



COMMONWEALTH OF AUSTRALIA

SENATE

Hansard

TUESDAY, 26 AUGUST 2008

CORRECTIONS

This is a **PROOF ISSUE**. Suggested corrections for the Official Hansard and Bound Volumes should be lodged in writing with the Director, Chambers, Department of Parliamentary Services **as soon as possible but not later than:**

Tuesday, 2 September 2008

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BY AUTHORITY OF THE SENATE

PROOF

FAMILY ASSISTANCE LEGISLATION AMENDMENT (CHILD CARE BUDGET AND OTHER MEASURES) BILL 2008

PRIVATE HEALTH INSURANCE LEGISLATION AMENDMENT BILL 2008

APPROPRIATION BILL (No. 1) 2008-2009

APPROPRIATION BILL (No. 2) 2008-2009

1998 BUDGET MEASURES LEGISLATION AMENDMENT (SOCIAL SECURITY AND VETERANS' ENTITLEMENTS) BILL 1998

PASSENGER MOVEMENT CHARGE AMENDMENT BILL 2008

TAX LAWS AMENDMENT (BUDGET MEASURES) BILL 2008

AUSTRALIAN ENERGY MARKET AMENDMENT (MINOR AMENDMENTS) BILL 2008

GOVERNANCE REVIEW IMPLEMENTATION (AASB AND AUASB) BILL 2008

GOVERNOR-GENERAL AMENDMENT (SALARY AND SUPERANNUATION) BILL 2008

FAMILIES, HOUSING, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS AND OTHER LEGISLATION AMENDMENT (2008 BUDGET AND OTHER MEASURES) BILL 2008

SOCIAL SECURITY AND OTHER LEGISLATION AMENDMENT (EMPLOYMENT ENTRY PAYMENT) BILL 2008

WHEAT EXPORT MARKETING BILL 2008

WHEAT EXPORT MARKETING (REPEAL AND CONSEQUENTIAL AMENDMENTS) BILL 2008

INDIGENOUS AFFAIRS LEGISLATION AMENDMENT BILL 2008

QUARANTINE AMENDMENT (NATIONAL HEALTH SECURITY) BILL 2008

CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) AMENDMENT (ASSESSMENTS AND ADVERTISING) BILL 2008

CRIMES LEGISLATION AMENDMENT (MISCELLANEOUS MATTERS) BILL 2008

JUDICIARY AMENDMENT BILL 2008

COMMUNICATIONS LEGISLATION AMENDMENT (MISCELLANEOUS MEASURES) BILL 2008

STATUTE LAW REVISION BILL 2008

CUSTOMS AMENDMENT (STRENGTHENING BORDER CONTROLS) BILL 2008

CUSTOMS LEGISLATION AMENDMENT (MODERNISING) BILL 2008

PROTECTION OF THE SEA (CIVIL LIABILITY FOR BUNKER OIL POLLUTION DAMAGE) BILL 2008

PROTECTION OF THE SEA (CIVIL LIABILITY FOR BUNKER OIL POLLUTION DAMAGE) (CONSEQUENTIAL AMENDMENTS) BILL 2008

COMMONWEALTH SECURITIES AND INVESTMENT LEGISLATION AMENDMENT BILL 2008

CIVIL AVIATION LEGISLATION AMENDMENT (1999 MONTREAL CONVENTION AND OTHER MEASURES) BILL 2008

MILITARY MEMORIALS OF NATIONAL SIGNIFICANCE BILL 2008

VETERANS' AFFAIRS LEGISLATION AMENDMENT (INTERNATIONAL AGREEMENTS AND OTHER MEASURES) BILL 2008

LANDS ACQUISITION LEGISLATION AMENDMENT BILL 2008

SYDNEY AIRPORT DEMAND MANAGEMENT AMENDMENT BILL 2008

Assent

Messages from His Excellency the Governor-General were reported informing the Senate that he had assented to the bills.

COMMITTEES

Community Affairs Committee

Reference

Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (5.47 pm)—I move:

That the following matters be referred to the Community Affairs Committee for inquiry and report by 26 November 2008:

- (a) exemptions for the Exclusive Brethren and its members from Australian laws or administrative decisions;
- (b) public funding, tax or other arrangements which do or may advantage the Exclusive Brethren over other community organisations;
- (c) the activities of the Exclusive Brethren or its members which threaten or harm families, in particular, the best interests of children;
- (d) the covert, as against overt, activities of the Exclusive Brethren or its members in the political process in Australia; and
- (e) any related matters.

