

# Who wants a nuclear power plant?

**Andrew Macintosh explores the arguments surrounding the siting of nuclear power plants and public support.**

Late last year, the Prime Minister declared that he would be 'failing Australia' if he didn't factor in nuclear power as part of the solution to global warming.

In February 2007, the public learnt that a consortium of high-powered businessmen with close ties to the Government, including Ron Walker, Hugh Morgan and Robert Champion de Crespigny, had registered a company to 'explore opportunities in the nuclear industry'.

Then in March the new chair of the Australian Nuclear Science and Technology Organisation (ANSTO), and former head of the PM's nuclear taskforce, Ziggy Switkowski, stated publicly that nuclear power is the only real alternative to coal-fired electricity generation.

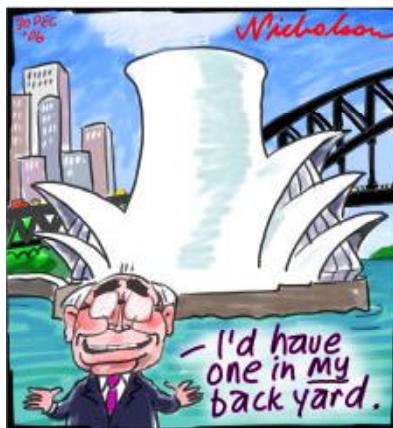
If you haven't noticed, the Government's drum beat on nuclear power is now louder than ever. However, despite all the noise, the Government has refused to identify possible sites for reactors or waste dumps. The nuclear taskforce did not look at the issue and the Government has consistently ducked questions about siting issues when questioned by the opposition and journalists.

The silence of the Government on siting issues is understandable. Polling released by the Australia Institute in January found that two-thirds of Australians don't want a nuclear power plant in their local area.

Support for nuclear power is higher when people are asked about nuclear energy in the abstract. In 2006, Newspoll was commissioned by *The*

*Australian* on two occasions to gauge the level of public support for nuclear energy in general.

The May poll found 51 per cent of people were opposed and 38 per cent were supportive. The December poll was much the same; 50 per cent opposed and 35 per cent supportive.



Nicholson of "The Australian" newspaper.  
[www.nicholsoncartoons.com.au](http://www.nicholsoncartoons.com.au)

In March 2007, *The Australian* commissioned a similar survey, but it changed the question to elicit different results.

Previously, the survey was prefaced with the statement that there were no nuclear power stations in Australia and that the only nuclear reactor was the medical and scientific facility at Lucas Height. Respondents were then asked whether they were in favour or against nuclear power plants being built in Australia.

The March 2007 survey was very different. It asked respondents to think 'about reducing greenhouse gas emissions to help address climate change', then asked whether they were for or against the 'development of a nuclear power industry in

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Australia as one of a range of energy solutions to help reduce greenhouse gas emissions?’.

Not surprisingly, this question produced different results from earlier Newspann surveys. Support for nuclear power increased from 38 to 45 per cent and opposition fell from 50 to 40 per cent.

Despite this seemingly positive result for nuclear proponents, those who were *strongly* against nuclear power still outweighed those strongly in favour (27 per cent versus 20 per cent).

Interestingly, these results are similar to those in a 2005 GlobeScan poll. It found 47 per cent of Australians supported the use of nuclear power as a means of addressing climate change.

The only major difference between the GlobeScan and Newspann results was the level of opposition – 47 per cent of respondents in the GlobeScan survey opposed nuclear power even when it was linked to global warming.

The March 2007 survey also asked whether people supported siting nuclear power plants in their local area. This question was taken from an Australia Institute Newspann survey that was published in January 2007.

Two-thirds of Australians don't want a nuclear power plant in their local area.

Just like the Australia Institute's poll, the March 2007 survey found that 66 per cent of respondents were opposed to the idea, with this jumping to 72 per cent amongst women (down from 75 per cent in the Australia Institute poll).

These results suggest two things. Firstly, a large proportion of the population opposes the establishment of a nuclear power industry in Australia, even when it is linked to global warming. Secondly,

a significant majority of the population don't want to live anywhere near a nuclear power plant.

