



COMMONWEALTH OF AUSTRALIA

# House of Representatives

## Votes and Proceedings

### Hansard

**TUESDAY, 7 FEBRUARY 2012**

#### **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, 14 February 2012**

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Main Committee	(02) 6277 2944

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

# **PROOF**

*Tuesday, 7 February 2012*

The **SPEAKER (Hon. Peter Slipper)** took the chair at 14:00, made an acknowledgement of country and read prayers.

### CONDOLENCES

#### **Cowen, Sir Zelman, AK, GCMG, GCVO, QC**

**Ms GILLARD** (Lalor—Prime Minister) (14:01): I move:

That the House express its deep regret at the death on 8 December 2011 of the Right Honourable Sir Zelman Cowen AK, GCMG, GCVO, QC, a former Governor-General of the Commonwealth of Australia from 1977 to 1982, place on record its appreciation of his long and meritorious public service, and tender its profound sympathy to his family in their bereavement.

On 8 December 2011 Australia lost one of its greatest statesmen with the death of our nation's 19th Governor-General, Sir Zelman Cowen. Born in 1919, Sir Zelman grew up in the marvellous Melbourne of the 1920s where he had two of the finest role models an imaginative and impressionable young boy could have—John Monash and Isaac Isaacs. Like them, he enjoyed the transformative experience of a superb education which took him, as it carried them, to the very summit of achievement and success. Like them, he united innate ability with extraordinary application and hard work, but it was not all seriousness and study. Sir Zelman wrote movingly about long afternoons at the beach, the cricket or the movies, or watching his beloved St Kilda unsuccessfully fight for a flag. It was a very Australian life.

Sir Zelman was awarded a Rhodes scholarship in 1940, which he deferred until 1945 so that he could complete his war service with the Royal Australian Navy. He went on to become a fellow of Oriel College, Oxford, and returned to Australia in 1951 as professor and dean of law at the University of Melbourne, where he was to remain for 16 years. Vice-chancellorships of the University of New England and the University of Queensland followed in what were dramatic years for university leaders around the world. On Bastille Day 1977 came the unexpected but very welcome announcement that Professor Zelman Cowen would be Australia's next Governor-General. It was one of Malcolm Fraser's finest decisions.

Sir Zelman came to office when the role of Governor-General and the fabric of our political system had been placed under enormous duress. He rightly identified the need for a touch of healing and, through his wisdom and dignity, delivered it. The healing continued throughout his 4½ years as Governor-General where he sought to interpret the nation to itself and recognised those whose voice was not always heard. There have been just 25 governors-general since the advent of Australian nationhood in

1901. None has served with more distinction than Sir Zelman Cowen. He set the template for all of his successors.

Sir Zelman's long list of honours and achievements could not alone define him. He was a loving and much loved husband and father, and we are honoured today by the presence in the gallery of Lady Cowen—you are very welcome here—and Sir Zelman's son, Rabbi Cowen. Thank you for being among our number.

**Honourable members:** Hear, hear!

**Ms GILLARD:** Sir Zelman was a man of enormous warmth and humour, a music lover and patron of the arts, a humanitarian dedicated to justice and public welfare, a proud member of the Australian community, a proud member of the Jewish community and a leader of both, but above all Sir Zelman Cowen was a good and decent man, open-minded, tolerant and wise. To put it simply, he was a gentleman. I am not sure these terms would have sat well with Sir Zelman because his way was understated and humble. Serving his country, whether in the Navy, as a teacher, an administrator or a viceroy was not a chore; it was an honour. He always understood public service as a vocation.

If we measure a life by the void it leaves, then Sir Zelman Cowen's passing has left our nation with a large gap indeed, but the strength of his legacy ensures that it endures in all those whose lives he touched—in his wife and great support, Anna, and his children and grandchildren, in all of the young people he mentored who now adorn the public life of our country, including the member for Kooyong, and in all those who felt included and inspired by his generosity of spirit during that time of healing. If there was one regret it was the fact that St Kilda never won another flag after that miraculous one-point victory in 1966, held on the Festival of Yom Kippur. The Saints are among many who have mourned the loss of a friend.

A life like this deserves to be remembered not only in our hearts but also through institutional means that will endure. Already there is the Sir Zelman Cowen Centre at Victoria University in Melbourne and the Sir Zelman Cowen Trust Fund for Australians studying at the Hebrew University of Jerusalem. Since Sir Zelman's passing, there have been a number of new proposals for the recognition of his work. Among these is a scholarship proposed by the General Sir John Monash Foundation to honour Sir Zelman's profound contribution to the law, academia, government and the nation. The government will create such scholarships, working with the foundation. The aim would be to create a prestigious award that would enable further study overseas at the highest level. This would be most appropriate, mirroring the life-changing nature of Sir Zelman's own studies overseas. It is also appropriate

because the nation should remember. And we will remember.

Sir Zelman once wrote that his old friend, the American jurist Erwin Griswold, had led a great, a distinguished and an honourable life. He could have been writing about himself. Sir Zelman was indeed a great, distinguished and honourable man. We were enriched by his life and are diminished by his passing. He will be long remembered and very greatly missed. On behalf of the government and the people of Australia, I extend to Lady Cowen and her family our sincere sympathy in their bereavement.

**Mr ABBOTT** (Warringah—Leader of the Opposition) (14:08): I rise to support the fine words of the Prime Minister and to observe that Sir Zelman Cowen's life was one of remarkable achievement and enduring benefit to our country. He was, in turn, a Rhodes Scholar, a naval officer and survivor of the bombing of Darwin, an academic, a vice chancellor, a viceroy, the head of an Oxford college, the head of an important regulator and the chairman of one of our most important public companies. He was truly great and he was truly good, and our country is deeply in his debt.

Sir Zelman appreciated the continuities of our culture but he well understood that often things have to change in order to last. To give just one example, he found Oriel College, Oxford to be the last bastion of single-sex education and he left it as part of the 20th century as a mixed college. Sir Zelman knew when to speak and he knew when to hold his peace. As Governor-General he delivered literally thousands of elegant speeches on almost every subject, but not once did he comment on the dismissal of a prime minister by his predecessor, famously saying that no good purpose would come of answering questions on that subject. It was indeed through his judicious silences that he successfully brought about this vital touch of healing to the highest office in our land.

Sir Zelman was very conscious of his Jewish heritage, although he was not especially religious, as his son Shimon so eloquently pointed out at his funeral service in Melbourne. Sir Zelman was a seeker after truth rather than an expounder of dogma. Perhaps one way in which we could further honour his memory is by seeking the ethical principles which might be regarded as common to all cultures and to all people—principles such as keeping commitments, respecting human life and caring for the vulnerable. Sir Zelman sought always the things men and women had in common and hoped always that they might be their best selves. We miss him, we honour him, we seek to be worthy of him and we extend our condolences to Lady Anna and his family.

**Mr DREYFUS** (Isaacs—Cabinet Secretary and Parliamentary Secretary for Climate Change and

Energy Efficiency) (14:11): In one of those curious coincidences that life sometimes brings, Sir Zelman Cowen wrote an excellent biography of Australia's first Australian-born Governor-General, Isaac Isaacs, after whom my electorate is named. Isaacs was also the first Jewish Governor-General. Sir Zelman did not imagine that 10 years after the biography was published the Prime Minister would ask him to follow in Isaacs' footsteps and in doing so become Australia's second Jewish Governor-General. Sir Zelman, speaking of the moment at which Malcolm Fraser proposed to him that he should be the successor to Sir John Kerr, said:

Among the thoughts that crowded into my mind was the one that it was an extraordinary thing that I should have been a biographer of Isaacs.

Sir Zelman described his appointment as Governor-General, and service from 1977 to 1982, as 'totally unexpected, but it was the greatest experience of my life'. We are all the beneficiaries of his service to our country. At a media conference after his appointment was announced Sir Zelman was asked what he hoped to do. He said, as always with simple and carefully chosen words:

I hope that I may bring a touch of healing.

He achieved that hope. The *Australian* newspaper editorialised in 1979:

Call him the healer. Zelman Cowen has achieved in two short years what many Australians believed was impossible after the events of November 1975.

So much of the coverage of Sir Zelman's passing has referred to his healing role in restoring Australians' confidence in the Governor-Generalship, much needed after the involvement of Sir John Kerr in the sacking of the Whitlam government. Some have suggested that Sir Zelman became such a successful Governor-General because he avoided partisanship, but in no sense did he avoid the great issues of public affairs during his life. Sir Zelman had strong, carefully reasoned and clearly expressed views on those issues. He commented frequently in speeches, on radio and on television, opposing the Communist Party dissolution referendum in 1951, opposing capital punishment and the Victorian hangings in the 1960s and defending free speech and the right to protest in the early 1970s. In the 1990s he came to support an Australian republic because he believed the nation was ready for it. He spoke on asylum seekers during the Howard government and his words show us the wonderful man that he was. He said:

I consider that being as generous as we can is the most likely way to get the best result. My background gives me a sense of a powerful urge to find something better. Compared to many nations in the world our circumstances are comfortable, even enviable. We have, I think, an obligation as part of the international community to behave with magnanimity to those who arrive here carrying little else but their hopes for a better life.

Sir Zelman's life was a life of service, both before and after his Governor-Generalship. He served our country in the Navy in World War II. He became the Dean at the Melbourne Law School at 31 and served in that role from 1951 to 1966. He continued to serve the cause of higher education for the rest of his life in the formal roles of Vice-Chancellor of the University of New England, Vice-Chancellor of the University of Queensland and Provost of Oriel College, and in countless other roles. I am very pleased to hear the Prime Minister's announcement of the establishment of scholarships in Sir Zelman's name through the General Sir John Monash Foundation.

Sir Zelman was a great participant in the Jewish community. I saw him from time to time at Temple Beth Israel in Melbourne, the synagogue where his father Bernard was president, the synagogue where in 1945 he married Anna, who is with us here today, and the synagogue where his state funeral was held on 13 December 2011.

He often attended Jewish community events and was always ready to assist the community. Just in August last year he provided a well-written message for the B'nai B'rith Anti-Defamation Commission for its fundraising appeal, which included, as so often from Sir Zelman, his care for the future. He said:

We must educate both the youth of our own community and the next generation of Australians to know that racism and anti-Semitism must never be tolerated.

I went to visit Sir Zelman on a Saturday afternoon in July 2010 with Irwin Cotler, a current member of the Canadian parliament and former Attorney-General of Canada but also an eminent professor of constitutional and human rights law—someone with a very long association with Sir Zelman. Sir Zelman was watching the football on TV, following another of his passions, the St Kilda Football Club—a passion I regrettably share, because it has meant mostly disappointment since 1966. He interrupted watching the game to immediately engage with his visitors on issues of the day in Canada and in Australia. That was the Sir Zelman I knew, late in his life, always engaging in matters of public concern and still seeking to serve in whatever way he could.

State funerals do not always capture the essence of the public figure they honour but Sir Zelman's funeral was an exception. There were deeply moving eulogies from Rabbi John Levi; from Sir Zelman's son, Rabbi Shimon Cowen, who is also here with us; from Dr Donald Markwell, the Warden of Rhodes House, University of Oxford; from Steven Skala AO; and from the member for Kooyong.

John Levi spoke from the ancient teachings of the three crowns—the crown of learning, the crown of priesthood or faith and the crown of royalty, all of which Sir Zelman bore—and of a fourth crown, the

crown of a good name, which excels them all. Steven Skala said, rightly and eloquently, in words that I cannot improve on, that Sir Zelman's 'life's work in public and private reflected the deepest concern for the dignity of every person', that 'he embedded in us a love of learning, the pursuit of ideas and the power of reason in achieving justice, simply by being who he was', and that 'to understand Sir Zelman Cowen is to understand that the public man and the private man were the same: humane, decent, civil, loyal and committed to helping'.

I end with some more of Sir Zelman's own words from his memoirs, reflecting on something that he used to say at citizenship ceremonies—all of us in this House speak at these ceremonies and we all seek to capture in our different ways something of the spirit of our nation. Sir Zelman drew on the background that he shared with Isaacs. He said:

On occasion, when I spoke at citizenship ceremonies, I would recount the story of Isaacs, the son of poor immigrants, who had arrived in Australia only a year before my birth. I could reflect that my own story, while different in some respects, was not so very different, and I said that I believed that this should carry a message to those who participate in such ceremonies, and who could see the evidence of great human opportunity in such life stories. We have reason to be very proud of a country which makes this possible and actual.

We do have reason to be very proud of our country, but we also have reason to be very proud of Sir Zelman Cowen, a truly great Australian. We mourn his passing and we will miss him.

**Mr RUDDOCK** (Berowra) (14:19): I commend those who have spoken before me for their very wise and well-chosen words. I believe I am the only member of this House who served while Sir Zelman was Governor-General of Australia. I had the opportunity of meeting with him on numerous occasions but I also had the opportunity of meeting with him afterwards at Oriel College, when he had retired from the role of Governor-General and had taken up a fresh academic appointment. I was there quite uniquely, in a sense, with members of the parliament at that time but also with George Brandis of the Senate, Don Markwell and Tom Harley—all distinguished Liberals who have written on that topic and were at Sir Zelman's feet.

He has been regaled as the great healer. I think it is important to recognise the nature of the events in 1975 for the potential they had to do the Australian democracy enormous harm. We came from those events, notwithstanding those challenges, in a cohesive way. It is by no accident that Sir Zelman Cowen is regaled as the healer, the person who was able to provide very considered leadership in addressing those important issues.

For my own part, I want to simply record that I saw Sir Zelman Cowen as a great Australian, regardless of whether he had been Governor-General or not. To be appointed as a professor of public law and Dean of the Melbourne Law School at the age of 31 years was remarkable in itself. He had been a visiting professor at American universities. Before that time he played a very significant role in modernising legal education. He focused on assimilating legal education with practice. He advised the British Colonial Office on constitutional matters as a dominion liaison officer. He advised governments of Hong Kong and China on legal affairs. It can be seen that even before his leadership roles at the University of New England and as the Vice Chancellor of the University of Queensland his achievements were very considerable.

One matter that has not been noted was that between 1976 and 1977 he was appointed a Law Reform Commissioner and was active in the areas of addressing the need for the law to keep up to date with the times during mass globalisation and of updating law to deal with rapid development in science and technology sectors such as bioethics and, specifically, human transplants and privacy. Later his activities led to the introduction of the federal Privacy Act. I thought it was particularly germane that Michael Kirby wrote of him:

While still Vice Chancellor of the University of Queensland, he agreed to serve with me in the Australian Law Reform Commission. And he did so between 1976 and 1977. What exciting days they were. Two of our projects have grown out of his own academic interests. One of them, for the protection of privacy, led to the federal Privacy Act and resulted in my own introduction to the international activities of committees of the OECD. The other concerned bioethics, specifically human tissue transplants. Zelman had also written on the topic. He once let me into his intellectual secret. He urged me to read American law reviews which, he said, would put me ten years ahead of most Australian lawyers.

Michael Kirby said he took his advice. Others may not comment as positively on those matters, but I thought it was of interest.

I conclude my remarks by picking up one of the observations of a former Speaker and member for Isaacs. He commented on Sir Zelman having some observations to make about an Australian republic. I conclude with what he had to say about that matter in 1999 when speaking at the National Press Club in Canberra.

He went on to take issue with those who argued for a direct election of a President. He preferred the method offered in a referendum beginning with a public nomination process and ending with a person put forward by the Prime Minister receiving bipartisan support from two-thirds of the parliament.

I might say his comments were particularly perspicacious then and they may at another time be perspicacious again. I am pleased to be associated with

this motion of condolence. I regard Sir Zelman as one of the greatest Australians that I have had the pleasure of knowing.

**Mr DANBY** (Melbourne Ports) (14:25): Sir Zelman Cowen was a second generation Australian. He was born Zelman Cohen in Melbourne in 1919 to a family originally from Belarus, then part of tsarist Russia. Originally from Ballarat, the Cohen family lived in St Kilda, even then a Melbourne suburb with a significant Jewish population. His father was variously employed as a car salesman and manager of an oil company and changed the family surname by deed poll to Cowen in 1922. Like so many of us, he was guided by his mother Sara, who, by his own admission, had strong ambitions for her son, which I would say he more than amply fulfilled.

For all of his national and international repute, Sir Zelman Cowen was a St Kilda man at heart and never forgot the suburb where he was born—a suburb which I am proud, obviously, to represent in this parliament. He never forgot his boyhood on the streets of inner-city Melbourne and his immigrant heritage, as the member for Isaacs so aptly referred to earlier. In his autobiography, Sir Zelman recalls his first day at St Kilda Park Primary School, looking at the blackboard and thinking he would never make sense of what was there. Well, he did, of course, and more than most.