There has been a great deal of public disquiet about the Exclusive Brethren sect, which now Prime Minister Rudd as shadow foreign affairs minister commented upon back in September 2006 when he called for a review of federal funding of Exclusive Brethren schools. He said:

On their role in politics ... they are such a secret society and secret sect ... But my broader concern goes to the extent that the Exclusive Brethren-run schools. The Exclusive Brethren, based on my advice, actively discourages children from using information technology, from learning how to use com-

puters properly because they will provide avenues of contact with the outside world.

As opposition leader in August last year, when stating that he had refused to meet with Exclusive Brethren members and calling on then Prime Minister John Howard to come clean on his links with the Exclusive Brethren, Mr Rudd said:

I believe this is an extremist cult and sect. I also believe that it breaks up families, I also believe that there are real problems with the provision of modern education to kids under their system where they, for example, are not given full range of access to the full range of information technology ...

I can add to that the fact that some thousands of Australian children who happen to have grown up within the Exclusive Brethren sect are denied their proper and free opportunity to tertiary education in this country. I cannot imagine any religious—or other sect, for that matter—getting away without a thorough inquiry into their denying thousands of Australian children their basic and fundamental right to tertiary education. It simply would not happen.

The Exclusive Brethren, who are prodigious lobbyists right across the political spectrum and in all parliaments in Australia, state and territory as well as federal, manage to deny these kids—thousands of them—their right to a tertiary education. It is as if they have some other right as part of the Australian community and are able to withdraw, quite arbitrarily, this fundamental right of those children who happen to have been brought up within the sect.

The inquiry I am proposing would look at such matters. It perhaps would also look at the \$10 million paid to five Exclusive Brethren schools around Australia in January this year. Those schools have a combined population of just 2,000 students. Over the next four years, these same schools will collect almost \$50 million in taxpayer subsidies. An additional \$502,000 in funds under the federal Investing in Our Schools program will go to them, and that program allows smaller grants for the construction of projects costing less than \$75,000.

The Prime Minister is quite right about the way in which the Exclusive Brethren orders its education program. He has referred in particular to the difficulty in the past of children in those schools getting access to computers and technology. They were banned for a long time. That has changed more recently under an arrangement whereby the Elect Vessel of the Exclusive Brethren, who is a multimillionaire, has set up a company to specifically give or sell computers within the Exclusive Brethren sect that are particularly dealt with to prevent the essential outside contact that computers give to children generally in this nation.

The Australian Federal Police are still investigating the Exclusive Brethren's \$370,000 donation to then Prime Minister Howard's coalition in the 2004 federal

election. I think the Senate has every right to ask why, four years after a large donation was made to a political party in this parliament, the Australian Federal Police have not completed that inquiry and reported publicly. What is it that has taken so long about that inquiry, which was initiated after concerns were expressed by the Australian Electoral Commission? Then in April this year, after 33 ex-brethren members called on Prime Minister Kevin Rudd to support this inquiry that we are now dealing with in the Senate, a letter came from Mr Rudd's chief of staff, David Epstein, to Mr Peter Flinn, who had sent that letter on behalf of the 33 ex-brethren members. In that letter Mr Epstein said:

The Prime Minister has asked me to acknowledge and respond to your letter dated 25 February written for and on behalf of 33 ex-members of the Exclusive Brethren.

I acknowledge, in particular, the moving personal accounts contained in the thirteen 'life stories' appended to that letter.

I am not able to provide the Senate with those life stories, for two reasons. Firstly, they are very harrowing and personal. However, I invite any senator who wants to, to see those stories. Secondly, and more importantly and of greater concern, the people who wrote those stories fear punitive action from the Exclusive Brethren hierarchy against them or their loved ones, particularly those who are still in the brethren, were their identities to be revealed. The letter from Mr Epstein went on to say:

The Prime Minister does not resile from the views he expressed last year about the Exclusive Brethren. In particular, the Prime Minister remains concerned about the reported imposition of doctrines that weaken family bonds. He also remains concerned about reported doctrines that prevent children accessing online learning tools.

The letter goes on:

I note your observations on the role played by Exclusive Brethren members in recent Australian electoral campaigns. The Government is committed to enhancing transparency in our electoral system and has recently announced reforms related to the disclosure and sources of donations. A Green Paper on electoral reform will be released for comment later this year.

While appreciating your deeply held concerns, the Prime Minister cannot agree to your request for a wide-ranging inquiry into the Exclusive Brethren. The Government believes that such an inquiry could unreasonably interfere with the capacity of members of the Exclusive Brethren to practise their faith freely and openly.

