department of Immigration, Local Government and Ethnic Affairs, the Department of Transport and Communications, the Department of Foreign Affairs and Trade and the States and Territories as well. Each has an input. Because it is everybody's responsibility it has always been absolutely no-one's responsibility. Last year I asked questions of two departments involved and both denied that they had had anything to do with the matter. So it goes on.

The reports show that there has been considerable waste and mismanagement, general inefficiency, ineffectiveness, duplication and anything else you like. The whole system is completely out of kilter. Quarantine is absolutely vital to Australia. Mr Deputy President, I seek leave to continue my remarks later.

Leave granted; debate adjourned.

The DEPUTY PRESIDENT—Order! The time for consideration of Government papers has expired.

REFERENDUM (MACHINERY PROVISIONS) (FAIR QUESTIONS) AMENDMENT BILL 1988

Second Reading

Debate resumed from 24 August, on motion by Senator Short:

That the Bill be now read a second time.

Senator SHORT (Victoria) (9.18)—I have much pleasure in making the second reading speech on the Referendum (Machinery Provisions) (Fair Questions) Amendment Bill 1988, which is a Bill to amend the Referendum (Machinery Provisions) Act 1984 to ensure that fair and objective questions are

put to voters at referendums. I do so on behalf of the Opposition. The Bill is not designed to ensure that the arguments for or against referendum proposals are incorporated into the questions put to Australians. Rather it is restricted to the substantial provisions in the referendum Bills themselves. The reason the Opposition is introducing this Bill is that, under existing arrangements, a government can frame referendum questions which do not explain or adequately convey the changes they involve to the Constitution. At present we have a classic example of this, with the questions to be put to voters at the forthcoming referendums on 3 September. Those four questions have been well described as the con of the century.

The Bill provides for the Electoral Commissioner to have responsibility for framing the wording of referendum questions rather than the government of the day so as to ensure that they adequately and accurately reflect the substantive measures contained in the proposed laws. The wording proposed by the Electoral Commissioner for a referendum question would be notified in the *Commonwealth of Australia Gazette* not later than 14 days following passage of the particular referendum Bill in the Parliament. Unless the Electoral Commissioner is satisfied that the wording of the long title of the referendum Bill adequately reflects the substantive measures contained in it, the Bill provides for him not to adopt this wording.

In deciding whether the long title of the Bill is adequate, the Electoral Commissioner must refer to the content of the proposed law and the need for voters to be provided with sufficient notice of the substantive contents of the referendum Bill to enable them to make an informed decision whether to support or reject the proposed alteration of the Constitution. The Bill provides for appeals to the Administrative Appeals Tribunal (AAT) of the decision by the Electoral Commission, regardless of whether his decision involves the adoption or variation of the long title of the Bill. Appeals are to be lodged with the Administrative Appeals Tribunal within seven days following the Electoral Commissioner notifying the proposed wording of the referendum question in the *Commonwealth of Australia Gazette*.

Under the Bill the right of appeal is to be limited to senators or members of the House of Representatives. In addition provision is made for senators and members to make representations to the Tribunal in relation to its determination of the application. Once the application for a review has been made it must be heard and a decision made within 14 days of the application. Provision is made for the AAT to determine the matter on the merits of the case. Also, under this Bill the AAT is empowered to order the Commonwealth to pay costs of the person who made the application. However, if the Tribunal does not alter the question in a substantial way, it may order the applicant to pay costs if it considers that the application was not in the public interest.

The reason that the Opposition is introducing this Bill is that under existing arrangements a government can frame referendum questions which do not explain or adequately convey the changes they involve to the Constitution. As I said at the outset, the outstanding example of this occurs with the four referendum questions to be voted on by Australian voters on 3 September. The questions actually being put to the voters on the ballot paper are totally misleading. They in no way accurately describe the changes that would be made to the Constitution and, therefore, there is no way that the voter, by reading the ballot paper before he or she votes, could form a reasonable view of what he or she is actually voting for. In all four cases for the 3 September referendums, neither the long titles of the Bills nor the questions to be put to the voters relating to these Bills contain the substantive provisions contained in the Bills.

For example, if we look at the first Bill, the Constitution Alteration (Parliamentary Terms) Bill, the long title is, 'An Act to alter the Constitution to provide for four-year maximum terms for members of both Houses of the Commonwealth Parliament'. In fact, the substantive provisions contained in the Bill are much broader than the provision for four-year maximum terms for members of both Houses of the Commonwealth Parliament. These substantive provisions include an increase in the maximum term of the House of Representatives from three years to four years; a reduction in the

maximum term for senators from six years to four years; abolition of the rotation system for senators whereby half the Senate is up for re-election at each general election; the abolition of the concept of fixed terms for senators and its replacement with the concept that all senators should face the electors each time the House of Representatives is up for election, to be decided by the Prime Minister. It is undeniable that the question to be put to Australian voters on 3 September, namely, 'Do you support four-year maximum terms for both Houses of the Commonwealth Parliament?', in no way adequately or accurately conveys the substantive proposed changes to the Constitution.

Another example is contained in the Constitution Alteration (Local Government) Bill. The long title of that Bill, which will comprise the third of the four referendum questions, is: 'An Act to alter the Constitution to recognise local government'. In fact, the substantive provision of this Bill is to include in the Constitution that 'each State shall provide for the establishment and continuance of a system of local government, with local government bodies elected in accordance with the laws of the State and empowered to administer, and to make by-laws^{*} for, their respective areas in accordance with the laws of the State'. In this case the question to be put to Australian voters on 3 September is identical to the long title of the Bill. What is undeniable about this is that it, too, does not convey the substantial provisions contained in the Bill. A system of local government may well be different from local government that presently exists throughout Australia. Exactly how it will be interpreted by the High Court of Australia when challenges and problems arise is unclear.

As has been mentioned time after time in debates on this matter in the last few months, the proposal contained in the third referendum question will provide an absolute nightmare for constitutional lawyers, although equally it will provide a financial bonanza for them because they will be spending their time in the courts sorting out a maze of constitutional questions surrounding it. Another ill-defined area relating to this Bill concerns what is contained in the explanatory memorandum. For instance, the fourth paragraph states that this addition to the

Constitution 'is not intended to oblige a State to establish local government bodies throughout the State'.

The second referendum question, the so-called fair and democratic elections question, was the subject of the Constitution Alteration (Fair Elections) Bill. The long title of this Bill is: 'An Act to alter the Constitution to provide for fair and democratic parliamentary elections throughout Australia'. Again, the question to be put to Australians on 3 September is identical to the long title of the Bill. It is quite evident, upon reading the substantive provisions of this Bill, that the question which voters will be asked on 3 September does not adequately convey the meaning or the substantial provisions of this Bill.

A careful examination of the provisions of the Bill reveals that the substantial provisions are, in fact, for parliamentary elections throughout Australia, but not for the Senate. It is not included at all. Of course, the House of Representatives already falls within the provisions of the referendum question.

Senator Walsh—It will provide for a fairer electoral system.

Senator SHORT—Senator Walsh may say that it will provide for a fairer electoral system, but that is not the case. If it were providing for a fairer electoral system, the argument and attitudes might be a little different. It is patently clear that it will not provide for a fair electoral system. An examination of the provisions of the Bill show that the substantial provisions are, in fact, in relation to parliamentary elections throughout Australia, for the number of electors in electorates not to vary by more than a margin of plus or minus 10 per cent. It confers a constitutional right to vote at all parliamentary elections within Australia and that each elector shall vote only once at an election.

Some of those points are unexceptionable and are already incorporated in most of the voting systems of Australia. Whether the proposed amendment will result in fair and democratic elections is beside the point. Indeed, this is an integral part of the argument for the Yes and No cases. The relevance to the Bill that I have introduced is that the question that will be put to the Australian

people on 3 September relating to this proposal has little bearing on the reality of the constitutional change involved in this proposal.

The fourth question to be put to the voters on 3 September is contained in the Constitution Alteration (Rights and Freedoms) Bill. The long title of that Bill is: 'A Bill for an Act to alter the Constitution to extend the right to trial by jury, to extend freedom of religion, and to ensure fair terms for persons whose property is acquired by any Government'. The question to be put to Australian voters is identical to the long title of the Bill. It is obvious, again from an examination of the substantive provisions of this Bill, that there is not one question but three wrapped into one. For this reason alone the question is defective, because it does not allow a genuine choice for Australian voters. In addition though, and equally important, the question does not convey the substantive provisions of the Bill, because each of the three proposed measures is qualified in great detail so as to alter its meaning and intent.

To take just one of the questions wrapped in the three in one proposal, the proposal to extend freedom of religion in Australia is, on a close examination of the meaning of that question, really a proposal in many respects to lessen the degree of freedom of religion in this country and to open the Trojan horse door of allowing a government at some time in the future to restrict state aid to government schools—a matter of absolutely fundamental importance in this nation, yet not alluded to in any way, shape or form in the question being put to the voters.

It is imperative that Australians, when making up their minds about proposed changes to the Constitution, are given questions that convey the reality of the alterations rather than emotive and ill-defined questions. In the recent past and in the present debate on the referendum questions we have seen too much deceit of the Australian people by misleading questions which in no way go to the substance of what is actually involved and which, if they were carried, would alter the Constitution in ways quite fundamental to the Australian way of life and to the whole balance of power within our parliamentary and democratic systems so far as the relationship between the Executive

and the Parliament in this nation is concerned.

Yet what will we have on 3 September? We will have a ballot paper with four simple motherhood-type questions on it. In fact those four simple questions to which people will be asked to vote yes or no will involve 33 changes to the Constitution and will change the Constitution to a greater extent than it has been changed in the 87 years of our Federal history and, therefore, in the existence of the Constitution. Quite simply, that is wrong. It is essential, in respect of democracy in this nation of ours and in respect of the need for parliaments to take into their confidence and to respect the constituents that they represent, that the questions that are put to them at referendums are fair, honest and full questions which reflect and contain the substance of the changes that would be implemented if those questions were passed. The Referendum Machinery Provisions (Fair Questions) Amendment Bill 1988 is designed to achieve this end and I very firmly commend the Bill to the Senate.

Senator TATE (Tasmania—Minister for Justice) (9.35)—I am not the responsible Minister and I think it might be within Senator Robert Ray's province to reply more authoritatively than I might be able to the Referendum Machinery Provisions (Fair Questions) Amendment Bill 1988 put forward by Senator Short and entitled: 'A Bill for an Act to amend the Referendum (Machinery Provisions) Act 1984 to ensure that fair questions are put to voters at referendums'. I read the Bill without the benefit of an explanatory memorandum put around by Senator Short, which would have been the normal courtesy to help honourable senators understand the particular provisions in this private member's Bill. Nevertheless, in the one minute that I have glanced at it, I think I have the gist of it. It seems to be along the lines that this Parliament should abdicate its role in putting to the Australian people the proposals to be put by way of referendum to change our fundamental law, the law of the Constitution, the very framework within which our parliamentary democracy, indeed our national democracy, operates. As I read the key clause, it states:

The question to be set out on the ballot-paper for a referendum shall be in a form, determined by the Electoral Commissioner . . .

Of course, that is handing it over to a person of some eminence and integrity. I at least regard him as being a person of eminence and integrity, although from what we have heard from the Opposition benches in the course of the last several days the character of Dr Colin Hughes, the present incumbent, has been assassinated. No more has that been done than by Senator Short and Senator Alston, who have vilified a man who, to the best of his ability and acting with complete professional impartiality, discharged his very onerous duties, I believe, in a way which has been quite admirable. It is to the incumbent of that office that Senator Short wishes to transfer a very important role of this Parliament—that is, if a question is to be put to the people by way of referendum a majority of the parliamentarians supporting the particular proposal should put the question in a form which can be assented to or dissented from by the people. In other words, we have to take political responsibility for putting that form of the question to the people. I believe that it is a very important part of the democratic process that parliamentarians who are prepared to vote for a particular proposal set the terms of the questions which are to be understood and assented to or dissented from by the people.

I believe it is very important that that ability be retained within the Parliament itself. It is part of our accountability to the people and it is part of the political process which is bound up in the whole of any referendum campaign. It can become a matter of political judgment as to whether the question adequately reflects the substantive measures contained in the proposed law, and it would be quite fair for the people to make their judgment about us as the politicians setting that question. I think it is certainly fairer, it is more democratic and it has more to do with the canons of accountability in relation to such an important matter as changing the fundamental law, the constitutional law of this nation, that that be the case—that is, that politicians and not some official, however eminent, set the framework of those questions for the people.

Senator Short took the opportunity, in putting forward what looks on the face of it to be a fairly technical proposal, to reiterate the Opposition's dissatisfaction with the form of the questions put in the current referendum. That debate has been held in the chamber and has been well and truly dealt with by the normal political processes, and I think the questions are now well and truly understood by the general population, the electors who will be called upon to make their decision on 3 September. Not only do they have the questions set out for their consideration but they have also had a Yes or No case circulated with the full details of the proposed changes set out in the back of that Yes and No paper. I believe that the people have had adequate and accurate notice of the substantive measures contained in the proposed law and, to that extent, the spirit of what Senator Short and indeed all of us wish to see, that is, a well-informed electorate in the referendum matter, has been achieved.

I notice that there are further provisions which I think would require detailed consideration, which is not easily done on Thursday night in general business debate. These provisions would allow an application to the Administrative Appeals Tribunal (AAT) for a review of the decision of the Electoral Commissioner if somebody thinks the Electoral Commissioner has got it wrong. So it would go through yet another process whereby the AAT is to be brought into the question of the proper form and wording of the proposal to be assented to or dissented from by the electorate during the consideration of a referendum matter. The matter will be heard and determined, we are told by Senator Short, by a presidential member of the Tribunal before the end of 14 days after the application is made.

What Senator Short seems to have in mind is that members of the House of Representatives or the Senate, presumably those who voted in a majority for the proposal, or even those who perhaps were in the minority, could make representations to the AAT in relation to the determination of the application. Altogether I think this is a bad proposal, mainly because, as I say, it seems to take out of the hands of the elected representatives of the people—the majority of

those parliamentarians who propose that a certain matter be put by way of referendum to the electorate—the form and wording of the question for which they will be held accountable. That has been the case in a certain sense during the campaign over the last several weeks and in so far as it has been part of the campaign I think it is part of the proper political process.

To foist this important role onto an official like the Electoral Commissioner and to have the AAT looking over his or her shoulder, with all the mechanisms and the sorts of representations that would have to be made there, with the award of costs, seems to me to be going far beyond the best traditions of accountability and responsibility of this chamber when it considers such an important matter as a referendum proposal to be put to the people. For that reason the Government will be opposing this Bill.

Senator CRICHTON-BROWNE (Western Australia) (9.42)—Madam Acting Deputy President—

Senator Walsh—This will be a ripper.

Senator CRICHTON-BROWNE—I notice it is keeping Senator Walsh in the chamber. I support the Referendum (Machinery Provisions) (Fair Questions) Amendment Bill proposed by my colleague Senator Short—a Bill for an Act to amend the Referendum (Machinery Provisions) Act 1984 to ensure that fair questions are put to voters at referendums. What a reflection it is upon the Government that legislation has to be introduced into this chamber by a member of the Opposition to ensure that the Government is honest. I suspect it is the first time since Federation that legislation of this nature has been introduced in this House so that there will be a statute to prevent the Government being dishonest in the presentation of its arguments to the Australian public. I will be interested to see how the Australian Democrats vote on this legislation.

Senator Haines—I can tell you now; we are opposing it.

Senator CRICHTON-BROWNE—The Democrats are opposing it. Yet their reason for being, the purpose for which the Democrats were formed by their leader, then Mr Chipp, was allegedly—

Senator Walsh—To get him a seat in parliament after Fraser kicked him out of the Cabinet. That is why it was formed.

Senator CRICHTON-BROWNE—He was not kicked out of the Cabinet, Senator Walsh.

Senator Walsh—He was kicked off the front bench. He was kicked out of the illegitimate cabinet.

Senator CRICHTON-BROWNE—He was not. You do not have changes to your front bench?

The ACTING DEPUTY PRESIDENT (Senator Powell)—Order!

Senator CRICHTON-BROWNE—What about Mr Holding?

The ACTING DEPUTY PRESIDENT—Order! Senator Crichton-Browne, could I suggest that if your remarks were directed to the Chair it might ease the situation.

Senator CRICHTON-BROWNE—Thank you, Madam Acting Deputy President. Of course there are changes in the composition of the front bench of all political parties—not the least being the Australian Labor Party; not the least being this Government. It has had more changes than any other party, among some of the casualties being Senator Walsh's mates—not the least being the then leader of the party, Mr Bill Hayden, who was ignominiously dumped. He was left lonely and sad, high and dry, hanging on to the hands of Senator Walsh and Mr Dawkins when everybody else had deserted him. When he left the Cabinet room the other day, only two people stood to acknowledge the contribution he had made.

Senator Walsh—Are you going to vote for Howard next week when the spill motion comes on?

Senator CRICHTON-BROWNE—There will not be a spill motion. There will not, Senator Walsh. I am interested to hear that the Democrats are opposed to this legislation. Senator Walsh is quite right. The reason the Democrats were formed was because Mr Chipp could not comply with the policies of his party at that time and then he formed his own political party. The most famous expression he ever used was that he was going to keep the bastards honest—referring to whom I do not know. In retrospect, he was probably talking about the colleagues

who were going to join him later in his own party.

Senator Robert Ray—And he failed again.

Senator CRICHTON-BROWNE—And he failed again. We see this hand-wringing, this heart-rending anxiety, this agonising as to what decision ought to be made. The first chance they get, they prostitute their integrity, whatever that is by definition to them. The first chance they get they show their expediency, they throw integrity out the window. They pretended to agonise about the four-year term question—the guarantee—to the great agony of the rest of the community, except the 14 per cent that vote for them. They will be here for ever and a day. I cannot understand how Senator Ray could ever be party to this diabolical constitutional proposal that is going to guarantee that this bunch of pests will be visiting us for the duration.

Senator Robert Ray—You send your preferences to them, they're so bad.

Senator CRICHTON-BROWNE—I am not aware of one single Democrat that has ever been elected on Liberal Party preferences.

Senator Robert Ray—How much do you want to bet?

Senator CRICHTON-BROWNE—Senator Ray knows that I do not bet on political matters. But I have to say that at the end of the day if it is a choice of our preferences going to this lot or that lot—

Senator Haines—You vote with them more often than we do.

Senator CRICHTON-BROWNE—The interesting thing is that the first election I fought, I fought on the basis that a vote for the Democrats was a vote for Labor because they voted for Labor eight times out of 10, and they took me to the High Court of Australia for telling the truth. They got dumped seven to zero and then would not pay the costs. I had to take a writ out.

Senator Walsh—What about the writ you served on me? You had to withdraw that.

Senator CRICHTON-BROWNE—No, I did not. Why don't you say it outside the chamber? Your courage is made up of alcohol and political immunity.

The ACTING DEPUTY PRESIDENT—Order! I remind honourable senators that the debate is on the Referendum (Machinery Provisions) (Fair Questions) Amendment Bill. If Senator Crichton-Browne could address himself to that Bill, at least marginally, and address his remarks through the Chair, it would help.

Senator CRICHTON-BROWNE—Thank you, Madam Acting Deputy President. I will. If Senator Walsh ever wants me to sue him, he should step outside this chamber, where he has immunity, and repeat his remarks when he is sober.

Senator Walsh—Get on with it.

Senator CRICHTON-BROWNE—The problem is you would not pay your bills. You do not pay your bills in the non-members bar.

Senator Robert Ray—On a point of order, Madam Acting Deputy President: Senator Crichton-Browne may be enjoying himself and so may Senator Walsh, but we are discussing what I thought Senator Short was proposing, a serious matter, and I ask you to bring the honourable senator's remarks into some sort of relationship with the Bill.

The ACTING DEPUTY PRESIDENT—Order! I remind honourable senators that the debate is on the Referendum (Machinery Provisions) (Fair Questions) Amendment Bill. If Senator Crichton-Browne could address himself to that Bill, at least marginally, and address his remarks through the Chair, it would help.

Senator CRICHTON-BROWNE—Thank you, Madam Acting Deputy President. As I was saying before I was interrupted by the inebriated Minister on the other side of the chamber, who can barely get his words out, I was not surprised that the Democrats had on this occasion chosen to support the Government and oppose the legislation—legislation which guarantees only one thing, and that is that the questions put to referendum are phrased in a way which reflects their intentions. What do we see? We see the Democrats immediately oppose the legislation because they are the beneficiaries of the dishonesty of the questions being put to the people on this occasion. Notwithstanding

that, I am pleased to have noted that in the last day or two there has been an 18 per cent swing against the Yes case, and it is likely that all four questions will be ignominiously defeated, notwithstanding the dishonesty in which they are at present embalmed. Might I give an example. Let us look at the question:

An Act to alter the Constitution to provide for fair and democratic parliamentary elections throughout Australia.

That question is worded in such a blatantly dishonest way that I find it breathtaking. It is put to us as a question to guarantee and enshrine in the Constitution the requirement for fair and democratic elections throughout Australia. Well, of course, it is not that. It is absolutely and fundamentally dishonest. I would have thought that, if there were nothing else about which this Government were prepared to be honest, it ought to at least be honest in presenting to the Australian public referendum questions which are likely to change the Constitution. But no, it could not even do that. The sadness of it all is that this is a fair reflection on its performance and its everyday conduct.

I would be interested to know how this question can in any way be related to fair and democratic parliamentary elections throughout Australia. Senator Ray would know better than anybody else that there is a fundamental difference between a gerrymander and malapportionment. If Senator Ray were given a pen to draw the lines in Western Australia with precisely the same number of people in each electorate, he could guarantee that Labor would never be out of office, and I could do exactly the same thing with the same pen with my lines to ensure that the Liberal Party was never defeated. That is the truth of the matter.