I had the privilege at the end of 2011, just prior to his funeral, of dedicating brand new extensions to St Kilda Park Primary School, just around the corner from my electoral office in Melbourne Ports. I noted the dedication of Sir Zelman Cowen as the school's most distinguished alumni. I know Sir Zelman would have approved of these extensions. His wife, Lady Anna Cowen, told me quite movingly at lunch that, while he was Governor-General, he was actually counted out—Sir Ninian Stephen took the role as his replacement while he was doing his last function at St Kilda Park Primary School.

My friends from the Chabad movement and his son, Rabbi Shimon Cowen, would probably think it is, as they say, *beshert*—ordained—that that very morning, in a function that was organised long before his death, I would go there to make those extensions and then walk from there to Temple Beth Israel to his funeral service. St Kilda Park Primary School has had many distinguished alumni, including the great cricketers Ponsford, Miller and Johnson, and Sir William Dargie, who won eight Archibald Prizes. But Sir Zelman is the school's most distinguished alumni.

He was a Saints man because the Junction Oval was just across the road, and he was their No. 1 supporter and patron. Lady Cowen very proudly showed me his life membership tag at lunch. Sir Zelman could never be called inconsistent in his lifelong support of the Saints and, until recently, attended St Kilda games. I

remember attending one very memorable and sad one with him in the Long Room some years ago against Melbourne. On the Saints football club's obituary page for Sir Zelman, the team has posted a particularly apt and charming photo of Sir Zelman smiling with delight with that great character of Aussie Rules football Kevin 'Cowboy' Neale, who kicked five goals in the 1966 grand final. Perhaps our team, St Kilda, could benefit by inscribing what sometimes was stated in Sir Zelman's philosophy of life: 'the next thing and the next thing'.

I had many experiences with Sir Zelman over the decade since I became active in student politics—including with Steven Skala, who is present in the chamber with the family and Sir Zelman's son Nick—perhaps most memorably during the republic debate, on which the member for Berowra accurately cited Sir Zelman's view in favour of a parliamentary system of electing an Australian head of state. My most memorable encounter with Sir Zelman involved learning about Australian history. One day we fell into deep conversation about the Japanese attack on Darwin, which he was present at as a young naval intelligence officer. He explained to me that perhaps Australians were not quite as brave and as fearless as some of us would like to imagine and that history is perhaps more complicated than we realised. He and Australian naval intelligence played a great role in the defeat of the Japanese naval forces through the signals they sent for the crucial Battle of Midway. Sir Zelman rightly enters the pantheon of great Australians of the character of Monash and Sir Isaac Isaacs.

**Mr FRYDENBERG** (Kooyong) (14:30): Zelman Cowen was a giant of a man. His record of achievement as a legal scholar, educator and public intellectual has few parallels in Australian life. As our nation's 19th Governor-General, he set a standard that is the benchmark for all those who have followed. His reputation was impeccable, based on a life lived with honesty and integrity to a degree that is seldom found. Sir Zelman's life and work won equal plaudits from both sides of the political divide. He was always above the rancour of partisanship.

But it was the private man who was so special to those who had the privilege of knowing him. He was humane and decent, humble yet proud. One could not find a more loyal and caring friend, deeply interested as he was in the wellbeing of others. He mentored many of the young people who gravitated into his orbit. Each sought his wisdom and advice, which were always dispensed with a generosity of spirit. Age was no barrier to friendship with Sir Zelman for he would elevate you to his level, making you feel comfortable in his presence.

I vividly remember my first meeting with him, nearly two decades ago, when his humour and wit

quickly put this young boy at ease. He never needed to demand respect or command obedience but, by virtue of his very nature and being, he simply earned it. Right to the very end of his life, including the day of his passing, I and many others like me listened intently to his every word, knowing we were in the presence of greatness. He was an example and an inspiration and it is through those whom he mentored and his extended family that his legacy will live on. Sir Zelman's intellectual brilliance and firm moral compass were equally matched by a deep sense of his own identity. It is said that to know where you are going you have to know where you come from. Sir Zelman knew this. He was proud of his immigrant background and his Jewish faith and he never sought to distance himself from his heritage during his long and distinguished career.

He was a devoted family man and one-half of a 66-year-long perfect marriage. Lady Anna Cowen, who is with us in the chamber today, is brilliant in her own right and was the source of much of Sir Zelman's strength. As Governor-General, the touch of healing he brought to the nation was equally hers. His love for Anna knew no bounds and I am not the first to say that, barring a small issue of Jewish tradition, she would be a saint.

Looking back at Sir Zelman's life, it is as if he were destined for greatness from the very beginning, born as he was on the day Alfred Deakin died. As a schoolboy he knew he had special talents and at every step of the way he brought them to bear. He was always grateful for the opportunities that fell his way, describing himself as the most favoured of mortals. It is our nation's good fortune that such a gifted and principled man devoted his life to public service. We are all saddened by his passing but can be proud of his legacy and the many lives he has touched. I am proud to have called such a great Australian my friend.

**The SPEAKER** (14:34): I would like to associate myself with the remarks made by the previous speakers and to place on record my absolute respect and total admiration for such a great Australian. I would also like to welcome Lady Cowen, Pastor Dr Shimon Cowen and family friend Steven Skala, who are seated on the floor of the chamber. As a mark of respect, I ask all honourable members to signify their approval by rising in their places.

*Honourable members having stood in their places—*

Debate adjourned.

## MOTIONS

### Sir Zelman Cowen

#### Reference to Main Committee

**Mr ALBANESE** (Grayndler—Leader of the House and Minister for Infrastructure and Transport) (14:35): by leave—I move:

That the resumption of debate on the Prime Minister's motion of condolence in connection with the death of the Rt Hon. Sir Zelman Cowen be referred to the Main Committee.

As Leader of the House, I very much associate myself with the splendid and appropriate remarks of all six members of parliament who have spoken in honour of Sir Zelman Cowen here today.

Question agreed to.

### **Queen Elizabeth II Diamond Jubilee**

**Ms GILLARD** (Lalor—Prime Minister) (14:36): On a matter of an entirely different nature and one that is a cause for celebration amongst those of us gathered here today, I move:

That an Address of Congratulation be presented to Her Majesty The Queen, as follows:

Your Majesty. We, the Speaker and Members of the House of Representatives, express to Your Majesty our warm congratulations at this time of celebration of the Diamond Jubilee of your accession to the Throne. We express our respect and regard for the dedication you have displayed in the service of the Commonwealth and your deep and abiding commitment to Australia and her people.

Since Australia became a federation in 1901, we have had just six monarchs. And for more than half of those 111 years there has been only one: Elizabeth II, whose accession to the throne 60 years ago we honour in this sitting today. reasonably have expected decades of time to prepare for her future role as sovereign. But it was not to be. Her father, George VI, died at just 56, exhausted by illness and the accumulated stresses of the abdication and the war years. So today, as we honour the Diamond Jubilee, we also join Her Majesty in remembering a good king.

On 6 February 1952, the Queen took over the burden carried by her father: the task of guiding a nation through the painful work of postwar reconstruction; of adapting the monarchy to a new, less formal era; and of addressing the needs of an empire impatient for change. From the beginning, she never appeared troubled by the burdens of office. Indeed, her very first decision set the course for all that was to follow. She was in Kenya when she heard the news of her father's death and, even whilst coming to terms with that news and all that it meant in those most difficult of circumstances, when asked what name she would take she answered quickly and calmly: 'My own, of course.' It was the crisp, practical, no-nonsense approach we have all come to know and admire—an approach which also embraced, and perhaps sometimes hid, a warm and generous heart.

For Australia, the 60 years of Queen Elizabeth's reign have been years of remarkable evolution for our society and our economy. The Australia of 1952 was a small agricultural nation whose fortunes were tied to its traditional trading partners on the other side of the world. Her Majesty has seen us grow to be the robust, dynamic multicultural country which proudly takes its

place in the Asian region and on the world stage. It has also been a period of remarkable political evolution.

Today we recognise the monarch as Queen of Australia. The power of the British parliament to legislate for our nation and our states has been abolished. The High Court has been affirmed as the pinnacle of our nation's judicial system. We have created our own system of honours, adopted our own national anthem and appointed Australians to all our vice-regal posts as a matter of course. And throughout all that change and maturation, Elizabeth II has been a wise and encouraging guide, always wanting the best for our nation and its future, ready to allow Australia's democratic journey to take us where it might. If Australia ever chooses a different constitutional path, it will not be for any deficiency on behalf of our monarch or her predecessors.

Of course, the people of the UK and the Commonwealth want to celebrate the Diamond Jubilee, and they will certainly have that opportunity. Celebrations will be concentrated in the United Kingdom in the coming northern summer, and that is appropriate. There will also be a number of initiatives that will enable Australia to share in the Diamond Jubilee celebrations. Last October, I joined British Prime Minister Cameron in announcing the establishment of Queen Elizabeth's Diamond Jubilee Trust, which will support charitable organisations and projects across the Commonwealth. The trust will be chaired by a former British Prime Minister, Sir John Major, and will be funded by contributions from Commonwealth partners and private donors. I am proud to announce this week that Australia will contribute up to \$5 million to the trust, which will provide a lasting legacy of Queen Elizabeth's reign. I can also advise that Her Excellency the Governor-General will represent Australia at ceremonial events in London in June. One of the key events will be the lighting of a national beacon by Her Majesty on 4 June, part of a Commonwealth-wide event where beacons will be lit on a chain of hilltops all around the UK and the Commonwealth. That will include Australia, where I will light a beacon on top of Parliament House here in Canberra in support of this celebration.

In addition, Parkes Place, here in the Parliamentary Zone, in accordance with historical protocol, will be renamed Queen Elizabeth Terrace to complement the names of the adjacent streets, Queen Victoria, King Edward and King George terraces. Other commemorative activities will include: a jubilee stamp and coin issued by Australia Post and the Royal Australian Mint respectively; an essay competition for Australian students; and the creation of an annual scholarship or bursary which will focus on women's leadership and related themes such as service and duty.



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# House of Representatives

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### Hansard

**WEDNESDAY, 8 FEBRUARY 2012**

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# **PROOF**

### Surf Lifesavers

**Mr LYONS** (Bass) (13:56): I rise to thank those thousands of surf lifesavers who have so tirelessly and selflessly patrolled the beaches around Australia this summer. The hard work and dedication of those lifesavers around the country have kept safe the millions of people who visit our beaches. I would like to make special mention of the two clubs in my electorate of Bass, and they are Bridport and Launceston.

I would like to take the opportunity to congratulate one member of the Bridport Surf Lifesaving Club, a club that is only two years old. This member successfully performed CPR in December. Over the summer, the Bridport Surf Lifesaving Club also recovered a beachgoer from an isolated beach and transported that person by inflatable rescue boat to an ambulance. On the same day they treated a broken wrist when another beachgoer fell off rocks. To add to the excitement, the following weekend the beach was cleared due to a shark alarm. This is an example of the hard work our volunteer surf lifesavers put in to help keep our beaches safe. With the warm summer weather continuing, please remember to swim between the flags.

### Macarthur Electorate: Christmas for the Troops

**Mr MATHESON** (Macarthur) (13:58): I would like to publicly thank the Macarthur community for its outstanding contribution to this year's Christmas for the Troops campaign. Boxes of donations were dropped off at my office in Camden to send to Australian troops serving overseas during the Christmas period. The parcels were sent to Aussie soldiers, sailors, airmen, airwomen and explosive-detection dogs. Locals donated completed care packages and items to be put into care packages, which were all sent to troops serving in the Middle East, East Timor and the Solomon Islands, just in time for Christmas.

To most Australians, Christmas is a great opportunity to spend time with our family and friends. This is why, with the help of the local media, I encouraged residents in Macarthur to spare a thought for the Australian troops serving overseas who would not be with their families this Christmas. My father served in Vietnam, so I know all too well what it is like to have a loved one out of reach during those special times of the year. We also have many troops from the Macarthur region currently serving overseas, so it was important that we show them support at this time.

I think it is fantastic that Australia Post allows everyday Australians to send parcels to our troops serving overseas, free of charge. It is a great example of the Aussie spirit when strangers send comfort food, magazines, toiletries, socks, DVDs and letters of

support to our troops. Seeing so many donations come into my office made me feel very proud, not only to be the son of an Australian veteran but also to be an Australian and a member of the Macarthur community. I thank everyone who donated items for this year's appeal and look forward to coordinating this campaign from my office again next year.

### Tasmanian Twenty20 Cricket

**Mr LYONS** (Bass) (13:59): I would like to congratulate the Tasmanian Twenty20 cricket team for their inaugural interstate competition success. They are a fantastic Tasmanian cricket team and they are really building. It is just amazing to see George Bailey, the captain of the Australian Twenty20 side, coming from Tasmania.

**The SPEAKER:** Order! In accordance with standing order 43, the time for members' statements has concluded.

### CONDOLENCES

#### Cowen, Sir Zelman, AK, GCMG, GCVO, QC

#### Report from Main Committee

Order of the day returned from Main Committee for further consideration; certified copy of the motion presented.

Debate resumed on the motion:

That the House express its deep regret at the death on 8 December 2011 of the Right Honourable Sir Zelman Cowen AK, GCMG, GCVO, QC, a former Governor-General of the Commonwealth of Australia from 1977 to 1982, place on record its appreciation of his long and meritorious public service, and tender its profound sympathy to his family in their bereavement.

**The SPEAKER** (14:00): The question is that the motion moved by the Hon. Prime Minister be agreed to. As a mark of respect, I ask all present to signify their approval by rising in their places.

Question agreed to, honourable members standing in their places.

### STATEMENTS ON INDULGENCE

#### Australian Natural Disasters

**Ms GILLARD** (Lalor—Prime Minister) (14:01): On indulgence, I believe it is appropriate for the House to mark the fact that it is one year since this House spent a lot of time sending its condolences to the people of Queensland and also to people of other parts of our nation that had suffered during the summer of natural disasters, not only through the flooding that hit Queensland but the cyclone, the flooding that hit other parts of our country, and of course there were also devastating bushfires in Western Australia.

Communities across the nation, particularly in Queensland, have been marking the one-year anniversary of these events. I had the privilege of

action or inaction. I am not sure that our democracy takes sufficient account of the views of young people, and yet climate change is almost the perfect example of an issue on which young people must be heard. I want to thank the AYCC for their work in expressing a clear message on climate change, and for supporting the government in its delivery of the Clean Energy Future package.

Also in March last year, I was honoured to participate in a number of events to mark the centenary of International Women's Day—a hugely significant occasion. As I noted on the day, it is essential that we reflect with pride on the progress that has been made when it comes to the equality of women; but it is equally important that we mark those areas in which there is still a long way to go. Last week's Fair Work Australia decision on pay equity for 150,000 social and community sector workers, 120,000 of whom are women, is an example of both change that needed to occur and change that has been achieved. By drawing strength from what we have achieved we replenish our resolve to go further and achieve more. I also wish to see workers in the aged care and childcare sectors—again, most of whom are women—appropriately recognised for their important caring work through significantly improved pay and conditions.

Finally, I want to mention the community forum on the proposed national disability insurance scheme that I had the privilege of co-hosting in November last year with Peter Tinley, the state MLA for Willagee, and Geraldine Mellet from the Every Australian Counts campaign. The forum was held in the Fremantle Town Hall and I want to express my gratitude to City of Fremantle for the provision of the venue, and to the *Fremantle Herald* for their promotion of the event. The meeting was a chance for people to learn about the basic concept and benefits of moving to an NDIS, and an opportunity for those living with disability to have their say on a range of service and funding issues.

In support of the forum I sent a letter of invitation to my constituents, enclosing a survey on the subject of disability policy—and the responses have been quite amazing. Some bring you to the verge of tears; some are angry; many are imbued with incredible stoicism and weariness and suffering. And the responses from carers, which can have all the qualities I have just mentioned, also contain the most remarkable, invincible, fire-tempered strains of love—long-suffering, inexhaustible, unconditional love. It just blows you away. We have to do more to support these people, and I am proud to be part of a Labor government that is intent on that task.

Through all the events I have mentioned—and those have been only a few of the dozens and dozens that I attended—the strong value of coming together to make a contribution to Australian civic life has been

reinforced for me, and I look forward to more and greater community engagement in Fremantle in the year to come.

### **Cowen, Sir Zelman, AK, GCMG, GCVO, QC**

**Mr NEVILLE** (Hinkler—The Nationals Deputy Whip) (19:41): As I did not have the opportunity to speak on the Sir Zelman Cowen condolence motion in the Federation Chamber, I thought that I would reflect briefly on it tonight. I am a devotee of Sir Thomas More. I think Robert Bolt got it right when he called him the man for all seasons. So it is not an accolade I throw around easily but if there were an Australian who met that qualification it would mostly likely be Sir Zelman Cowen.