Religious observance should not be regarded as a shield behind which breaches of the law can be hidden.

It then goes on to say:

Any alleged breaches ... should be brought to the attention of the appropriate agency for investigation.

Beyond that, the fact is that the Prime Minister knows very well, and has expressed it in the matters I have just brought before the Senate, the alarming opinion

that so many people have formed about the way in which people within this sect are deprived of their liberties, are threatened, are harassed and are denied the opportunities that other Australians have. It is very much proper that there should be a Senate inquiry into this matter.

I have circulated to party leaders a copy of the letter that was sent to Prime Minister Rudd which evinced Mr Epstein's response. I am hoping that overnight the parties will look at that letter and provide any amendments or deletions they wish to make, because I wish to incorporate it into *Hansard*. I will do that, hopefully, when the debate continues. This is a very important inquiry. It is one about the lost rights of some thousands of Australians who deserve to have their plight opened to the light of day. I put it to honourable senators that this inquiry should proceed. It is the bailiwick of this Senate to look at just matters like this when there are citizens suffering and being manipulated and deprived of their rights.

Senator MILNE (Tasmania) (5.57 pm)—I rise today to support this motion. There have been many debates in this chamber relating to this matter and it is very disappointing to me that the government has backed away from an inquiry. The matter I would particularly like to speak on this evening is education. I think it is a terrible thing that we have got Commonwealth funding going to schools where there is an active prohibition on young people going on to further education. Exclusive Brethren young people are not allowed to attend university. Girls are not allowed to do manual arts subjects. They know that there will be an arranged marriage for them within the Exclusive Brethren community, and that is their fate whether they like or not.

When I taught at Devonport High School back in the early 1980s, at that stage there were no Exclusive Brethren schools as such and some of the students came to Devonport High. I had a particularly bright young woman in my class, and I urged her to go on to the Don College and I talked to her about the opportunities in higher education and so on. Her parents complained to the principal of the school that I was filling her head with ideas that were contrary to their aspirations for her, that she would not be going on to further education, that she would be married and that when she got married she would not be working again because married women in the sect are precluded from working.

So I had a situation where this young girl with her life ahead of her, with huge potential, was being shut down in terms of any aspirations other than an arranged marriage within the sect and, once the arranged marriage took place, no working life thereafter.

Debate interrupted.

Senate adjourned at 6.00 pm

DOCUMENTS

Tabling

The following government documents were tabled:

Renewable Energy (Electricity) Act 2000—Report for 2007 on the operation of the Act.

Treaties—

Bilateral—

Agreement between the Government of Australia and the Government of the French Republic Regarding Defence Cooperation and Status of Forces, Done at Paris on 14 December 2006—Text, together with national interest analysis and annexures.

Explanatory statement 3 of 2008—Amendment to the Agreement on Social Security between the Government of Australia and the Government of the Republic of Chile of 25 March 2003.

Explanatory statement 5 of 2008—Amendment to Annex 4.1 (Rules of Origin) of the Australia-Thailand Free Trade Agreement (TAFTA) of 5 July 2004.

Multilateral—

Agreement between Australia and the European Union on the Processing and Transfer of European Union-Sourced Passenger Name Record (PNR) Data by Air Carriers to the Australian Customs Service, Done at Brussels, 30 June 2008—Text, together with national interest analysis and annexure.

Agreement between the Government of Australia and the European Community on certain aspects of Air Services, done at Brussels, 29 April 2008—Text, together with national interest analysis and annexures.

Explanatory statement No. 4 of 2008—Amendment, adopted at Rome on 28 March 2008, to the Agreement for the Establishment of the International Development Law Organization of 5 February 1988, as amended on 30 June 2002 and 30 November 2002.

Optional Protocol to the Convention on the Elimination of All Forms of Discrimination Against Women of 18 December 1979, done at New York, 6 October 1999—Text, together with national interest analysis.

Tabling

The following documents were tabled by the Clerk:

[*Legislative instruments are identified by a Federal Register of Legislative Instruments (FRLI) number*]

A New Tax System (Commonwealth-State Financial Arrangements) Act—Determination of the Guaranteed Minimum Amount [F2008L02478]*.

A New Tax System (Family Assistance) Act—

A New Tax System (Family Assistance) (Child Care Benefit —Children in respect of whom none is eligible) Amendment Determination 2008 (No. 1) [F2008L02443]*.