

## COMMITTEES

## Legal and Constitutional References

## Reference

**Senator NETTLE** (New South Wales) (3.40 p.m.)—I move:

That the following matter be referred to the Legal and Constitutional References Committee for inquiry and report by 15 June 2005:

The detention of Ms Cornelia Rau, with particular reference to:

- (a) the circumstances, actions and procedures which resulted in Ms Rau being detained;
- (b) how Ms Rau remained unidentified during the period in question;
- (c) the adequacy of mental health services provided to Ms Rau and other detainees;
- (d) the conditions in Australian immigration detention centres and whether they are having a harmful effect on the mental health of detainees;
- (e) the adequacy of legal assistance provided to Ms Rau and other detainees;
- (f) the actions of relevant ministers; and
- (g) any related matters.

Question put.

The Senate divided. [3.45 p.m.]

(The Deputy President—Senator J.J. Hogg)

Ayes.....	2
Noes.....	46
Majority.....	44

## AYES

Brown, B.J.                      Nettle, K. \*

## NOES

Allison, L.F.	Barnett, G.
Brandis, G.H.	Buckland, G.
Campbell, G.	Chapman, H.G.P.
Cherry, J.C.	Colbeck, R.
Collins, J.M.A.	Crossin, P.M.
Denman, K.J.	Ellison, C.M.
Evans, C.V.	Faulkner, J.P.
Ferguson, A.B.	Ferris, J.M. *
Fifield, M.P.	Forshaw, M.G.
Greig, B.	Hill, R.M.
Hogg, J.J.	Humphries, G.
Johnston, D.	Kirk, L.
Knowles, S.C.	Lees, M.H.
Lightfoot, P.R.	Ludwig, J.W.
Mackay, S.M.	Marshall, G.
Mason, B.J.	McGauran, J.J.J.
McLucas, J.E.	Moore, C.
Murray, A.J.M.	Payne, M.A.
Ray, R.F.	Ridgeway, A.D.
Santoro, S.	Scullion, N.G.
Stephens, U.	Tchen, T.
Tierney, J.W.	Watson, J.O.W.
Webber, R.	Wong, P.

\* denotes teller

Question negatived.

## NOTICES

## Postponement

**Senator ALLISON** (Victoria—Leader of the Australian Democrats) (3.49 p.m.)—by leave—I amend business of the Senate notice of motion No. 2 as follows:

- (1) That a select committee, to be known as the Select Committee on Mental Health, be appointed to inquiry into and report by 6 October 2005 on the provision of mental health services in Australia, with particular reference to:
  - (a) the extent to which the National Mental Health Strategy, the resources committed to it and the division of responsibility for policy and funding between all levels of government have achieved its aims and objectives, and the barriers to progress;
  - (b) the adequacy of various modes of care for people with a mental illness, in particular, prevention, early intervention, acute care, community care, after hours crisis services and respite care;
  - (c) opportunities for improving co-ordination and delivery of funding and services at all levels of government to ensure appropriate and comprehensive care is provided throughout the episode of care;
  - (d) the appropriate role of the private and non-government sectors;
  - (e) the extent to which unmet need in supported accommodation, employment, family and social support services, is a barrier to better mental health outcomes;
  - (f) the special needs of groups such as children, adolescents, the aged, Indigenous Australians, the socially and geographically isolated and of people with complex and co-morbid conditions and drug and alcohol dependence;
  - (g) the role and adequacy of training and support for primary carers in the treatment, recovery and support of people with a mental illness;
  - (h) the role of primary health care in promotion, prevention, early detection and chronic care management;
  - (i) opportunities for reducing the effects of iatrogenesis and promoting recovery-focussed care through consumer involvement, peer support and education of the mental health workforce, and for services to be consumer-operated;
  - (j) the overrepresentation of people with a mental illness in the criminal justice system and in detention, the extent to which these environments give rise to mental illness, the adequacy of legislation and processes in protecting their human rights and the use of diversion programs for such people;
  - (k) the practice of detention and seclusion within mental health facilities and the extent to which it is compatible with human rights instruments, humane treatment and care standards, and proven