He had very modest beginnings. Early in life he attended St Kilda Park state school, Scotch College and the University of Melbourne. He went into the Royal Australian Navy as an intelligence officer during the war and, on coming out of that, took up his Rhodes scholarship. So he must have been a very distinguished student as well as being loyal in the service of his country. As a Rhodes scholar he attended New College and later he was a fellow of Oriel College at Oxford. Interestingly he went back to Oriel College from 1982 to 1990 as its provost.

He had a similarly distinguished career at Melbourne University as a student, dean of law and, later in life, emeritus professor. I think the Australian university community was well served by him as vice-chancellor of New England University in Armidale and also seven years as vice-chancellor of the University of Queensland in Brisbane. That was at a very tumultuous time in Queensland history, I might add.

He was distinguished around the world. He advised the British government on German wartime law. He advised Indian states and Hong Kong. He was accredited to many distinguished universities including in Washington, Illinois, Calcutta and numerous Australian cities. He had an extraordinary academic career.

But Sir Zelman Cowen's greatest contribution—we all know it—was in the healing he provided in the wake of the Whitlam dismissal. I do not intend to canvass the rights and wrongs of the dismissal but it would be true to say that it left Australia a very wounded and fractious place. With people on both sides of the argument in heavily entrenched positions you would have said that this was going to last in Australia for decades. But fortunately for all our sakes it did not. Largely the healing influence was Zelman Cowen because in that distinguished career he never played partisan politics, so he was the ideal person. In 4½ short years he knitted the country back together, so to speak, in a very humble and sensitive way. We will be always grateful to him, I am sure, for that.

It is interesting that in the dying days of the old imperial honours system he was probably our most distinguished awardee. He was a Knight of the Order of Australia; he received the Grand Cross of St Michael and St George and the Royal Victorian Order; he was a Queen's Counsel; he was a Privy Counsellor. On top of all his university accolades, you could not get a more distinguished Australian. He loved football. He was an author. He was, literally, a man for all seasons.

As a boy, when I started to get interested in politics, I can remember him. He used to broadcast on the ABC just before the midday news and at night on what was called *Notes on the News*. Zelman Cowen was always one of the greatest exponents of explaining the news.

On behalf of my electorate, Hinkler, I extend condolences to his wife and his four children. He was a great and very distinguished Australian.

**The SPEAKER:** The member for Hinkler is right: Sir Zelman was a truly wonderful person.

### Dental Health

**Mr MELHAM** (Banks) (19:46): Over recent months, my office has received calls from constituents inquiring about the future of the Chronic Disease Dental Scheme. Sadly, several of these calls have been from constituents ringing at the behest of their dentists. Some dentists have been advising their patients that the scheme is ceasing and those constituents will no longer be able to be treated.

I think it is important that the facts are placed on the record. No closure date is currently set for the CDDS. Yes, it is the government's intention to close down this scheme, which is not well targeted and does not provide access to dental services for those most in need. The Senate has twice prevented the closure of the CDDS. The community is aware that the government has long intended to replace the CDDS with a new Commonwealth Dental Health Program. The CDDS is complex to administer as it requires that only those with a chronic condition be referred by their GP to a dentist. We have recently seen that some dentists inappropriately make claims on Medicare. The system is obviously open to abuse.

The government's proposed Commonwealth Dental Health Program, when implemented, will be better targeted and provide additional dental services for pensioners and concession card holders. The government is committed to dental health reform. The National Advisory Council on Dental Health has been established to advise on the best way forward for the future of dental health in this country. On 5 September the minister announced the membership of this council, which will be headed by Ms Mary Murnane, a former senior public servant. The government is already delivering significant improvements in dental care, including subsidised dental check-ups for teenagers,

which provides up to \$159.85 per person. This program since its inception has provided over one million services for eligible teenagers. This reform is in addition to the investment of \$11 million in Indigenous dental services in rural and regional areas and \$52.6 million over four years in the 2011-12 budget to establish a voluntary dental internship program to help boost the dental health workforce. This reform in part addresses the recommendation of the National Health And Hospitals Reform Commission in 2009, which advised on investment in internships with a particular emphasis on regional and rural areas.

Given the shortages in the public dental workforce, this development goes some way to redressing the balance. I understand that the dental health workforce welcomes this reform. The introduction of the Commonwealth Dental Health Scheme remains government policy as promised at the last election. It does remain of concern to me, though, that some dentists are preying on the fears of vulnerable people by claiming that the CDDS is about to be closed down without explaining that the government intends to introduce a broader scheme.

It is worth putting on record that the Commonwealth's power in relation to dental services was obtained through the success of the social services referendum on 28 September 1946. That referendum is one of only eight amendments to the Constitution that have been successfully passed. In this case, there was a majority in all states of the Commonwealth, and overall the vote in favour of the Commonwealth having this power was 54.39 per cent of the voting population. So the parliament has a mandate in relation to dental services arising out of the successful passage of that referendum. Section 51(xxiiiA) of the Constitution gives us that mandate and it should be used wisely.

### Dickson Community Awards

**Mr DUTTON** (Dickson) (19:51): I rise today, Mr Speaker, to acknowledge some very special members of our local Dickson community. Next Sunday at the Samford Historical Museum I will present the Dickson Community Awards and today I would like to mention some of the nominees—'local heroes' who never call for any attention or recognition but who command respect for their contributions above and beyond their normal activities.

Sharon Weber works tirelessly as a fundraiser, in particular for the annual Picnic in the Park raising funds for our local chaplains so that they can continue their vital work in our community. Shannon Yeardley, a former psychologist, has set up 'the flower project' on Brisbane's north side. In the last year, mostly at her expense, she has delivered surprise flower bouquets to over 300 elderly or isolated women, those recovering from illness and devoted carers. Shannon believes:

I congratulate the new president of the Vietnamese community Dr Anh Nguyen, and I wish him, the committee and the Vietnamese community all the best for the year of the dragon.

### **Fraser Electorate: Australian Public Service**

**Dr LEIGH** (Fraser) (09:57): I rise today to speak about the importance of a strong Australian Public Service and the threats to Canberra public servants. On *Q&A* on Monday night, the member for North Sydney said:

They've increased the public service in Canberra by 20,000 since they were elected and we've said, and I know it gets me in trouble with my colleagues in Canberra, but I've said that 12,000 will be made redundant within the first two years as a starting point and that's hard but we've got, for example, six and a half thousand people in the department of health that has no patients, no doctors, and no nurses and, I'm sorry, you can't live outside of your means.

Three minutes is barely enough to do justice to the many wrongheaded statements contained within that quote, but let me do my best.

Firstly, the member for North Sydney has for the fifth time misrepresented Public Service numbers. As the Special Minister for State has noted, official figures show that the Public Service has increased from June 2007 to June 2011 by 11,072. In terms of number and percentage increases, that is the smallest increase since 2003-04. I am informed by the Special Minister of State that the member for North Sydney has been offered a briefing by the Australian Public Service Commission, but has declined that briefing and continues to cite incorrect Public Service numbers.

Secondly, the member for North Sydney seems unaware that public servants are people too. Ironically, later in the *Q&A* program the member for North Sydney said:

What we've got to do is make sure there are more jobs in the community ...

He has an odd way of showing it, given that in the ACT he intends to get rid of 12,000 public servants. The member for North Sydney has in the past said that he will put the Department of Climate Change and Energy Efficiency on the chopping block. Now the Department of Health and Ageing is on the chopping block, and surely the remainder of the Public Service is not far behind. What do those people in the Department of Health and Ageing do? For starters, the member for North Sydney might try asking the Leader of the Opposition, who was, after all, the minister for health when the Howard government left office. In fact, the size of the Department of Health and Ageing is basically the same as it was when the Leader of the Opposition was minister for health: 5,164 as of 31 January this year; 4,818 when Mr Abbott was the minister. Those people work on preventive health, health research, and pharmaceutical benefits. The Liberal Party's plan for the Public Service is damaging not only to Canberra but also to all of Australia. Public servants do tremendously hard work. Three-fifths of them are female. They work on issues like managing our response to disasters, helping Australians who are in trouble overseas and implementing the fiscal stimulus that helped all Australians in the global financial crisis.

**The DEPUTY SPEAKER (Ms AE Burke):** Order! In accordance with standing order 193, the time for constituency statements has concluded.

## **CONDOLENCES**

### **Cowen, Sir Zelman, AK, GCMC, GCVO, QC**

Debate resumed on the motion:

That the House express its deep regret at the death on 8 December 2011 of the Right Honourable Sir Zelman Cowen AK, GCMG, GCVO, QC, a former Governor-General of the Commonwealth of Australia from 1977 to 1982, place on record its appreciation of his long and meritorious public service, and tender its profound sympathy to his family in their bereavement.

**Mr HUNT** (Flinders) (10:01): It is a great honour to address the life of Sir Zelman Cowen. Whilst much has been said of his public life, I want to briefly discuss his community life. His public life of course is well known—the career from academia at Melbourne University to Rhodes scholar, Vinerian scholar, fellow of Oriel College at Oxford University, visiting professor at the University of Chicago and visiting professor at the Harvard Law School and the University of Utah, and his early role as Dean of the Melbourne Law School. His was an extraordinary academic career, which led to vice-chancellorships and ultimately to the Governor-Generalship as well as the critical role at Oriel College at Oxford University.

It is at the human level where perhaps his most important impacts have been felt. His Governor-General's role was a reflection of that. The notion of healing and of unity, and the sense of generosity of spirit at a difficult time was able to transcend many of the conflicts of those days. That is all well known. I really want to reflect more on his contribution at the personal and community level rather than at the public level. Along the way, I was fortunate to meet Sir Zelman, but I do not want to overstate that. It was a passing encounter. It has been through three other people that I have come to know of him and know of his impact on them.

At college, I was a friend of Ben Cowen, who is Sir Zelman and Anna's youngest son. Ben is an extraordinarily alive human being. There is a sense of energy, intellect and effervescence about the way Ben Cowen approaches his life. To be with him at university was to be with somebody who represented the best of his father: the intellect, the charm, the mischief and the sense of joy in pure existence. Ben is a reflection of his father and he is a source of great pride, justifiably, to his family. To see in Ben Sir Zelman is to have a sense of the best of the man himself.

Similarly, Steven Skala, who has had an extraordinarily distinguished career in business, banking and public service, is one of the many who classed Sir Zelman as his mentor. Steven speaks of the generosity of Sir Zelman with his time, but much more than that which of itself was extraordinarily valuable was the generosity of spirit. To listen to Steven talk about Sir Zelman and his ability to engage and to give people a sense that their lives could be rich with possibility and a sense of their moral duties was to feel Sir Zelman's impact. I want to quote one critical sentence from Steven's very moving eulogy at the state funeral for Sir Zelman. Steven Skala said:

In short, he was wise.

He embedded in us a love of learning, the pursuit of ideas and the power of reason in achieving justice, simply by being who he was.

I think the most valuable line in Steven Skala's eulogy, though, continues:

It is important to emphasise that he did not shape us—he helped us to shape ourselves. In discussion with him, when he sensed that we finally understood or had absorbed something, he would smile and say, ever so ambiguously: "So there we have it." This was Sir Zelman's distinctive method of closure.

It was about allowing each person to reach their potential, not to define that position for them.

The third person through whom I have had a sense of Sir Zelman is the member for Kooyong, my great friend and best man, although he says it is enough to call him merely the better man, Josh Frydenberg. Josh was a true protegee of Sir Zelman. Josh collects mentors and Sir Zelman collected proteges. I think it was the perfect relationship. He was the ultimate avuncular figure for Josh and, as Josh said in his own speech at the funeral ceremony for Sir Zelman:

It became Sundays with Zelman.

On many Sundays over many years, Josh would sit at the feet of Sir Zelman and talk ideas, exchange personal directions but, above all else, develop, almost by osmosis, a sense of the morality of the world and our responsibilities as individuals. Josh has the most loving parents in Erica and Harry but, along with them, no other person was more influential in Josh's development than Sir Zelman, who gave him a sense of moral purpose and moral responsibility and the ability to aspire to be our very best selves—and, in that, you see the man.

The third element that I want to cover, apart from the public and the personal, is the community and, in particular, Sir Zelman's role within the Jewish community not as a religious leader but as a secular leader within the Jewish community and a secular representative from that community at the absolute highest level of Australian society. It is part of a great tradition: in the early part of the century Sir John Monash and Sir Isaac Isaacs were fundamental to the directions of this country.

Sir Zelman then became one of the critical standard bearers for the Jewish community. He lifted all of us. We were a better nation as a result of his presence, and his role within the community was fundamental. In the same way, that standard was then passed to people such as Mark and Isi Leibler, Leon Kempler and Colin Rubenstein. I apologise if there is a slight Melbourne bias, but those are the people whom I have known best. A new generation is now beginning to pick up that community leadership on the secular side of the Jewish community—people such as Josh Frydenberg and Anthony Pratt, both very close friends. The sense of moral purpose and a higher duty has been the consistent thread through the lives of all of them and perhaps no person within that heritage exemplifies it more courageously and with more dignity and beauty than Sir Zelman and the life he led. I want to acknowledge and reflect upon that life—not so much the public achievements, although they were great and majestic, because they have been well canvassed—and the impact that it had on many within my own sphere of engagement. It was a great life, a magnificently lived life, and we are all the better for having had him within our sphere.

**Mrs PRENTICE** (Ryan) (10:10): I rise today to speak to this condolence motion, which pays tribute to the Rt Hon. Sir Zelman Cowen and the contribution that he made to the Australian community. On 8 December 2011, Australia lost one of its best Governor-Generals and one of the world's most respected and distinguished legal intellectuals. Sir Zelman's elevation to the role of Governor-General was a clear indication of the esteem in which he was held. It was also an acknowledgement of the growing multicultural fabric of Australia at the time, a process that continues today.

Born in Melbourne in 1919, he attended and was dux of Scotch College, then Melbourne University, topping his year in all of his subjects and taking an honours degree in arts and law before being awarded a Rhodes scholarship to further his legal studies at Oxford University, where he was dux of the 1947 Oxford postgraduate

law school. He returned to Melbourne, where he held the positions of Dean of the Faculty of Law and Professor of Public Law, before being appointed vice-chancellor at the University of New England and then vice-chancellor of the University of Queensland.

As the member for Ryan, I want to make particular note of Sir Zelman's period of office at the University of Queensland. During the period between 1970 and 1977 as the third full-time vice-chancellor at the university 17 new buildings were completed on the campus, including Mayne Hall, now known as the James and Mary Emelia Mayne Centre. The university has named the building which houses the music and architecture faculties after Sir Zelman to honour his significant contributions to the arts. He oversaw the establishment of the Department of Fine Arts, the provision of a performance room with the then music department and the development of the Mayne Hall as a concert venue.

In 1970, like most leaders in the academic world, Sir Zelman was confronted with student protests and violent unrest on his campus. The anti-Vietnam War protests were in full swing and as a strong advocate of free speech the vice-chancellor gained something of a reputation for confronting the demonstrators head-on. Rather than avoid the protest, he would approach them and, having listened to their chanting, put forward an alternative view and make suggestions for them to consider. This behaviour apparently gained him the nickname of Super Zel among some of the more militant student groups. University of Queensland staff, past and present, comment on the way in which he treated all students at the university with dignity and respect, especially during periods of unrest.

Sir Zelman's role at the University of Queensland was a complex one. A rapidly growing student population, an incomplete and war-retarded campus, an urgent need to widen the range of the curriculum and a need for money for buildings and more staff were some of the challenges confronting him. An early task was to foster the formation of an alumni association so that graduates could maintain their links with their alma mater and grow into a supportive body. A connoisseur of the arts with a strong belief that the arts should bring equality and a dimension of richness and maturity to the life of a nation, he was determined to move the university's valuable art collection from its packing cases in the basement and set up an art gallery and an arts case in the Forgan Smith building.

The alumni association cooperated with a series of profitable social functions, and the tower of the Forgan Smith building was soon converted to include a gallery to house the university's large and valuable collection of art works and an art department under the direction of lecturer Nancy Underhill. Next, at Sir Zelman's request, the alumni association financed the creation of a teaching garden down by the river for the Faculty of Agricultural Science. A following big project was the erection of the Mayne Hall, named to recognise the university's largest benefactors, the Mayne family. It was a dual purpose building, primarily so that graduation ceremonies could at last be held on campus instead of at the Brisbane City Hall.