This proposal is not about fair and honest elections. It is not about one vote one value. It is not about in any way fundamentally changing the Federal system. It does not go to the heart of section 24 of the Constitution. The Government has not shown the courage to include in the referendum a proposal to change the minimum number of members of the House of Representatives for each original State. It does not in any way impinge upon that matter. It does not reduce the representation of Tasmania, not-

withstanding this clamour for one vote one value that we see in the bumper stickers the Labor Party puts out to the effect that everyone's vote is equal. It does nothing about that. It does nothing about the fact that senators in New South Wales can represent 3½ million people while in Tasmania they may represent 350,000. It does not go to the heart of the issue of one vote one value for the Senate.

Senator Maguire—What do you want done about that?

Senator CRICHTON-BROWNE—I do not want anything done about it. I am not one who believes that the most intrinsic and fundamental principle in all chambers of parliament is one vote one value—votes of equal value.

Senator Robert Ray—You certainly don't.

Senator CRICHTON-BROWNE—I would have to say, with respect, that if anybody on the other side of the chamber does, I would be grateful if he would stand up and say so. Is there anybody in the Senate—besides those who want it abolished—who is honestly prepared to say that Western Australia should not have the same number of senators as Tasmania, New South Wales or Victoria?

Senator Aulich—You are convincing me that they should not, but go on.

Senator CRICHTON-BROWNE—Let us hear the honourable senator. Is he prepared to say that New South Wales ought to have 25 senators, Western Australia six and Tasmania three? Of course he is not. Is he prepared to change the system to ensure that there is one vote one value for the House of Representatives and that Tasmania ends up with three seats and not five? Of course not. The Government has not sought to impose its will on its own political system; it has saved it for the States—for Queensland, I presume, and Western Australia. The interesting thing is that the Government is prepared to acknowledge the fundamental distinction between upper Houses and lower Houses at a Federal level but not at the State level. It is not prepared to acknowledge that there are some very real reasons—

Senator Robert Ray—You would bring back property rights for voting; let's be honest.

Senator CRICHTON-BROWNE—No, I would not.

Senator Walsh—You organised the dirty tricks in the Kimberleys in 1977 when you were President of the Liberal Party. That is the sort of record you have.

Senator CRICHTON-BROWNE—Mr Deputy President, I am sure I do not need to ask you to have Senator Walsh withdraw that remark, if he can manage to get to his feet.

The DEPUTY PRESIDENT—Senator Walsh, that was a reflection on Senator Crichton-Browne. It should be withdrawn.

Senator Walsh—It might be a reflection, but it is also true.

The DEPUTY PRESIDENT—That is not the point. It should be withdrawn without equivocation.

Senator Walsh—I withdraw.

Senator CRICHTON-BROWNE—Mr Deputy President, Senator Walsh's second proposition was that it was true. I ask him to withdraw that comment, too. It is also a reflection on me.

The DEPUTY PRESIDENT—He withdrew everything, as I took it.

Senator CRICHTON-BROWNE—With respect, I suspect not.

The DEPUTY PRESIDENT—I gave the Minister a direction to withdraw and he withdrew, and I take that as withdrawing everything.

Senator CRICHTON-BROWNE—Thank you, Mr Deputy President.

Senator MacGibbon—Tell us why we need 56.3 per cent to win office under this scheme.

Senator CRICHTON-BROWNE—It is because the machiavellian types on the other side of the chamber have taken advantage of our honesty and decency and they have ensured that the system operates in that way. We can see that there is no intention to ensure that the question put in any way reflects its effect on the Constitution in respect of that matter. Next there is the question as set out in the Constitution Alteration (Parliamentary Terms) Bill 1988, the long title of which is:

An Act to alter the Constitution to provide for 4-year maximum terms for members of both Houses of the Commonwealth Parliament.

Of course, that would lead anybody to believe that the object of the question is nothing more, and nothing less, than to extend the term of the House of Representatives to four years. Of course, that is but a minor part of the proposal. The major part of the proposal is to reduce the term of the Senate from six years to four. Its second major intention is to tie the fate of the Senate to that of the House of Representatives. Its third intention is to ensure that the Prime Minister is able, on any occasion he so chooses, and for whatever political reason, to take the Senate—

Senator Robert Ray—That is an insult to the Governor-General.

Senator CRICHTON-BROWNE—I can just imagine Prime Minister Hawke going to Governor-General Hayden and saying, 'I wish to dissolve both Houses of the Parliament and that is the recommendation of my Government', and Mr Hayden saying, 'Well, Mr Hawke, I am not satisfied with your reasons. You go back and do the balance of your term'. Can honourable senators imagine the confrontation? Can they imagine Mr Hawke rushing back to his office to get the nearest telephone to ring up the Queen to get her to sack Mr Hayden and Mr Hayden soundproofing his office to make sure that nobody outside can hear what is going on inside? Really, Senator Ray. Can honourable senators imagine the agony the two of them would go through deciding whether we ought to have an early election to make sure that the Labor Party was re-elected? The pain, the suffering, the anguish!

Senator Robert Ray—I always thought you were a good royalist. You disappoint me tonight.

Senator CRICHTON-BROWNE—I have always genuflected before the Queen, not like Mr Hayden, who has a new-found affection for the royal family. Does it not move us to tears? I cannot believe it. I have to assume that the next Governor-General will be restricting himself to opening flower shows and kissing babies, which are by definition his terms of reference for the job. Having said that, it is quite clear that the purpose

of this referendum question is anything but a four-year term for Parliament. It is intended to gut the powers of the Senate, to diminish its capacity to contribute in the way it does, to take away its ability as a chamber of second consideration and deliberation, and to remove from the Senate its independence.

Senator Maguire—How?

Senator CRICHTON-BROWNE—Because on any occasion that the Government wishes to take the Senate to the people it will be able to do so. The fate of the Senate from now will be inextricably tied to the House of Representatives, without question. Events, machinations, convulsions, whatever the political imbroglios that are taking place in the House of Representatives, will inevitably link themselves to us, to the Senate. So the Senate, which was deliberately set up by the founding fathers, and which was conditional upon the less populous States agreeing to a constitution in the first place, is now about to be fettered to the House of Representatives in a way in which, in my view, makes it a poor relation, a pale shadow of that which was intended under the functions it has performed until now.

Senator Maguire—Show me one power that has been cut.

Senator CRICHTON-BROWNE—All its powers have been cut. The major power that the Senate has ever had is its capacity to stand aloof, to stand aside, to stand separate, to stand above the House of Representatives in terms of its deliberations. And it is the deliberations of the House of Representatives that are unable by its very fixed term to impinge or touch upon it. If this question were to be carried, in the facade and the mask of that which is proposed, it will be a poor relation of the other House. I would have to ask myself, in all honesty: What is the virtue of having two chambers if they are identical in nature, except that one does not have the capacity to initiate certain legislation?

Senator Maguire—There are two different voting systems.

Senator CRICHTON-BROWNE—Yes, but essentially one will be doing the work of the other in direct form. To the extent that Senator Maguire says they have different voting systems he is quite right. If that is a

check and a balance that is all that will be left of it.

We then have the question that is put to us about providing for the freedom of religion. This comes under the Constitution Alteration (Rights and Freedoms) Bill. The long title of this Bill states that it is an 'Act to alter the Constitution to extend the right to trial by jury, to extend freedom of religion, and to ensure fair terms for persons whose property is acquired by any Government'. I want to say first of all in respect of that matter that the Australian people are being asked to answer yes or no once to four questions. How is it to be if somebody feels intensely about the religious provisions but has a quite different view about the compensation provisions, or if somebody feels very intensely about the jury provisions but is relaxed about the religious provisions? How does that person balance up in those competing circumstances whether to vote yes or no? Why is it so unreasonable for the Government not to put in four separate and distinct questions the same proposition? The answer, of course, is that it is looking for a 'yes' to a Bill of Rights package comparable with the first amendment to the United States Constitution.

At the end of the day I suspect that this is all about getting the first question up and that the other three are the sugar coating for the first question. It is intended to incite and convince people to vote yes to the second, third and fourth questions, and to look and say, 'I guess the first one must be okay so let's have four yeses. Why not?' It is fundamentally dishonest from the outset. There is nothing new about a trial by jury. The interesting point about this matter is that it now guarantees trial by jury for any offence carrying a term of two years, as though that is some new and enlightened liberal proposition that has been put to us.

Senator Maguire—What about the loophole in the Constitution?

Senator CRICHTON-BROWNE—That argument might be put by some, but let me put this to the honourable senator: in Western Australia any offence which carries a penalty of six months is an indictable offence by definition and requires a trial by jury. So in fact this proposal would take from the

people of Western Australia an intrinsic, inherent right to trial by jury for any offence carrying six months and would extend that limit to two years.

Senator Gareth Evans—Thank God I'm not responsible for this stuff any more. I would be apoplectic about that sort of rubbish.

Senator CRICHTON-BROWNE—Senator Evans had a go at this sort of stuff and, if I remember correctly, his history is not so good. That is why he is somewhere else now. Having said that, I am sure that when Senator Evans is overseas jetting about the place as the Minister for Foreign Affairs, telling the rest of the world what they have done wrong and criticising God for not including him in his creation plans, we will all miss him dearly.

Senator Gareth Evans—I won't be reading your speeches in *Hansard*, that's for sure.

Senator CRICHTON-BROWNE—Senator Evans has always said that, but he is always able to quote them. Can I speak about freedom of religion?

Senator Haines—No. You asked and I gave you an honest answer.

Senator CRICHTON-BROWNE—Fortunately Senator Haines is not a majority, and I know she said that tongue in cheek otherwise she would not be sitting there riveted to every word. In respect of the freedom of religion proposal, of course it is not freedom of religion. There is already provision for this in section 116 of the Constitution. But section 116 was never put there with the intention of guaranteeing freedom of religion. As much as anything, it was put there to guarantee freedom of religion. That goes back to the first proposition which is that in the preamble of the Constitution we call upon the divine intercession and inspiration of God in the deliverance of our decisions. Because the founding fathers of the Constitution were so concerned that that might give the same authority which the United States Constitution had given in a decision to close shops on Sundays—it is an interesting bit of trivia but it is the truth of the matter—

Senator Aulich—This is bad theology.

Senator CRICHTON-BROWNE—If the honourable senator doubts me it would be worth his reading the constitutional debates. The truth of the matter is that section 116 was put in to compensate for the preamble in the beginning of the Constitution. It is freedom from religion. The United States had the same problem when it wrote its Constitution, except that it did not have a reference to God in the preamble. But the Supreme Court found that it was a Christian nation and therefore the Government had the right to close shops on Sunday. So our founding fathers were saying, 'If that is what can happen in the Supreme Court of the United States without it in the preamble, imagine what could be done in Australia with it in the preamble'. So section 116 was put in to compensate and to say that it is a freedom from religion. The question does not extend the freedoms of religion. If we look carefully at the wording of section 116 we will find, because it extends to the States—and that is the subtlety of the proposal in section 116—it will now mean that people can appeal to the High Court of Australia because their children have imposed upon them prayers in State schools. There is no freedom from religion. The same thing happens in the United States, where exactly the same wording applies. The United States wording is used in section 116.

We have been through the argument about the defence of government schools case. While Lionel Murphy may well have been in a minority when he talked about the separation of the state from the Church, who is not to say that, with subsequent appointments to the High Court, Murphy's view could be the majority view and there would be no funding of government schools.

The other effect of section 116 of the Constitution is that reference to God can be removed from civic and public functions, as was the intention for the opening of this building. What more contemporary example can I give? The Prime Minister (Mr Hawke) had no intention of having any reference to God at the opening. It was only because of the Christian Fellowship movement of this Parliament, of which at the time I think Senator Tate, a Minister in the Government, was President, that we got from the Prime Minister a guarantee of a reference to God.

Just to make sure everybody was covered, eight religions and about four languages were covered on the day.

The truth of the matter is that this proposal does not do what it says it will do—quite the contrary. I give 110 per cent support to Senator Short for his proposal because, if it does nothing else, it will guarantee that in future the people of Australia are asked questions which reflect the intention of changes to the Constitution. At present that is not the case. Four fundamentally skewed, distorted and dishonest questions are to be put to Australia. They are to be put for one reason and one reason only; that is, to allow the Prime Minister to have elections whenever he likes, to extend the term of this Government, to have four-year terms, to dissolve both Houses, and to find himself unfettered by the Senate. I implore the Australian Democrats to support the legislation and, for once, to show their integrity.

The DEPUTY PRESIDENT—Order! The honourable senator's time has expired.

Senator HAINES (South Australia—Leader of the Australian Democrats) (10.13)—As I interjected during Senator Crichton-Browne's contribution a little earlier, the Australian Democrats will not be supporting Senator Short's Referendum (Machinery Provisions) (Fair Questions) Amendment Bill, which I consider to be one of the most appalling attempts to place pressure on a public official that I have seen for some time.

Senator Short—What absolute nonsense.

Senator HAINES—I am not arguing that Senator Short has done this on purpose, because I do not believe that he has. I just believe that it would be the end result of this proposal of his going through. Let us consider what referendum proposals are all about.

Senator Crichton-Browne—Keeping you in the Senate.

Senator HAINES—Let us just consider them in general. Referendum proposals are about a government wishing to make some changes to the Constitution and having to go to the people in order to get those changes approved. It does not always happen that way, but governments cannot change the

Constitution in any other way. If the Government wants to put questions at a referendum, surely it must wear any problems that arise out of the criticism of the wording of those questions. If the Government is foolish enough to word the questions so stupidly, so unfairly, so unjustly and in such a partisan way as to leave itself open to criticism from Opposition parties, from individuals or from groups in the community, that is something it must wear.

The wording of such questions is not the sort of decision that ought to be placed on the shoulders of the Australian Electoral Commissioner. That would leave him open to enormous political pressure. As an example of what could happen, one has only to look at the hysterical and very critical letters that have appeared in many newspapers around Australia from people thinking that the Australian Electoral Commission has drafted the Yes and No cases in the booklet that has been distributed. The criticism that has been directly unfairly at Colin Hughes because people believed that there was some bias on his part in the way the cases were drafted and in the typesetting is simply an indication of what could well happen in the event of the Australian Electoral Commissioner being required to draft the questions following the Government's production of the legislation.

I think it is appalling for anybody, particularly a senator or member of this Parliament who knows how easily misconstrued these things can be, to suggest that a non-elected official should make the sort of subjective judgment required to frame the short questions to be put to the people on the ballot papers that they receive on the day of the referendum. Let us look at what Senator Short is proposing to do in this piece of legislation. Under the heading 'Question on ballot-paper', we find the following proposed new section:

The question to be set out on the ballot-paper for a referendum shall be in a form, determined by the Electoral Commissioner, that adequately and accurately reflects the substantive measures contained in the proposed law.

I repeat: 'adequately and accurately reflects the substantive measures'. Who decides what 'adequately' is? Who determines whether something is accurate or not? The word 're-

flect' is hardly the most precise verb in the English language.

Senator Crichton-Browne—Are you happy with the present four questions?

Senator HAINES—I do not think it matters whether Senator Crichton-Browne and I are satisfied with them. As I was saying a minute ago, when he was busy talking to Senator Short, if the Government is stupid enough to word the questions in such a way that it leaves itself open to criticism, it and not some non-elected official should be the one to wear the curry.

Senator McLean—As the Government is now.

Senator HAINES—As the Government is now.

Senator Crichton-Browne—Is it wearing it now?

Senator HAINES—Yes, I think it is, Senator Crichton-Browne is certainly making the most of what he perceives to be misleading questions, and that is his right. We are concerned that we would put a non-elected official in an extremely difficult position. The next proposed new section in Senator Short's legislation says:

In determining the questions to be set out on the ballot paper, the Electoral Commissioner shall have regard to:

- (a) the wording of the title of the proposed law;
- (b) the contents of the proposed law; and
- (c) the need for voters, as far as practicable—

and who determines that is anybody's guess—to be in a position to make an informed decision on their support for or their opposition to the proposed law.

It would take a month of Sundays to make the electorate informed about any part of the Constitution of this country, since we certainly do not treat it in the same way as the Americans treat theirs. Senator Short's legislation goes on a few lines later to give a senator or a member of the House of Representatives the following right . . .

within 7 days after the publication in the *Gazette* of the copy of the question referred to in subsection (3), make an application to the Administrative Appeals Tribunal for a review of the decision of the Electoral Commissioner.

Not only do we have one non-elected official making a decision about wording; we then

have a few others determining an appeal on that wording. The legislation states further:

Where an application is made to the Administrative Appeals Tribunal under sub-section (4), the application shall be heard and determined by a presidential member of the Tribunal before the end of 14 days after the application is made.

Under this legislation several people who are not answerable to the electorate would be subject to what could possibly become a highly politicised row over some very subjective decisions that will have had to be made in order to do what proposed new section 24A (1) of Senator Short's Referendum (Machinery Provisions) (Fair Questions) Amendment Bill requires to adequately and accurately reflect the substantive measures contained in the proposed law.

The Opposition has already argued against question four on the grounds that it leaves the interpretation of the Constitution open to decisions made by the High Court. Every time that matter is raised, it claims that it is inappropriate for something like freedom of religion, right to trial by jury or right to just compensation to be put in the Constitution and determined, after challenge, by the High Court—by non-elected officials. That has come repeatedly from the Opposition. It is entitled to that point of view, although that is the entire role of the High Court. Senator Short now suggests that one non-elected official shall attempt to do what I doubt whether even a Solomon would try, and that is, in the case of some highly contentious referendum proposals, to come up with questions that adequately and accurately reflect the substantive measures contained in the proposed law and then, furthermore, to have a few more non-elected officials hear an appeal.

I can understand why Senator Short is concerned about the questions. He does not like them. But is there any guarantee that at any future time a referendum proposal is put to the people, whether by a Liberal government or a Labor government, everybody in this chamber and in the House of Representatives will approve of the wording of any of the questions, much less all of them? I for one would not want to be in the shoes of any Australian electoral commissioner faced with having to frame those sorts of questions. What would the wording have had

to be for the Liberal Party, the National Party, any independent, the Australian Democrats or anybody else to be satisfied regarding the four questions that we will deal with in a couple of weeks? The Government has decided to frame the questions in a way that, according to the Liberal Party, is not appropriate. It does not like question one, the statement to which reads:

To alter the Constitution to provide for 4-year maximum terms for members of both Houses of the Commonwealth Parliament.

Presumably, the Liberal Party does not like it because it does not point out that there is no minimum term, that previously senators had six-year terms or whatever. Certainly, it does not agree with the wording in question two, the statement to which reads:

To alter the Constitution to provide for fair and democratic parliamentary elections throughout Australia.

Apparently, the Liberal Party believes that the Queensland system is all right. There is no way that we will ever have a situation in which anybody can divide the baby into sufficient pieces to satisfy everybody in this chamber or in another place. It is far better for the Government to take the risks and wear the criticism of framing its own questions than to put a non-elected official in the invidious position of coping the flak from all sides of the chamber.

Senator ROBERT RAY (Victoria—Minister for Home Affairs) (10.24)—I do not have a lot to say on this matter. One of the accusations made by Senator Short and Senator Crichton-Browne relates to misleading. A number of such accusations were thrown across the chamber during two matter of public importance discussions and in debate on Bills which we have considered. In another place tonight I heard the shadow Attorney-General say that he raised the matter of scrutineers and that we intended not to have any scrutineers at any stage. I put it on the record that on 21 July I wrote to Mr Reith asking him whether he wanted to have scrutineers. He was so interested in the matter that he took a full two weeks to respond to me. The letter which I received was so garbled that I had to write for clarification. Three weeks after I had written to Mr Reith we suddenly had a request for scrutineers.

Senator MacGibbon—He was out and around the country doing his job.

Senator ROBERT RAY—Senator MacGibbon said that he was out and around the country. He made the statement tonight that we had not addressed the question of scrutineers. The shadow Minister has a copy of a letter on his desk that shows that we did raise the question. He made a fairly bald statement tonight.

Senator Crichton-Browne said that it would be very easy never to lose office by gerrymandering. That was a very strange statement. We on this side were probably the first to draw the clear distinction between malapportionment and gerrymander because the two terms had been so debased in debate. Malapportionment relates, essentially, to having electorates of different elector sizes. In most instances, it transpires that there is a rural bias. Sometimes the justification for that is on the basis that rural areas are harder to represent, but more often than not it tends to relate to bias towards a particular party. It does not always have that effect. Its effect in Western Australia has always been far less in terms of partisanship because of the even spread of support, mining towns, et cetera. However, in the south-east of Queensland it has often had a different effect.

With gerrymandering it is possible to have electorates of equal boundary and then to advantage a party, but that occurs nowhere near the extent to which Senator Crichton-Browne would have us believe. Because of the socioeconomic breakup of Australian society, those precise line drawings could be effective only in a very stable electorate—an electorate that was not volatile. If a party just gerrymanders it may get elected with 49 per cent of the vote. But if it gets 47 per cent of the vote the tidal wave is more massive and a lot more seats are lost. One of the key tools of the gerrymander is using malapportionment. That is what this referendum would seek to dispense with. There are other ways of restricting gerrymander. One is in the appointment of commissioners—if people who are above reproach do the redistribution. What we have sought to do at a Federal level is have the chief Electoral Commissioner, the No. 1—

Senator Crichton-Browne—Appointed by whom?

Senator ROBERT RAY—He is appointed by the Government. Professor Hughes was appointed by this Government. Not one objection to his appointment was raised by honourable senators opposite. Then there is the Electoral Commission officer in the State concerned—again, a career man in the Australian Electoral Commission. Thirdly, there is the Surveyor-General and, finally, the Auditor-General. In past years the Federal Government was able just to appoint a public servant. We did away with that right.

Senator Crichton-Browne—Was Hughes a career man?

Senator ROBERT RAY—I hope that Senator Crichton-Browne is not impugning him, because he is the person the Opposition is asking, through the Referendum (Machinery Provisions) (Fair Questions) Amendment Bill, to draw up the Yes and No cases in current circumstances. We gave up the right to having our own public servant and put in the auditor-general from each State.

I will give another instance of fair commissioners. The Cain Government appointed commissioners to do a redistribution in Victoria in 1984. The only people who did handstands after that redistribution were members of the Liberal Party. We had a judge, the State Electoral Commissioner and the Surveyor-General. So we had a fair set of commissioners. On that occasion the boundaries did not break our way. We did not complain. We went on and won the next election with a reduced majority. That is how the breaks go. The main point of this Bill is that it would require the Electoral Commissioner to write these referendum questions.