- practice in promoting engagement and minimizing treatment refusal and coercion;
- (l) the adequacy of education in de-stigmatising mental illness and disorders and in providing support service information to people affected by mental illness and their families and carers;
  - (m) the proficiency and accountability of agencies, such as housing, employment, law enforcement and general health services, in dealing appropriately with people affected by mental illness;
  - (n) the current state of mental health research, the adequacy of its funding and the extent to which best practice is disseminated;
  - (o) the adequacy of data collection, outcome measures and quality control for monitoring and evaluating mental health services at all levels of government and opportunities to link funding with compliance with national standards; and
  - (p) the potential for new modes of delivery of mental health care, including e-technology.
- (2) That the committee consist of 7 senators, 3 nominated by the Leader of the Government in the Senate, 3 nominated by the Leader of the Opposition in the Senate and 1 nominated by the Leader of the Australian Democrats.
  - (3) That the chair of the committee be elected by the committee from the members nominated by the Leader of the Opposition in the Senate.
  - (4) In the absence of agreement on the selection of a chair, duly notified to the President, the allocation of the chair be determined by the Senate.
  - (5) That the deputy chair of the committee be elected by and from the members of the committee immediately after the election of the chair.
  - (6) That the deputy chair act as chair when there is no chair or the chair is not present at a meeting.
  - (7) That the quorum of the committee be 3 members.
  - (8) Where the votes on any question before the committee being equally divided, the chair, or deputy chair when acting as chair, shall have a casting vote.
  - (9) That the committee and any subcommittee have power to send for and examine persons and documents, to move from place to place, to sit in public or in private, notwithstanding any prorogation of the Parliament or dissolution of the House of Representatives, and have leave to report from time to time its proceedings and the evidence taken, and such interim recommendations as it may deem fit.
  - (10) That the committee have power to appoint subcommittees consisting of 3 or more of its members and to refer to any such subcommittee any of the matters which the committee is empowered to consider.
  - (11) That the quorum of a subcommittee be 2 members.
  - (12) That the committee be provided with all necessary staff, facilities and resources and be empowered to appoint persons with specialist knowledge for the purposes of the committee with the approval of the President.

- (13) That the committee be empowered to print from day to day such documents and evidence as may be ordered by it, and a daily *Hansard* be published of such proceedings as take place in public.

I seek leave to postpone the notice of motion till the next day of sitting.

Leave granted.

**Senator ALLISON**—I move:

That general business notice of motion No. 86 be postponed till the next day of sitting.

Question agreed to.

## MINISTERIAL STATEMENTS

### Iraq

**Senator HILL** (South Australia—Minister for Defence) (3.50 p.m.)—I seek leave to make a statement relating to the Australian task group deployment in Iraq.

Leave granted.

**Senator HILL**—The Senate will be aware that on 22 February the Prime Minister announced the government's decision to send an Australian task group to Iraq.

This task group will go to Al Muthanna province in southern Iraq. It will work closely with the Japanese Iraq Reconstruction Support Group, which is making a valuable humanitarian contribution to the rebuilding process in the province. It will also work with British forces, who maintain operational control of southern Iraq.

The Australian task group will have two roles.

First, it will provide a secure environment for the Japanese Iraq Reconstruction Support Group which is currently building roads and schools, ensuring clean water supply, and delivering incidental health services.

Second, the task group will be involved in the further training of the Iraqi security forces. That training is essential if Iraqis are to assume responsibility for their own security.

This deployment was a difficult decision, taken by the government after careful consideration of Australia's interests and our global and regional responsibilities.

It is a sign of Australia's commitment to the people of Iraq in their struggle for a better future. It is also a sign of the importance the government places on working with Japan—a close friend and regional partner—on global security issues.

Iraq today is at a critical juncture; the Prime Minister has referred to it as a 'tilting point'—one where the balance between success and failure turns on a test of wills.

Terrorists and insurgents have set themselves the goal of thwarting the emergence of a secure and de-