Part of Sir Zelman's wide-ranging thinking was to have an all-glass wall on the highest side of the hall so that the graduates on their important occasion could look from inside the hall across the lawn and see the university buildings in which they had received their education. He envisaged the rich tones of a pipe organ to usher graduands to their seats and to add dignity to the rendering of *Gaudeamus Igitur*. Here once again the alumni made the expense affordable. The cost of a special world-class pipe organ and the building of Mayne Hall were defrayed in part by the many successful concerts that attracted full houses for many years before the increase in student number necessitated further expansion. Under a later vice-chancellor, a larger graduation hall was built and Mayne Hall became the university art museum, housing the greatly expanded art collection. Both Sir Zelman and Lady Cowen were committed to the University of Queensland in a very wide sense. From the start of his appointment, Sir Zelman Cowen's involvement was wide ranging. A vice-chancellor's house was to be built, and he saw to it that it was planned with a view to saving the university money. As vice-chancellors have a certain amount of entertaining to do, their home included a strategically suitable area, handy to the kitchen for catering but separate from the privacy of their residence. It was most successful planning. Lady Cowen held monthly mornings for staff wives and thoughtfully produced a couple of mature aged students to babysit their children.

Sir Zelman had ideas for money-raising functions to bolster campus facilities. The public area of the house was ideal for classical concerts, with catering for 100 guests each time. They were organised by the alumni association but Sir Zelman personally paid for the grand piano to be tuned each time that it was moved between the music department and their home. The supper was all at their expense and his cooperative and very helpful wife, Lady Cowen, prepared it herself in their kitchen.

Given that this time last year the University of Queensland was engaged in the 2011 flood clean-up, it is worth noting another facet of Sir Zelman. After the terrible 1974 floods, when the lower areas of the University of Queensland campus were left a sea of rotting and stinking mud, the vice-chancellor and Lady Cowen were prominent among the volunteer workers clearing the debris from the grounds.

I would like to thank the current vice-chancellor, Professor Deborah Terry, and former vice-chancellor Professor Paul Greenfield, as well as other members of the University of Queensland community, who have expressed their appreciation for Sir Zelman's contribution to academia in Queensland. Professor Terry stated:

Students and staff at the University of Queensland continue to enjoy the legacy of Sir Zelman's outstanding leadership of this university. He led the University of Queensland during a period of significant growth and was influential in fortifying the university's strong cultural profile, which continues to flourish today.

I commend Sir Zelman for his contribution to the University of Queensland, the electorate of Ryan and the wider community in Australia. In short, Sir Zelman was a good man who achieved great things. As a nation, we are the beneficiaries of Sir Zelman's achievements and of his extraordinary life. On behalf of the electors of Ryan, I feel privileged to have had this opportunity to pay tribute to a great Australian.

**Mr TUDGE** (Aston) (10:17): I rise to add my comments to the condolences that we have heard today and yesterday on the passing of Sir Zelman Cowen on 8 December last year, the day that marked the 34th anniversary of his swearing in as Australia's 19th Governor-General in 1977. Sir Zelman was a true giant in our nation. There are few in Australia's short history whose public contributions can match those of Sir Zelman. Sir Zelman Cowen's name sits comfortably in a long line of Jewish-Australian patriots who have contributed so much to the building of our great nation—names such as Sir John Monash and Sir Isaac Isaacs come to mind.

Sir Zelman was born in 1919 in Melbourne, where he was education at Scotch College and Melbourne University. He was a brilliant student, dux in his school and, as the previous speaker said, the top of every single subject that he did at university. He became a Rhodes scholar and later completed a further degree at Oxford University, where he remained for some time.

In 1951, at the age of just 31, he returned to Australia and became the dean of the law faculty at the University of Melbourne, a faculty that I attended some years ago. Later, he was appointed as the vice-chancellor of the University of New England and then as the vice-chancellor of the University of Queensland. By this time, he was regarded as one of the top constitutional lawyers in the English-speaking world. Having already made an incredible contribution, Sir Zelman is best known for his exemplary service as Governor-General of Australia, the position which he held from 1977 to 1982. He, of course, served in this role at a time when the institution had come to be mistrusted by a proportion of the Australian people, something that might have boded ill for our nation's unity if it were not for Sir Zelman's statesmanly vice-regal approach. He served with great distinction and grace and restored trust in the institution of Governor-General. He was, as many people have noted, the great healer of our nation at that time.

Among his many other talents was his ability to perceive, recognise and nurture the talented amongst those his junior. The member for Flinders, Greg Hunt, touched on this. For instance, as Greg and many others have noted, he was an important professional and personal mentor to my great friend and colleague Josh Frydenberg, the member for Kooyong. I never had the privilege of knowing Sir Zelman Cowen as well as Josh did. As is often the way, we often only understand that our not knowing someone is regrettable when the opportunity no longer exists. But I do hope that the story of Sir Zelman Cowen's life and his legacy is made more widely known among younger Australians so that they might be inspired by his example as a scholar and as a servant to the public in the best possible sense of that term. We will all miss this great Australian—a scholar, a leader, a healer and a patriot. Our condolences go to Lady Anna Cowen and the Cowen family.

**Mrs ANDREWS** (McPherson) (10:21): I rise today to speak on the motion of condolence for one of our former governors-general, Sir Zelman Cowen. Sir Zelman sadly passed away last year on 8 December, which was the 34th anniversary of his swearing-in as Governor-General. Today I would like to pay my respects on the passing of this remarkable Australian. The passing of Sir Zelman is a great loss to our country, and I would like to reflect on the inspirational, remarkable and distinguished life of this noble man.

Sir Zelman was an incredibly accomplished man, having graduated from the University of Melbourne in arts and law and furthering his studies by taking up a Rhodes Scholarship in 1945. It is clear from the life that Sir Zelman lived that he truly embraced academia and believed strongly in the importance of education as a foundation for one's life. Sir Zelman was not only a Rhodes scholar but, later in life, a professor and Dean of the Faculty of Law at the University of Melbourne between 1951 and 1966 and vice-chancellor at both the University of New England, in 1967, and in my home state of Queensland at the University of Queensland, in 1970. I would like to place specific emphasis on the academic career of Sir Zelman as something I hope the young people of my electorate of McPherson will look up to; I hope they will see his achievements as something to aspire to. I share Sir Zelman's passion for the progression of academic excellence and the importance of education for our young future leaders. With his passing we have lost a great advocate for this very important cause. However, while Sir Zelman is no longer with us, his legacy most certainly is.

Following his time at our universities, Sir Zelman was asked to be Australia's 19th Governor-General to succeed Sir John Kerr. He graciously accepted this position in 1977 and held the post until 1982. Sir Zelman was Australia's second Jewish Governor-General, with the first being Sir Isaac Isaacs some 40 years prior. Being embraced by all sides of politics is no mean feat. However, Sir Zelman managed to achieve just that, receiving the admiration of politicians past and present from all political persuasions. Australia has gained immensely from Sir Zelman's decades of public service, and his passing is a significant loss to our nation.

Public service is a rewarding and often difficult business, and it is usually our families who provide the most valuable support and foundations for our success. It would appear that Sir Zelman was no different. In fact, when discussing his many achievements, Sir Zelman paid particular homage to the support of his wife, Lady Anna Cowen. We measure our life's achievements through the legacy we leave on the people and communities we leave behind when we pass on. I believe Sir Zelman's legacy is not only one he could be immeasurably proud of but one we as a nation can be collectively thankful for. I offer my sincere condolences to Sir Zelman's wife, Lady Anna Cowen, his children, his grandchildren and his extended family.

**Mr VAN MANEN (Forde) (10:25):** I rise to add my comments to the condolences for Sir Zelman Cowen. The Australian Associated Press best described Sir Zelman Cowen as the healer of the Australian nation. They say he sometimes spoke of his success in life as being down to good luck and fortune. Although I did not know Sir Zelman Cowen personally, I have great respect for Australia's 19th Governor-General and the contribution he made to this great nation as a modern servant and leader of our country. Sir Zelman was a wonderful Australian who contributed enormously to public life with a wide variety of responsibilities and experiences during his lifetime, including serving in the Royal Australian Navy during World War II and becoming a member of General Douglas MacArthur's staff.

In 1951, Sir Zelman, at the age of 31, became the Dean of the Law Faculty of the University of Melbourne. This marked the start of a highly professional educational career which saw him travel the world, advising on legal and constitutional matters as a highly regarded professor. Other achievements include becoming the Vice-Chancellor of the University of Queensland, where he made his mark as a highly skilled diplomat or negotiator during the protests associated with the Vietnam War, as one of my colleagues mentioned earlier in greater detail. He was also honoured as the Chairman of the British Press Council.

Sir Zelman's diverse background, combined with his worldly knowledge, paved the way for his appointment as Governor-General following Sir John Kerr's turbulent period in office and subsequent resignation in 1977. He entered office during a particularly difficult time in our nation's history and succeeded in healing the nation. I am reminded of a quote by Ralph Waldo Emerson:

You cannot do a kindness too soon, for you never know how soon it will be too late.

We as a nation were blessed to have a man with his vision and compassion as our Governor-General during this difficult time. Sir Zelman was a faithful representative of the Queen, and, during her visit to Australia in 1980, the Queen appointed him a Knight Grand Cross of the Royal Victorian Order. This was one of many great honours that were awarded to him during his lifetime.

Sir Zelman continued to make an important contribution in many fields, such as academia, business, sport and the community, especially the Jewish community, well after his formal vice-regal duties finished in 1982. Sadly, the last 15 years of his life were marked by Parkinson's disease, from which he eventually passed away on the 31st anniversary of his swearing-in as Governor General. Sir Zelman will be remembered as a fine Australian who spend the majority of his life serving others. I would like to add my condolences to his family and friends.

**Mr EWEN JONES (Herbert) (10:29):** I rise to add my voice to the many words of condolence on the passing of Sir Zelman Cowen. I never met the man. The first Governor-General of whom I was aware was Sir John Kerr, but the man of whom we are speaking now set the template for what the Governor-General's role is today. The man's smile seemed so warm. He seemed so friendly, so welcoming, so Australian and so tailored to the role of Governor-General.

But Sir Zelman's legacy to me will not be so much in relation to his role as Governor-General, although that is the thing he is most known for. I come from Townsville, where we have a regional university, James Cook University. After having been a Rhodes scholar, and as a 31-year-old associate professor at Melbourne University, it would have been so easy to stay in academia in Victoria. But to him to take up the vice-chancellor role in Armidale for the University of New England says to me that he focused on education for all and that education is a key to all things. To branch out in education away from the sandstone buildings and into the regions was a truly remarkable feat by a truly remarkable man. He was then to go on to be vice-chancellor at the University of Queensland during the 1970 Springbok tour, when the city of Brisbane was nearly torn to pieces as competing

interests and passion on all sides rallied and protests were made. His role as a healer then was every bit as evident as later on in the country.

I also mention his role as a mentor. I speak often with the member for Kooyong, who has told me of his friendship with Sir Zelman. I think those of us who have mentors who are older than us. In my city it is Graham Jackson of Loloma Jewellers, who gives and gives of his time and is always welcoming. I think that is what it would have been like to be in the company of Sir Zelman Cowen, to be in the company of someone who is willing to give his information and who is willing to give his knowledge as his true gift to Australia, and I think that is something we will always be very aware of.

**Mr McCORMACK** (Riverina) (10:31): Sir Zelman Cowen died in Melbourne on 8 December 2011, 34 years to the day since he was appointed Australia's 19th Governor-General. Chosen to be the next Governor-General after the divisive dismissal of Prime Minister Gough Whitlam in 1975 and the early resignation of Sir John Kerr in 1977, Prime Minister Malcolm Fraser offered Sir Zelman the position of Governor-General, a role which at the time he described as 'the most difficult role to fill'. Mr Fraser said just recently that Sir Zelman:

... worked extremely hard to see as much as he could and to talk to as many Australians as possible-

And that:

He took over the position at a more difficult time than any other governor-general and served in the role with great distinction.

One of Australia's most distinguished constitutional lawyers and academics, Sir Zelman's life was a rich tapestry of achievement, duty and service above self. After serving in the Royal Australian Navy in World War II he began his studies in Oxford, England, where he completed a Bachelor of Civil Law degree before moving on to become a highly regarded consultant on legal matters to the British military government in Germany.

With all his accomplishments, it was easy to see why Sir Zelman was often described as the perfect choice to 'restore Australia's faith in the office of Governor-General'. He was often described as a distinguished Australian with an international reputation and with professional qualifications which were beyond dispute and, given that he had never been in politics, his political views were unknown. Sir Zelman was also Jewish, and this gave his appointment a multicultural aspect in keeping with contemporary Australian sentiment.

Sir Zelman was the breath of fresh air a government under pressure needed to bring trust within the walls of Parliament House and to show the Australian people a united front. He was, as has been described in the eloquent speeches given yesterday in the House, a healer. As the member for Kooyong stated so very well at Sir Zelman's state funeral:

Sir Zelman was destined for greatness, born as he was on 7 October 1919, the day Alfred Deakin died. He was bound by intellectual brilliance, a profound decency and a firm moral compass which were equally matched by a deep sense of his own identity.

I know how much the member for Kooyong is mourning the passing of Sir Zelman, friend that he was to this late great man. A man of greatness he was, a great Australian; one who will be missed, one who helped build bridges to this country's greatest asset—its people.

Sir Zelman knew where he was going and never forgot from where he came. He was a man who loved his faith as much as his family and was described by the member for Kooyong as being proud of his immigrant background and his Jewish faith. He never sought to distance himself from his heritage during his long and distinguished career.

Sir Zelman will be sadly missed by many but especially his wife, Lady Anna, and his four children and extended family. Shalom.

**Mr CHRISTENSEN** (Dawson) (10:34): I would like to associate myself with the comments of the Prime Minister; the Leader of the Opposition; the members for Melbourne Ports, Kooyong and Riverina in particular; and other members who have spoken so eloquently here this morning and yesterday on the condolence motion for Sir Zelman Cowen. Like them I too am in awe of Sir Zelman and the life that he lived. As the member for Kooyong said, Sir Zelman was a true giant of a man in Australian history, with a history of achievement spanning the best part of a century.

His lists of achievements others have detailed. He was a leader in every field of endeavour to which he turned his hand. He was co-dux at Scotch College in Melbourne, a Rhodes scholar and a dux at Oxford's postgraduate law school. He was internationally renowned as a legal academic and vice-chancellor. He was chairman of Fairfax and chairman of the British Press Council. He was made a Knight Grand Cross of the Royal Victorian Order by Queen Elizabeth II. He was an avid St Kilda Football Club supporter and leader of the Australian Jewish community. He was a loving and devoted family man. He married Lady Anna, then Anna Wittner, after serving in

the Second World War both in Darwin when it was bombed in 1942 and as a sublieutenant on the staff of the US General Douglas MacArthur.

Sir Zelman Cowen was born on 7 October 1919 and passed away, as we know, on 8 December 2011 at the good age of 92. His life spanned more than the best part of the 20th century. Sir Zelman Cowen bridged a gap in Australian government at a time when it most needed to be bridged. His predecessor, Sir John Kerr, had changed the political landscape forever in this country with the dismissal of the Whitlam government. A rift, I have got to acknowledge, had developed as the role of Governor-General did come under increasing scrutiny at the time. In bridging the gap Sir Zelman Cowen was credited with 'healing' the nation and in doing so he brought the role of Governor-General closer to the Australian people—so much so that the nation mourns his loss as a family mourns the loss of someone dear.

Noting Sir Zelman's Jewish background, I know that in Hebrew the word 'shiva' is literally translated as 'seven' but it is also known as an emotional and spiritual bridge that does heal the grief of family members in times of loss. 'Shiva' is seen as the bridge that helps them cross the void that is left in their life. Traditionally, given that 'shiva' means 'seven', it is a seven-day mourning period in Judaism. A week seems a little inadequate, given the magnitude of Sir Zelman's impact on our lives, our government, our people and our nation. We, as a nation, join Lady Anna and the family of Sir Zelman in mourning their loss but also celebrating a full life, fully lived.

If I may, I will end by borrowing from a well-known Jewish prayer, the El Malei Rachamim:

Fully compassionate God on high:

To Sir Zelman Cowen who has entered eternity

Grant clear and certain rest with You

In the lofty heights of the sacred and pure

Whose brightness shines like the very glow of heaven.

Source of mercy:

Forever enfold Zelman in the embrace of Your wings

Secure his soul in eternity

Adonai: He is Yours.

He will rest in peace.

Amen

**Ms GAMBARO** (Brisbane) (10:39): I rise today to also offer my condolences to the family, friends and colleagues of Sir Zelman Cowen and particularly to give my support to other members who have spoken, including the member for Kooyong and also the member for Melbourne Ports. Sir Zelman Cowen was Australia's 19th Governor-General, who sadly passed away on 8 December 2011 aged 92. It was the 34th anniversary of his swearing-in as Governor-General in 1977. He served with distinction for 4½ years as Governor-General from 1977 to 1982. He suffered from and battled with Parkinson's disease for the past 15 years of his life and was labelled as Australia's Muhammad Ali for his long and brave battle against it, a battle that my family has also come to know more about since my father has been suffering this terrible illness for the past 12 years. It is a really debilitating disease.