Over the last few days we have seen a smear campaign on the production of the Yes—No booklet. Time and time again we were told on talk-back radio programs and the rest of the network that, in some way, the Electoral Commission had rigged the booklet and had interfered with the No case. It turned out that the camera-ready work for the No case had been provided by the No case to the Electoral Commission and the only changes were to grammatical errors in that document. There is absolutely no

truth in that accusation. Imagine the number of accusations that would go around. Imagine the position in which we would place an Electoral Commissioner in having to summarise referendum questions. There has been enough totally unwarranted criticism of the Electoral Commissioner coming from the other side over the last few weeks. I can say as a responsible Minister that for the last 13 months I have not on one occasion sought to influence the decision of the Electoral Commissioner, nor would I.

Debate interrupted.

ADJOURNMENT

The DEPUTY PRESIDENT—Order! It being 10.30 p.m., under sessional order I put the question:

That the Senate do now adjourn.

Question resolved in the negative.

REFERENDUM (MACHINERY PROVISIONS) (FAIR QUESTIONS) AMENDMENT BILL 1988

Second Reading

Debate resumed.

Senator ROBERT RAY—Mr Deputy President—*(Quorum formed)* I was referring to the main provision in Senator Short's Bill, and that was the one relating to asking the Electoral Commissioner to draw up the questions. I reiterate that that is not an appropriate method. He is probably certainly the worst person in Australia to do that job. He or she would be in a position to be assassinated politically by one side or the other and would not be able to be regarded as an impartial judge.

I was saying before we negatived the adjournment that there has been a fairly sustained campaign of criticism of the Electoral Commissioner on a whole range of matters, none of which, when one puts the magnifying glass to them, can be sustained. We had before the New South Wales election, for instance, accusations of 400 people from the local cemetery voting in an election. After that I thought, 'Well, look there is a new broom in New South Wales, I will write to Mr Greiner and ask him whether he will have an inquiry'. I got a response something along these lines: 'We'll be looking at the

electoral system and this may form part of the review'.

The allegation was one of the most serious charges one could make—rorting, to a criminal degree, of an election. What did the Premier of New South Wales say? He said, 'Oh, we might be having a review of the electoral system, and we will consider it then'. I have written back to the Premier since. We have still to get a police inquiry into those allegations. I have already outlined in this chamber once before why I do not think the allegations have much merit, apart from getting someone on the front page of the newspapers a couple of days before a State election. We have seen distortions occur and attacks on the Electoral Commissioner. I think he has been very unfairly treated over the last year. I have said before the reason for that is the loser mentality opposite. They have lost three elections and they say, 'Why did we lose three elections?'. They say, 'Let's blame the umpire, let's blame the system and let's blame, in some way, the people that actually conduct the elections. That will make us feel good'. How does the Government know about that? We used to do it in opposition; that is how we know that psychology.

In the end, one should consider that if one is to make an attack on the Chief Electoral Commissioner, one should at least examine the case to see whether it has any merit. One should not be in the business in this regard of peddling the first bit of innuendo and rumour that comes by. That has been too often the tendency of those opposite.

In summing up, the Bill that Senator Short has brought forward today, even if it had other merit, is totally flawed by proposed new section 24A (1). It is simply not a goer. The appeal procedures would make a farce out of any constitutional change and, as such, the Bill should be rejected by this chamber.

Senator BROWNHILL (New South Wales) (10.36)—We should come back to the reasons why the Opposition is introducing this Bill that was so ably introduced by Senator Short.

Senator Crichton-Browne—And followed up by Senator Crichton-Browne.

Senator BROWNHILL—Obviously Senator Crichton-Browne did an outstanding job as well. The reason the Opposition is intro-

ducing this Bill is that under existing arrangements, a government can frame referendum questions which do not explain or adequately convey the changes they involve to the Constitution. The outstanding example occurs with the four referendum questions to be voted on by Australian voters on 3 September. The introduction to the Yes-No case is interesting. It says:

A Referendum is a direct opportunity for all Australians to have their say in the country's future.

It goes on:

On Referendum Day, Saturday, September 3, all Australian electors will vote YES or NO on each of four proposed laws to change the Constitution.

To become law, each proposed change requires the approval of a majority of electors nationally and a majority of electors in a majority of States.

It says a little about the Constitution when it states:

The Constitution is the "blueprint" which defines Australia's system of national government and establishes the legal base for Federal Parliament to make laws. And the Constitution itself guarantees that the only way this "blueprint" can be changed is by a referendum—that is, by asking all enrolled electors whether or not they approve proposed laws to change the Constitution. This is what will happen on September 3.

The way these questions have been framed by this Government is really quite outstanding. It is trying to deceive the Australian people. That is why Senator Short has made the point that if these questions were allowed to be framed by an independent person, whom the majority of Australian people trust—they do not all trust this Labor Government in Australia—the Australian people would be much happier. I will not go on any further because the debate has been well and truly cased by the people on our side of the House. Some of the arguments that have been given by the Government have been quite pathetic. This chamber should now be allowed to decide whether this Government wants to have fair questions for referendums or whether this Government wants to deceive the Australian people like it has tried to do with these questions and get its own way by trickery and devious and dirty ways.

Senator HARRADINE (Tasmania) (10.39)—Because of the time I wish only to state very briefly that I will support this Bill. I feel that I am able to do so. Senator Robert Ray cannot accuse me of reflecting at all on

the Australian Electoral Commissioner. It is appropriate that an independent person be the person who will be able to use certain words to describe the effect of the Bills that will pass through this Parliament, as do judges. It will be up to those who vote in the Parliament for or against a referendum proposal to formulate the Yes and No cases. It is there that the parliamentarians who voted for or against the proposal will be able to have their say. At present it is loaded one way—in favour of the government. The Constitution is not the property of the government; it is the property of the people of Australia. It is important to the integrity of that document for people to have confidence that there has been an adequate description of the Bills that pass through this chamber and through the House of Representatives to amend that constitutional document. Therefore, I feel that the proposal put forward by Senator Short in his Bill is more adequate than is the current case, in which the government formulates, in effect, the words for the proposal.

Senator SHORT (Victoria) (10.41)—in reply—I will be brief because it is desirable to draw this debate to a conclusion tonight with a vote. I would like to thank the speakers who have contributed to the debate and, in particular, my coalition colleagues Senator Crichton-Browne and Senator Brownhill. I would also like to thank Senator Harradine for his remarks. I very much regret that the Australian Labor Party and the Australian Democrats will not be supporting the Bill. I realise that it is not a perfect Bill—no Bill is perfect—but its intent is admirable. It would meet a need that obviously exists for an independent arbiter, to translate into language of a substantive nature what the Parliament has laid down in the Bills it debates. It is not a bypassing of the Parliament in any way.

I therefore believe that it is an important Bill, an important proposal. It is obviously not going to be passed, which I regret; but I hope that at least it will fuel thought for future occasions. Perhaps before too long we can have another look at it and the Labor Party and the Australian Democrats can think it through more and come to a different view. Again, I thank honourable senators

for their contribution and I look forward to the Bill being voted upon.

Question put:

That the Bill be now read a second time.

The Senate divided.

(The Deputy President—Senator D. J. Hamer)

Ayes	30
Noes	<u>33</u>
Majority	3

AYES

Alston, R. K. R.	McGauran, J. J.
Archer, B. R.	MacGibbon, D. J.
Baume, Peter	Messner, A. J.
Bjelke-Petersen, F. I.	Newman, J. M.
Boswell, R. L. D.	Panizza, J. H.
Brownhill, D. G. C.	Pater, W. R.
Calvert, P. H.	Patterson, K. C. L.
Chaney, F. M.	Puplick, C. J. G.
Chapman, H. G. P.	Reid, M. E. (Teller)
Crichton-Browne, N. A.	Short, J. R.
Durack, P. D.	Stone, J. O.
Hamer, D. J.	Tambling, G. E. J.
Harradine, B.	Teague, B. C.
Hill, R. M.	Vanstone, A. E.
Knowles, S. C.	Watson, J. O. W.

NOES

Aulich, T. G.	Haines, J.
Beahan, M. E.	Jenkins, J. A.
Bolkus, N.	Jones, G. N. (Teller)
Burns, B. R.	McKiernan, J. P.
Childs, B. K.	McLean, P. A.
Coates, J.	McMullan, R. F.
Collins, R. L.	Maguire, G. R.
Colston, M. A.	Morris, J. J.
Cook, P. F. S.	Powell, J. F.
Coulter, J. R.	Ray, Robert
Crowley, R. A.	Reynolds, M.
Devereux, J. R.	Sanders, N. K.
Devlin, A. R.	Schacht, C. C.
Evans, Gareth	Tate, M. C.
Foreman, D. J.	Walsh, P. A.
Gielzelt, A. T.	Zakharov, A. O.
Giles, P. J.	

PAIRS

Walters, M. S.	Cooney, B. C.
Lewis, A. W. R.	Richardson, G. F.
Bishop, B. K.	Sibraa, K. W.
Baume, Michael	Black, J. R.
Sheil, G.	Button, J. N.

Question so resolved in the negative.

IMMIGRATION POLICY

Debate resumed.

Senator COLLINS (Northern Territory) (10.51)—When I finished the first part of my contribution I was talking about the position that had been put by the Lord Mayor of Darwin, Alec Fong Lim, on the immigration debate. The report in the Adelaide *Advertiser* last week states:

Mr Lim says the NT is the most 'harmonious and homogenised' community in Australia.

'There is no racism or discrimination against any nationality here', he said. And he doesn't take too kindly to all of this talk of restricted immigration.

'My philosophy has always been the same', he said in his Darwin office. 'I believe there should be a balanced migration policy.'

'I don't believe that any race should dominate.'

'And the main reason that people are allowed into Australia should be that they contribute towards the advancement of Australia'.

I do not think I could say it any better myself. If the Opposition is to emerge with any kind of credibility at all—having regard to all the sentiments that have been expressed by the Opposition during this debate, all the honeyed words that we have heard about how everyone else misunderstood what members of the Opposition have said—unless there is a complete repudiation during this debate of the very specific statements made by Senator Stone and by Mr Sinclair, all of the honeyed words will avail the Opposition nothing. I must say that it must be an extremely uncomfortable experience—I have said this before—for the Leader of the Opposition (Senator Chaney) to have Senator Stone sitting behind him. It must be even more uncomfortable for John Howard to have Senator Stone sitting behind him. In fact, every time I look at Senator Stone these days I am reminded of that old song *Never Smile at a Crocodile*. The reason is, of course, that we have a crocodile in the Northern Territory.

Senator Stone—You are letting your imagination run away with you, Bob.

Senator COLLINS—Not at all. We have a freshwater crocodile in the Northern Territory whose correct name is *Crocodylus johnstonii*. It is a very nasty little critter with a big mouth full of sharp teeth. Reputedly, it is not a people eater—I hope honourable senators noted my impeccable non-sexist language—but there is always, of course, an exception to the rule, and that is likely to be proved in the Senate, for the first time in Australia, in respect of this species.

It is not unfair or unreasonable to draw a conclusion from the comments made by Mr Howard as to precisely what he was talking about, even though he now declines to be specific. Mr Howard, after doing his back-

flip, went on to say, in an interview on television that I saw, that one of the other things he is disturbed about is the establishment of 'enclaves in Australia', and that he will discourage the establishment of enclaves in Australia.

Senator Panizza—Are you going to encourage them?

Senator COLLINS—I am pleased to hear that interjection. How does the honourable senator suggest that we break up enclaves in Australia? This is a very selective use of the word 'enclave'. What are we really talking about? I find it particularly offensive. For example, my wife comes from an enclave which is 20 minutes flying time to the north of Darwin. It is an enclave of 2,000 Australians who do not speak English as a first language. They are called the Tiwis. In fact, there is a magnificent collection of photographs of these people here in Parliament House. Does John Howard see them as posing some threat to being Australian? There is another enclave of Gumatj people at Yirrkala—500 or 600 people who do not speak English as their first language. They all live together because they speak the same language which is not ours and share the same goals which are not ours. They do not pose a threat to Australia. One enclave in Australia that I am sure John Howard will not break up is the Melbourne Club.

The fallacy of this argument and of this business of breaking up enclaves and of 'one Australia' is that somehow, if people retain their personal identity, if they retain their ethnic identity, that poses a threat to Australia. It is not a threat to this country. It is a magnificent contribution to it. If one puts the two things together, one sees how dangerous this debate is. The problem with John Howard is that he is trying to turn back the clock at least 100 years and not live in the real Australia of 1988. He is saying that if two people who speak Chinese want to live together, he will discourage that because that is an enclave. Of course, if 5,000 people who speak English live together, that is not an enclave. It is only an enclave when the group does not speak the English language.

If one then looks at this nonsense of 'one Australia', what does one find in that proposal? John Howard's view of this country

is so unrealistic and so out of touch with the times. If we are to have John Howard's view of Australia imposed on us—one Australia and no enclaves—we will have 16 million diminutive, grey-suited Australians, all wearing glasses and voting for the Liberal Party. That would be a fairly horrible thing to contemplate. If it ever happened we would have a wizard instead of a Prime Minister and we would be known as Munchkin-land. It is a particularly idiosyncratic and unrealistic view of Australia today.

When I was at school the debate was all about Italians and Greeks. Of course, they lived in enclaves too. The Italians tended to live together and the Greeks tended to live together, but did their children continue to do so? No. It is not unrealistic or unreasonable for people to feel comfortable being with people who speak the same language and share the same sorts of aspirations. The fact is that the children of those generations—the debate was running just as hot then about Italians and Greeks—have integrated very successfully with Australian society, just as the children and grandchildren of the Asian immigrants who have come to Australia in the last decade will do. The fact that they may choose to live together does not pose a threat to this country. It adds a considerable amount of enrichment to it.

We all have our own idiosyncratic views on immigration. I would say that if I were the Minister for immigration and I wanted to impose a sensible immigration policy to satisfy my own particular prejudices—we all have them—I would ban anyone taller than 5 feet 8 inches from coming into Australia. One of the nice things about my Asian constituents is that at least I can look most of them in the eye. Eye contact is very important for a politician. I would have thought that John Howard would have been in favour of immigration from Asia for the same reason.

Senator Vanstone—He is a bit taller than your Prime Minister, so that joke does not do you any credit at all.

Senator COLLINS—It is not a joke; it is a serious comment on the nonsense about enclaves, breaking up enclaves and 'one Australia' that John Howard is peddling. It is based on a false premise and on an unreal

view of Australia in 1988. It does not relate to the Australia we know today; it relates to the Australia of 100 years ago. Opposition senators cannot expect to get away with the Leader of the Opposition saying specifically on national radio that it was Asian immigration to which he was referring, they cannot look at the statements made by the leader of the other major coalition party in the House of Representatives and the Leader of the National Party of Australia in the Senate (Senator Stone), both specifically saying that it was Asian immigration that was going to be cut back, and then, one short week later, have the Leader of the Opposition saying, 'We are not talking about that now. We are going to discriminate selectively, but I am not going to say at this stage which group we are going to discriminate against'. It is a nonsensical position to put and, as I said before, unless during this debate tonight there is a specific repudiation of the very clear statements that have been made—and I give Senator Stone and Mr Sinclair at least that much credit—the Opposition's position will fall flat on its face, as it deserves to.

The great difficulty with this debate, as the Uniting Church of Australia and I think other members today have pointed out—and this is the position that has come home to me particularly in the Northern Territory—is the enormous hurt and distress that it is causing for the Asian Australians that we already have in the country.

Senator Stone—No, you are causing.

Senator COLLINS—I am not suggesting that these issues should not be debated. But let us look at the way in which Professor Geoffrey Blainey has heightened this debate, aligned with John Howard. I note in passing that Geoffrey Blainey is now actively engaged in the referendum debate as well as the migration debate.

Senator Stone—He is an academic. He is a great Australian; he cares about the people of Australia.

Senator COLLINS—I think I can say comprehensively that he has now formally given up his former status as a first-rate academic and has become a second-rate conservative politician instead.

Senator Vanstone—Why? Because he doesn't agree with you?

Senator COLLINS—That is exactly right. It is my opinion and I am here to express it. Honourable senators opposite will get a chance to express their opinion in a minute. The way in which the debate has been handled has hurt and distressed a great many people. After I received the representations that I did from the Lord Mayor of Darwin, Alec Fong Lim, I was approached by two Vietnamese friends of mine who have been Australian citizens for 10 years and who run a service station. They said to me, 'We have lived in this country for 10 years. We are Australians. We have been exposed to some anti-Vietnamese sentiment from Joe Bloggs, Bill Smith and Fred Nerk over those 10 years'.

Senator Panizza—What is new about that?

Senator COLLINS—I will explain in a minute what is new about that. They said, 'We ignore that because all of us have our own prejudices. That is no problem. But this is the first time in the 10 years that we have been Australian that we do not feel welcome in this country'. The difference is this: when it is Joe Bloggs, Fred Nerk or Bill Citizen saying it, it is really not that important. When it is the leader of the alternative government of this country saying it publicly, it is extremely important indeed. It goes deep and it hurts.

Senator Puplick—What speeches did you make defending Whitlam in 1977? You were in public life then.

Senator COLLINS—I have canvassed that matter. I am happy to engage in a bit of political history, which interests me a great deal, but I refer the honourable senator to the *Hansard*, as he was out of the Senate when I covered this matter in my opening remarks in this debate.

Senator Vanstone—In part.

Senator COLLINS—Let me repeat it. I do not see any reason why we do not want to turn the spotlight on the history of the attitude of the Australian Labor Party towards these questions over the years. The Australian Labor Party was founded on a basis of racism. Some of the early recruitment posters for the Labor Party make very interesting viewing these days. Is that a reason to say now that those people were dreadful bigots and racists? No. As I have said, it

was 80 years ago and they were a small group of Anglo-Saxons who were transported 12,000 miles from the mother country and who felt extremely insecure. It is not very difficult to understand that. I commend Senator Evans for the way in which he handled that matter in Question Time yesterday. I belong to that generation and I also belong to a very big ethnic family. I am Irish-Catholic-Labor, and there are a lot of us about too. We are a big family. Look at the prejudice over the years against Irish people. It is true that we all have our own prejudices, but when those prejudices are espoused and run by prominent figures in public life in Australia they take on an entirely new meaning.

In conclusion, the Leader of the Opposition asked at the beginning of this debate why the Government had brought on this debate in the Senate. The reason that the Government has brought on the debate in the Senate at this time is that a great many Asian Australians have been deeply hurt and distressed by the way this debate has been carried on so far. I think it was essential for the Government of this country to place fairly and squarely on the public record the fact that these people are welcome in this country and that this Government appreciates the great contribution they have already made.

Senator SHORT (Victoria) (11.06)—We are debating a motion brought forward by Senator Button to which we on this side of the Senate have moved an amendment. Senator Button's motion is really a very sad motion. Firstly, it is nothing else but blatantly political. It has nothing to do with encouraging or furthering rational debate of Australia's immigration policy. It is an attempt to provide a diversion on the day when the Leader of the Federal Opposition, Mr Howard, has formally replied to the Budget and, I might say, has taken the Government's whole economic strategy to pieces and spat it out. No wonder the Government was seeking a diversion! Perhaps above all else, this motion is sad because it is divisive. It is pitting Australian against Australian on an issue of great sensitivity and importance to the Parliament and the people we here represent and, therefore, our nation. As well

as being sad, the final prescriptive paragraph of the motion is nonsensical. It states:

The Senate gives its unambiguous and unqualified commitment to the principle that whatever criteria are applied by Australian governments in exercising their sovereign right to determine the composition of the migrant intake, race or ethnic origin shall never explicitly or implicitly—

and I stress those words—

be among them.

That is nonsensical, because all immigration policies must result in some form of discrimination. By definition, an immigration policy restricts most applicants from being accepted. Last year we had more than one million people from overseas seeking to come permanently to Australia. How many could we accept? We could accept about one-tenth.

Senator Crichton-Browne—And there were quotas from each country.

Senator SHORT—I will come to that. The inevitable consequence of this selective necessity is that the composition of the migrant intake from time to time will favour one race or country of origin over another. It is inevitable. Whilst the criteria may not be explicitly based on race or country of origin—nor should it be, I stress—it is implicit that this may result. We have seen some classic examples of that over recent years, particularly during the period of this Labor Government.

In May 1983, two months after this Government came to office, it changed the migration policy in a radical way by changing the migration point system. Let me quote from the 1982-83 annual report of the Department of Immigration and Ethnic Affairs, which was produced after the Hawke Government had come into power. At page 25, under the heading 'The Migration Point System', the report states:

The changes to immigration policy by the incoming Government took effect from May 1983 and involved the following alterations to the points system used in the selection of migrants.

There were something like 10 changes made. Let me just read three of them. First, the English language requirement was dropped totally.

Senator Stone—We now have to pay taxes for English training.

Senator SHORT—That is a factor too, Senator Stone, but the English language requirement was dropped completely. The occupational demand factor in selecting family migrants was dropped completely. The points for the lesser educated migrant applicants were increased and less emphasis was given to migrants possessing amounts of capital for transfer to Australia. There were other changes as well, but the net effect of those changes to the criteria that were adopted for our migration policy was staggering in two ways; first, in the balance of the program between different categories and, secondly, the flow on effect in terms of country of origin of the migrants. For example, in terms of immigration by category, the figure in 1981-82 of 17.5 per cent for the category of family reunion—which admittedly jumped to about 26.5 per cent in 1982-83; and the Fraser Government was not in power for most of that time—rose progressively in the ensuing years until in 1986-87, which is the last year for which I have full figures, the family reunion category accounted for 50.4 per cent of the total migrant intake.

That happened because of the changes I mentioned earlier in the migrant points score but also, very importantly, because the family migration program and category was widened so that family migration came to apply to the spouses, unmarried children, fiancés and fiancées, parents, non-dependent children and brothers and sisters of residents of Australia. When there is a change in categories of that magnitude, there is an inevitable change in the balance of the migrant intake. That is inevitably reflected as well in the country of origin. So we find, for example, that in 1982-83—the last year of the Fraser Government—migration from the United Kingdom and Ireland accounted for 29.2 per cent of the total. In the last full year, 1986-87, it was down to 19.4 per cent of the total, and I think in 1987-88—although I have not seen the final figures—that figure will now be more likely to be of the order of 17 or 16 per cent. On the other hand, the change in the intake from Asia rose from 26.3 per cent in 1982-83 to about 34 per cent in the year just completed.