The level of public opposition is a major hurdle for the nuclear industry.

Due to the need for large quantities of water for cooling purposes, it is highly likely that nuclear power plants will be located near the coast. Alternative cooling methods could be adopted, but it would increase costs and dry-cooling technology is still in its infant stages.

Economic factors also mean that power plants are likely to be located near population centres that have high electricity demand.

**Hard politics**

These factors make nuclear power a difficult political option. Most people don't want to live near them, yet economic and technical factors mean they are likely to be put in the most densely populated areas.

Questions around the siting of nuclear power plants were explored by the Australia Institute in 'Siting Nuclear Power Plants: Where would they go?'.

The paper identified 19 sites as the most likely areas for nuclear power plants. On the basis of four primary criteria: proximity to major centres of electricity demand; proximity to the grid that services the National Electricity Market; transport facilities; and access to seawater for cooling purposes.

A preliminary evaluation was also undertaken of six secondary criteria that included such things as population buffers and geological, ecological and heritage factors.

The Australian Uranium Association was quick to condemn the Australia Institute's report. However, the criteria that were used corresponded to the siting criteria identified by the PM's nuclear taskforce.

The taskforce's final report notes that while it did not consider possible locations for power plants, the criteria for siting would include

'proximity to the source of electricity demand, access to the transmission grid, access to cooling water, special applications (eg desalination, mining operations), and so on'.

The more people talk about the specifics of nuclear power, the less they want it.

The report also noted that nuclear power plants are frequently co-located near existing baseload generators.

The Australian Uranium Association's fears are the same of those of the Government – the more people talk about the specifics of nuclear power, the less they want it.

The extent of community opposition is only one of the many problems that nuclear power advocates must confront.

The current evidence suggests that to avoid a greater than 3°C increase in average temperatures on pre-industrial levels, global greenhouse emissions must be cut by at least 25 per cent on 2005 levels by 2050. After that, they will have to continue to fall over the next century and a half until they reach equilibrium with the natural rate of absorption.

If Australia is going to play a constructive role in ensuring the global community makes the necessary cuts, it will have to reduce its emissions by approximately 60 to 90 per cent below current levels.

As the Stern Review emphasises, the cost of delaying emission cuts is high. If emissions are allowed to continue to rise, reaching the targets will soon become virtually impossible, at least if we are to avoid significant economic, social and environmental hardship.

Nuclear power does not fit into this timeline. The nuclear taskforce's report indicates that it would take between 10 and 20 years to construct the first nuclear power plant before delays caused by community opposition are factored in. We don't have that amount of time and there are better options that are readily available. ■

# Burning up the landscape

***Will climate change affect fire risk in Australia? Christian Downie summarises the evidence.***

In recent years severe bushfires have become a normal part of the Australian summer. In the 2002-03 fire season over three million hectares of bushland and vegetation were destroyed across the country.

In Canberra, the worst affected city, four people died, 501 houses were lost and over 160,000 hectares were burnt. This summer bushfires burned almost without reprieve particularly in Victoria where more than one million hectares were devastated.

In December 2006, the Institute released a report which considered the impact climate change could have on fire risk in Australia, based on a series of reports and papers by the CSIRO, the Bushfire Cooperative Research Centre, COAG's national inquiry into bushfire mitigation and others.

## The world is warming

Australia's climate is changing. The year 2005 was the hottest on record in Australia with the average daily temperatures 1.21 degrees Celsius above average. In fact, all but four years since 1979 have been warmer than average.

At the same time rainfall patterns in Australia are changing. Since 2002, Australia has experienced a particularly dry period largely due to the El Nino effect. In short, Australia's climate is becoming hotter and drier.

All but four years since 1979 have been warmer than average.

Consecutive assessment reports by the United Nations Intergovernmental Panel on Climate Change including the Fourth Assessment Report released in February 2007 show the world is warming.

The evidence confirms that the surface of the earth is warming, that this warming is beyond what can be



expected from natural variability and that human-induced greenhouse gas emissions are the major cause of these changes.