When Sir Zelman Cowen was sworn in to the office of Governor-General, he was regarded as one of the leading constitutional lawyers in the English-speaking world and very much a leader within the Jewish community. High Court Justice Michael Kirby said that Sir Zelman had restored what was much needed—that calm to the office. He said further:

His greatest service to Australia was that he used his incumbency to bring a "touch of healing"—and the word 'healing' has been mentioned in a number of speeches by my colleagues from the opposition and by members of the government—to settle the sharp divide—

that had occurred in our nation. Sir Zelman told Australians that he hoped to bring a touch of healing to the country and its people. He declared that he was going to avoid being portrayed as the caricature of a cutter of ribbons and an utterer of platitudes, describing his role as Governor-General as being to interpret the nation to itself. In a speech to the Australian Academy of Science, Sir Zelman Cowen promoted the cause of free scientific inquiry, notably in genetic engineering. He also advocated support for refugee assimilation.

He served in the Royal Australian Navy during World War II, from 1941 to 1945, and his expertise was in naval intelligence. He was based in Darwin during the Japanese attack of 1942. He later served as a sublieutenant on General MacArthur's staff in Brisbane—the headquarters are now located in Queen Street, which is part of the

electorate of Brisbane. After the war, from 1947 to 1950, he was a fellow of Oriel College, Oxford, and then went on to become a Rhodes scholar at New College, Oxford, where he completed a Bachelor of Civil Law degree and jointly won the Vinerian Scholarship. He was also a consultant on legal matters to the British military government in Germany. My colleagues have spoken about Sir Zelman's many achievements. He was an outstanding individual.

I remember Sir Zelman with great fondness. In particular, I remember his appointment as Vice-Chancellor of the University of Queensland, in 1970. I saw him utilise his exceptional diplomatic skills to negotiate and calm student protests and, in particular, a number of disturbances that were occurring at the university. The memory of this great Australian will live on across this country in many ways. Victoria University is home to the Sir Zelman Cowen Centre, providing training and support to the courts, legal practitioners, judiciary and other professions. In 1981, the Royal Australian Institute of Architects established the Sir Zelman Cowen Award for Public Architecture, recognised as Australia's leading award for public buildings. His reach and his influence went far beyond the area of law. Melbourne Law School awards the Zelman Cowen National Scholarship to incoming juris doctor students. The scholarship is awarded purely on the basis of academic merit and is the law school's most prestigious scholarship.

I join with my many colleagues in mourning the loss of Sir Zelman Cowen, a distinguished Australian with an international reputation, who has indeed made an outstanding contribution to this country. It was indeed my privilege and honour in the House yesterday to be in the presence of his wife, Lady Anna, and one of his children and to hear numerous members who rose at the dispatch box to speak about his incredible life. Today I speak about and acknowledge the wonderful contribution that he made to this country as Governor-General both here and abroad. I mentioned earlier his wonderful skills, particularly in being one of the leading constitutional lawyers that this country has ever seen, and for that he is to be truly commended. It is a rare privilege today to speak and join my colleagues. Again, I offer my condolences to his family. We have indeed lost a truly remarkable and outstanding Australian.

**Mrs GRIGGS (Solomon) (10:44):** Many of my colleagues have had the privilege of knowing Sir Zelman Cowen and have spoken fondly of their memories of him, outlining how, through friendship and mentoring, he helped shape their lives. Sir Zelman was appointed the 19th Governor-General in 1977 and, from all accounts, he was surprised but delighted by this appointment. Sir Zelman has been described by many as a healer of the people through his role as the Governor-General. My colleague the member for Kooyong said that Sir Zelman set a standard which will be the benchmark for those who follow as Governor-General. He had an impeccable reputation based on a life lived with honesty and integrity, according to the member for Kooyong. Others have commented that he returned a dignity to the role of Governor-General.

Throughout his 92 years he witnessed some major historical events that certainly shaped our country. Sir Zelman Cowen had a link to Darwin and the Northern Territory. His first visit to Darwin was in 1942 as a Navy lieutenant during World War II. In fact Sir Zelman was in Darwin when it was bombed by the Japanese in February 1942. I understand that Sir Zelman has, over the years, given several accounts of his experiences during the bombings of Darwin. These accounts have assisted many historians in ensuring that this very important event in our history has been recorded. In a couple of weeks time we will be commemorating the 70th anniversary of the bombings of Darwin and, unfortunately, Sir Zelman will not be with us for these commemorations.

Another historical event that Sir Zelman was involved in that relates to the Northern Territory was when as the Governor-General in 1978 he opened the Legislative Assembly of the Northern Territory. This was a significant event for Territorians, as this was when the Northern Territory was granted self-government. I did not personally know Sir Zelman, but from all accounts he was an amazing man and I am just delighted that he was able to be involved in some significant events for the Northern Territory. I extend my condolences to Lady Anna and her family.

**Mr WYATT (Hasluck) (10:47):** I rise to speak on the condolence motion on the death of Sir Zelman Cowen. Sir Zelman was Australia's 19th Governor-General. He died after suffering an illness at his Toorak home. His wife, Anna, was by his side. He is survived by his wife; his four children, Simon, Yosef, Kate and Ben; 16 grandchildren and six great-grandchildren. He was 92.

Much has been said by my parliamentary colleagues and I endorse the sentiments that they have expressed in the chamber and the Federation Chamber. I vividly recall the appointment of Sir Zelman Cowen as the Governor-General following Sir John Kerr's 1975 dismissal of the Whitlam government. In the events that unfolded, I was working as a primary school teacher and, on that day, I came back in from yard duty and the message was very clear: the Whitlam government had been dismissed, setting in train a sequence of reactions, emotions and bitterness. It divided a community and it divided a nation, as debates occurred at dinner tables, events and functions that people attended. But the other part of this that was important was that I was teaching at the time,

and the year 7s I was teaching wanted to know about those events and the subsequent appointment of Sir Zelman Cowen. That was my introduction to him as an individual and to the contribution that he had made prior to his appointment.

I certainly witnessed the raw anger expressed by many and the bitterness at the events which unfolded on 11 November 1975 and afterwards. I attended political rallies in Forrest Place, Perth, to hear the various members of parliament and was concerned at the level of anger and bitterness about the dismissal of the Whitlam government. As a young man I honestly wondered how we, as a nation, would move on from a period that was unparalleled in Australian history. Michael Gordon and Michelle Grattan, in their article in the *Sydney Morning Herald* of 9 December 2011 titled 'He "restored Australia's faith": Sir Zelman Cowen dies at 92,' wrote:

One of Australia's most distinguished constitutional lawyers and academics, Sir Zelman was appointed to the vice-regal post by Malcolm Fraser in 1977. Critics said the role had been politicised by the controversial sacking but he won respect from both sides.

I recall from the commentary in the media and from conversations at the time that there prevailed a strong view that the office of the Governor-General had been compromised and that our faith as a nation in the impartiality of that office would never be the same. Political wounds leave incredible scars of pain because of our passion as individuals for the philosophy that we hold dear and the party that we support. The challenge was to heal those wounds and restore the faith in the impartiality of the Governor-General.

The appointment of Sir Zelman Cowen certainly raised interest. What I found about Sir Zelman was that he was attentive and cared deeply about the pain that was created. He was highly compassionate and empathetic to the needs of others, seeking to bring peace and integrity to Australian society at large. He wanted to heal and correct the conflicts that divided political and social groups. He was committed to things that were positive and made extraordinary sacrifices in an attempt to achieve the ideals that were important to all Australians and he related to all those whom he met and influenced. I heard Sir Zelman Cowen speak on one occasion and was taken not only by the content of his message but more importantly by the gentle way in which he delivered that message and the way that he projected. I was made to feel that I was part of an audience he was talking to individually. Mark Leibler, a Jewish community leader, said in a recent interview with the *Sydney Morning Herald* that Sir Zelman was one of Australia's greatest Jews and a man whose advice and guidance was sought frequently. I think that advice and counsel was sought by many outside the Jewish community who valued a man of principle and integrity. We owe Sir Zelman a debt of gratitude for healing our nation and for the work he did in serving this country.

I want to conclude with the words of Josh Frydenberg, the member for Kooyong, who paid tribute to a humane and decent man: 'He was interested in your own personal development. He was always a source of sound advice and he took great pride in mentoring many people. He was much loved and respected by people from all walks of life and will be remembered as one of the greatest Australians to ever live.' I think there are times when we are fortunate to meet people who have the capacity to bring together those who have been scarred or hurt by the pain of an event and then to reflect within their thinking and psyche a peaceful approach that restores that which existed prior to the event. A man of that integrity, or any leader who has that quality, is someone who is to be admired greatly. My condolences go to Anna and to Sir Zelman Cowen's family.

**Ms O'DWYER (Higgins) (10:53):** Following on from the very eloquent and moving words of my colleague the member for Hasluck, I rise today to also pay tribute to a remarkable Australian who led a remarkable life in his 92 years. Sir Zelman was a constituent of mine and an inspiration to so many. Thrust into public life after one of the most, if not the most, tumultuous times in Australian political history, Sir Zelman was a pillar of strength who brought a sense of stability and authority to the office of Governor-General. There would not be one person in this place who would not be intimately familiar with the events of November 1975. What is somewhat less well documented is the role that Sir Zelman played in his own quiet way in uniting and healing our nation when he was made Governor-General in the year of my birth, 1977.

He had a most distinguished career. Born to Jewish immigrant parents in 1919, Sir Zelman graduated as dux from Scotch College. He then went on to complete an arts-law degree from the University of Melbourne. At the tender age of 19, he was the youngest person ever to receive a tutorship at the University of Melbourne, where he tutored in political philosophy. After being awarded a Rhodes Scholarship, he deferred his overseas studies to serve in the Navy in Darwin and was stationed there during the Japanese attacks in 1942. At the completion of his service, Sir Zelman returned to study and he and his wife moved to Oxford to commence his scholarship. Sir Zelman continued his academic career as a lecturer and fellow of Oriol College. At the age of 30 he was offered the position of dean of the law school at the University of Melbourne. After his tenure at the University of Melbourne Sir Zelman went on to become vice-chancellor at the University of New England and the University of Queensland. Known for his sense of humour and kind nature, Sir Zelman was a wonderful example of human

nature in its finest form. As we heard yesterday from my friend and colleague the member for Kooyong, Josh Frydenberg, Sir Zelman's welcoming personality and generous nature made him a wonderful mentor.

Sir Zelman's commitment to his Jewish faith was paramount. It was something that he celebrated and it was this shared Jewishness that my friend Josh described as one of the foundations of their friendship.

In addition to Sir Zelman's public service, scholarly achievements and faith, at a personal level Sir Zelman shared a wonderful partnership with his wife, Lady Anna, to whom he was married for 66 years. He is survived by Lady Anna and his four children, Rabbi Dr. Shimon Cowen, Nick, Ben and his daughter, Kate. Our condolences go to them for their loss of a husband and father. Today, we pay tribute to the public service of Sir Zelman Cowen.

**Mr TURNBULL** (Wentworth) (10:56): Zelman Cowen was born in 1919 on the day of Alfred Deakin's death. As many people have observed—Michael Kirby was the first to do so—it was as though Sir Zelman always felt that some spark of Deakin had entered his soul at the time he came into the world. This is entirely inconsistent with Jewish theology or indeed Christian theology; nonetheless, it is a wonderful idea. And it is a reminder of the way in which the threads of Zelman Cowen's life—very long life—are connected in tangible and intangible ways to so many other important figures in Australian history, not simply to Sir Alfred Deakin. It is an interesting point to note that Zelman Cowen was of course the second Jewish Governor-General of Australia, the first having been Sir Isaac Isaacs. Again, is it a coincidence that Sir Zelman had written a biography of Isaac Isaacs some years before? And is it a further coincidence that they died at exactly the same age? What were the chances of that? There are a lot of threads in Zelman Cowen's life that connect him to the history and the prominent figures of our country, some that are rather more intangible.

I first became aware of Zelman Cowen in a law library. When he was a young scholar at Oxford—he was Rhodes Scholar at Oxford University—he wrote a very important book on evidence, called *Essays on the Law of Evidence*, in partnership with another academic named Peter Carter, who did not go on to greatness in public life but remained a teacher at Oxford University. Indeed, when he was lecturing me and others in 1979 on evidence, I have no doubt that the notes he was lecturing to us from were the same he had used when he was a fellow with Zelman Cowen, given that the notes were so ancient and tattered and that moths were practically flying off the page every time he turned one over. That was my first encounter with Zelman Cowen in print. But when I was at Oxford I learnt an enormous amount about Zelman Cowen from my very good friend and fellow Rhodes Scholar Steven Skala, who was one of the handful of guests at our wedding in 1980. Steven had grown up in Brisbane and had, it seemed, effectively become part of the Cowen family. He spoke of Zelman with a warmth and an insight that made Lucy and me almost feel as though we knew him, even though I had not at that stage of my life met Zelman, other than through the pages of his evidence text—which is not the best way to get to know anyone, I might add. So Steven spoke of a man who was warm and was a mentor, although mentor is a rather chilly term—I think it was almost as if he was a man who was prepared to be almost like a father to so many other young people. This was a long time ago. It is well over 30 years ago that I am talking of Steven's discussions about Zelman Cowen with me. It is very touching that, much later, in much more recent years our colleague the member for Kooyong, Josh Frydenberg, had a similar filial mentor relationship with Zelman Cowen. Just as Zelman inspired and helped fashion the ideals and values of Steven he has clearly done the same with Josh, and it says a lot about the character of the man. Of course, there are so many other people on whom he had this impact.

He was, above all, a natural teacher. This is an important point because many teachers and scholars of Sir Zelman's rank find teaching students a little bit beneath them, and they prefer to leave that to their assistants and concentrate on research and giving grand lectures. But his enthusiasm and passion for other people, particularly for young people, marked him out as a really special teacher, somebody who had not simply the intellect, the charisma and the ability to communicate but also the compassion and the genuine human interest in others. That is remarkable. The great scholars of whom you could make those observations would form a relatively short list, in my experience.

He held many university positions. He was a fellow at Oxford. He later became the Dean of the Melbourne University Law School, the Vice-Chancellor at the University of Queensland and prior to that at Armidale, and later, after his Governor-Generalship, he was the Provost of Oriel College. He had a range of interests and they went well beyond the academic. But the big event in his life was when Malcolm Fraser invited him to become Governor-General of Australia. At the moment of his appointment he described it as the opportunity to deliver a touch of healing, and that is exactly what he did. Whatever the rights and wrongs of the 1975 dismissal, the actions by Sir John Kerr and the subsequent political controversy had brought the office of the Governor-General into a degree of bitter contention and political acrimony that it had not had before nor, I am happy to say, since. It required a very special person to take over from Sir John Kerr.

Sir Zelman Cowen was able to bring a remarkable intellect but also a depth of humanity and empathy with all Australians that enabled him to reach out and reconnect that office with the people in a manner that restored confidence in it. He had a genuine warmth. Again, we have had many great viceroys at the federal and the state level. You can think today of the extraordinary warmth of Marie Bashir, the Governor of New South Wales. They are of course two very different people, although both great scholars and academics in their own fields, but each of them had that degree of humanity, compassion and warmth. I dealt quite regularly with Sir Zelman Cowen during the debate over the Australian republic. I am pleased to see my colleague the member for Goldstein, Andrew Robb, here who was also on the side of justice and truth in that campaign. Zelman Cowen had been an advocate for an Australian republic for some time, well before the referendum campaign in 1999. He had the same view about what an Australian republic should look like—that is to say, it should have a president who has essentially the same powers as the Governor-General—but he was strongly opposed, as indeed I was and the member for Goldstein was, to the idea that the president should be directly elected by the people.

His argument in that regard was very well made on a number of occasions but most notably in the Hawke Lecture in 1999, which he entitled 'The guide for the perplexed', which is a very neat literary reference to Maimonides work on theology. Sometimes constitutional law is even more obscure than theology. His argument was essentially that you must, in looking at the office of head of state, first ask yourself what you want your head of state to do and be. If your job description is, 'We want somebody who is nonpolitical, nonpartisan, seen as impartial and not caught up in political controversy,' then it follows that electing them directly in a contested public election is unlikely to deliver a person who would fit those characteristics. Almost invariably—and this is true in every country where presidents are elected, whether they are executive presidents as in America or non-executive presidents as in the Republic of Ireland—you would end up with somebody who is a nominee of one of the major political parties. We shared exactly the same views about it. He intervened in the debate, as his friends Sir Ninian Stephen and Sir Anthony Mason intervened, and that was very important, not simply because jurists of that stature gave support and credibility to the proposition that we should make this change but because they were able to assure Australians that the change was not going to result in red revolution. Of course, our opponents were busily saying that would be the case and running all source of scare campaigns.