Senator Stone—That was the gross figure. The net figure would be even more striking.

Senator SHORT—I think that is right, Senator Stone. I am quoting figures compiled by the statistics group of the Parliamentary Library Legislative Research Service. The point I am making—even though one would not want to hang on each decimal point of those figures—is that the change in the criteria of this Government had an enormous effect on the pattern of our migration program and therefore consequentially and inevitably it had an effect on the racial—or to use a more accurate term ‘the country of origin’—mix of our migrant population. I do not say that in any pejorative way. It is an automatic consequence of what happens when the criteria for migrant entry are changed without in any way necessarily seeking to be racist. I am not accusing the Government of doing that in any way, but for the Government to wash its hands and say that it has had no racial connotations in what it has done in its migration program is absolute nonsense.

Senator Stone—That was done by the Minister whom 15 months later they sacked.

Senator SHORT—That is right. Let me just give two examples. I quote from the *Sydney Morning Herald* of two days ago—23 August—in a report of a debate on business migration. Basically it was said—and I have not seen it denied—that Mr Michael Bonney, until last month the director of the Department of Immigration’s permanent entry planning section, said, ‘The argument is what proportion should come from which country’. For this Government to say that it is not looking at the composition on a country of origin basis of its migrants is absolute and sheer nonsense. Honourable senators opposite know as well as we do that that is a simple lie. Three years ago the then Minister for Immigration and Ethnic Affairs, Stewart West, addressed a public meeting in Wollongong in the front row of which were a large number of migrants from Vietnam. The Minister in the course of his address pointed to them and said, ‘You are right-wing migrants from Vietnam. I am going tomorrow to get 5,000 left-wing migrants from Chile’.

Senator Stone—And he went out and did it.

Senator SHORT—That is a fact. That is on public record. And he went out and did

it. If ever there was a more blatant racist statement by an immigration Minister I would like to hear it. A fundamental reason for the Hawke Government's immigration policies which have produced these discriminatory effects has been Labor's deal with the trade union movement as enshrined in the guidelines of the accord. Those guidelines downgraded the skilled migrant intake. They did it because of trade union pressure on the Government. I have already quoted the figures to show the dramatic impact that that has had on the actual numbers and categories of migrants, their countries of origin and therefore race. Yet the Hawke Government has sought to trivialise these matters of grave national importance by accusing anyone who expresses concern of being racially prejudiced.

Not only has the Government discriminated in this way; it has also discriminated through its administration of policy. It has done this by deliberately refusing to process applications from certain posts or by so understaffing those posts that the inevitable consequence has been highly restricted numbers from certain categories. Not only that; the Government has also changed the ground rules of the points system overnight by raising the cut-off level to 80 points from the previous 70 points. This, as we would all know as representatives in our own constituencies, has caused much pain to families who have gone right through the migration program and obtained their 70 points, only to be then denied successful application. In many instances this has occurred as a result of a deliberate delay in the finalising of the application by the Department of Immigration, Local Government and Ethnic Affairs.

Before I return to the motion before the Senate, let me comment briefly on the role of the media in recent weeks in reporting and commenting on the migration issue. Rather than reporting on the substance of the issues involved and the substantial comments made by all sides, the media has only been interested in drawing blood. They are not interested in what people say; only with how it conflicts or agrees with the other side. I know what the headlines are going to be in the media tomorrow on the immigration debate that has taken place in this chamber today and in the House of Representatives.

There will be not one word of substance about the meaningful and serious debate that has taken place. What we will see will be reports on who voted which way and the politics of the issue, rather than the substance. I believe that the Australian media in their handling of this immigration issue stand absolutely condemned.

I want to support totally the amendment moved to the motion by Senator Chaney. That amendment makes absolutely clear the fundamental tenets of the coalition's approach to immigration policy. I will read those fundamental tenets from our policy and from the amendment that Senator Chaney moved today. I will take them in the order that I regard as the logical order of importance. The first tenet is that our policy: confirms a total commitment to equal treatment and equal opportunity for all Australians regardless of race, colour, creed, or country of origin within the framework of a just and tolerant society.

• • •

In selecting between one individual and another immigration policy will not discriminate against applicants on the basis of their race, nationality, descent, national or ethnic origin, gender or religion.

• • •

The standard for eligibility and suitability of migrants should reflect Australian social mores and Australian law.

• • •

Migrants will be expected to respect the institutions and principles which are basic to Australian society, including parliamentary democracy, the rule of law and equality before the law, freedom of the individual, freedom of speech, freedom of association, freedom of assembly, freedom of the press, freedom of religion, equality for women, universal education. Reciprocally, Australia will be committed to facilitating equal opportunity for participation of migrants in society.

• • •

Policies governing entry and settlement should be based on the premise that migrants want to integrate into the Australian society. Migrants will be given every opportunity, consistent with this premise, to preserve and disseminate their cultural heritage.

That is a very important basic tenet. I shall come back to that in a moment. The coalition, in laying down those tenets, also:

confirms that it is the very essence of national sovereignty that only the democratically elected government has the right to determine the overall and the specific composition of our migrant intake;

Also, we confirm:

. . . without qualification, that it must be the role of the elected government, acting on behalf of and with the support of the whole community, to make the final and absolute decisions on who will or will not be granted entry to Australia on a temporary or permanent basis;

We also confirm, following from those principles:

. . . that any government must reserve the right from time to time to vary and alter policy, including adjustments to the size and composition of the immigration program in response to changing requirements, be they social, economic, political or humanitarian;

Much has been made in recent weeks of that last point. That point is specifically included in our policy for the first time. But it follows automatically from the long-stated principles that the Australian Government alone decides who can enter Australia. The staggering thing to me about this debate and the blood that has been sought and the hysteria that has been whipped up in the media about these matters is that those principles are in essence principles that this Government follows. I quote from the latest annual report of the Government's Department of Immigration, Local Government and Ethnic Affairs. On page 54, under the heading 'Nine Principles', it is stated:

Nine fundamental principles underlie Australia's immigration policy:

Surely they are the principles of the present Government. The first says:

the Australian Government alone decides who can enter Australia;

We say that. Secondly:

migrants must be able to make some contribution to Australia, although this will not always be a major consideration in the case of refugees and family members;

We say that; we always have. Thirdly, it says:

the migrant intake should not jeopardise social cohesiveness and harmony in the Australian community;

That is precisely what we are saying in our policy. Fourthly:

immigration policy and selection are non-discriminatory;

We say that too; that is our policy. Fifthly: applicants are considered as individuals or individual family units, not as community groups;

That is our policy. Sixthly:

suitability standards for migrants reflect Australian law and social customs;

That is what we are saying. Where is the difference? Seventhly:

migrants must intend to settle permanently;

Again, that is specifically written into our policy and has been for 10 years. I am sorry that Senator Collins is not here to hear the next one. He raved on about what we were saying and talked about enclaves. I quote this policy principle:

settlement in closed enclaves is not encouraged;

So what on earth was Senator Collins talking about?

Senator Stone—He hasn't even read his own policy.

Senator SHORT—No, he does not even know his own policy.

Finally, the ninth principle of the Government:

migrants should integrate into Australia's multicultural society but are given the opportunity to preserve and disseminate their ethnic heritage.

Again, that is one of the essential principles of the coalition policy which has existed for 10 years and which has been reaffirmed in the policy that has been released in the last few days. So the hypocrisy, the cant and the misinformation on this matter is absolutely criminal, and the Australian Labor Party and the Hawke Government stand condemned before the Australian people for what they have tried to do in terms of dividing this nation over this immigration policy debate in recent days. The Prime Minister (Mr Hawke) agrees with the undeniable fact that any sovereign country has the right to determine who will be allowed to live in that country. When he was President of the Australian Council of Trade Unions in 1977 he said:

Of course we should have compassion, but people who are coming in this way are not the only people in the world who have rights to our compassion.

He was talking about the boat people. What a way to put that point to people beside whom we had just fought in a war and who had suffered injustices, intolerances, privations and hardships unknown to virtually every other people in the world. He then said:

Any sovereign country has the right to determine how it will exercise its compassion and how it will increase its population.

If that is not a ringing declaration that the government of the day or a sovereign nation can determine its policies, then I do not know what is. I would like to quote from the editorial in today's *Australian*, because I believe that, despite my earlier comments about the Press, from which I do not resile in any way, some very wise, very sensible and very balanced statements have come out from time to time. Today's *Australian* editorial is, to my mind, very much one of those. Its heading is 'Migration: Liberal policy is correct'. I seek leave to have this editorial incorporated in *Hansard*.

Leave granted.

The document read as follows—

Migration: Liberal policy is correct

"The immigration policy adopted this week by the Federal Coalition embodies a commitment to Australia's national integrity and traditions. It contains no suggestion of racial prejudice and declares its dedication to "equal treatment and equal opportunity for all Australians, regardless of race, colour, creed or country of origin within the framework of a just, tolerant society".

This policy should not cause offence to anyone who is not actively seeking an excuse to be offended. It is a policy that deserves public support.

However, although the policy that has now emerged emphasises the positive qualities of the Coalition's approach to immigration, it was originally because of what was said by prominent Liberal and National Party politicians that what should have been a valuable and constructive debate has been drowned in cries of "racism".

It should require little judgment, experience or historical knowledge to know that, if one ethnic group is singled out for seemingly adverse comment, this will be regarded by members of that group as a collective slur and will be taken by those who are prejudiced against that group as encouragement to show their hostility towards it.

When Mr Howard voiced his opinion that Asian immigration should be reduced, as if this were self-evident and without offering any justification other than that some people do not like it, he should have expected a raucous response.

His uncompromising refusal to resile from that statement seemed to reinforce the impression he had given of being unfriendly towards Asians. The subsequent comments of some of his colleagues must have been hurtful to many good Australians of Asian descent or origin and made it inevitable that immi-

gration policy would be discussed in an atmosphere of strident confrontation.

Nevertheless, now that the policy document has been presented, the essential elements of the Opposition proposals can be seen to be sensible and desirable and to contain nothing that can reasonably be described as reflecting racial prejudice.

No self-respecting nation could settle for less than the Coalition's declaration that "it must be the role of the elected government . . . to make the final and absolute decisions on who will or will not be granted entry to Australia on a temporary or permanent basis".

No Australian concerned for this country's future could dispute the Coalition's belief that our immigration program should reflect "Australia's national interest".

There can be no reasonable objection to the proposition that "any government must reserve the right from time to time to vary and alter policy, including adjustments to the size and composition of the immigration program in response to changing requirements, be they social, economic, political or humanitarian.

Australia should not allow itself to be bluffed into surrendering its national sovereignty by reports that some of our neighbours to the north, few of whom are models of racial tolerance, will take economic reprisals against us if we follow an immigration policy designed to preserve our cultural and political traditions and our social cohesion. But it should not be necessary to remind ourselves that, if our politicians make disparaging comments about Asians, we shall not be able to retain good relations with Asian countries.

Provided that the Coalition is able to explain its immigration program coolly and unemotionally, most reasonable, non-racist Australians are likely to agree that the policy is basically right.

Senator SHORT—As well, I would like briefly to read parts of it.

Senator Gareth Evans—You have already incorporated it. No-one is listening. Come on.

Senator SHORT—It is about time Senator Evans listened to some of the things being said. I hope that, when the honourable senator becomes Foreign Minister, he adopts a more balanced, objective anti-discriminatory policy in his area of responsibility than has been the hallmark of the Government over the last five years. I quote:

The immigration policy adopted this week by the Federal Coalition embodies a commitment to Australia's national integrity and traditions. It contains no suggestion of racial prejudice and declares its dedication to "equal treatment and equal opportunity for all Australians, regardless of race, colour,

creed or country of origin within the framework of a just, tolerant society".

This policy should not cause offence to anyone who is not actively seeking an excuse to be offended. It is a policy that deserves public support.

After describing some of the untruths of recent days, the editorial goes on to say:

Nevertheless, now that the policy document has been presented, the essential elements of the Opposition proposals can be seen to be sensible and desirable and to contain nothing that can reasonably be described as reflecting racial prejudice.

No self-respecting nation could settle for less than the Coalition's declaration that 'it must be the role of the elected government ... to make the final and absolute decisions on who will or will not be granted entry to Australia on a temporary or permanent basis'.

No Australian concerned for this country's future could dispute the Coalition's belief that our immigration program should reflect 'Australia's national interest'.

There can be no reasonable objection to the proposition that 'any government must reserve the right from time to time to vary and alter policy . . .

It states the rest of what our policy says on that. It states other elements of our policy which I will not read because I have already incorporated the article. That editorial reflects what this policy is about, what my party is about. My party, the Liberal Party, has a great and proud history in terms of its immigration policy over the last four decades.

Harold Holt was the first post-war Liberal Immigration Minister. He was a great Immigration Minister. He took over from a man for whom I also have great respect as an Immigration Minister—Arthur Calwell—and administered for eight to 10 years a migration program which was non discriminatory, which was tolerant, which was compassionate, and which allowed people to come to this country from a multitude of countries around the world. They were the displaced peoples of the world, the people who needed a home, a refuge, a new life. He allowed people to come here who could contribute, and who chose to come here to make a better life not just for themselves but also for the nation. That is the hallmark and the basis on which the future of this nation has been built over the last 30 or 40 years. Harold Holt was followed by a succession of other eminent immigration Ministers, and he capped off a great record for the Liberal

Party by being the Prime Minister at the time of the abandonment of the obnoxious white Australia policy in the late 1960s. So I am very proud of my party's record and history on immigration policy and I remain equally proud of it.

I spend a great deal of time as a senator with ethnic communities and with people whose origins are from other countries. An important element in that is working with and greatly enjoying contact with the Vietnamese community, along with the Italian, the Greek and many of the other 140 communities in my city of Melbourne, that have contributed Australians to building a better Australia, one Australia. Everywhere I go, every time I talk, including in the last few weeks, I find an understanding of what we are about. I find that the people who live in this country, who have come to live here, who have chosen to live here, for whatever reason, see our policy as a compassionate policy, a policy directed to tolerance, directed to building the cohesion that is absolutely necessary if we are to become the sort of nation that everyone in this place and everyone in this nation really wants. We cannot have a true nation unless we have one nation. We must have a united nation, otherwise the path forward for that nation is cloudy and fraught with difficulty. One of the great contributors to developing that one nation is the cultural enrichment and diversity that goes towards making up an intelligent, interesting, diverse, tolerant, compassionate and vibrant society. The policy of the Liberal and National parties that has been released in the last few days does that. I utterly deny any suggestion from anyone on either side of this House that the policy is racist in any way. I would not be a member of the Liberal Party if I believe that. What it does is stress Australia's national interest, our sovereignty, our right to determine our own future, a future in which tolerance and social cohesion go hand in hand with cultural diversity and enrichment to build a united Australia for all Australians regardless of their race, colour or creed—one Australia.

Senator BOLKUS (South Australia—Minister for Consumer Affairs) (11.36)—It is with a certain degree of sadness that I have to rise tonight to participate in this

debate. My starting point in politics is that we have responsibilities over and above cheap political tricks. We have responsibilities not only to our nation but to the world community. My starting point in terms of responsibility to individuals—and Senator Stone shakes his head because he does not understand these sorts of things; they do not mean dollars and cents—is that we should treat all individuals equally. Each individual has a right to be treated equally without discrimination on the basis of race, colour, creed or country of origin. It is important for me to rise tonight because I was one of those brought up in the 1950s in Adelaide in an environment which was as hostile as the one that is being created at the moment.

I grew up in an environment in which we felt the impact of innuendo and indirect statements. We could understand the barriers that were imposed on individuals because of that. We could see how characters were repressed and destroyed because of that sort of environment. We understood the lack of pride that was imposed on people because they felt they were second class citizens. We understood the sort of division that was created in families between children and parents because of the two cultures that they had trouble coping with. We understood also how those sorts of effects could infiltrate a society and create the enclaves and the social problems that the Opposition does not want. (*Quorum formed*)

The ACTING DEPUTY PRESIDENT
(Senator Powell)—Before I call Senator Bolkus, I call upon all honourable senators in the chamber to allow the debate to proceed in a fashion which will bring some credit to the chamber. I call Senator Bolkus.

Senator BOLKUS—I was saying that it was with some sadness that I rose in this debate. I do so with some pride and regret also—pride because the motion before the Senate embodies a tribute to the late Harold Holt and the bipartisanship in Australia's immigration policy over the last 20 years, and regret because of the circumstances in which we are debating this motion here tonight. We are not debating it because we feel some joy in having a non-racial immigration policy or in recognition of any benefits accruing from that policy; we are debating it because of a very great concern that the

whole basis of the bipartisanship in our immigration policy is under threat.

It has been pretty hard to sit here and listen to the expositions from the other side of the chamber. It cannot be denied that the Leader of the Opposition (Mr Howard), in initiating this debate, fresh from his sojourn overseas, lit a bushfire of dissent, division and discrimination. He is not trying to deny that he lit it. He will not do that. He is saying that he raised a quite proper point of policy. But we cannot deny that by raising this sort of policy he has lit a bushfire which is hurting the social fabric of Australia.

Let us see how this debate started, despite the rhetoric of recent moments. Let us also look at the context of the debate. Four years ago John Howard made in the House of Representatives a speech which was recognised as one of the best speeches in his career and in which he quite enthusiastically embraced the principles of non-racial immigration and multiculturalism. His were fine words, but the trouble is that they were spoken four years ago. Earlier this month when Mr Howard talked on radio about immigration he did not embody the same principles. In talking about Asian immigration, his precise words were:

I wouldn't like to see it greater . . . I do believe in the eyes of some in the community, it's too great. It would be in our immediate term interest and supportive of social cohesion if it were slowed down a little . . .

We should consider these words carefully. In saying what he said, the Opposition Leader has not shown the qualities of a real political leader. He has said basically that he is a political follower. In that answer there was no embodiment of the principle of a non-racial policy. There was not one hint of the community responsibility which all of us in this place should have. What we saw was, through the politics of a nod and a wink, the fanning of the flames of dark forces in our society. John Howard was not quoted out of context. Later, on 11 August, he went on to repeat his culpable sin. He said:

My great sin in the eyes of commentators is to publicly acknowledge that there may be a case for slowing down a little the rate of immigration from Asia in the interests of maintaining public support for the immigration program.

He did not back down from those words. The flames of this debate have been fanned with innuendo and inference. There is no doubt about what is embodied in what Mr Howard said. After all, he has not censured any of his colleagues. He has not censured Senator Stone. Let us not forget what Senator Stone has said in this debate:

Asian immigration has to be slowed. It is no use dancing around the bushes.

A few days later the great interpreter, Senator Stone, defined the policy statements of John Howard as:

That—

meaning the policy—

will require a reduction in what has become the excessively high proportion of immigrants from Asia in that stream.

Some Opposition members have repudiated that statement by Senator Stone, but the basic point is that the Opposition Leader has embraced the philosophy of the National Party once again.

Senator McKiernan—Actually endorsed it.

Senator BOLKUS—And endorsed it. Today we have seen some members of the Opposition in the House of Representatives support the principle of a non-racial policy. We in the Government pay tribute to those in the Opposition parties who want to restore decency to this debate. In the other place the Prime Minister (Mr Hawke) today again called on the Opposition to return to a bipartisan policy. That is one thing which we on this side of the Parliament all support.

It is quite ironical that Liberal identities such as Malcolm Fraser and the New South Wales Premier, Nick Greiner, also find the current direction of the Opposition, led by Senator Stone and John Howard, distasteful. In looking at true Liberal Party values we are looking at the policies that have endeared the Liberal Party to some people in this community. The policies of non-racial immigration and multiculturalism are two of those. Let us not forget that it was Malcolm Fraser's Government which carried the torch that was lit by Gough Whitlam, Don Dunstan and members of the Whitlam Government. Let us not forget that they are the ones who pushed for a multiculturalism policy in all sorts of areas from broadcasting to education. Nick Greiner is saying, and we on

this side of the Parliament are saying, that we should recognise that Australia's strength is a result of our diversity through multiculturalism.

Let us have a close look at what opened this debate and a close look at the principles underlying what Mr Howard has set forth. I said earlier that he had done this by inference and innuendo, but it is the danger that has been set loose that worries me. It is no coincidence that in South Australia today, in response to a couple of instances in South Australia of racist attacks, people who have been supporting a non-racial policy have had their houses fire bombed. An article in the *Advertiser* states:

Police said that racist attacks—which increased last year during a national debate on immigration—had risen again in the past two months, particularly since the row over the Federal Opposition's 'One Australia' policy revived this issue.

John Howard has made a number of inferences. He has alleged that multiculturalism has led to a divided Australia and divided loyalties amongst Australians. He has not said which community group has those divided loyalties. He has not said which group is not loyal to the Australian way of life. He denies, however, that the whole concept of that multiculturalism is very much the basis of mechanisms that recognise that people in our community need to have avenues of communication and avenues of understanding developed and barriers removed. The multicultural nature of Australian society, with our 130 different national groups, has been very much at the basis of that.

Last week I was with a group of Greek people who have been in Australia for quite some time but who are very much a close-knit society. They maintain close bonds. Some might call them an enclave. The thing that struck me about that society was that its members had made a major contribution to the Australian society outside the contribution to their own community. In the areas of business, community leadership and even in some instances—as was the case with the people with me that day—at the forefront of Australian rules football, they have made a contribution to society far outside their close-knit community. We are told by the Opposition that those people have a right to preserve their Greek customs and language

within their own family. The basic principle of Australia's multicultural society is that we all understand each other; that we all understand the diversity and both gain from it and support it. The Liberal policy does not acknowledge that principle at all.

