

That the Senate—

- (a) expresses its concern about reports that two Australians, amongst a party of ten members of Falun Gong arrested by police in Beijing on 8 March 2002, were beaten by the police; and
- (b) calls on the Australian Government to obtain an explanation from China and to respond appropriately, to ensure Australians are not abused in similar circumstances in the future.

### BUSINESS

#### Rearrangement

**Senator IAN MACDONALD** (Queensland—Minister for Forestry and Conservation) (4.36 p.m.)—by leave—In relation to a government document tabled earlier today, I move:

That consideration of government documents not be proceeded with today, and that business continue till 7.20 p.m.

Question agreed to.

### COMMITTEES

#### A Certain Maritime Incident Committee

##### Variation of Reference

**Senator McGAURAN** (Victoria) (4.37 p.m.)—by leave—I move:

That the resolution of the Senate of 13 February 2002 appointing the Select Committee on a Certain Maritime Incident be amended as follows:

After paragraph (1)(b), insert:

- (c) operational procedures observed by the Royal Australian Navy and by relevant Commonwealth agencies to ensure the safety of asylum seekers on vessels entering or attempting to enter Australian waters.

**Senator COOK** (Western Australia) (4.38 p.m.)—by leave—I draw the attention of the chamber to the fact that I am the chairman of the Select Committee on a Certain Maritime Incident. The committee was advised, and extended all due courtesy, by Senator Mason at its private meeting yesterday that this change to the terms of reference was thought to be desirable. I indicate that, after consideration of the additional terms that have been outlined in this motion, the committee was unanimous in its view that it would support the changes in those terms.

It is worth mentioning that argument in support of changing the terms as proposed was made and, in the course of making that argument, a document, which was a letter from the Leader of the Opposition in the other place, Mr Simon Crean, to the Minister for Defence, Senator Hill, was tabled by government senators. This was a letter—and it is not appropriate for me to go into the details of it—in which the Leader of the Opposition forwarded to the defence minister a substantial body of documents from a former Foreign Affairs officer and now research officer at the Australian National University about allegations concerning the conduct of the Australian Navy with respect to refugees.

I do imagine that Senator Hill will respond in the appropriate manner to Mr Crean. I do not imagine that this matter, coming informally as it has to the committee, is in any way an answer to Mr Crean regarding the letter he has sent. However, the committee was of the view that the terms of reference probably embraced the scope that is now being sought but on balance thought that there was no reason why it should not be made explicit and, as a consequence, we were unanimous in supporting the motion.

It is, however, appropriate for me to mention at this point that the reporting date of the committee is, from my recollection, 16 May, and this extension to the terms of reference does impose more pressure on the committee. I mention it not because we are seeking, or have even considered seeking, an extension of time for the reporting date—we will certainly try to meet that date—but just to draw the chamber's attention to the fact that it does place more pressure on the committee to complete its work timetable expeditiously. I also note that, in answer to a question from Senator Stott Despoja yesterday, the Minister for Defence, Senator Hill, said, in relation to the committee—and I quote:

... the government believes it is simply a political hatchet job connived between the Australian Democrats and the ALP to achieve a political outcome that they might as well state before the outset.

That seems to suggest that the government's view of this committee is less than flattering. I now note that a government senator has

moved to change the committee's terms of reference. The committee has accepted that proposal, and one hopes that the chamber follows suit by voting for it. If the chamber does, all senators who are members of the government will have the opportunity to vote for these terms of reference. I think it is fair to say that that is at odds with the sentiment expressed by the Minister for Defence about the committee. I make that observation because I think it is a pertinent one in terms of how the committee should be seen. The government certainly does recognise the committee and has worked seriously and—I put it in these terms—constructively in order to set up the inquiry. The attack made by Senator Hill yesterday should be seen perhaps as an aberration of that.

However, I do hope that this newfound constructive approach by those on the government side extends to the cabinet, who have apparently put a ban on some witnesses attending this inquiry, should they be invited. At this stage I have no official information before me as to the exact nature of the cabinet decision. There is apparently no cabinet press release setting out the details. We do have some press reports which claim to be authoritative and which do quote spokesmen for the government, but there is nothing official on the record. One hopes that this newfound approach by the government in constructively seeking to amend this committee's terms of reference does extend as well to Monday evening's apparent announcement about witnesses being able to attend any hearings of this committee.

Having made those remarks, I have no difficulty at all in supporting Senator Brett Mason's motion which has been moved by Senator McGauran, and I commend it to the Senate.

Question agreed to.

## NOTICES

### Postponement

Items of business were postponed as follows:

General business notice of motion no. 14 standing in the name of Senator Harris for today, relating to the establishment of a

select committee on the Lindeberg grievance, postponed till 19 March 2002.

General business notice of motion no. 1 standing in the name of the Leader of the Australian Democrats (Senator Stott Despoja) for today, relating to a request to the Inspector-General of Intelligence and Security to investigate certain actions in relation to the MV *Tampa*, postponed till 19 March 2002.

General business notice of motion no. 24 standing in the name of Senator Bourne for today, relating to measures to resolve tensions between India and Pakistan, postponed till 19 March 2002.

General business notice of motion no. 31 standing in the name of Senator Allison for today, proposing an order for the production of documents by the Minister for Defence (Senator Hill), postponed till 14 March 2002.

General business notice of motion no. 2 standing in the name of Senator Allison for today, relating to the establishment of a select committee on superannuation, postponed till 14 March 2002.

General business notice of motion no. 32 standing in the name of Senator Carr for today, proposing an order for the production of documents by the Minister for Health and Ageing (Senator Patterson), postponed till 14 March 2002.

## LEAVE OF ABSENCE

**Senator MACKAY** (Tasmania) (4.44 p.m.)—by leave—I move:

That leave of absence be granted to Senator Gibbs for the period 14 March 2002 to 21 March 2002, on account of parliamentary business overseas.

Question agreed to.

## MINISTERS OF STATE (POST-RETIREMENT EMPLOYMENT RESTRICTIONS) BILL 2002

### First Reading

**Senator STOTT DESPOJA** (South Australia—Leader of the Australian Democrats) (4.45 p.m.)—I move:

That the following bill be introduced: A Bill for an Act to regulate certain post-retirement employment of Ministers of State, and for related purposes.

Question agreed to.