Zelman and I spoke on a number of occasions about one of the most egregious scare campaigns run by the no case in that referendum which was that, if Australia became a republic, we would have to leave the Commonwealth—that we could not be a member of the Commonwealth any longer. It beggars belief that anyone would make a claim like that, because the largest country in the Commonwealth, India, is in fact a republic. Zelman was able to deal with this repeatedly. I will quote from part of his Hawke lecture in 1999. He said:

I therefore support the Constitutional Convention's proposal that the President be elected by two-thirds of a joint sitting of the two Houses of federal Parliament. This is the proposal which will be put to the people in November this year, and I believe it can be safely recommended to our fellow citizens as giving us an Australian head of state without radical change to our parliamentary system.

Of course there are other aspects which merit attention. There is one I would like to mention in closing. It is the question of whether Australia's becoming a republic has any implications for Australia's continued membership of the Commonwealth.

.....

The point can be simply put: Australia's becoming a republic is entirely consistent with our continuing membership of the Commonwealth. This point was established almost exactly fifty years ago, when the consequence of a member state of the Commonwealth becoming a republic was considered by the Commonwealth Prime Ministers meeting in London in 1949.

It was there resolved that India, which had put the matter before the Prime Ministers, might maintain membership of the Commonwealth as a republic, and that India would for its part recognize the monarch as Head of the Commonwealth ... The upshot is that the modern Commonwealth includes states which are republics—the majority—those which have their separate monarchs, and a substantial minority which retain the monarch, among these Australia.

Interestingly, as he goes on in his speech he acknowledges that, at the time that he was a young law lecturer and a fellow at Oxford, he and all constitutional lawyers of the day had been brought up to believe that fealty to the Crown was an integral part of being a member of the Commonwealth, as indeed it had been. He says that this change in 1949 came as somewhat of a surprise. He goes on to note:

I remember that soon after the decision of the Commonwealth Prime Ministers was made public, I - then a young Oxford law teacher - was sitting alongside Mr Attlee, who was then Prime Minister of the United Kingdom, and a party to the London agreement. A youthful purist (some might say pedant), I asked whether in view of all of the history, he had difficulty in reaching his conclusion. The most laconic of men, he answered directly to the point. 'No.' That was all.

Sir Zelman was very important in that debate. He did not win the referendum, of course, but his input was intelligent, sober, sane, measured, nonpolitical and capable of providing the sort of intelligent input into policy debates that we could perhaps do with a little bit more of from time to time.

His healing hand was not only felt in the Commonwealth of Australia. Our paths had crossed previously, in the early nineties, when, after a long series of corporate catastrophes, John Fairfax had gone into bankruptcy and my firm was representing the subordinated debt holders, the so-called 'junk bond' holders. We put together a group comprising us, the bond holders, Kerry Packer, Conrad Black and an American private equity fund to make a bid for the companies as the so-called Tourang consortium. It was eventually successful, but, given all the colourful characters involved in that bid, it was no surprise that just about everyone fell out with everyone else.

The takeover of John Fairfax was effected at the end of 1991, we got the deal done, and then the company was relisted in early 1992, and Zelman was the first chairman of the board. Chairing a board with all of those characters on it, or represented on it, would have been pretty challenging—although we did have as a director Laurence Street, who ultimately succeeded him as chairman.

Zelman and I crossed swords, in a gentle way, at the Fairfax AGM on 25 November 1992, which was the first AGM of John Fairfax since young Warwick had recklessly taken it over in 1987, with all of the disasters that followed. I was then a shareholder. My shareholding was not substantial in a companies act sense but, for me, it was a very substantial shareholding in the company. I had taken exception about a month or so before the meeting when I learnt that the directors were proposing to issue to themselves and to some executives options exercisable at \$1, notwithstanding that the market price for the shares was \$1.50. I had rung up the chief executive, Stephen Mulholland, to complain about this, and he had abused me rather colourfully. An hour later, he sent me some flowers, which I thought was sweet of him. I rang him back and he did the same thing again. The second time, the flowers did not come.

So we commenced proceedings in the Federal Court in which my father-in-law was my counsel and Lucy was the solicitor—so it was definitely a family exercise—and we were successful. Regrettably for Fairfax and Conrad Black, their solicitors had made a few errors in the notice of meeting and there were some other deficiencies, and they basically had to surrender. So the options exercisable at \$1 were not issued. This was a big issue leading up to their shareholders' meeting, and Conrad Black and I spent much of the meeting shouting at each other: me from the floor of the opera theatre, I think, and Conrad on the stage. Needless to say, there were 800 shareholders there, most of whom were small shareholders, and you can imagine their sympathy was not with the directors giving themselves options at \$1.

Over all of this Zelman managed somehow to keep order and he was able to radiate a degree of calm. At one point he suggested he might have to rule some remarks of mine as out of order, and we had a debate about whether he was trying to gag me or not. With his charm and my sense that I might lose the support of the room if I had a row with such a distinguished chairman, we managed to get through to the end of the meeting satisfactorily.

He did a very good job at Fairfax and, just as he had been as chairman of the press council of Britain, he was not unfamiliar with the media. It was a good example, in a very practical and turbulent sense, with 800 largely very unhappy shareholders and some pretty arrogant directors and executive on the part of Fairfax, Stephen Mulholland and Conrad Black in particular. It was a good example, I thought, of Zelman's ability to provide a calming influence not just in a speech to a gentlemanly or ladylike gathering or in a committee meeting but in a big hall.

He led a long and incredibly full life, a life of great accomplishment. He died laden with honours and loved by all. He obviously, however, cherished his family above all, as we all should—and in this respect Zelman Cowen is an example to all of us. It is common to say of people, 'He was a good family man' or 'She was a good mother and wife' and all of that. That is a good thing to say, but Zelman Cowen's family was his passion. In that sense, it was part of his Jewishness. Of course the Jews are not by any means the only people who love their families, but family life and the warmth of family life, the hamesha family life, the warm homeliness of it, is so central to Jewish life, to Jewish culture and to Sir Zelman Cowen.

Mourned by all, missed by all but admired for a lifetime of achievement, we salute Zelman Cowen and, as a parliament, offer our condolences to his widow, Lady Anna, and to their children, grandchildren and all of their family, some of whom, like Josh and Stephen Skala, were effectively informally adopted.

**Mr ROBB** (Goldstein) (11:18): It is a great privilege for me to have an opportunity to say a few words of condolence about this very great Australian. I must say how much I enjoyed, and I endorse, the comments by the member for Wentworth, which were put so eruditely and finely in the last few minutes. I enjoyed also the interactions that Malcolm Turnbull experienced with Sir Zelman over a long period of time.

I had the great honour of getting to know Sir Zelman perhaps over the last 15 years. As the member for Wentworth mentioned, we were engaged with Sir Zelman in all sorts of ways during the republic debate and I shared Sir Zelman's view of how it should proceed and what shape it should take—the minimalist model and the lack of election of a president, which he felt very strongly about, as did I and still do. That gave us a point of

connection and it gave me a great opportunity to get to know the man and to appreciate what so many others have eloquently put in this chamber about the qualities of Sir Zelman and the reasons for which he is so widely respected within the Australian community and the global community in the many areas that he has interacted with. I have been able to maintain some measure of contact, often by coincidence, as Sir Zelman lived near my electorate. Caulfield, in which he resided, is the neighbouring suburb to my electorate. I have around 8,000 members of the Jewish community in my electorate of Goldstein and I enjoy my regular interactions with the Jewish community. I would often find myself at the same function or event as Sir Zelman as a consequence.

The thing that struck me about him, both in my interactions with him and in the way he dealt with other people, was his humility. I found it hugely instructive and also a source of great admiration for a man of such extraordinary achievements—and not just for the magnificent role as Governor-General but through the history of his achievements which have already been chronicled so well by so many: from a young age as dux of his school, as a Rhodes scholar and then later as the Dean of Law at the University of Melbourne at the age of 30. These marked him as a man of remarkable intellect and capacity. I suspect, despite the humble, sympathetic and empathetic manner that he always brought to interactions with people, there was clearly great strength of character. He was a man who was not easily swayed from his view of things. He had a capacity to stay true to what he believed and to argue it and influence others without any bombast and without any acrimony. It is again a lesson for many of us in this place that there are multiple ways of achieving outcomes and multiple ways of legitimately disagreeing with one another without some of the nastiness that can surround proceedings not just here but in other parts of our community.

Sir Zelman was operational in Darwin when the bombings took place in the Second World War. He experienced the bombings, which in fact exceeded Pearl Harbor. This is not well understood due to the strategic approach taken at the time not to frighten the rest of the community with what was happening up north. To this day, I do not think Australians appreciate the significance of the magnitude of the disaster or the intensity of the hundreds of Japanese bombings that took place. Sir Zelman experienced all of that. He was a patron of the Darwin Defenders group and without exception attended the Darwin Defenders service, which is held on 19 February each year in Melbourne and in other parts of the country. Without exception, he was a patron of the Darwin Defenders group. For the years I have been in parliament I have attended each year, and he has always been there, no matter what his state of health has been. Again, he was always responsive to people and always had that great capacity, which the member for Wentworth described so eloquently, for mentoring. He had this innate ability, whether you were speaking to him for one minute or for 30 minutes, to influence what you thought, without preaching at you or imposing a point of view. It is very hard to articulate; he was a very remarkable man and he had this quality about him. Others, such as the member for Kooyong, have spoken eloquently about this capacity, and they have enjoyed that experience, perhaps more than others, with Sir Zelman.

I saw it again and again. In every interaction I had with him over the last 15 years, that was the thing that stayed with me. I always came away from that discussion, no matter how short or how long it was, with a feeling of more certainty about certain issues and with something to think about. Again, it was all done in a gentle manner. His humility was a constant and it was extraordinary. He had many reasons to have a touch of arrogance or hubris, given his contribution, but you never saw it for a second.

He was a man of great empathy and patience. When Malcolm described that unruly shareholder meeting, I could visualise it. I could see the patience that he would exert, the wisdom that he would convey in his comments and the respect and empathy that I know he would have shown for everyone in that room. That invites cooperation. It calms things down and leads to constructive outcomes. I was not at the meeting, although I have read about it. I can see him in my mind's eye carrying out that role that the member for Wentworth so adequately described. The patience, empathy, intellect and loyalty that he showed to the Darwin Defenders constituted a life and a respect that is not unique but is as strong as you would ever find for any individual in Australia.

It is a great immigrant story, and many have spoken about that. It reinforces the pride that I have, and the confidence that most Australians have, that we are a much greater nation because of the millions of immigrant stories, and this is another immigrant story of great quality. Not only does it help to form the glue that holds this country together; it also ensures that we go from strength to strength. The sorts of stories, experiences and qualities that he is an example of broadens and deepens the Australian character. I think there are many great Australians who have had profound influences over the development of Australia in the last 200 years. There are people who have done things which have unambiguously had long-term influences in shaping either the physical attributes or the cultural attributes of Australia. So there are many great Australians through history, but I think it could be reasonably argued that no-one has had an influence that exceeded his. They might be equal to him, but no-one has had a singular influence that exceeded the unique healing role that he so magnificently performed during his time as Governor-General.

I do think it was a time when Australia could have been heading towards a significant fracturing of our fundamental institutions or culture or sense of oneness. It had that potential to go off the rails, and that could have been a long-term, damaging and unfortunate development. But I think to the great surprise of everyone in such a short period—he had 4½ years as Governor-General but, really, this was within two years—he had taken hold of that source of division, angst and potential fracturing and calmed it down. He had shown a greater purpose that we have all got together, and the value of putting those things behind us and moving on. Things happen—in a family, in an organisation, in a country; they cannot be removed, they happen, but you have to find ways of dealing with them. I think he showed Australia a way of dealing with that issue. For that if for nothing else, even though he made the most extraordinary contributions in so many areas, he must have the undying gratitude of all Australians for many decades into the future. He shaped Australia. He made a critical and fundamental contribution to the essence of the Australian character through the civilising influence he brought to that job. I do feel that he and his family should be enormously proud of that role that he played.

There is so much more that others have said, and said more eloquently than I could. His achievements are just remarkable. As the member for Wentworth said, it never stopped. He contributed at an extraordinary level right through to the end. Despite years of ill-health in the latter part of his life, he was still having this extraordinary influence on people and events.

I conclude by saying that it was a great life. He was so greatly respected. His life was one of simply great accomplishments. But he was a man who was marked by extraordinary humility, empathy and respect for others. We salute Sir Zelman Cowen. His was a life well lived. We offer our condolences to his widow, Lady Anna, his children, all those that were close to him and all those that he loved so much.

**Mr MATHESON** (Macarthur) (11:33): I rise today to pay tribute to a fine Australian who has been remembered as one of the great political healers of our time. Sir Zelman Cowen served for 4½ years as Australia's 19th Governor-General, from December 1977 to July 1982. He was described as a great and dignified Australian after being hand-picked in 1977 as a unifying figure to help heal the politics of the nation after the dismissal of the Whitlam government in 1975.

Sir Zelman was appointed to the position of Governor-General by Malcolm Fraser in 1977. In his later years he described the appointment as 'totally unexpected' but 'the greatest experience' of his life. The *Sydney Morning Herald* recently quoted Malcolm Fraser, when he said:

Sir Zelman "restored Australia's faith in the office of governor-general".

Malcolm Fraser went on:

"Sir Zelman took over the position at a more difficult time than any other governor general and served in the role with great distinction ...

According to Fraser:

"Sir Zelman worked extremely hard to see as much as he could and to talk to as many Australians as possible."

I would like to express my condolences to Sir Zelman's wife, Anna, and their four children, Shimon, Nick, Kate and Ben, and his 16 grandchildren and six great-grandchildren. I am sure that, while they grieve the passing of a man they loved so much, they are also very proud of the contribution that he made to our nation and the faith that he restored in our political system.

At his funeral, Sir Zelman's son, Shimon, said his dad:

... rebuilt or healed a divided nation and indeed throughout his life constantly sought to work consensus by modelling mutual respect and decent values.

He said his dad was not philosophical and that he was a doer, who dedicated his life to humanity.

Sir Zelman was labelled as the 'perfect choice' for the post of Governor-General in 1977. He was a distinguished Australian, with an international reputation in the field of law and education. Between 1951 and 1966 he was the Dean of Law at the University of Melbourne. He was appointed the Vice-Chancellor of the University of New England in Armidale, New South Wales, in 1966. In 1970 he was appointed Vice-Chancellor of the University of Queensland in Brisbane.

He was regarded by his peers as one of the leading constitutional lawyers in the English-speaking world. He won a Rhodes scholarship in 1940 and decided to join the Royal Australian Navy. He served in Darwin in February 1942 during the Japanese air raids on Darwin and Northern Australia.

Later in the war he worked as a sublieutenant on the staff of General Douglas MacArthur. Sir Zelman was also a proud member of the Jewish community and, in 2003, he urged all Australians to show more compassion and generosity towards refugees. Even in retired life he set a fine example for other Australians to follow.

After his retirement, Sir Zelman pursued a range of other interests, including serving for five years on the board of Fairfax newspapers and being patron of St Kilda Football Club.

Sadly, he was diagnosed with Parkinson's disease in 1990 and, as a result, he lost his voice in recent years. At his funeral, Shimon said this gave his father a new view of life and spirituality. He said that his dad responded to his condition without anger or irritation and that he was cast into an entire new modality of listening and receptivity.

It is clear that Sir Zelman was a great man both in his public and private life and, whilst he gave so much to his country and humanity, I am sure he gave a lot more to those who loved him the most—his family.

Sir Zelman was a great leader in both the Australian and Jewish communities and someone whom all politicians could aspire to today. He showed great humanity and dignity during his time in office and championed many important causes. He set a great example for all of us who serve our communities here in this place, and I believe this is one of the greatest legacies he has left behind.

I am proud to see so many of my colleagues pay tribute to Sir Zelman today. He was a great Australian who deserves the kind words which have been spoken about him. I only hope that his death will not be in vain and that we all take a page from his book and continue to work hard to bring great integrity and dignity to the jobs which our communities have elected us to do.

I would like to take this opportunity to thank Sir Zelman for his contribution to our nation and for the great legacy he has left behind for his children and his country. I would also like to note that, before I spoke in this chamber today, the member for Kooyong sat through and listened to a number of speeches of my colleagues on the condolence motion for Sir Zelman. Sir Zelman was a great mentor for the member for Kooyong and we see the member for Kooyong, a great shining light, come into this House. I am sure that Sir Zelman would have been very proud of his performances not only in this House but also within his community. I am sure we all would have liked to have had a great mentor such as Sir Zelman. I am looking forward to watching the member for Kooyong grow in this House and in what he achieves for his community. The Australian people will be proud of the member for Kooyong in the way he performs his duties in this House.