Mr Howard's second inference was that the immigration mix has caused a lack of social cohesion and has caused tension. Mr Howard did not say where that was taking place. He provided no evidence of any breakdown in social cohesion. Once again, he made a suggestion, he winked and he walked away from it. I believe that Australia has one of the most successful blends of people from throughout the world—people from 130 countries. We have always known that there has been concern about immigration policy. As I said earlier, we knew about it in the 1950s. We hear now the same sorts of slurs that were tossed around in those days. But the difference now is that we do not have that principled, moral leadership from the other side that can help to overcome the sorts of problems that will always be there. What we do not have is political leadership which eases people's fears and doubts and gives them reassurance to work together at a national level. What we have actually seen in this debate led by Mr Howard is the politics of division.

Mr Howard's third claim was that our foreign policy is driven by an agenda which puts greater weight on what various ethnic communities might seek or desire, rather than the correct and proper foreign policy considerations. I take offence at that. I have looked through policy considerations and foreign policy decisions that this Government has made. Mr Howard has not made one specific allegation of which foreign policy decision has been motivated by this sort of consideration. Once again, he has left it to a nudge and a wink. To me, there is only one policy decision that might be seen by Mr Howard to be a response to community concern in this country, and that is the decision about Cyprus. Is Mr Howard saying that our country's stand on Cyprus is wrong? Is he saying that it is based on anything but the indisputable fact that Cyprus was invaded by Turkey? He will not say that. In this area and in his other two levels of inference, Mr How-

ard is short on specifics and long on nudge and wink.

Let me turn to the family reunion policy. The group of Greek people with whom I spent time last week would never have arrived in Australia had it not been for a family reunion policy that allowed them in. This current wave of migrants, wherever they come from, also has a right to be with their families and to develop Australia because of it. Those Greek people were not skilled. They did not have the millions or hundreds of thousands of dollars to bring into this country; but we cannot deny that they have made a major impact in our society. One cannot deny the fact that this current wave of migrants is doing the same thing. One has only to look at the *Business Review Weekly* list of Australia's top 100 people to see that, out of the top 12, eight came here in situations which would not qualify under the sort of direction with which Mr Howard is leading the Liberal Party.

The bottom line in this debate is that, both as communities and as individuals, immigrants have contributed to Australian society. As individuals, they have filled leading roles in government, business and community affairs. Our communities have contributed to the richness of what is Australia. Take the ethnic communities out of Melbourne and what have we got?

We talk about a bipartisan policy and what this country needs. The basic problem we have in this Parliament—thankfully, it is so today—is that John Howard cannot achieve bipartisanship within his own party. It is those decent people in his party who are standing up against him who may save this debate.

In closing, I wish to say a couple of things. I mentioned one of them earlier in terms of a person in South Australia. I think that there is a responsibility for the Opposition to pull back for a moment and to try to understand what forms Australian society and what cultural differences there are. I think that it should apologise not only to the ethnic communities that it has insulted—

Senator Stone—Ha, ha!

Senator BOLKUS—Senator Stone may laugh. That may be his response to any degree of criticism and sanity in this debate.

Let the Opposition apologise to those who have suffered directly from the fan of flames that it has initiated. Max Walsh's Sydney house was daubed with racist slogans.

Senator Stone—Don't quote Max Walsh to us; spare us that.

Senator BOLKUS—Senator Stone disputes that. The police in South Australia are concerned about the sorts of activities that have been fanned by the Opposition's attitude in this place. In closing, let me just say I believe that Australia can be proud of its record on immigration. In the current climate it is somewhat hard to accept that it was not all that long ago that the then Minister for Immigration and Ethnic Affairs, the honourable member for Goldstein (Mr Macphee), and his Labor shadow Minister, Mick Young, toured Australia together, speaking as one, promoting multiculturalism and educating the community. I think it is very much the responsibility of the Opposition tonight and in the next few weeks to do the same sort of thing.

Senator STONE (Queensland—Leader of the National Party of Australia) (11.56)—I feel that it is a great shame that the Government should have moved this totally political motion today, in this totally political operation and that, as a consequence of it, many people will miss a lot of sleep tonight that they might otherwise have been entitled to. However, I can let honourable senators know that no members of the Opposition will be losing any sleep about the outcome of this debate. Of course, I am speaking to the amendment moved by Senator Chaney, the first two paragraphs of which are identical to the first two paragraphs of the motion moved by the Government. The third paragraph, paragraph (c), of Senator Chaney's motion 'condemns the Hawke Government's maladministration of immigration policy over the past five years which has led to public disquiet'. Indeed, I think that a stronger word than 'disquiet' might have been used, but let us settle for the terms of the amendment—'public disquiet as evidenced by the findings of the FitzGerald Committee'.

This is a Government which is now about to have its fifth Minister for immigration in five years. We had first that notable left winger, Mr Stewart West, whose deeds in

this field have already been well enumerated tonight by Senator Short in his extremely valuable contribution to the debate. He pointed out the changes made to the immigration policy, to the whole basis of the selection program, by Mr Stewart West—that well known, left wing member of the Australian Labor Party—within a few months of taking his ministerial seals, the consequences of which we are still living with. That is why even this Government found, after the consequences had become apparent to some of the other factional members of the Labor Party, that Mr West was no longer an appropriate occupant of the post of immigration Minister. That is why at the first possible opportunity he was dumped from that portfolio.

He was succeeded by Mr Chris Hurford, who led a relatively charmed life, apart from refusing to let in some people who might have competed with his trade union mates in Actors Equity at one stage, if I recall correctly. In due course he in turn was succeeded by Mr Mick Young who also suffered subsequently an untimely fate. But, to say one thing to Mr Young's credit, he did at least appoint the FitzGerald Committee to Advise on Australia's Immigration Policies—which has just reported and which has just provided the evidence for the charge of maladministration to which the third paragraph of Senator Chaney's amendment refers. Of course, he was succeeded by that other notable luminary of this Government, Mr Clyde Holding—one of the most brilliant front-benchers this country has seen, according to the notably modest language which our Prime Minister (Mr Hawke) invariably employs—who, having failed totally in his previous portfolio of Aboriginal Affairs, has now been seen to have failed in this portfolio also and has been dumped by the present Prime Minister.

Senator Collins—What has that got to do with anything?

Senator STONE—I will get to the point in due course. I ask Senator Collins not to press me. Now we are about to have Senator Robert Ray in the portfolio. I have a lot of respect for Senator Robert Ray. I seriously hope—I put this forward with total good faith—that he will bring at last to this vital portfolio an administrative capacity and a

capacity to apply himself to the policy issues which it vitally concerns; capacities which so far have been notably lacking from any of the portfolio's previous four occupants. I wish him luck in the administration of his portfolio. I mean that quite sincerely. Goodness knows, Australia needs some luck and some better handling of this vital portfolio area than it has had so far from this Government. What we have got, however, as a result of five years of maladministration, is a mess, the details of which have been delineated very clearly by the FitzGerald Committee. It is the Labor Party's administration which has produced this mess. They are guilty men and women. That is why we have had this breakdown in bipartisanship which this Government comes into this chamber and blames the Opposition for. It is this Government which has produced the breakdown in bipartisanship because it produced the immigration outcomes which have produced the community reaction, which in turn is producing the unacceptability of this Government's policies. But as soon as the Leader of the Opposition, John Howard, made some quite straightforward comments to that effect, we had the sudden recognition by the Government and by its willing stooges—to pick up a phrase that falls easily off the lips of Senator Gareth Evans—in the Canberra Press Gallery, the Australian Broadcasting Corporation and all of the other fringe dwellers of the Labor Party.

That is why we have the kind of hysterical campaign waged in the Press against John Howard and against some other members of the Opposition parties by these mouthpieces for the Labor Party. However, the really extraordinarily pleasing thing is that when one looks at the public reaction to these diatribes from Canberra in our media, what does one find? The public has ignored them. They are not in fact achieving any influence on the public. Let us get a few things straight about the debate of recent weeks.

Government senators interjecting—

The ACTING DEPUTY PRESIDENT (Senator POWELL)—Order! There are too many interjections.

Senator Gareth Evans—There will be a few more to come before this debate is finished.

Senator STONE—If Senator Evans cannot take it, he should stop handing it out. In the past few weeks I have been called a racist.

Senator Gareth Evans—Yes.

Senator STONE—Senator Evans repeats the charge. I and some other Opposition members have been smeared by the usual McCarthys of the left. We have had the kind of disgraceful cartoon which appeared in the *Australian Financial Review* on 11 August by Mr Cornwall which showed Mr John Howard at the back of a taxi enquiring, 'You speak my language?' and the taxi driver, who happens to be wearing one of those German army helmets, says, 'Jawohl, mein Herr'. That is the kind of debate which passes for rational and reasoned comment which is elicited by our media. We have had claims that the Opposition is proposing to restore the white Australia policy. I challenge anyone in this chamber to find at any time, from any spokesman for the Opposition in the past three weeks or whatever time the honourable senator like, any words that justify such a charge.

Senator Gareth Evans—'Reduce Asian migration'—John Stone.

Senator STONE—I had been under the impression, before Senator Evans began to contribute his non-mathematical remarks, that the white Australia policy was about keeping out everybody but Europeans. How that could possibly be the same as, to pick up his phrase, reducing the present proportion of people coming from Asia is beyond me, but Senator Gareth Evans no doubt is a better mathematician than I am. I do not propose to waste further time on him.

We have also had a disgraceful process involving Australian journalists projecting their views into Asia, as a consequence of which Asian newspapers and journalists have become concerned, or have professed to become concerned. Those professions of concern have then been quoted back into the Australian media. Not very long ago I had some minor criticism from some not particularly important quarter, such as Senator Evans, because I took it upon myself in the course of the visit to Australia of the British Prime Minister to contribute an article to the London *Daily Mail*. In that article I,

unlike some of the journalists who had been invited to do so, took it upon myself to defend my countrymen against the impression that had been created all over the television screens of Britain and in the British press that Australia was composed of a bunch of hooligans such as those who had harassed Mrs Thatcher when she was trying to do no more than walk down a public street in Melbourne. Some members of the media took up that cry. On this occasion our media have been doing their best to slander Australia out there in the wider world. By distorting the Opposition's views they have been projecting to the wider world a totally false and damaging impression, if it were to be believed, of what has been going on in this debate in this country. I make no bones about saying that I believe the behaviour of the journalists concerned has been disgraceful. I could spend a lot more time talking about that, but I shall confine myself to that statement tonight.

Let us be quite clear about another aspect of this debate. Again, one would not be clear about it if one listened to its reporting in our media, and still less if one listened to the hysterical views of spokesmen for the Government. The Opposition is talking about the future, not the past. I have said on several occasions—although it is instructive to note that on none of those occasions have I been reported—that as far as the Opposition is concerned any person who is already legally in this country has nothing whatsoever to fear from the policies now being enunciated by the Opposition. It does not matter where he or she came from, whatever the country of origin, ethnic background, cultural heritage, native language, skin colour or, to use one of the other identifying marks that some people seem to find interesting, the angle of the eyes, all those people who are in this country today are, as far as I am concerned—and I am sure I speak for every Opposition member in this regard—all Australians; they are all our fellow Australians. If they have been legally admitted to this country they have the right—and I hope they will avail themselves of that right—to become citizens of this country in due course.

Senator McLean—They have got to get in first.

Senator STONE—I am talking about the people who are here today. Let us not have any nonsense about the Opposition's policies creating threats to people who are here now. Let us not have members of the Government, or members of the press for that matter, running around trying to instil fear into the ethnic communities who are here at present. I heard Senator Collins today talk about the situation in Darwin. Senator Collins is normally a senator to whom I listen with great interest as he generally has something worthwhile to say. But I must confess that I became a little tired of Senator Collins continually harping about what somebody had said to him in Darwin. Why did Senator Collins not set this man's fears at rest, as he could easily have done by simply looking at what the Opposition had been saying?

What the Opposition is talking about is the future. What the Opposition insists on so far as that future is concerned is essentially contained in paragraphs (d) to (g) of Senator Chaney's amendment. Paragraph (d) urges the Senate to confirm:

That it is the very essence of national sovereignty that only the democratically elected government has the right to determine both the overall and the specific composition of our migrant intake . . .

Does the Government disagree with that?

Senator Short—That is one of the Government's principles.

Senator STONE—As Senator Short very aptly drew out in his remarks earlier, that is one of the Government's principles. Therefore why will the Government reject the amendment? Paragraph (e) urges the Senate to confirm without qualification that it must be the role of the elected government, acting on behalf of and with the support of the whole community, to make the final and absolute decisions on who will or will not be granted entry to Australia on a temporary or permanent basis.

Senator Short—That is another of the Government's principles.

Senator STONE—It is another of its principles, as Senator Short quite rightly observes. Paragraph (f) confirms that this means that any government must reserve the right from time to time to vary and alter policy, including adjustments to the size and composition of the immigration program in

response to changing requirements, be they social, economic, political or humanitarian.

Senator Collins—What is wrong with that?

Senator STONE—I am asked by Senator Collins what is wrong with that. If there is nothing wrong with it why is the Government going to vote against it? Paragraph (g) goes on to confirm that established principles of any immigration policy will always be subject to this overriding right.

Let us look next at the charge of discrimination. Again, as Senator Short carefully drew out, in any immigration program that has a limit—this would not apply, of course, if we had a totally free entry, if we had unlimited immigration—we will have to make judgments in administering that program. This Government makes those judgments and those judgments will inevitably open it to the charge of discrimination. We now have an immigration program involving, I think, 140,000 immigrants. I think the figure has been raised to that extent and I think the Opposition's policy would be to raise it further. But it follows that, within any fixed limit, if we take more from one quarter we are forced to take less from another.

Senator Collins—Right.

Senator STONE—I am glad to have the assent of Senator Collins. This Government has been discriminating against our traditional sources of immigration. It has been discriminating against immigrants from Britain—in fact, from Europe generally. As I think someone pointed out this morning, it has been discriminating against white South Africans. I am told that if one is trying to emigrate from that troubled country, a country from which, on the basis of its policies, our Government believes every sensible person should be fleeing—that would be the kind of view I think Senator Evans would espouse—one will not get an entry visa. Our Government will not have a bar of any of them.

Senator McKiernan—That is rubbish. What about the mining engineers coming in from there?

Senator STONE—There are a few of those. The Government will not have a bar of South Africans otherwise. They all make

very good immigrants. Senator Michael Baume has, either here or elsewhere—

Government senators interjecting

Senator STONE—I said Senator Michael Baume. He has circulated some very interesting figures. I acknowledge his production of them. He points out that if one compares the immigration intake figures for the last five years—that is, the five years of immigration under this Government—with figures for the previous five years, one finds that in the latter period there has been a trebling of our immigration intake from Hong Kong, and the intake from China and the Philippines has more than doubled. There has been about a 50 per cent rise from Malaysia and Singapore and almost a doubling of the figure from India. The figure for Sri Lanka, no doubt connected in part with the refugee situation from that country, is almost five times higher. The figure for other south central Asian countries is almost 2½ times higher. There has even been a trebling of the figure for Chile, no doubt under the influence of the decisions by Minister West to which Senator Short referred in his remarks. As a consequence of those enormous increases within a fixed total—

Senator Maguire—They are percentages, not the absolute.

Senator STONE—I accept that point. There has been a very major rise of 47,000 in that five-year period from those countries and from one or two others that I have not bothered to enumerate. As a consequence, in that time there has been a deliberate cut in the figure from Europe of nearly 60,000. That has resulted in the following falls: a 65 per cent drop in the number coming from the Netherlands; a 57 per cent drop in the number coming from Italy; even a 37 per cent drop in the number coming from Poland, which, goodness knows, is a country from which we ought to be prepared to take immigrants, given the state of that country and the political need of many people to get out of it; a 28 per cent drop in the number coming from the United Kingdom and Ireland; a 22 per cent drop in the number coming from Germany; and so on. I have only spelt out the arithmetic which Senator Short indicated in general terms when he said, quite rightly, that if we have an immi-

gration program and we have to administer that program, certain categories will rise if it is administered in one way, while certain categories will fall. That is exactly what has happened under this Government.

We have had the hypocrisy from the Government side of the chamber this morning and again this evening in its attitude to all these questions. I do not want to go over that ground, which has been very well traversed this morning by Senator Puplick and by Senator Short, other than to say that I am sure the record will show the hypocrisy which underlies the Government's attitude on this question. I think it is fair to say that one of the reasons why the immigration outcome in Australia in the last five years or so has produced that sense of public disquiet which is referred to in paragraph (c) of Senator Chaney's amendment is that it has been occurring at a time when we have had a considerable accentuation of these highly divisive so-called multicultural programs. The two in combination have produced the backlash which is occurring in the community, and which is threatening.

I do not know where Government senators spend their time, but I certainly find that there is a developing feeling in our community of rejection of the migration program as a whole. I do not want to see that feeling gain sway in this country. I would like to maintain the feeling in this country, with which I grew up and with which I hope my children, and my grandchildren, if I have them, will be allowed to grow up, of maintaining a tolerance towards new entrants, or immigrants, to this country. But I warn the Government that if we do not have some changes in our immigration policy, that toleration will break down irredeemably and it will not be capable of easy restoration.

We used to have in this country a magnificent immigration program. It was one of which all decent Australians were proud. It was based on words which seem to have become unfashionable, words such as 'assimilation' and 'integration'. Those words lie at the very heart of the view about the need for one Australia. Those policies produced a multitude of Australians of whom we are today all proud. I apologise for citing his name again, because it is always cited, but we have people like Sir Arvi Parbo, the

Chairman of Western Mining Corporation. As a matter of fact the Premier of New South Wales, Nick Greiner, I think came to this country at the age of four years. Mr Greiner is himself a product of the assimilation policy. How could he be otherwise when he came here at that time? He is not a product of the policies of the last five years.

The fact of the matter is that today in this country as a result of the maladministration of this vital area of policy we have a mess, and it is a dangerous mess. It is a dangerous mess because it is producing a backlash of mammoth proportions against the whole idea of immigration in this country. It is in fact true, as I think someone on the Government side pointed out this morning, that much of the vote against Asian immigration is also a vote against any immigration. Today we have in this country a mess, and it is unequivocally a mess of this Government's making.

This Government is not going to get off the hook by moving smart motions in the Senate and hoping that that will somehow affect the policies of the Opposition. It will not affect them. What is more, I predict that we will return to a policy of bipartisanship in this country where immigration is concerned, and we will do that because the Government will get into line with the Opposition. What is more, it is already in the course of doing so. There have been within the last six weeks changes designed to produce some of the directions of change for which the Opposition has been calling. If Senator Collins and others do not know about them, perhaps they could ask Senator Reynolds, the Minister in this chamber representing the Minister for Immigration, Local Government and Ethnic Affairs (Mr Holding), to tell them, although I would have to say that, on the basis of her usual performance at Question Time, Senator Reynolds is incapable of telling us anything unless it is written down for her on a large piece of paper. However, perhaps she has in her brief a piece of paper on that subject, too, and she may be able to pass on some photocopies of it.

I repeat: we will return to a bipartisan policy on immigration, I am glad to say, because we need it, and we will do that as a result of the Government getting into line with the Opposition. We will not have any

more of this stuff from the Prime Minister, this empty, hollow oratory from the Prime Minister about how he is not going to do this and he is not going to do that, and that he is prepared to lose an election. How much can the Prime Minister strain our credulity on questions of that kind? I assure you, Mr Acting Deputy President, we will return to a bipartisan policy and we will do so because the Prime Minister and his colleagues will pick up our policies. And I hope they do. It never worries me in the least. Many people in the Opposition seem to be worried about the Government's stealing their policies. I delight in the process because I am interested in issues and I am interested in policies for their own sake. If the Government picked up our policies, as it will, nothing would please me more.

Friday, 26 August 1988

Senator REYNOLDS (Queensland—Minister for Local Government) (12.26 a.m.)—Senator Stone has blamed everybody in this place, except himself, for the current debate on immigration policy in this country. He has blamed the press, he has blamed members of the Government, he has blamed the Department of Immigration, Local Government and Ethnic Affairs and, if we gave him enough time, he would probably blame members of the community. I would like to ask Senator Stone a number of questions to see whether he would be prepared to answer them. Why is it that, in this place this evening, he has not been prepared to answer the questions that have been repeatedly put to him? Why did he say that there was a need to slow down Asian immigration? That is a question he must answer. I congratulate Senator Teague for his honesty. Senator Teague, who is sitting right behind Senator Stone, is nodding in agreement. Why will Senator Stone not answer the fundamental question as to why he will not talk about his reasons for slowing down Asian immigration?

Senator Stone talked about the need to refer to different groups and said that he was not singling out any particular groups, but he is the senator in this place who talked about Asian immigration. He did not talk about slowing down New Zealand immigration; he did not talk about slowing down European or British immigration; he talked about Asian immigration. He talked about

blaming the media and the Government in this debate. Let me just ask a couple more questions. Why has one-third of his coalition partners voted in the party room against the immigration policy as proposed?

Senator Panizza—You don't believe what is in that crap.

Senator REYNOLDS—I would not be rude enough to refer to the words of our honourable colleague Senator Teague by using the words Senator Panizza used.

Senator Panizza—I said the paper was, not Senator Teague.

Senator REYNOLDS—The paper I am referring to carries the full text of a Dear John letter that Senator Teague wrote. He said in conclusion:

I will be recommending to the Committee at its 9 a.m. meeting . . . that the six paragraphs comprising the preamble to the Principles of the Immigration Policy be deleted and . . . that, with this single amendment, the entire draft policy will be endorsed.

The headline says it all. It states, 'Dear John: As I read your words, I became alarmed'.

Senator Stone—Get your quotes right at least.

Senator REYNOLDS—I am sorry, Senator Teague. Senator Stone is not interested in what the Liberal Party's immigration policy committee refers to the party room. I can understand why Senator Teague and a number of other honourable senators in this place have been looking so miserable during this debate and ever since we returned this week. They know that their Liberal principles are being sold out, mainly because of Senator John Stone's interference. I can even track down the precise date when this started to happen. Senator Stone may recall that on 23 November last year Senator Sheil asked me a question. Senator Stone interjected while I was answering a question about English language courses and he said:

It is the way we are selecting migrants who immediately need the services. That is what he is asking about. Answer the question.