## The risk of bushfire

The risk of fire and the frequency and intensity of fires are influenced by a range of factors including weather conditions. For many years the principal variable in the weather mix has been the 'El Nino' effect. In Australia the El Nino effect produces drier and hotter conditions. According to the CSIRO, many of Australia's fire seasons have occurred during droughts associated with El Nino events.

The other variable in the weather mix is climate change. Although in the short-term the El Nino effect is likely to have a greater impact on the risk of fire, there is concern that over the long-term human-induced climate change could significantly raise the fire danger in Australia.

## Expert evidence

Since the 2002-03 fire season a series of reports and inquiries have investigated the impact of climate change on the risk of fire.

In 2004, the National Inquiry on Bushfire Mitigation and Management's report to the Council of Australian Governments concluded that 'fires' frequency, intensity and size are expected to increase under climate change as temperatures rise, rainfall variability increases, [and] droughts become more severe'.

It also found that 'the projected hotter, drier, windier conditions associated with climate change caused by greenhouse warming would extend the period of fuel drying and increase rates of fire spread'.

Similarly, a report to the Commonwealth Department of the Environment and Heritage by the Allen Consulting Group in 2005 warned that the 'incidence of bushfire is likely to be impacted by the temperature, humidity and precipitation changes brought about by climate change'. It also argued that the frequency and intensity of fires will be affected by changes in climate conditions.

The frequency of very high and extreme fire danger days is likely to increase by 15-70 per cent by 2050 across south-east Australia.

The most recent and comprehensive research is from a 2005 report by the CSIRO, which specifically assessed the climate change impacts on fire-weather in south-east Australia. The CSIRO found that climate change is likely to increase the risk of fire in most locations in south-east Australia. In particular, the frequency of very high and extreme fire danger days is likely to increase by 4-25 per cent by 2020 and 15-70 per cent by 2050 across south-east Australia.

## Postscript

The Prime Minister dismissed the Institute's report as 'esoteric' in line with his well-known scepticism about global warming. Yet the evident link between climate change and bushfires reinforces the central message of the 2006 Stern Review – the costs of doing nothing to address global warming are going to be much greater than the costs of reducing greenhouse gas emissions now. ■

# In defence of dissent

**Over the last decade the Coalition Government has systematically attempted to silence the dissenting voices that are so necessary for a healthy democracy. Sarah Maddison, co-editor with Institute Director Clive Hamilton of *Silencing Dissent*, reviews some of the evidence.**

They say that if you drop a frog into a pot of boiling water, it will jump out straight away. But if you put a frog in cool water that is slowly brought to the boil, it won't notice the rising temperature and will die.

This metaphor illustrates people's failure to notice gradual change, even when that change is leading to disaster.

The boiling frog is a helpful way of thinking about some important changes in the state of Australian democracy during the term of the Howard government.



The Coalition has now been in office for almost 11 years. A long time, certainly long enough to leave an indelible mark on the culture, identity, values and direction of the nation.

One mark of the Howard period has been its efforts to silence dissenting voices through the insidious dismantling of our democratic institutions.

The Howard Government seems pervaded by an intolerant and anti-democratic sentiment that has manifest itself in a systematic strategy to mute opposition to government policy and control public opinion.

This is a strong claim, but it is backed by altogether too much evidence.

## NGOs silenced

Respected academics putting critical views before Senate inquiries into matters such as the Workchoices legislation or the impact of the Australia-US Free Trade Agreement have had their reputations savaged by Government Senators.

There have been efforts to gag research bodies as diverse as the Social Policy Research Centre, the CSIRO and the Centre for Aboriginal Economic Policy Research such that cutting edge research on the effects of government policy is not fully disseminated to the public.

There is evidence too of attacks on organisations like the Red Cross, environment groups and even the RSPCA in their campaign to end live sheep exports.

There are many other such cases and, taken together, these silencing strategies threaten Australian democracy. If citizens are poorly informed they are less able to hold their government to account.

One mark of the Howard period has been its efforts to silence dissenting voices through the insidious dismantling of our democratic institutions.

Take, for example, recent attempts to silence nongovernment organisations. Despite the occasional discomfort that criticism from NGOs may produce, a mature government must recognise that NGOs provide a kind of feedback loop by which they can be informed of problems or inadequacies in their policies and programs.