**Mr ALEXANDER** (Bennelong) (11:39): I rise to speak on the life of Sir Zelman Cowen and on his contribution to our country. Sir Zelman passed away on 8 December, at the age of 92. He was born in the Melbourne suburb of St. Kilda in 1919, on the same day as the death of Alfred Deakin, one of the founding fathers of our nation. At 19 years of age he became the youngest tutor in the history of the University of Melbourne. Chosen for a Rhodes scholarship the following year and at just 31 years of age, he was chosen as Dean of the University of Melbourne's Faculty of Law, one of our nation's great schools of law. He also helped establish the Monash Law School and the Griffith Law School and was appointed Vice-Chancellor of the University of New England and then of the University of Queensland, exemplifying his unique commitment to learning and leadership.

His writings on privacy and bioethics have stood the test of time and helped shape the laws we hold firmly to today. As many Australians have found their hero status in the field of combat and in the face of fire, Sir Zelman's heroic deeds were performed in peacetime but at a time of crisis. In 1977 he was appointed as Governor-General. It was his most important role. After the 1975 dismissal, our nation was fractured. He entered with a goal to become the healer and he left five years later having achieved this goal.

His many more contributions to the British legal system and the Press Council have been recounted numerous times, as have his love for his family and his contribution to the vibrant Australian Jewish community. But Sir Zelman was more than that. He represented a new stage in Australia's development. He was a first-generation Australian who strongly represented our new multicultural society. He brought together old-world religious, cultural and social traditions with the continuous development and growth of our legal system and practices. He reflected great courage as a 1930s school student, writing stories for his peers about the great suffering being heaped upon the Jewish community in Europe. He defended our nation and our nation's core values on the battlefield, in the classroom, in the lecture theatre and on the typewriter. He possessed an intellect that few could match but preferred to use humour as a tool to get his message across; yet this keen intellect and intuition was on constant display throughout his days as he remained steadfastly loyal, despite only once being rewarded by that great institution, the St Kilda Football Club. He was a truly broad Australian of intellect and a love of sport. Sir Zelman was a hero on the field of combat and in his peacetime pursuits. He was a truly great Australian. We will miss him greatly.

**The DEPUTY SPEAKER (Mr Murphy):** I too wish to associate myself with the contributions made by other honourable members. Sir Zelman Cowen was not only a distinguished Australian; he was a great Australian. I take this opportunity to extend my deepest sympathy to Lady Cowen and her family. May he rest in peace.

I understand it is the wish of honourable members to signify at this stage their respect and sympathy by standing in their places.

*Honourable members having stood in their places—*

**The DEPUTY SPEAKER:** I thank the Committee.

**Mr HAYES** (Fowler) (11:43): I move:

That further proceedings be conducted in the House.

Question agreed to.

## CONDOLENCES

### Veness, Mr Peter

**Mr FRYDENBERG** (Kooyong) (11:44): On indulgence, I was very saddened to hear of the passing of Peter Veness. He was a young, courageous and good man who at 27 years of age departed far too early from this earth. I got to know Peter as a journalist for the Australian Associated Press, the AAP, when I first came to the parliament in late 2010 and he was working in the Canberra press gallery. He always struck me as having a nice sense of humour, an ear and an eye for a good story, and a professional and dedicated commitment to his journalistic craft. Even as he battled against a rare form of brain cancer, which was diagnosed in 2009, Peter remained stoic and positive and true to his larrikin streak. In his own words, 'Live a life of no regrets. Don't die wondering.'

In a poignant article in 2009 Peter wrote:

Even when life is consumed by thoughts of death, of leaving my most loved, of lying in a coffin, of being lowered six feet, there are ways of smiling. Old, silly jokes still bring a smile to my face and the sight of just about any dog makes me joyous from a childhood spent spilling all my secrets to my loyal blue heeler, Bert.

There is one final wish I haven't mentioned. To live. I pray at night, asking my God the seeming simplest of questions: 'Will you save me?' I haven't heard back yet.

God did not answer that call in the way we would have liked, and so, Peter Veness will be deeply missed by his colleagues in the press gallery, his admirers in the parliament and his loyal friends and treasured family.

My condolences go out to his wife, Bec, and his parents, David and Cheryl, at this very difficult time. Rest assured you are in our thoughts and prayers as we remember the life and contribution of a good and decent man, Peter Veness. Peter, may you rest in peace.

**Mr HUSIC** (Chifley—Government Whip) (11:46): Having been elected in 2010, like my colleague the member for Kooyong, I have not had as much as others to do with the fourth estate, camped down the hallway in the press gallery. But I did get to meet a number of characters in a short space of time. Some of them can drive you to this blissful plane of distraction and albeit occasionally infrequent frustration. One bloke I had the genuine pleasure of getting to know as he went about with his scrawny beard broken up with a grin that had a good load of cheek in it was Peter Veness. The scrawny beard came about for a reason that too many people knew. In late 2010 I came to appreciate why he had grown that beard. I got swept up to go into a fundraiser at the National Press Club to raise funds for cancer research. Pete had his beard shaven off as a broader effort to raise funds for cancer research.

In dealing with Pete he never gave you a sense of what he was going through. He masked it so well. He was literally an emotional rock. But if you wanted an insight into what he was going through you just needed to Google the feature he wrote in 2009. I certainly commend that to people. Not only did he share in the trials and the difficulty that cancer patients go through in their treatment but you are enamoured with his spunk and with his fighting spirit.

I want to reflect on some of that. I loved when he said, for example:

The doctors give me little hope. Stuff the doctors who have already killed me; they don't tell me when to die. These are the same doctors who told me they would eat their hats if there were any tumours on my spine. Well, get out your knives and forks, boys, and chow down on those Akubras.

That is the attitude and spirit that drew me to Pete Veness, and it drew a lot of people to him.

We would bump into each other from time to time and you would have no sense of what he was going through. But when we did, he and I folded arms in a corner of the gallery, sorting out issues nimbly and with ease, him razzing me and me trying to get one up on him. These moments and stories were shared by many. The impact of the bloke, as seen by the outpouring of emotion after the terrible events of Sunday, 15 January, really spoke volumes. The power of Pete was that he could make you laugh through your tears. A lot of us would recount the good in him and want to measure up to that good ourselves. A number of pieces that were written and a number of



COMMONWEALTH OF AUSTRALIA

# SENATE

## Hansard

**TUESDAY, 7 FEBRUARY 2012**

### **CORRECTIONS**

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**Tuesday, 14 February 2012**

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BY AUTHORITY OF THE SENATE

# PROOF

Minister stood up in Tasmania and said would be protected whilst this verification process went on. That is completely unacceptable.

Finally, we have a situation where Forestry Tasmania had better front up and answer the question whether they are currently in China trying to sell woodchips from Tasmania's forests at \$US170 a tonne delivered, which is below the cost, therefore incurring massive loss, and are lining this up for the Tasmanian Minister for Primary Industry and Water, Bryan Green, when he gets over there on his trade mission to sign off on yet more debt strategies for Forestry Tasmania. It is a failed business model. Forestry Tasmania must not go and negotiate to sell woodchips at rock bottom prices because the China market is so price sensitive. Forestry Tasmania had better answer those questions.

Question agreed to.

### CONDOLENCES

#### **Cowen, Rt Hon. Sir Zelman, AK, GCMG, GCVO, QC**

**The PRESIDENT** (15:32): I inform the Senate of the death on 8 December 2011 of former Governor-General the Rt Hon. Sir Zelman Cowen AK, GCMG, GCVO, QC, Governor-General from 1977 to 1982. I call the Leader of the Government in the Senate, Senator Evans.

**Senator CHRIS EVANS** (Western Australia—Minister for Tertiary Education, Skills, Science and Research and Leader of the Government in the Senate) (15:33): by leave—I move:

That the Senate expresses its deep regret at the death, on 8 December 2011, of the Right Honourable Sir Zelman Cowen, former Governor-General of Australia from 1977 to 1982, places on record its appreciation of his long and meritorious public service, and tenders its profound sympathy to his family in their bereavement.

There is a great deal of sadness across the chamber at the loss of this great Australian, but he was someone who lived a very full and productive life and what we are doing today is recording the parliament's appreciation of that contribution. I know I will be followed by Senator Brandis, who I think knew Sir Zelman and I am sure will be able to make a better contribution than I. It is always better if you had personal interaction with the person. I look forward to that.

Sir Zelman was born on 7 October 1919 in Melbourne. His mother, Sarah, had a vision of success for her son from an early age, reportedly telling him he was destined to become a King's Counsel. Sir Zelman was educated at local primary schools and then at Scotch College, where he graduated dux in 1935. He then went on to the University of Melbourne, where he studied arts and law, receiving the Supreme Court prize for coming first on the final honours lists. Sir Zelman

won a Rhodes scholarship, but delayed further studies so he could serve with the Royal Australian Navy. He was serving in Darwin at the time of the Japanese attacks in 1942.

In 1945 Sir Zelman completed his war service, married Anna—which is a marriage of some 66 years—and commenced his bachelor of civil law degree at Oriel College, Oxford. On completion of his degree he was a lecturer and fellow of the college. In 1951 he returned to Australia to take up the position of Professor of Public Law at the University of Melbourne. At the age of 31 he broke all British Commonwealth records with his appointment as Dean of the Faculty of Law, a position he held until 1966. Sir Zelman is remembered as driving a remarkable transformation and modernisation of the faculty as dean.

It came as a surprise to his colleagues when after 16 years at the helm he accepted the position of Vice-Chancellor of the University of New England. In 1970 he moved again, this time to take up the vice-chancellorship at the University of Queensland. It was a tumultuous time, especially for university leaders. Campuses across the country were a hotbed of political agitation and student protests. As VC, Sir Zelman brought calm to volatile, sometimes hostile, protest situations. His considered, calm approach and rational conversations worked with students and gained him the nickname 'Super Zel'. In 1973, the University of Melbourne awarded Sir Zelman an honorary doctor of laws degree. In 1976, he became the Law Reform Commissioner of the Commonwealth of Australia and was also knighted.

In 1977, Prime Minister Malcolm Fraser's announcement that Sir Zelman would be Australia's next Governor-General was, I think, greeted enthusiastically around the country. He became Governor-General at a time when the foundations of Australia's political system had been severely shaken. He became quickly known as a healer, bringing wisdom and dignity to the role he occupied until 1982. He served with great distinction and noted that the appointment was the greatest experience of his life. Sir Zelman turned down the offer of a second term, choosing to return to Oriel College, Oxford, where he became Provost, a position he held until 1990.

On his return to Melbourne in 1990, he became an active member of the Jewish community and a patron of the St Kilda Football Club—which was probably his only mistake, given its record as a successful football side. He also became a member of the board of Fairfax newspapers for some five years. He continued his community engagement and his passion for higher education, helping to establish a law school at Griffith University and to establish the National Academy of

Music. He made a great contribution to academia across many institutions and throughout his whole life.

He leaves an enormous legacy. He stood as an international scholar, a healer of the nation and someone who contributed passionately and fully to the public, intellectual and cultural life of Australia and the world. He was someone I always respected from a distance. His passing was a great loss for Australia. On behalf of the government, I extend to his wife, Lady Anna, and to his family our sincere sympathy in their bereavement.

**Senator BRANDIS** (Queensland—Deputy Leader of the Opposition in the Senate) (15:38): There can be few who have served the people of Australia with greater distinction, in a variety of fields, than Sir Zelman Cowen. He was a scholar of international eminence, a public lawyer with few equals in his field, a university leader on two continents and, most importantly for us, the 19th Governor-General of the Commonwealth, who brought the balm of his wisdom and moderation to a particularly difficult passage in our national life.

Zelman Cowen was born in Melbourne on 7 October 1919—by a remarkable coincidence, the very day that, elsewhere in the same city, Alfred Deakin died. He was educated at Scotch College and the University of Melbourne, where he enjoyed a brilliant academic career, graduating with the highest honours in arts and law. He won the Supreme Court Prize, the prize awarded to the law school's best graduate, in 1940 and, in the same year, he was elected the Victorian Rhodes Scholar for 1941.

When he gave a moving eulogy at Sir Zelman's state funeral on December 13 last year, the current Warden of Rhodes House, Professor Don Markwell—one of the many distinguished Australians to whom Sir Zelman had been a mentor over the years—delved deep into the Rhodes archives to unearth the reference which Professor George Paton, then Professor of Jurisprudence at the Law School, wrote in support of 20-year-old Zelman Cowen's application for the Rhodes Scholarship. It gives us an early and accurate foretaste of the man he would become. Professor Paton wrote of him:

His academic record ... is one that has rarely been equalled. It is frequently the case that those who do brilliantly in Arts do not show quite the same aptitude for law, but Mr. Cowen shows the same skill in both fields. His mind is very keen and remarkably mature for one of his age.

... ..

He has a rounded personality, broad interests and cultivated tastes ... He has great energy and ... intellectual integrity ...

... ..

He has the assured courtesy of a much older man, and, while he has no reticence in urging his own opinions, I have found

him both respectful and willing to abandon his point of view, if its weakness could be shown ...

... ..

In short, I feel he has that quality which would benefit most from a period at Oxford. I have written many of these testimonials for the Selection Committee, but this is the first time that I can write for a candidate who has that intellectual flair of which great things can be predicted.

Because of the war, he deferred taking up his scholarship until 1945, and in the meantime saw service in the Royal Australian Navy, working in naval intelligence. He then went up to Oriel College, Oxford and read for the BCL. In 1947, he was awarded the Vinerian Prize—the Olympic gold medal of legal scholarship, awarded to the top BCL student of his year—and was appointed a fellow of the college. He would later be awarded the exceptionally rare honour of DCL, Doctor of Civil Law.

In 1950, at the unheard-of age of only 31, he was appointed Professor of Public Law and Dean of Melbourne Law School at his alma mater, the University of Melbourne. He held that post for the next 16 years, combining the development of one of Australia's best law schools with significant contributions to legal scholarship. His magnum opus, *Federal Jurisdiction in Australia*, belongs to those years. He also collected and published a series of essays which he had written when at Oxford in collaboration with his friend Peter Carter. Cowen and Carter's *Essays on the Law of Evidence* was still authoritative 30 years later, when I did my BCL. His long biographical essay on Sir John Latham, which remains the only significant biographical study of that insufficiently appreciated Australian, and his authoritative biography of Sir Isaac Isaacs, our first Australian born Governor-General and something of a hero for Sir Zelman, also belong to that period.

He was a frequent participant in public discussion, as a champion of worthy causes. He opposed the 1951 referendum to ban the Communist Party because of its potential impact on political freedom. He was active in support of the 1967 referendum on the recognition of Indigenous Australians. He campaigned against the death penalty. He became well known to the broader public, beyond the university, as a broadcaster—then a rare occupation for a professor. His judicious commentary on current affairs in a radio program called 'Notes on the News' began in the 1950s and ran regularly on ABC Radio for many years.

In 1969, when he delivered the Boyer Lectures, he took as his topic 'The Private Man', one of the earliest Australian contributions to what is now sometimes called privacy studies. At various times during this period, he was a visiting professor at the Harvard Law School, at the University of Chicago, which offered him a permanent chair, and at several universities in the British Commonwealth. He was consulted on, and

was the principal draftsman of, the constitutions of several of the newly independent British colonies. In 1966, Zelman Cowen became the Vice-Chancellor of the University of New England in Armidale. Then, in 1970, he was appointed as Vice-Chancellor of the University of Queensland. It was there that I first came to know him. His vice-chancellorship coincided with a very difficult period for the university. Sir Zelman found himself standing between a belligerent student protest movement, at the height of the Vietnam War, and a state government led by a Premier who had little interest in universities and little sympathy for freedom of speech. Relations between the Vice-Chancellor and the then Mr Bjelke-Petersen were, to say the least, difficult. It is a credit to Sir Zelman Cowen's leadership that he was able to prevent the student protests from becoming violent, as they did in some other Australian universities.

The climax of that tension occurred on 30 July 1971 when, at some personal risk, Sir Zelman addressed a crowd of some 5,000 student protesters in the Great Court. Standing beneath the great lapidary inscription which proclaimed, in Disraeli's words, the university to be 'a place of light, of liberty and of learning', he was able to win their confidence and calm their anger. He would later describe it as the speech of his life. It was a classic instance of the triumph of reason over passion, of moderation over belligerence. I have no doubt that one of the main reasons Sir Zelman prevailed that day is that the students knew that he respected their right to protest, so long as that protest remained peaceful, and that he would defend both their freedom of expression and the independence of the university. They trusted his good faith and they were won by his integrity and his appeal to their better instincts. He is remembered to this day as one of the University of Queensland's greatest ever vice-chancellors, during which it grew into the first rank of Australia's universities—a position which it maintains to this day.