Senator Stone then went out of this place to explain what he was referring to. His tactics of changing the immigration policy of the Liberal Party started from that particular date. He said, 'If they cannot speak English they do not belong here'. I will just go back to ask another question. Why is it that Nick

Greiner, Jeff Kennett, Malcolm Fraser and John Olsen have all—

Senator Stone—We know what Malcolm Fraser did. Leave him aside.

Senator REYNOLDS—As far as many Australians are concerned, Malcolm Fraser is a true leading Liberal in this country. His views, particularly on immigration policy, are well known and, further more, well respected. I find it very disconcerting to stand here as Senator Stone smirks about these very important issues while Senator Teague and other members of the coalition parties sit behind him looking extremely disturbed indeed. I suggest that Senator Stone turn around and look at the expressions on the faces of his colleagues for a change, and then he might see the kind of damage that he and others are doing in this debate.

Earlier today Senator Jenkins made what I thought was a very good introduction to this debate when she said that she considered that this motion should be unnecessary. Indeed, it should be unnecessary because Australia has boasted a multicultural society for many years. In fact, Australia always has been multicultural. I do not know whether Senator Stone is much of an historian. I know that on occasions he has attacked some eminent Australian historians—

Senator Stone—And some not so eminent, too.

Senator REYNOLDS—He has also praised other not so eminent Australian historians, but we will leave that aside. I thought Senator Stone would be interested to know that the founding cargo of prisoners in the First Fleet included people from 11 nations. I might just run through where they came from. Of course, they came from Great Britain. They also came from Austria, Canada, the Cape of Good Hope, Denmark, Egypt, France, Germany, Gibraltar, Greece, Holland, Hungary, India, Italy, Latvia, Madagascar, Mauritius; and so the list goes on. A comment out of the Australian official bicentennial diary says:

The arrival of this sad diversity of individuals represented the earliest seeding of the multicultural nation which exists today . . .

Far too many people who have taken part in this debate here and in the other place talk about multiculturalism as if it were in-

vented in the last few years, as if it were an invention of the Australian Labor Party or as if it were an invention of the Hawke Labor Government. But multiculturalism has been with Australia for 200 years. Anybody who knows anything about Australian history would recognise this. The problem for some Australians is that they have always been confused about their identity because of the perceived conflict between history and geography.

Our historical links with Britain and Europe have dominated our cultural heritage. Until World War II history dominated our defence, trade and immigration policies. Two key factors were influential in changing those attitudes. The first was the collapse of colonialism as the British Empire lost its influence. Sometimes, quite frankly when I listen to Senator Stone, I wonder whether he is aware that we are no longer a colonial outpost. The second influence was the racism of Hitler's Germany.

What I am very concerned about in this debate is the impact on so many Australians. I thought Senator Collins expressed this point very well earlier this evening. It may be very easy for John Howard and John Stone to ignore the realities of multicultural Australia from the leafy middle class suburbs of North Sydney and New Farm. I note that Senator Stone has, over the last 12 months, finally moved to Queensland. But do honourable senators opposite really consider the tragic consequences of fuelling racial disharmony in the inner city suburbs of Melbourne and Sydney? Already anti-Asian graffiti is defacing the walls of our cities. How responsible leaders are prepared to use the ill-informed reaction of some people in our community for their own political ends is beyond me as a reasonable, thinking person. I can only hope that as many as there are on the other side who basically agree with the Labor Party—because we have had this bipartisan support for over 20 years now—will repudiate John Stone who is totally out of touch with the views of so many of them on immigration policy. I hope they will repudiate him and all he stands for by voting with the Government on this occasion.

Senator TEAGUE (South Australia) (12.36 a.m.)—This debate focuses on the long-established non-discrimination principle

in Australian immigration policy. That principle is well expressed in these words from the coalition policy:

In selecting between one individual and another immigration policy will not discriminate against applicants on the base of their race, colour, nationality, descent, national or ethnic origin, gender or religion.

I am proud that I helped to write those words in the current policy. Let me say clearly from the outset of my remarks that for my own part I have unambiguous and unqualified commitment to support this non-discrimination principle. I am happy to give my own unambiguous and unqualified commitment to the principle that whatever criteria are applied by Australian governments in exercising their sovereign right to determine the composition of the immigration intake, race or ethnic origin shall never, explicitly or implicitly, be among them. First, I would like to sound a word of caution about high ground. If from time to time I appear to be taking some high ground, I want to assert from the beginning that there is plenty of room on the high ground and there is no monopoly on morality. It was widely said once, to an overly judgmental and finger-wagging group of self-satisfied men, whipped up with uncritical self-righteousness, 'Let he who is without sin throw the first stone'. In my contribution to this debate I wish to address public policy, not emotional or personal accusations and arguments.

Concerning Asian immigration, over the past fortnight some in the public—even closer—have tried to put to me that a distinction can be made between the moral argument and the political argument. Some maintain that the social cohesion question somehow calls for a resolution to be granted on political grounds. This view goes on to claim that of course the moral argument is different. Well, I disagree with the distinction being made and I have something to say on this. I am one person and considering all these aspects there is one argument in one world at any one time. Schizophrenia is not allowable. It is my continuing view that my views in this chamber or at home or anywhere should be the same and should encompass all the aspects of assessment. How, honestly, can it be otherwise? I am one person. I am not a 9 a.m. to 9 p.m. politician. I am a politician all the time. I am not

a 7 a.m. to 9 a.m. Christian. I seek to be a Christian all the time. I reject anyone trying to say the moral argument can be set aside and, for the record, if anyone doubts my own commitment to this view of one person in an integrated world, they can read the first sentences of my Ph.D thesis in philosophy which I wrote in 1971.

A similar argument has been put to me this fortnight concerning international opinion of Australia in the event of the non-discrimination principle being in some doubt. The argument runs like this: 'Do not get hung up about a moral reaction in Asian capitals. Our trade will not suffer because for Asians, as for us, money is more important than morals. Money will determine the trade outcome for Australia'. I have to say plainly that I am not convinced by that distinction either. I believe that both the personal and the community reaction to any doubt being put on the non-discrimination principle will have an adverse effect upon Australia internationally and that we cannot rely upon decisions about us being made purely on the grounds of money.

I wish to refer very briefly to the report of the FitzGerald Committee to Advise on Australia's Immigration Policies. I welcome the report. It is the most comprehensive study of immigration in Australia that has ever been undertaken. I respect it, not because it is critical of the Australian Labor Party—and it certainly is—and not because the Chairman of the Committee is a friend of mine, but because of the arguments that are set out in it. It is an exemplary report in terms of its evidence gathering and its consultation around Australia, its conclusions, its recommendations and its practical suggestions.

Stephen FitzGerald is a friend of mine. Twenty years ago when we were students in Canberra and Adelaide respectively we travelled together for a month in Asia. I was leader of the Australian universities delegation to China in 1968 and a few years later Stephen was appointed our first ambassador to that country. I respected him then, I respect him now. I respect him for withstanding the pressure put on him by the present Government to alter the conclusions and recommendations of the draft Fitz-

Gerald report, and I can assure the Senate he did not.

The FitzGerald Committee report finds the Hawke Government wanting. It is wanting in policy, it is wanting in administration and it is wanting in explanation to the people of Australia. For these reasons I believe the Prime Minister (Mr Hawke) has sacked Mr Holding, whatever his strengths and whatever the values that he may have expressed today in other places and at other times. I welcome the appointment of Senator Robert Ray as Minister for Immigration, Local Government and Ethnic Affairs and I wish that during his time as Minister the Government lifts its game and addresses itself to the malaise in the Australian public concerning immigration. Senator Ray is one of the senators who is listened to most carefully in this chamber and I trust he will put all of his skills to restoring sound policy, sound administration and a reassuring and clear explanation of immigration policies and ethnic affairs policies to the Australian public.

I wish to refer to the Opposition's immigration and ethnic affairs policy. Like the change of Ministers, this was also adopted on Monday by my party. I do not need to go over its recent history. We are far too well aware of the publicity given to it. I support this policy. I was at the meeting which endorsed it and I continue to be, with the confidence of my peers, proudly the chairman of the immigration and ethnic affairs committee of the coalition. I seek leave to table the policy.

Leave granted.

Senator TEAGUE—For the record, because there was contention about the preamble to section 2—that is, the section on principles—in that policy and because my letter to my Leader was unfortunately leaked and appeared in a newspaper, and therefore my views about that preamble are widely known, I will seek the incorporation in *Hansard* of the brief statement which I made on the afternoon of the adoption of this policy in which I clarify my position. I quote part of the statement:

Certainly, while I accept the majority view, it is now also true that our vigilance will be all the keener.

Finally, the debate led the Party Room to adopt a renewed resolution 'that the Liberal and National

Parties have a total commitment to the absolute equality of all Australians'.

I seek leave for the incorporation of the statement.

Leave granted.

The statement read as follows—

STATEMENT

Senator Baden Teague

August 22, 1988

In going into the Party Room debate my genuine assessment was that such are the public perceptions of the change in Coalition policy over the last few weeks, that the best way to reinforce soundness in our policy was to delete the new Preamble, which appeared to qualify the Principles.

I was among that one third of the Party who found the new Preamble offensive.

However, the majority sought to persuade us that the longstanding values and commitments of the Liberal Party, such as to the non-discrimination policy, were not at risk.

This majority view prevailed. I'm sure that our debate today will have the continuing effect of reinforcing long established Liberal principles and policies.

Certainly, while I accept the majority view, it is now also true that our vigilance will be all the keener.

Finally, the debate led the Party Room to adopt a renewed resolution "that the Liberal and National Parties have a total commitment to the absolute equality of all Australians".

Senator TEAGUE—I wish briefly to refer to the Opposition's amendment moved by Senator Chaney. I support the amendment. It is directly drawn from the policy that I have just tabled. The words are the same. In particular, may I refer to the first three propositions. The first states that the Senate: acknowledges the historic action of the Holt Government, with bipartisan support from the Australian Labor Party, in initiating the dismantling of the White Australia policy;

I support that, and I notice that everyone in this chamber supports it. The second proposition is that the Senate:

confirms a total commitment to equal treatment and equal opportunity for all Australians regardless of race, colour, creed, or country of origin within the framework of a just and tolerant society;

Clearly I support that. The third proposition states that the Senate:

condemns the Hawke Government's maladministration of immigration policy over the past five years which has led to public disquiet as evidenced by the findings of the FitzGerald Committee;

Clearly I support that, and that is the burden of my remarks a few minutes ago. One could go on with the Opposition's amendment, but given that 10 or 11 minutes of my time has expired, and at this very early hour of the morning I would not want to take my full 30 minutes, I must address the question of relevance. Up to this point I say: so much for introduction. It is quite possible, not only for coalition senators but for anyone in this chamber, to give an impassioned speech about immigration and to canvass widely all manner of principles and put those views with clarity and even to condemn those who are comprising sound principles. However, I wish to address not the generality but the particular issue that to my mind is raised by the motion before us that the Government has moved and indeed by the debate in this country of the last three or four weeks. Someone referred to this matter as a bushfire in this country over the last three or four weeks. That question is the central issue that is being debated. I refer to Asian immigration. Anyone who, through generality or just misadventure, fails to address the central issue is trying to live in some aura of innocence. That is what the public is concerned about; that is what the Parliament is concerned about; and certainly that is what my party room has been concerned about.

I remind the Senate that in the recent debate on Monday, every part save one—a matter of six paragraphs—of the draft immigration policy of my party was unanimously supported. That is why I tabled it earlier. That is why I say I support it. That is why it is a sound policy.

We should not think that we can live in an aura of innocence. The issue is Asian immigration and the public statements touching upon policy which have been made in recent weeks. Statements purporting to be policy such as any calling for a reduction in Asian immigration or, for that matter, an increase in Asian immigration, are offensive to me and I do not support them. The coalition is not maintaining any such specific statements. In fact, this week and last week I was given a direct assurance—and this is still the case—that no coalition policy makes specific reference to a region or a race. So, to a large extent, the debate—and I may refer to this a little later—is about the pos-

sibility of there being some statement sometime in the future. But even that possibility is being dealt with by direct professions in the coalition that it is not planned to have such specific statements. It is not expected that there will be such specific statements. Certainly there are none now. But the question is: should the door be open to allow that possibility?

The reason that I can support the majority view in the party room that accepted not only all of the objections that have been so carefully written but also the contentious few paragraphs is that it is a question of perceptions about the meaning of those few paragraphs. There is not anything in that policy that in any way refers to a specific matter with regard to any race or region or any increase or decrease. Honourable senators can look wherever they wish—it is not there. This whole matter is about the 'could be'.

Senator Collins—Or, in Senator Stone's case, the 'would be'.

Senator TEAGUE—Individual coalition senators who make statements in the present tense about a specific race or region are not in tune with coalition policy. I support the long-established Liberal principle of non-discrimination. As I have said, any reference to race or region in terms of immigration policy is offensive to me. I know it to be offensive to many of my colleagues, to many senators in this chamber and to many members of the public. So it is a question of could be.

This, in turn, leads to the principle of sovereignty. Literally put, the claim about a principle of sovereignty is that the elected government is sovereign to vary the size and composition of an immigration program. That is a fact. To go further than that, it could be acted upon as a matter of policy, irrespective of the published principles which would deny that. That is the kind of theoretical divide that the Government is on and that is what leads to the medieval metaphysics of how many angels are on the head of a pin. There is no active agenda and no statements concerning race or region are current or planned or expected.

Senator Gareth Evans—Mr Howard did say today that immigration might need to be slowed. What do you say about that?

Senator TEAGUE—I just reiterate the statements that I have made. When Mr Hayden was Minister for Foreign Affairs and Trade—Senator Evans may well take this point to heart—he said, ‘In Foreign Affairs words are bullets’. A colleague reminded me this week that, in immigration, words are bullets. We need soundness and sensitivity to all in this area of immigration and ethnic affairs. That is why it is so important that there be no equivocation at all, that there be no room for misunderstanding. That is why there should be no room for a public perception to grow, either domestically or internationally. Words are bullets. It is a question of perception.

It is the position of the coalition’s leadership and of the coalition party room that they cannot point to one reason for equivocation. No-one in the coalition now is expressing a specific proposal directly to raise or lower immigration from any particular race or region. Now there comes a hypothetical case. A colleague said to me a few days ago, ‘If Asian immigration were to rise from the current 33 per cent of total net immigration, where it has been for the last five years to, say, 70 per cent, what would you do, Baden? Would you set aside the non-discrimination principle to allow a government to intervene and vary the composition?’ My answer was no. My colleague’s answer was yes. My colleague’s contention was this: even if it is a theoretical conclusion, the non-discrimination principle is therefore not, in all circumstances, paramount. The sovereignty of government is paramount. That is the kind of theoretical point that is being debated in recent days. As I have said, it is rather medieval.

If the Government is looking for social cohesion and if it is allowing the ‘could be’ of this provision to vary the principle, it first has to admit that in practice it has been a bad administrator. It has allowed the social cohesion goal to be compromised, and because it got the administration wrong it has to intervene against the non-discrimination principle. Therefore it is a policy option based upon failure. Any government that has this arm to act has to admit that its immigration program has failed if it thinks that to gain social cohesion it has to step in and directly vary it. As is well understood, there are two

ways to vary the composition and size of the immigration program. One is indirectly, by administrative means, and there have been all manner of allegations, starting with the *Sydney Morning Herald* on Monday, that the Hawke Labor Government is administratively discriminating. We get professions back from the present Minister that this is all a misunderstanding. I ask all Government senators to examine that.

The other way of doing this indirectly is to alter the balance or proportions between the skilled, the family and the humanitarian. But we cannot predict whether that will have the effect of increasing immigration from a particular region or decreasing it. Everyone admits that, not least the coalition shadow Minister, Mr Cadman. But the direct way is by this so-called reserve power. It is factually there, but to underline it in triplicate would be to use words like bullets in this sensitive area and to hurt perception and sensitivities, both domestically and internationally.

Given my own strong views, why am I not voting with the sponsors of this motion, the Government senators who are assured, with the Democrat senators’ support, of this motion, unamended, being adopted? I say ‘unamended’ because the amendment in the third paragraph that we are proposing literally condemns the Hawke Government. So we can hardly propose that the coalition’s amendment in that form be adopted by Government senators. In this form it is confrontational. Why? The reason I am not voting with the Government is that the motion is clearly cleverly aimed to discredit the coalition’s position; that is, the coalition’s overstatement of the sovereignty principle. This attack is politically motivated to inflict maximum harm on John Howard and the coalition he leads. I do not have any part in that political motivation. As I see the motion, with this political context I will not be voting with the Government. So I will not be sitting next to Senator Evans in the division.

I hasten to add that my colleagues in the House of Representatives, Phillip Ruddock, Ian Macphee and Steele Hall, clearly do not have the same political assessment as I do, and I respect their different and quite independent conclusion. All three voted in the House of Representatives tonight for this

motion. Two of them are members of the coalition's immigration and ethnic affairs committee, which I chair. One is a former most respected Minister for Immigration and Ethnic Affairs.

I come to the alternative of abstaining from voting on the motion. I respect the conclusions reached independently by my colleagues Michael MacKellar and Ian Wilson in the House of Representatives tonight. They also have given the greatest attention to this motion and to the coalition's immigration policy. Their decision tonight was to abstain. One was Minister for Immigration and Ethnic Affairs for five years and the other was Minister for Aboriginal Affairs. In practice they know more about this issue than any dozen senators opposite put together.

Why I am not abstaining? I have considered this position to be quite appealing, because it would set me apart from those on the Government and Democrats benches who are politically motivated to damage the coalition. Also, it would set me apart from the coalition majority—most of my colleagues—who have this morning rejected my own strong advice to support this motion. So I could set myself apart from both sides. Why not? I have come to this view for positive reasons. My argument is not all that unusual, after all, as all of us know from time to time when the view we advocate might not be accepted by our colleagues. But my colleagues all know very well that I urge them to support this motion and that to do otherwise would be to hang a political millstone about our necks until the time we could cut if free. Such would be the public perception of it and members of the public know my view. My view is on the record. They know that I have unambiguous and unqualified support for the non-discrimination principle. The reason I will vote with my coalition colleagues is that I will suffer the same effects of this millstone along with them, regardless of how I vote.

Much more important to me, however, is my respect for the majority principle. I reject the Caucus principle of the Australian Labor Party and I do not embrace the free for all individualism of the Australian Democrats. In contrast I believe that, so long as a decision is not directly and crucially against con-

science, a Liberal parliamentarian should accept the majority political judgment of his colleagues. In this case it was an emergency process that led to the coalition decision. It was unusual in other ways. The outcome, in my view, was not based on the merits of the arguments about the non-discrimination principle, which is widely supported, but on broader considerations.

Nevertheless, with all these reservations, there was today a majority outcome in the party room, and that is the view that determines my vote. In fact, in the course of one hour's debate on this motion this morning, my colleagues came very close to adopting the approach which many, including me, strongly advocated. If we had won that majority I would have expected the whole party room to support the decision. How, then, can I, with the same fairness, now vote against the majority which I and many others only just failed to gain for ourselves? (*Extension of time granted*)

I thank the Senate. In conclusion, let me and my views be judged on what I have said in my speech tonight and what is on the public record. I have an unambiguous and unqualified support for the non-discrimination principle but, for the reasons I have given, I will be voting with my coalition colleagues.

Senator SANDERS (Tasmania) (1.07 a.m.)—I will be brief in my remarks. I am on my feet because I am a migrant. As a matter of fact, I am a member of one of Australia's smallest ethnic groups and I feel very strongly about my new country. I think those of us who are here by choice rather than by accident of birth have a very keen interest in what goes on in our country. I have a keen interest in what happens to the environment and a very keen interest in what happens to our social fabric. I am very worried about what I see going on in this country at the moment.

There is a very great contrast between the presentation we just heard from Senator Teague and the rather disjointed diatribe of Senator Stone. I am pleased to see that there are members of the Opposition who can take a good look at the issue of immigration and come to an intellectual conclusion rather than merely indulging in the demagoguery of Sen-

ator Stone and John Howard. It is obvious that they are a demagogues. They have cynically tried to exploit racism as an issue to gain political advantage. Fortunately, they misjudged the Australian people.

Senator Stone said in here that it was the left wing Australian Labor Party supporters, the Canberra press corps and the Australian Broadcasting Corporation, that distorted his views. His views were not distorted; they were accurately portrayed. What he is angry about is that the Australian people rejected his views. What Senator Stone, John Howard and others are trying is a well known tactic. It has been alluded to before in this chamber tonight. Through the ages dictators and people trying to gain political power have continually set up groups to despise. This happens. It certainly happened in nazi Germany. It even happens in Tasmania, where Premier Gray has set up a group of despised people called greenies. He has ridden to power, and still maintains his power, by trying to separate out this group. Senator Stone and John Howard are now picking on Asians. They feel that perhaps they can ride this to political office. I do not think they can. I come from America, a melting pot, but it is nowhere near the successful experiment in immigration that Australia is. Australia is outstanding in all the world for having forged a truly diverse culture out of the many races, many ethnic groups, that have settled here. I think that ultimately that strength will defeat the racism of Senator Stone, John Howard and all of their misguided supporters. I will vigorously oppose Senator Stone, John Howard or anyone else who sows the malevolent seeds of racism in my country.

Senator PETER BAUME (New South Wales) (1.12 a.m.)—It gives me no pleasure to take part in this debate. It gives me even less pleasure to know that I will be out of line with my colleagues when the vote is taken. We are debating a Government notice of motion on immigration and an amendment moved thereto by my Leader, Senator Chaney. My colleagues have chosen generally to speak to the amendment. That is quite proper. It is provided for within the Standing Orders. They have set out reasons why I will want to support that amendment. I will address the motion itself. I will not

discuss the Liberal Party policy which has been well set out and well defended today. I will not talk about our past or our record; only the motion and the position that I intend to take. It is of course a mischievous and malicious motion. Its purpose is blatantly political. It is designed to advantage the Australian Labor Party (ALP). It is designed for fishing in troubled waters. Earlier someone said that we are a political chamber—that is fair play in this chamber. I wish to participate in the debate not in any sense of anger or petulance and hopefully with no bitterness but I do need to participate. I point out to colleagues that I have now been here for more than 14 years. Only two senators—

Senator Chaney—It sometimes seems longer.