So when, in 1977, the government of Prime Minister Malcolm Fraser was looking for the best person to succeed Sir John Kerr as Governor-General, Zelman Cowen was a perfect choice. He was respected and trusted by both sides of politics. He had never been a political partisan, though he left no-one in any doubt that he was a humane and enlightened liberal, in the classical and best sense of that word. Don Markwell described the liberal values of which Sir Zelman Cowen was a beacon in these words:

... individual liberty under law, including the rights to privacy and to free speech in a civil and tolerant society; the rule of reason, with a preference for moderation, collegial leadership and consensus-building, and even-tempered public and private discourse, with disagreement without rancour; uncompromising and scrupulous integrity; and education—in a college, a law school, or the wider university—that both broadens and sharpens the mind.

Sir Zelman spoke of democracy as depending upon 'a fragile consensus', and it was that fragile consensus he sought to restore, in particular by reaching out to the Labor Party, which had yet to come to terms with the resolution of the 1975 crisis and seemed almost estranged from the constitutional polity—certainly, from the office of Governor-General.

Another of Sir Zelman's many protege, Steven Skala, who also delivered a eulogy at his state funeral, caught the quality which Sir Zelman brought to the office of Governor-General—as to every other phase of his glittering career—in these words:

To understand how—  
he—

achieved this, we should remember his authenticity. He was an exemplar of decency, unfailing courtesy, generosity, openness to reason, grace and constancy. He afforded everyone their dignity.

His life's work, in public and in private, reflected the deepest concern for the dignity of every person.

When Sir Zelman left the office of Governor-General in 1982, the strong emotions of 1975 were, if not forgotten, nevertheless a thing of memory. The emollient style of Sir Zelman was, I believe, one of the principal reasons why that was so. Retirement from the office of Governor-General did not see the end to Sir Zelman Cowen's career. He returned to his other alma mater, Oriel College, which appointed him as its provost. His provostship coincided with my own time in Oxford and I renewed my acquaintance with him. He was, as ever, a liberalising influence and a force for good. Oriel was, at the time, the last Oxford college to refuse to admit women; under Sir Zelman's influence, it became co-ed. Such was the respect in which he was held in the United Kingdom that he was much sought after for high appointments. It was during those years that he served as chairman of the British Press Council.

But Australia was always his home, and it was to Melbourne that he and Lady Anna returned for good in 1990. He renewed his active involvement in Australian public life in a variety of ways. He served, for several years, as the chairman of Fairfax newspapers. He was instrumental in the establishment of the law schools at both Griffith University and the Victorian University of Technology. Although he had not always held that view, he became convinced that it was time for Australia to become a republic, and advocated that cause in the 1999 referendum. He continued to be a mentor to talented young Australians. In particular, Joshua Frydenberg, now the member for Kooyong, became a particular protege and close friend, and Sir Zelman discreetly encouraged him in his political career.

We remember Sir Zelman Cowen with affection and gratitude. He was both a good and a great man—qualities often not combined within the same person.

He excelled in everything he did. He occupied his variety of very high offices with distinction and grace. He saw us through one of the most difficult times in our nation's story. He was generous, temperate, moderate, liberal and wise. There have been few greater Australians than he. The opposition supports the condolence motion moved by the Leader of the Government in the Senate and extends its sympathies to Lady Anna Cowen and the family of Sir Zelman Cowen.

**Senator BOB BROWN** (Tasmania—Leader of the Australian Greens) (15:52): On behalf of the Australian Greens I also support this condolence motion and extend our sympathies to Lady Anna and the family of this great Australian, the 19th Governor-General of our great country from 1977 to 1982.

I did but meet Sir Zelman in passing in Melbourne with Lady Anna, but for much of my life I have looked for role models and admirable people. One could not go past this great Australian as a person who, without creating division, contributed greatly to the intellectual and social commentary and development of Australia. He will, as the previous speakers have said so well, be marked down as one of the most remarkable, humane, liberal and generous thinkers and contributors to Australian society in recorded history. We have lost a wonderful Australian who will go down in the annals of this nation's history as someone to whom we can look as an exemplar of what it is to be a contributing human being in a world and a country which have their troubles but which nevertheless look for stability, intellectual rigour and—I mean this in the full sense of the word—a moral authority that gives us centring as we each undertake to contribute to public life. Vale Sir Zelman Cowen, a great Australian.

**Senator PARRY** (Tasmania—Deputy President of the Senate and Chairman of Committees) (15:54): Lady Cowen has written to me and asked me to pass on some comments to the Senate. I do so because as Acting President representing the Senate at the funeral of Sir Zelman Cowen I wrote on behalf of all senators to the family. I will read Lady Cowen's response to fulfil her wishes:

Dear Senator Parry

Since we lost him, our family has taken great comfort in the many expressions of sympathy we have received. We are moved to learn how many lives he touched and how widely he was loved and appreciated. We will miss him terribly. Thank you for your kind thoughts. Please convey my thanks to all the members of the Senate.

It was signed by Lady Anna Cowen.

**Senator SCULLION** (Northern Territory—Deputy Leader of The Nationals) (15:55): Sir Zelman Cowen passed away on 8 December last year, aged 92. December 8 was a significant date, being the 34th anniversary of his swearing-in as the 19th Governor-

General of Australia in 1977. Sir Zelman Cowen, who was once famously quoted as saying his achievements were simply down to luck, was humble and understated throughout his life. He left a legacy of which his family can be justifiably proud and a nation grateful.

When Sir John Kerr's turbulent period of office as Governor-General ended with his early resignation in 1977, the Prime Minister, Malcolm Fraser, offered Cowen the post. He served 4½ years as Governor-General, from December 1977 to July 1982, and was instrumental in reunifying the country and our political institutions with his poise and his intellectual command of all things constitutional and through the respect he received from all Australians. Malcolm Fraser said of Sir Zelman that he 'restored Australia's faith in the office of Governor-General'.

Sir Zelman Cowen was born in Melbourne on 7 October 1919. During the Second World War he served with the Royal Australian Navy. As a Territorian I should recognise that he was stationed in Darwin during its bombing in February 1942. After the war he went on to become a distinguished constitutional lawyer, academic, Oxford Rhodes scholar and respected leader of the Australian Jewish community. Later in life, Sir Zelman became dean of law at the University of Melbourne and later Vice-Chancellor of the University of New England and then the University of Queensland. Sir Zelman Cowen's contribution to the law was not limited to Australia. He was regarded as one of the leading constitutional lawyers in the English-speaking world, an achievement highlighted by the number of colleagues who travelled from England and many other parts of the world to attend his state funeral in Melbourne.

Some beneficiaries of Sir Zelman Cowen's expertise and presence were the British Colonial Office, where he advised on constitutional matters to the governments of Ghana and Hong Kong and provided a wide range of advice on the formation of constitutions across a number of emerging nations. Sir Zelman was also a frequent visiting professor at American universities, including the University of Chicago, the University of Illinois and the University of Washington. Sir Zelman was also a member of the board of Fairfax, including a period as chairman.

As a Victorian, he was passionate about Aussie rules football and served as patron of St Kilda Football Club. In an honour the true magnitude of which can perhaps only be fully understood by fellow Victorians, after his death St Kilda placed a notice which said simply, 'Farewell, St Zelman'. On a personal and family note, Sir Zelman was married to his wife, Lady Anna, for 66 years. He had four children—Shimon, Yousef, Kate and Ben—and 16 grandchildren and was, at the time of his death, the proud great-grandfather of six—a family

that can trace their heritage back to a truly great Australian. Vale Sir Zelman

Question agreed to, honourable senators standing in their places.

## MOTIONS

### Queen Elizabeth II: Diamond Jubilee

**The PRESIDENT** (15:59): I inform the Senate that 6 February 2012 marked the diamond jubilee anniversary of Her Majesty Queen Elizabeth II.

**Senator CHRIS EVANS** (Western Australia—Minister for Tertiary Education, Skills, Science and Research and Leader of the Government in the Senate) (15:59): by leave—I move:

That the following address to Her Majesty Queen Elizabeth II be agreed to:

Your Majesty: we, the President and members of the Senate of the Commonwealth of Australia, in parliament assembled and on behalf of the people of Australia, offer our warm congratulations on the occasion of the diamond jubilee of Your Majesty's accession to the throne. We express our respect and regard for the dedication Your Majesty has displayed in the service of the Commonwealth and Your Majesty's deep and abiding commitment to Australia and her people.

Today we acknowledge a remarkable achievement: the diamond jubilee of the reign of Her Majesty Queen Elizabeth II. It is a contrast today, having acknowledged the death of one of her most distinguished representatives in this country, that we celebrate her remarkable period as Queen. It is not often that the Senate pauses to officially mark such regal occasions, but it is equally rare that as a nation we have the opportunity to celebrate six decades of continuous service by our monarch. I am sure all senators will join me in expressing our congratulations to Her Majesty and in extending our warmest regards on the occasion of the 60th anniversary of her accession to the throne. It is also of note that we are joined by the community of nations we know today as the Commonwealth as we pay tribute to Her Majesty for the dedication with which she has served.

On 31 December 1900, the six colonies of the continent of Australia were united by one special bond: the crown of Queen Victoria. One day later, on 1 January 1901, a new united Australian nation reaffirmed its special bond to the Crown. Since that much celebrated founding of our Federation 111 years ago, a total of six monarchs have served as our head of state. I think it is fair to say that no monarch in Australia's history has been held in such deep affection as Queen Elizabeth II.

That affection was clearly displayed last year when Her Majesty visited Canberra, Brisbane, Melbourne and, of course, Perth for the Commonwealth heads of government meeting. It was her 16th visit to Australia, but as always the crowds turned out. On a personal

note, my mother-in-law was very excited when I took her to the reception in Perth. It was the best thing her son-in-law had ever done as far as she was concerned. She does not always have a good word for me, but on this occasion she did! A sign of the welcome that Australians gave the Queen was that all of the events she attended were so well attended and that so many Australians were keen to meet her.

During those visits to our nation, Australians have watched Her Majesty as she has grown from a young, shy sovereign to a woman of wisdom, elegance, grace and compassion who has served with unwavering dedication. During Her Majesty's reign, Australia too has grown and matured into a modern, dynamic and sophisticated nation. Her Majesty has been with us in person for some of those moments that have defined us as a nation. The Queen opened the Opera House in Sydney in 1973. In 1980 she opened the High Court of Australia and in 1988, on 9 May, Her Majesty opened this building, the new Parliament House.

She was the first reigning monarch to visit this land and she has seen it go from strength to strength. In this, her diamond jubilee year, it is important for us to reflect on how both Her Majesty and our nation have grown together, maturing with wisdom and understanding but not defying change. We have become a nation which welcomes people from all over the world, a nation which has embraced diversity and celebrates multiculturalism, a nation which takes pride in its enviable tradition of parliamentary democracy and a nation mature enough to debate a constitutional future of our own and the future of monarchy itself.

Whatever the future may be, Australians regard Her Majesty with enormous respect and affection. It is with great fondness that we mark her diamond jubilee, a celebration which all Australians can participate in. Australians will all have the opportunity to participate in those celebrations. In October of last year the Prime Minister joined with British Prime Minister David Cameron to announce the establishment of the Queen's diamond jubilee trust. The trust will support charitable organisations and projects across the entire Commonwealth. The Prime Minister will announce today that Australia will contribute up to \$5 million to the trust, which will provide a lasting legacy of the Queen's reign, a fitting tribute for a woman whose commitment to service has been unwavering.

I encourage all Australians to take the time to reflect on all we have achieved during the reign of Queen Elizabeth. On behalf of the government, I extend to Her Majesty our most sincere congratulations for her celebrated reign of 60 years. I am sure the Senate will join with me in offering our best wishes for her diamond jubilee year.

**Senator ABETZ** (Tasmania—Leader of the Opposition in the Senate) (16:04): Those who have



COMMONWEALTH OF AUSTRALIA

# House of Representatives

## Votes and Proceedings

### Hansard

**THURSDAY, 16 FEBRUARY 2012**

#### **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:**

**Thursday, 23 February 2012**

<b>Facsimile:</b> Senate	(02) 6277 2977
House of Representatives	(02) 6277 2944
Main Committee	(02) 6277 2944

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

# **PROOF**

The car industry, and die many industries that supply it, pays the wages for more than 200,000 Australians. It sustains families, communities and regions throughout Australia.

It is the cornerstone on which one million manufacturing jobs rest. We strongly oppose the \$500 million cut to the car industry's legislated investment demanded by the coalition

We are concerned by the coalition's refusal to commit to any assistance beyond 2015, which would deny the industry a further \$1 billion in the years to 2020.

This policy would not just sacrifice the car industry. It would decimate Australian manufacturing. It would deny our children the opportunities which are their heritage and their future. A sustainable car manufacturing industry must be a partnership between car companies, workers and their unions, and all sides of politics, giving the industry the confidence to make the right long-term investments.

We therefore ask the House to remember its obligations to the working men and women of Australia, and call on the coalition to abandon its opposition to the Australian government's firm commitments for the car industry's future.

from 3,084 citizens

Petition received.

**Mr CHEESEMAN:** This petition very much goes to highlighting the importance of the car manufacturing industry to Australia. The petition calls for a bipartisan approach to the car manufacturing sector because, as we all know, the car manufacturing sector employs some 200,000 Australians nationwide. In the Geelong area, there are more than 2,000 people who work in the car industry. The petition highlights the concern of workers within this industry about Tony Abbott's proposed cuts to the industry program that the government has put in place. We have subsequently learned that Tony Abbott will cut all assistance to the industry post 2015 if the opposition is elected to government.

Some 5,000 people have signed this petition manually, and a further 1,300 people have signed the petition online. I urge the parliament to consider the petition and reflect on the importance of the auto sector to the Australian economy.

**Cowen, Sir Zelman, AK, GCMC, GCVO, QC**

**Mr VASTA** (Bonner) (13:48): After Sir Zelman Cowen's death I spoke to my father, Angelo Vasta QC, who reminisced that, out of all the lecturers during his time at the University of Melbourne, Sir Zelman was by far the most inspirational and interesting. Some lecturers with a high intellect seemed to expect their listeners to grasp complex legal principles very quickly, but Sir Zelman had the unique ability to be able to express difficult concepts in a very simplistic manner.

Later my father was further impressed by Sir Zelman's great ability as an administrator during his term as Vice Chancellor of the University of Queensland. In 1988 my parents also had the privilege

of attending the first medico-legal conference in Athens with Sir Zelman. My father said that he especially remembered with fondness the memorable bus ride that they all enjoyed to the Delphic Oracle.

Recently, I was very moved by the eulogy given by my friend and colleague Josh Frydenberg at Sir Zelman's funeral. His passionate words and moving delivery touched us all. On my own behalf and on behalf of my family, I extend our sincere condolences to Lady Anna and to the wider Cowen family. Our lives were all greatly enriched by having known him. He was a luminary and a truly iconic Australian.

#### **Reid Electorate: Aircraft Noise**

**Mr MURPHY** (Reid) (13:49): My constituents, particularly those living in Drummoyne, are crying out for relief from aircraft noise. While noise is inevitable in take-off and landing corridors, this issue again brings into sharp focus the need for a second airport for Sydney. Aircraft noise is increasing for more than a million residents in the inner suburbs of Sydney, particularly in my electorate of Reid, and this must be addressed now.

I concur with the Minister for Infrastructure and Transport and member for Grayndler who said last year that Sydney needs a second airport sooner rather than later and that without action the national economy will be constrained with a negative impact on growth and jobs. The suggestion from the Tourism and Transport Forum that Sydney Airport should be allowed to grow further in order to overcome the impending lack of capacity is outrageous and a monumental betrayal of the people I represent in this place. Any attempt to increase aircraft movements at Sydney Airport beyond the cap of 80 movements per hour will be over my dead body. Moreover, any attempt to alter the curfew will lead to a revolution by my constituents as well as those in neighbouring electorates.

My constituents, and those of my colleague and neighbour the minister for transport, have carried the burden of aircraft noise for far too long, and we have had enough. The Tourism and Transport Forum and like-minded proponents of the expansion of Sydney Airport should be flogged. Moreover, New South Wales Premier Barry O'Farrell's push today for Canberra to be Sydney's second airport is pie in the sky and is an unambiguous message to my constituents that the Liberal Party will never support a site for a second Sydney airport that works. The Liberal Party, too, should be flogged. (*Time expired*)

#### **Macarthur Electorate: National Volunteer Awards**

**Mr MATHESON** (Macarthur) (13:51): Today I acknowledge some hardworking volunteers in my electorate who were recognised in the Macarthur 2011