Senator PETER BAUME—Senator Chaney and I came in together. Only two senators have served longer. They are Senator Gietzelt and Senator Durack. Recently we had to count the number of divisions I had voted in. It was for my lawyers for a defamation action that I am involved in. We have voted in divisions about 1,300 times. I have voted with my colleagues and the Australian Labor Party together against the Australian Democrats many times, as my colleagues have voted with Labor in those lopsided votes. I guess we will do so again. I have voted with the Australian Labor Party against my colleagues once only in 1,300 divisions. Today it looks as if I will be voting with the Australian Labor Party against my colleagues for the second time. I guess it is my duty to explain to my colleagues and to the party which preselected me why I am doing so.

Senator Archer—You don't have such a duty.

Senator PETER BAUME—I thank my colleague for the interjection but I would like to do so. I start by setting out for colleagues the position of a Liberal Party parliamentarian. This is laid down in the Valder Report of the Liberal Party Committee of Review 'Facing the Facts'. I notice it was produced in 1983 by a very distinguished group of people. They are all friends. In fact, my former research officer, now Senator Pupluck, was a member, as was another former

research officer, Mr Chris Crawford, as was my present helper, Mrs Elizabeth Grant. So we have quite a proprietorial interest.

Senator Schacht—You certainly had the numbers.

Senator PETER BAUME—We almost had the numbers. This Committee actually laid down in black and white the fact that the Liberal Party does not have a caucus rule, that it does not bind its members but gives them freedom within certain defined boundaries to cast their votes. I will read the paragraph and a half which is important:

In Parliament, a high degree of discipline is necessary if the Party is to be really effective. The Liberal Party does not require of its Parliamentary candidates a pledge to always vote with the Party in Parliament. The Party's belief in the importance of the individual conscience means that it accepts that there are occasions when a Liberal Member of Parliament may vote against his colleagues without incurring sanctions from the Party, (or expulsion, as in the Labor Party).

The Committee believes that it is important for the conditions under which this right is exercised to be clearly understood if the Party is not to be damaged by its Members crossing the floor.

The next few words are emphasised in the report:

In particular, it is important that it be recognised by all Liberal Parliamentarians that the general expectation is one of loyalty and support for the Party in the Parliament, and that crossing the floor is to be regarded as an exceptional act. It is a right which should be exercised only under the following conditions—

two conditions are laid down—

Where the issue is one of personal conscience, and not merely a difference of policy or political judgment; and

Where the Member informs his Parliamentary Leader and his Party colleagues beforehand of his intention. This will be the second time in 1,300 divisions—so I have not made a frequent practice of it—that I will make the case that it is a matter of conscience and principle and I can advise the Senate that I satisfied the second condition, under quite difficult circumstances, by advising my Leader and colleagues.

For many years the Liberal Party which I joined would have proposed a motion such as the one before us. It would never have allowed a statement like one by Senator Stone, which I will mention later, to have

gone unrepudiated or unchallenged. I was proud of the Liberal initiatives of the Liberal Prime Minister I served. But why take this course? Why decide that it is important to take part in this debate and vote on the motion? I will set out very briefly some of the events of the last few weeks. They have been set out in this debate.

The immigration policy debate was initiated from our side, as has been said, by my Leader on his return from overseas. It was set out not in racist terms, but in terms which were ambiguous and capable of misinterpretation, particularly malicious interpretation. I have to say that my Leader has not made racist statements, but he has made ambiguous statements. The trouble is that the statements were then made explicit—not by John Howard but by Senator John Stone, in colourful phrases which were referred to earlier: 'Asian immigration has to be slowed. It is no good dancing around the bushes.'

I do not question the right of any of my political colleagues or members of the National Party to make such statements. They represent a view they hold. That is fine: I have no objection to that. If I have any objections I will express them in the party room. However, it is a pity that the statement was not repudiated immediately. When it was not repudiated immediately, I felt that I had a duty. All the people I respected and might have expected to respond were out of the country. Not one of them, including Macphee, Mackellar and Ruddock, was in Australia. I think that Robert Hill was out of Australia at the same time.

Senator Hill—Rare.

Senator PETER BAUME—He was on one of his rare absences from Australia. It was at that stage that I made a public statement. I want to read that statement because it relates to the motion before us tonight. My public statement was only five sentences and read:

There is no place in Australia for any revival of a white Australia policy, overtly or secretly.

No tests of racial origin should be applied to any applicant for migration to Australia.

I expect that the assurances of my Leader that he is not moving to a racial immigration policy should resolve that matter.

Since we have become a multicultural society, we have been enriched beyond measure.

I hope we will continue to use the strength of that multicultural heritage in pursuit of a unified Australian community.

I add that the reason I issued such a short statement was that I had the pleasure, I thought, of being at the third national conference on AIDS. However, that is another story. My position has been quite simple. That is the message. Having issued the press statement, I then repeated that message on television, radio and in the press and made it quite clear that if there were any suggestion of a racist element in an immigration policy, I would want to be part of repudiating such a suggestion.

I find in the motion before us—in the important last part of it—exactly the sentiment that I was advocating publicly in that Press statement and in other statements that I made to the Press. I understand that many Australians are concerned with social cohesion. I understand, too, that many Australians are racist and that many Australians actually want less Asian migration. In fact, to say so might be a very popular thing. However, as Liberal Premier Nick Greiner said when asked for a comment, there had probably never been a time when popular opinion had supported more migration. He said that it had always been unpopular. I wonder why it is that people do not want Asian migration. Perhaps it is based on the many faces of Asians in the streets. The Asians we see in Australia at present do represent migrants. However, they also represent second and third generation Australians. They also represent the tourists that we need—the tourists who are bringing in foreign currency as part of our booming tourist trade.

Senator Collins—They are our guests.

Senator PETER BAUME—Yes, they are our guests. They represent students, both secondary and tertiary students, and people in Australia for short term language study. Most of the time they represent welcome guests to Australia. According to the 1986 census, only 2.6 per cent of the Australian population is Asian born. It has already been pointed out that even if the present trend of migration is continued for another 25 or 30

years the percentage will not exceed 7 per cent of the population.

I believe that the position I have advocated, and the position contained in the motion, is essentially a Liberal position. That is not only my view. If it is essentially a Liberal position, then I would want to support it. I would like to quote in support of that from a book called *Liberal Thinking* written by two eminent liberals, C. J. Puplick and R. J. Southey. In several parts of that book they make reference to the fact that race is not an adequate basis for policy. On page 28 of the book, in talking about differences among groups, they say:

Some categories (race, religion, political affiliation) are generally accepted to be improper grounds for legal and social discrimination.

They go on to talk about other categories. Further on they say:

Discrimination against a person on grounds of race, in order to secure higher status to those who are of a different race, is not an acceptable objective. So we have good Liberal reasons for saying that any suggestion of racial discrimination is unacceptable. I am attracted to some of the aphorisms at the back of the book which help enrich the book, may I say to one of the authors. One of them attributed to Daniel O'Connell says:

Nothing is politically right which is morally wrong. I believe that any kind of policy that even admits of the possibility of taking into account the race of a potential migrant is unacceptable. I reject it, as some of my colleagues have, as a logical impossibility to claim that a policy aimed at slowing down immigration from Asia can also be termed a non-discriminatory policy. I am indebted to a colleague for pointing that out to me.

I have been told this week in words of one syllable that politics is about compromise. Well, yes, it is. We have all compromised. If I have voted in 1,300 divisions and managed to stay with my colleagues 1,299 times there must have been a fair amount of compromise in that time. But in the end, as Senator Teague has said, there is a moral element to politics, or there should be.

It is different for every person. I do not ask anyone else to accept my judgment of where the point is. Principle sometimes has to come before compromise. The question,

of course, is when. It is different for every person; I accept this. But for each of us there are some bottom line issues on which we say we will not accept this and we will not go further. I found one last year and I found my way onto the back bench at the same time. Racism, overt or covert, open or implied, is another such bottom line issue for me, so much so that I welcome any declaratory statement that rejects even the possibility of racism in any of our policies. The words in the policy do that. The words that have been objected to—I quote from the motion—are 'race or ethnic origin shall never, explicitly or implicitly, be among them'. That is the criterion that might be applied.

I note, as has my colleague, that former Liberal immigration Minister, Michael MacKellar, refused to oppose this motion in another place tonight. I also know that my Leader here, Senator Chaney, and my colleagues, have argued for an amendment that sets out and defends the alternative policy which our parties have put forward. I will have no difficulty supporting that amendment. But if it fails, and if we are then faced with a government motion simpliciter, as of course we shall be, I am also aware that another former Liberal immigration Minister, my friend, Ian Macphee, a former Liberal shadow Minister for immigration, Phillip Ruddock, and a former Liberal State Premier, Steele Hall, all found it necessary to vote for the proposition in the other place tonight and, like them, I will support it because it makes explicit and clear what needs to be made explicit and clear to Australians at this time.

Senator HILL (South Australia) (1.30 a.m.)—I shall not take long to say what I want to say. I shall support the Opposition amendment. I do so because it reiterates the Opposition's policy as non-discriminatory in race, colour or ethnic origin. I quote from the amendment that is now before the Senate which sets out our position. It reads as follows:

In selecting between one individual and another immigration policy will not discriminate against applicants on the basis of their race, colour, nationality, descent, national or ethnic origin, gender or religion.

I would have thought that that was quite clear and unambiguous. Indeed, I suggest that the whole amendment sets out a consid-

ered basis for immigration that I think is reasonable. If the other side were to be fair in this debate, I believe that the amendment would attract wide, even cross-party, support. To make that case, I shall briefly run through the key elements of that policy as repeated in the amendment that is now before us.

The amendment provides that it is the prerogative of the Australian Government to decide who might be accepted as a migrant to this country. I cannot see how there can be any concern about that. We all know that there are many more migrants seeking places in this country than the policies of any party will permit to arrive. Therefore, it has to be the prerogative of the Australian Government to make decisions in that regard. The amendment—our policy—states that we support the refugee program. I believe that we in our party can hold our heads high proudly in relation to the party's performance on refugees.

We go on to say that we support family reunion. We on this side have a strong desire to reunite families and we see great strength in the family unit in the settlement process, as we see strength in that unit in so many other ways. We provide further that beyond that we will look to who will bring economic and social benefit to the Australian community. There is no magic test to determine that. Various points systems have been devised over time to try to make that assessment, to look at skills, training and capacity to integrate. That seems to me to be quite reasonable. That approach has been adopted again by both sides of this chamber when each of the parties has been in Government.

We go on to say that we will take into account the capacity of the Australian people to accept and absorb change. I understand that. There might be times when a government should take positive steps and a positive lead to reassure and educate existing Australians when they feel, as they have before, nervous about changes that come with immigration policy. In other words, I see a responsibility for government often in these circumstances to provide confidence-building measures. When I look back at the migration history of this country I am pleased to see that governments have done that. I presume

and hope that they would do it again in the future.

Also in our amendment we state that migrants will be expected to respect the institutions and principles of this country which are basic to Australian society, and we recite a number of the basic freedoms as examples. I would have thought that nobody would dispute the validity of that provision. We say that immigration to Australia should be for permanent settlement, and I have not heard that disputed. There have been occasions, as Senator Schacht will know, when I have argued for a guest worker program for Australia in relation to some of the smaller Pacific island states, but that is a subject apart from this debate. In general, our view is that migrants coming to this country should be looking to come here for permanent settlement, and I do not see that disputed by either side or by any person.

Further on in the amendment we say that we would like to believe that immigrants ultimately aspire to Australian citizenship. That seems to be reasonable. We would not seek to provide any compulsion, but we would hope that it will be a goal of immigrants one day to become Australian citizens. We continue by saying that we would like to see immigrants integrate into the Australian society. We would like to see that without seeking or requiring from such immigrants an abandonment of their cultural heritage. Their cultural heritage enriches Australia and certainly I would not want to see that lost. That is the policy of my Party, as is stated in this amendment. It is a policy that I support. I was even pleased to hear Senator Collins earlier say that, on the face of the document before the Senate and the amendment, he would graciously give his endorsement to the wording as being reasonable. Therefore, when I vote on this amendment tonight it will indicate my support for the views I have just expressed in this chamber as detailed in the amendment.

If for base political motives the Government votes against the amendment—an amendment which I would have thought the Government would have had little trouble supporting—as we know it will, because today's exercise has no high motive, but is part of a base political process, then we on this side will be faced with the Government's

motion. I want to make clear that I will not be part of an exercise which is designed, in my view, for two purposes: firstly, to divide the Opposition for the Government's political gain; and, secondly and perhaps even more importantly, to deflect criticism by FitzGerald and others from the Government's failure in the operation of its immigration policies.

As has been said by other speakers in this debate, we have had some five Ministers for immigration in about five years, which demonstrates what little respect this Government has for the immigration process, the immigration program and that portfolio. Perhaps this failure of ministerial responsibility is related to the community's view of the Department as we have it put to us by the FitzGerald report. FitzGerald, amongst other things, pointed to the fact that the Department of Immigration, Local Government and Ethnic Affairs is viewed by the community as being 'conservative, slow, insensitive, secretive, inefficient and unfair in its application of policy'. That is the sort of criticism the Government is seeking to deflect by this exercise today. When one looks at the FitzGerald Committee's view of the Government's monitoring of the program we find that the Committee further noted that monitoring of the immigration program was 'ad hoc, narrowly focused and unintegrated'. It continued:

Indeed, the Committee was often frustrated in its work by these inadequacies, and is astounded that the monitoring of a program of such size, significance and long standing should have been so neglected.

If we were in government and received that sort of criticism from an independent committee of review we might have reason for wanting to deflect this debate onto another ground. These are indictments of the Government's performance in this portfolio and I am not prepared to help the Government get off the hook. We all know that there have been many abuses and irregularities in the immigration program pursued by this Government. In this place we should now be looking for the answers from the Government to those failures, even in regard to business migration. It is too late for me to do that tonight but, hopefully, I will next week detail the inadequacies in the monitor-

ing system, a system that is clearly open to abuse and, I suspect, is being abused.

My vote, therefore, on the principal motion, presuming the Government is going to vote against our amendment for its political objectives, I hope, will be seen as a refusal to be part of this sham of high morality. I am confident that those who know me know my abhorrence of racial intolerance. Those who know the history of my Party will know that at least from the time of Holt we can be proud not only of our non-discriminatory rhetoric but also, in government, of our practice. In other words, my Party passed the test and I am prepared to match its record against both the attitude and the performance of the Labor Party any day. I stand by the statement in our policy—

Senator Gareth Evans—A reshuffle must be imminent.

Senator HILL—I would not worry too much about that. The statement is reiterated in our amendment. I quote:

In selecting between one individual and another immigration policy will not discriminate against applicants on the basis of their race, colour, nationality, descent, national or ethnic origin, gender or religion.

I will vote accordingly.

Senator COULTER (South Australia) (1.40 a.m.)—The Australian Democrats have already made it quite clear that any immigration policy which this Government has adopted or should adopt in future should be based completely on non-racial grounds. Two of our members have identified themselves as migrants to this country. Senator Sanders has distinguished himself as one who has given a great deal of effort and time to the protection of the Australian environment and has behaved in many respects better than a number of exploitative native born Australians.

I want to raise another issue which has concerned me greatly in this debate over race, because I believe that it has deflected attention from very many important questions in relation to Australia's population and its immigration program which, as we now know, is contributing more to population increase than native born Australian population growth. The FitzGerald Committee to Advise on Australia's Immigration Policies, as I indicated earlier today, con-

tained no demographer among its members and failed to take account of a number of very important demographic submissions which were put before it. Specifically, it confused the matter of whether Australia's population would stop growing without migration and the role which migrants might have in the age structure of the population.

Dr Chris Young, a demographer from the Australian National University, made a submission to the FitzGerald inquiry. I draw on part of her submission for what I am about to say. She pointed out that, unfortunately, the catch phrases 'migration will make the population younger' and 'Australia's population will stop growing without migration' had been picked up and used extensively by less informed commentators, including journalists, ethnic community leaders and politicians. To date, such misunderstandings have not been questioned because few people are aware of the underlying mathematical procedures for assessing the demographic effects of migration. Therefore, it is important to refute these false claims in some detail. One of the reasons why these matters have not been picked up in recent weeks is precisely that the Opposition has muddied the waters with this question of race. These other more important questions have been left unaddressed.

There is confusion over the matter of fertility rate and population growth. It is assumed that, if the fertility rate drops below two per female, for some reason the population will decline. However, these concepts of replacement or non-replacement apply only to a 'life table' or a stationary population which has an age structure determined solely by the underlying level of mortality. A population with a different age structure can still have an excess of births over deaths, even with below replacement level fertility, which happens to be the present situation.

There will be continued growth in the population despite below replacement level fertility. This occurs because the age structure of Australia's population is different from that of a stationary population in that it has a disproportionately large number of women in the fertile age groups. So it can be asserted without fear of contradiction that without any further migration Australia's population will continue to increase until

about 2031, that is, for the next 45 years, and it will increase by over three million people. Beyond 2031, with no migration and with a continuation of below replacement level fertility, Australia's population subsequently would start to decline slowly, but it would take another 55 years for the population to get back to today's level of about 16.2 million. So overall, with no migration from now on, the population would remain above the present level for nearly 100 years.

If fertility continues at the same level but net migration is increased to 100,000 a year, this would give a projected population of 23.1 million in 2021, an increase of 7.6 million on the 1984 population. This increase is larger than the increase in Australia's population which occurred during the 34 years between the censuses of 1947 and 1981. During the 1947-81 period 5.6 million of the total growth of 7 million—that is, 80 per cent—occurred in the capital cities. For example, Sydney's population increased by 1.5 million to 3.3 million; Melbourne's population increased from 1.2 million to 2.8 million; and the total capital city population increased nearly 150 per cent, from 3.9 million to 9.5 million. It seems highly likely that a large part of any future increase in population will also occur in metropolitan areas and we might well face a Sydney with 5 million persons and a Melbourne with 4.5 million in the year 2021. Overall there could be a total capital city population of 15.5 million in 2021, or about the same as Australia's current total population. The economics committee which reported to FitzGerald looked at the prospects of scale and, among other things, it said:

Convincing estimates of the degree to which scale economies can be achieved are hard to find . . . They are less likely to exist in the more populous States which contain the cities which have traditionally absorbed a very large proportion of the migrant intake. On the other side of the coin there is strong evidence to suggest scale diseconomies associated with growing urbanisation in the larger cities. On balance we do not consider that the prospect of high living standards through achievement of scale economies with immigration-induced population growth is a likely one.

Obviously in the interests of quality of life, limits of resources, et cetera, the population cannot continue to grow indefinitely and a time will have to come when a stationary

population is indeed the wisest choice. Given the enormously long lag of over 100 years during which a population distortion works its way through the population we should be asking the question: when do we want to stop our population growing, and how are we going to achieve that? This is a question which has not been proposed, much less addressed, and of course it has been pushed further aside by this debate on the question of racial discrimination in our immigration program. An annual intake of about 40,000 migrants from 1987 would be sufficient to ensure further growth for the next 65 years, to a maximum of 21.3 million in 2051 and a constant level of population above 21 million until the end of the twenty-first century.

I turn briefly to the matter of migration and ageing. All that can be said about the future effect of migration is that it will only slightly retard the ageing of the population. The cost of this will be a large increase in total population. Part of the current and expected increase in Australia's aged population is a legacy of the large numbers of young adult migrants who started coming to Australia from the mid-1940s and who are now reaching retirement age. The overseas born constitute around one-third of persons aged 35 to 54 years in 1986, and so will swell the numbers of elderly from the mid-1990s. Moreover, the young adult migrants in their twenties and thirties who are not entering Australia will swell the number of the elderly in the 2020s. Without any migration during the next 35 years the percentage aged 65 or more years will be 17.3 per cent in 2021, which is only 1.7 percentage points more than the 15.6 per cent resulting from a net migration figure of 75,000 a year. Similarly, with no migration the median age of the population will become 39.8 years in 2021 and only 1.6 years more than the 38.2 years resulting from a net migration of 75,000 people per year. However, an annual net migration of 75,000 results in an ultimate addition to the population in 2021 of 3.4 million people. Accordingly, the disadvantages of the large increases in population resulting from a high level of migration must be weighed against the comparatively small retarding of the ageing process that such migration produces. There is certainly no justification, in terms of the effects on age-

ing, for increasing the net annual migration intake from 75,000 to 100,000 and a figure of 40,000 per year may indeed be more appropriate.

But, of course, when addressing the matter of the ageing of the population what is of more interest is the dependency ratio in the population: the total number of those in the population dependent upon people who are working and earning an income. Between 1947 and 1981, 26 per cent of the increase in the Australian labour force was from Australian born males, 23 per cent from overseas born males, 35 per cent from Australian born women, and the remaining 16 per cent was from overseas born women. Therefore, the greatest contribution, 35 per cent of the total increase in Australia's labour force between 1947 and 1981, was from Australian born women and this was not far behind the combined contribution of overseas born males and overseas born females of 39 per cent.

There is very little difference between the dependency ratios based on a projected population with no migration beyond 1984 and one with a migrant intake of 75,000 per year. That is, the dependency ratio will drop from 0.55 to 0.53 in 2021 and even a migration rate of 100,000 per year only decreases that further from 0.53 down to 0.52. The data showed that the increase in the labour force participation of women in Australia has made a major contribution to reducing the dependency ratio of the population in the last 30 years and will continue to do so for at least the next 35 years. Even on the assumption of a continuation of the 1986 levels into the future, the labour force dependency ratio will remain below the 1981 level and likely increases in female labour force activity could reduce dependency even further. In contrast, the effect of having no migration for the next 35 years or an annual intake of 75,000 to 100,000—

The ACTING DEPUTY PRESIDENT
(Senator Burns)—Order! I ask the honourable senator to get more to the question. This is not a question of migrant quotas.

Senator COULTER—Thank you, Mr Acting Deputy President. I have almost finished my remarks. The point I am making is that these important considerations have been pushed aside by debates in recent weeks over

race which have deflected the debate from these very important considerations.

The ACTING DEPUTY PRESIDENT—That is another debate.

Senator Chaney—Mr Acting Deputy President, I rise on a point of order. I rise in defence of Senator Coulter because the amendment which I moved stresses the very broad matters of national interest which are important matters for the Government to consider in determining the rights of entry. I therefore suggest that Senator Coulter should be heard either without interjection or without interference from the Chair.

The ACTING DEPUTY PRESIDENT—I suggest that Senator Coulter stick to the question before the Chair.

Senator COULTER—As I read it, the matter before the Chair is:

... Australian governments in exercising their sovereign right to determine the composition of the immigration intake, race or ethnic origin shall never, explicitly or implicitly, be among them.

In recent weeks we have had a considerable debate on this matter. The point I am making is that, in the context of the migration debate, it has very significantly deflected consideration of far more significant and important matters which are to do with migration. Surely that is what we are discussing?

In relation to the dependency ratio, it makes more sense to encourage women to remain in or return to the labour force than to import workers from overseas. In the first situation dependants are converted into non-dependants whereas in the second situation there is an addition of both workers and dependants because most migrant workers are accompanied by dependants. Under the family reunion policy they may subsequently bring even more dependants, and often elderly relatives, into Australia. In addition to that, there are many other people, such as unemployed youths, in whom large investments have been made in terms of education and in whom a small additional investment in their further education so that they could re-enter the work force may well be more productive than bringing in migrant workers.

The important matters which cry out for intelligent and informed debate by this Parliament are those matters which relate to the numbers of migrants. As I have indicated we

have been deflected from that consideration by this quite unproductive and socially damaging—that is a point that other speakers have made—debate over race. The Australian Democrats support Senator Button's motion that race should not be used as a basis for discrimination, that an emphasis should be given to the stabilising of Australia's population and that stabilisation, which may well mean a smaller intake of migrants, should none the less be based on a non-discriminatory migration program. We feel that it is a great pity that people in this place, particularly journalists, have taken the easy way out and have addressed the question of race instead of addressing these other far more important questions.

Senator HARRADINE (Tasmania) (1.58 a.m.)—I think Senator Coulter takes the cake for the most anti-Asian immigration speech that I have ever heard. If we follow his policies, which are anti-immigration policies, the Asians will not get a look in.

Senator Schacht—Neither will anybody else.

Senator HARRADINE—Neither will anybody else, particularly those Asians who are seeking to be reunited with their families in Australia, unless we have some sort of imbalance in the current situation. It is all very well for Senator Coulter to read from one submission to the FitzGerald Committee to Advise on Australia's Immigration Policies, which clearly FitzGerald rejected. I do not want to get into the suggestions that Senator Coulter has made, particularly at 2 o'clock in the morning. They are another matter. I will not debate it now but I promise Senator Coulter that I will debate it at another time. I am sure that other people would like to debate the cockeyed conclusions that he has submitted to the Senate tonight.

As we all know, it would be political and economic madness if we retreated from our immigration policy. We would simply become the poor white trash of South East Asia in the middle of the next century. That is a question that really has to be looked at by this chamber and by parliamentarians generally. I would be happy to have a debate on demographical grounds with Senator Coulter or anybody else in this chamber. I think it would be important if people real-

ised the ramifications of that. While I am on the subject—I want to mention it only briefly—in relation to discrimination, we are killing off 80,000 new Australians each year before they are even born.

I have listened to the debate as best I could tonight. I would have hoped to have seen a unanimous decision come from this Parliament. There is much to commend the amendment that has been moved by Senator Chaney. A great deal of thought has gone into the policy. As I think Senator Collins has said, it is not a matter so much of what is wrong with the Liberal Party policy on immigration, it is just the nuances that have gained credence amongst the public. Whether that has been because people have made statements or whether it has been the way it has been presented is another matter. I just hope that at some stage we can get back to the bipartisan policy on immigration that has served us well over many years.

Every politician gets letters which are beauties. The 'miscellaneous' file is full of odd sorts of letters from people with a chip on their shoulder. Some of the worst ones I have received are on this very question—calling a person a racist and so forth—because I originally stuck up for the refugees and I was prominent in the debate on that issue at the time. I acknowledge that people have different points of view. Honourable senators will notice that I did not call them cranks. The people who wrote to me vilifying me in that debate had their point of view, and one would hope at some stage to try to meet and overcome their types of prejudice. I hope that it not my type of prejudice. Each one of us has been touched and enriched by the migrants that have come to this country.

If a declaration of interest is required, I might say that I am honoured to have an Asian as a daughter-in-law and she is about to give birth in a couple of months' time to a young Australian. I think that is wonderful. I think everybody in this chamber—Senator Chaney in particular, who has spoken so well on this subject—would agree that we in Australia have been enriched by the migrants that have come to these shores. Therefore, I am in a bit of a quandary as to what to do. If I vote for the amendment and it gets up, that means that I cannot vote for

what I want to vote for—that is, the last paragraph of the Government's motion. I do not know whether my vote will get the Opposition's amendment up or whether it is cut and dried, but just in case it would get it up and I do not have a chance of voting for the last paragraph of the Government's motion, I feel that I need to say that I will vote for the Government's motion.

Senator GARETH EVANS (Victoria—Minister for Transport and Communications) (2.05 a.m.)—I rise to reply to the debate very briefly on behalf of the Government, not in order to stir any more passions, including my own, on the subject but simply to make two points. One is about the justification or motivation of the Government moving this motion. The second is about the virtues or otherwise of the Opposition's amendment, a point to which Senator Harradine just adverted.

The justification or motivation for the Government's motion has, of course, been the matter that has enabled Senators Teague and Hill to exercise logic sufficient to persuade at least themselves to vote against, ultimately, the particular proposal now before the Senate. I want to make it very clear, as one of the people involved in the drafting of this motion, that the primary and, overwhelmingly, the most important considerations in our minds were as follows: first, to have this Parliament say something absolutely unequivocal on this issue in such a way as to give some very clear signals to our Asian neighbours, people right around the Asia-Pacific, that we are not about to resume a discriminatory racial policy. This has been a matter of concern, as I said in Question Time yesterday. We have concerns from a foreign and trade policy point of view that the wrong signals not be sent. There is simply no better way in an environment in which there is some continuing partisan disputation about this than to at least have both Houses of the Parliament simultaneously passing, by hopefully substantial majorities, motions in these terms.

The second overwhelmingly primary consideration—and I say this quite honestly—so far as I am concerned is the importance of a motion of this kind being passed by both Houses and giving at least some comfort to those from other racial or ethnic origins al-

ready in Australia that there is still some commitment, an overwhelming commitment one hopes, in the Australian Parliament to the principle of racial non-discrimination.

Senator Chaney—Our amendment makes that much clearer than your motion.

Senator GARETH EVANS—I will come to the honourable senator's amendment in a moment. I do not deny for a moment that one incidental characteristic of a motion like this is that it does give an opportunity for those in opposition with what I would describe as a shred of decency to distance themselves from what has not been repudiated and has not been retracted on behalf of the leadership of the Opposition parties.

I am not immune any more than any other politician is immune from the temptation to make capital on occasions out of the disarray of one's political opponents. But I do say—I hope this will be understood in the spirit in which I say it—that to be embarking on an exercise of this kind, on a matter as sensitive as this, with the motivation of making cheap political capital out of one's opponents disarray would be, I think, unworthy of any government or any politician.

This particular area is dynamite. Even to be talking about the issue and raising the issue in the way that it has been raised over the last three or four weeks is potentially social dynamite. All of us have to tread extremely carefully in the way in which we handle it. It was considered whether it would be wise to open up the sorts of frictions that we have seen in the course of this debate in the Parliament by pushing the matter to a parliamentary test in the way that this motion obviously does. We made the decision that it was wise to do so for the reasons that I have indicated.

Senator Archer—And others.

Senator GARETH EVANS—I cannot expect ever to persuade the honourable senator about these matters, I appreciate that. But it is just too dangerous to be playing school-ground politics with an issue of this kind. If it is the case that people with honour and decency like Senator Peter Baume and others in the other place have taken the opportunity to vote against their Party, well so be it. That is not the primary reason at all why

this particular motion has been brought before the Parliament.

Senator Chaney—How did Graeme Campbell vote?

Senator GARETH EVANS—I have no idea. As to the question of the Opposition's amendment, let me say this: of course there are paragraphs in it like the one attacking the Government for its alleged maladministration of its immigration policy, which we could hardly be expected to support. But it is for reasons other than that I think this policy statement contained in the amendment does not justify the support of this chamber. It is not that there is anything much that is bad in the explicit language of the motion itself, and as my colleague Senator Collins and others have said, there is much with which we can certainly unequivocally agree. But the difficulty about it is that it is equivocal; it is incomplete on crucial points—even, let us face it, on the issue of racial discrimination which has been the subject of the paragraph that has often been quoted by certain people on the other side of the chamber. I am referring in particular to the subparagraph in (j) which states:

In selecting between one individual and another immigration policy will not discriminate against applicants on the basis of their race, colour, nationality, descent, racial or ethnic origin, gender or religion.

That is a worthy sentiment; one with which I agree, but it is not the whole story. Immigration administration is about distinguishing as between one individual applicant and another. It is important that the administration of any immigration policy apply to the particular principles set out in this paragraph.

But immigration policy is about rather more than distinguishing between individual applicants. Immigration policy is about drawing distinctions between categories of people; about skilled categories, refugees or humanitarian based categories—things of that kind. That is what immigration policy is about, and immigration policy as a whole must also, if it is to be genuinely racially non-discriminatory, not be able to discriminate on racial or ethnic grounds between categories of people. That is the weakness. I say that to Senator Harradine and others who might be tempted to think that this is a pretty good and complete statement if it is looked at in its own terms. That is why the

statement is not good enough or complete enough. That is why I urge, even at this late hour, people such as Senator Hill and Senator Teague who are absolutely honest and genuine in their commitment to the principles that underlie the Government motion, to look again at their policy and to ask themselves whether it is complete. Does it touch all the bases that a genuinely non-racially discriminatory immigration policy should touch? I genuinely do not believe it does. That is why we need to go further than that. That is why we need to spell it out in the terms in which it is unequivocally spelt out in the Government motion. That is why, among other reasons, we need to repair the damage that has been so sadly done on this issue over the last few weeks.

Senator VANSTONE (South Australia) (2.13 a.m.)—I am drawn to speak at this late hour largely because of the sanctimonious contribution that has just been made in this chamber. It is the equivalent of the sanctimonious contribution of Senator Gareth Evans yesterday in Question Time. Basically he has said that the Government has no partisan reason for bringing this motion on and that he is very concerned about it being brought on for a whole variety of reasons, one of which he stated yesterday. He said that people like himself, of his generation, would be concerned about the damage it does to human feelings, dignity and relationships, and the quality of life of people already in this country. He would have us believe that honour and decency really mean agreeing with the Australian Labor party. He would have us believe that the reason this motion was brought on tonight, the reason it was put on in the first place, was to make a clear statement to the international community from this Parliament, from both chambers.

If that were really the case I would say two things: the Government would have come to the Opposition and tried to find a bipartisan resolution which we all could have supported. Not one effort was made to do that, and Senator Evans knows it. So he should not come in here parading some high moral attitude of wanting to convey to the international community what this Parliament thinks when what he really wants to do is quite clearly known. He wants to take

a partisan attitude on immigration. That is all he wants to do. I reinforce that by saying that if he really wanted to make a genuine statement to parliament he or someone in his party would have had the brains to seek some sort of Opposition support for a bipartisan statement to be made to the international community, including the Asian community. The fact that he did not do it is a very clear indication of the truthfulness or otherwise of what he has just told this chamber. Honourable senators can judge for themselves the level of truthfulness they put on that.

I have a second reason for querying what the honourable senator has just said. I was one of the team of shadow Ministers who about two hours ago were coming down the passage from Senator Chaney's office. Senator Gareth Evans remembers it well. He was skulking around the corner with a big greasy grin, saying, 'Well, how long do you want your embarrassment to go on for?'. It is a big joke and he is enjoying it. He should not come in here and put on a pious straight face and offer up some rubbish about a bipartisan attitude to immigration. It is just blatant deceit, in my view, for the honourable senator to put forward that approach, to pretend that that is his Government's approach, when he has made not one effort to get a bipartisan motion in this place. His performance was not just in front of me but in front of a whole lot of shadow Ministers. He was skulking around with a big greasy grin.

I thought Senator Evans had to tread a very tortuous path to distinguish between what he calls immigration administration and immigration policy. I almost understood him to say, basically, what we have been saying—that in practice a government, through the administration of immigration, sets limits and quotas. It does and the Minister knows it does. He would say that that is administration, but his policy must not mention that. It seems to me that it was a very tortuous path.

Having said what I was drawn to say by what I regarded as being a sanctimonious contribution, I would now like to say a few other things. I do not regard myself as a racist. I never have and I never will. But I do not need to prove that either to my

colleagues or to the Government, or to the Australian Democrats or to any other independents who are around and I do not need to prove it to the Australian public by supporting a motion served up by the Government. I do not need to do that. In my view it is not an appropriate statement of my beliefs, and I do not have to be drawn into picking off which bits I like and which bits I do not like. I am faced with two choices: the Government's presentation of what is a suitable immigration policy and the presentation outlined in the amendment put forward by Senator Chaney, and I choose the latter. That does not make me a racist. Many years ago when some members of the Labor Party were still in their high racist modes they would not have done what I did quite happily, that is, sponsor refugees to this country through the Indo-Chinese Refugee Association. It is one of the things that I cannot do now that I am in Parliament.

I support the statement put forward as an amendment by Senator Chaney and I want to draw attention to just three of those paragraphs to make the matter crystal clear to some of those honourable senators opposite who quite clearly have not been listening. Paragraph (b) states:

confirms a total commitment to equal treatment and equal opportunity for all Australians regardless of race, colour, creed or country of origin within the framework of a just and tolerant society;

It further states:

The capacity of the Australian people to accept and absorb change must always be a major factor in the immigration policy. The size and composition of our immigration policy should not jeopardise social cohesiveness and harmony within the Australian community.

I agree with that, and I do not think that that makes me a racist either. It continues:

In selecting between one individual and another immigration policy will not discriminate against applicants on the basis of their race, colour, nationality, descent, national or ethnic origin, gender or religion.

Those three paragraphs in particular put my view, and highlight them from the rest of the amendment put forward.

The question has been raised today about the manner in which the immigration debate has been conducted, not so much in this chamber but elsewhere. I do not believe that anything the coalition has said inflamed the

debate to the level it has now reached. The Prime Minister (Mr Hawke) piously stated that he would be prepared to face an election on this issue. He was the one who said that he would face an election on the white Australia policy, on a racist issue, and in doing so he attempted to present the coalition as being racist, as wanting to return to the White Australia policy. If those opposite are silly enough to follow that without reading the words or the substance of what we are saying, that is their problem, not mine.

Let me return to the point about the Government having the sovereign right to control the migrant intake and the need for some sort of balance. As I understood Senator Collins's contribution earlier today, he offered a quotation from the Mayor of Darwin, who said that there ought to be no discrimination and that no one group of people coming to this country should have dominance—there needed to be some sort of balance. They were the words that I heard. Of course, there already is that sort of balance and distribution. The limits are set by quotas on the numbers of migrants from certain countries, by government decisions on the number of staff to be put in various immigration offices around the world, by the placement of those offices, and by the changes in the points system. In this debate many of my colleagues have made reference to those matters. Senator Puplick referred to the basically discriminatory policies of Stewart West and the discriminatory policies of this Government vis-a-vis Iranians. He indicated that Vietnamese migration had fallen by 26 per cent. There is no question of whether governments have the power and ought to use it to control the mix coming into this country.

I have not heard whether Senator Schacht made a contribution to this debate, but I have been waiting to see whether he will and whether he is prepared to tell us about the Indo-Chinese Refugee Association meeting that he was at last year, the one at which Mick Young was the guest speaker and for which he was late—the one at which Mick Young explained why the refugee intake was not going up under this Government. The answer Mick Young gave, which I am sure Senator Schacht and his colleagues will be interested to hear, was basically that the Government had an obligation to ensure that

the immigration program was not so unbalanced as to produce resentment and a lack of social cohesion. He said, and quite rightly, that if the immigration program was not managed properly it would fall into disrepute. That is what he said. He was then the responsible Minister. He was one of the five Ministers we have had trotted past us in this area. Perhaps Senator Schacht was too embarrassed to come forward and make that point. Mick Young understood the failure of this Government to properly control the immigration program. That is why we had the inquiry which produced the report which has indicated that the Government is failing in this area. That is why those opposite are running scared at the moment.

I will come back to where I started. For anyone to misunderstand the nature of the motion which has been put forward is very unfortunate. If any more feelings in the community are hurt over this debate, it will be on the heads of those opposite and not ours, because they could have sought bipartisan support for a motion that made the situation clear, and the fact that they did not do so quite clearly outlines their motives.

Question put:

That the amendment (Senator Chaney's) be agreed to.

The Senate divided.

(The Deputy President—Senator D. J. Hamer)

Ayes	29
Noes	33
Majority	4

AYES

Alston, R. K. R.	MacGibbon, D. J.
Archer, B. R.	Messner, A. J.
Baume, Peter	Newman, J. M.
Bjelke-Petersen, F. I.	Panizza, J. H.
Boswell, R. L. D.	Parer, W. R.
Brownhill, D. G. C.	Patterson, K. C. L.
Calvert, P. H.	Puplick, C. J. G.
Chaney, F. M.	Reid, M. E. (Teller)
Chapman, H. G. P.	Short, J. R.
Crichton-Browne, N. A.	Stone, J. O.
Durack, P. D.	Tambling, G. E. J.
Hamer, D. J.	Teague, B. C.
Hill, R. M.	Vanstone, A. E.
Knowles, S. C.	Watson, J. O. W.
McGauran, J. J.	

NOES

Aulich, T. G.	Haines, J.
Beahan, M. E.	Jenkins, J. A.
Bolkus, N.	Jones, G. N.
Burns, B. R.	McKiernan, J. P. (Teller)
Childs, B. K.	McLean, P. A.

PAIRS

Coates, J.	McMullan, R. F.
Collins, R. L.	Maguire, G. R.
Colston, M. A.	Morris, J. J.
Cook, P. F. S.	Powell, J. F.
Coulter, J. R.	Ray, Robert
Crowley, R. A.	Reynolds, M.
Devereux, J. R.	Sanders, N. K.
Devlin, A. R.	Schacht, C. C.
Evans, Gareth	Tate, M. C.
Foreman, D. J.	Walsh, P. A.
Gietzelt, A. T.	Zakharov, A. O.

PAIRS

Walters, M. S.	Cooney, B. C.
Lewis, A. W. R.	Richardson, G. F.
Bishop, B. K.	Sibraa, K. W.
Baume, Michael	Black, J. R.
Sheil, G.	Button, J. N.

Question so resolved in the negative.

Original question put:

That the motion (Senator Button's) be agreed to:

The Senate divided.

(The Deputy President—Senator D. J. Hamer)

Ayes	35
Noes	<u>28</u>
Majority	<u>7</u>

AYES

Aulich, T. G.	Haines, J.
Baume, Peter	Harradine, B.
Beahan, M. E.	Jenkins, J. A.
Bolkus, N.	Jones, G. N.
Burns, B. R.	McKiernan, J. P. (Teller)
Childs, B. K.	McLean, P. A.
Coates, J.	McMullan, R. F.
Collins, R. L.	Maguire, G. R.
Colston, M. A.	Morris, J. J.
Cook, P. F. S.	Powell, J. F.
Coulter, J. R.	Ray, Robert
Crowley, R. A.	Reynolds, M.
Devereux, J. R.	Sanders, N. K.
Devlin, A. R.	Schacht, C. C.
Evans, Gareth	Tate, M. C.
Foreman, D. J.	Walsh, P. A.
Gietzelt, A. T.	Zakharov, A. O.
Giles, P. J.	

NOES

Alston, R. K. R.	MacGibbon, D. J.
Archer, B. R.	Messner, A. J.
Bjelke-Petersen, F.	Newman, J. M.
Boswell, R. L. D.	Panizza, J. H.
Brownhill, D. G. C.	Parer, W. R.

NOES

Calvert, P. H.	Patterson, K. C. L.
Chaney, F. M.	Puplick, C. J. G.
Chapman, H. G. P.	Reid, M. E. (Teller),
Crichton-Browne, N. A.	Short, J. R.
Durack, P. D.	Stone, J. O.
Hamer, D. J.	Tambling, G. E. J.
Hill, R. M.	Teague, B. C.
Knowles, S. C.	Vanstone, A. E.
McGauran, J. J.	Watson, J. O. W.

PAIRS

Cooney, B. C.	Walters, M. S.
Richardson, G. F.	Lewis, A. W. R.
Sibraa, K. W.	Bishop, B. K.
Black, J. R.	Baume, Michael
Button, J. N.	Sheil, G.

Question so resolved in the affirmative.

Senate adjourned at 2.37 a.m. (Friday)

Papers

PAPERS

The following papers were tabled:

Acts Interpretation Act—Correspondence relating to extension of specified period for presentation of Report—Canberra College of Advanced Education Annual Report 1987.

Australian Bureau of Statistics Act—Australian Bureau of Statistics—Proposal 1988 No. 4—Survey of Manufacturing Technology.

National Health Act—

Declaration and advice of Pharmaceutical Benefits Advisory Committee pursuant to subsections 85 (2AA), (2AB) and (2AC), dated 18 July 1988.

Declarations (3) and Schedules made by delegate of the Minister under subsection 85 (2), dated 18 July and 29 July 1988.

Seat of Government (Administration) Act—Regulations 1988—

- No. 7—(Building and Services Ordinance)
- No. 8—(Electricity and Water Ordinance).
- No. 9—(Electricity Ordinance).
- No. 10—(Community and Health Service Ordinance).
- No. 11—(Meat Ordinance).
- No. 12—(Public Health Ordinance).
- No. 13—(Poisons and Dangerous Drugs Ordinance)
- No. 14—(Magistrates Court (Civil Jurisdiction) Ordinance).