Advice from those organisations closest to the problem will help governments provide the best services and develop the best policies for all members of a society.

In Australia, recent years have seen unprecedented criticism of NGOs that disagree with the current federal government's views and values.

The Prime Minister categorises NGOs as representing "boutique interests" and he is strongly backed by supporters in right wing think tanks such as the Institute of Public Affairs.

Advice from those organisations closest to the problem will help governments provide the best services and develop the best policies for all members of a society.

Critics in government and the IPA have questioned NGOs' representativeness, their accountability, their financing, their charitable status and their standing as policy advocates.

In a 2004 survey, NGOs critical of government reported bullying, harassment, intimidation, public denigration and the threatened withdrawal of funding.

Sometimes these threats came directly from ministers or minister's offices, and often included the support of some sections of the media.

## Red Cross gagged

The gagging of the Red Cross suggests that subsequently little has changed.

In July 2006 the *Medical Journal of Australia* published research suggesting that that the US Free Trade Agreement may give foreign companies the right to process blood donated by Australians and that processing abroad could jeopardise the safety of blood products used in Australian hospitals.

The Red Cross Blood Service, which collects all blood in Australia, has a duty to ensure that the integrity of blood products is beyond question

and is the most authoritative source of public information on blood safety.

Democracy in Australia has always been strengthened by dissenting voices and never have we needed them more.

Yet when the ABC's 'PM' program ran the story it reported that it had approached the Red Cross Blood Service for comment but was told that 'no one was available for comment because the Federal Government, which contributes two thirds of its

funding, ordered it not to talk to the media'.

But there are tentative signs of resistance to the Government's creeping authoritarianism.

Some brave individuals are speaking out in the belief that our democracy needs strong and independent NGOs, universities free of political control, a public service that serves the public as well as the government, intelligence services that tell the whole truth, and a media free to do its job.

Democracy in Australia has always been strengthened by dissenting voices and never have we needed them more.

It's not too late for the frogs to jump out of the pot!

A few weeks after its release, *Silencing Dissent* topped the Australian Independent Booksellers' best-seller list.

Copies of *Silencing Dissent* (Allen & Unwin, 2007) are available for purchase from the Institute at the members discount price of \$18.70 plus \$4.90 for postage.

## Mobile phones and consumer kids

***As manufacturers compete in developing 'cradle to grave' brand loyalty, children are put under increasing pressure to consume. Christian Downie reports on some of the risks of this trend, using mobile phones as an example.***

In recent years children, or tweens (those 'between' being a toddler and a teenager), have become the focus of extensive marketing efforts.

The new marketing drive is not limited to traditional children's products such as toys and snack food. Products originally conceived for adults are now being offered to a child market.

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Drawing on data from Roy Morgan Research's Young Australians Survey, a recent Institute paper found that although mobile phones for children are marketed to parents on security grounds, the majority of children who own mobile phones are motivated by status and aesthetics in their purchasing decision.

Fifty-three per cent of children believe the brand of their phone is important and 62 per cent believe that the way the phone looks is important.



Children who own mobile phones also exhibit signs of 'competitive consumption' as they try to keep up with their peers. Sixty-one per cent of child mobile phone owners want the latest technology and features and 54 per cent plan to upgrade their phone.

These attitudes are not surprising given tweens have been found to be heavy consumers of television who are highly responsive to advertising, particularly young children who view advertising as informative rather than persuasive.

The risk, however, is that targeted advertising to children can lead children to view consumption as a primary form of self-expression and a means through which they can construct their identity.

For example, the 'Gecko' mobile phone designed specifically for children

promotes a 'Gecko Skin' (mobile phone cover) with the lines:

*Bling's my thing and if it were up to me, no self-respecting gecko should ever wear the same thing twice! Gecko™Skins are this season's hottest accessory...they make your Gecko's personality shine through! I just love this yummy Bubblegum one! As my idol Paris, would say, "That's hot!"*

But the breathless excitement of consumer culture's choose-your-own-identity game has a dark underside. Juliet Schor, a professor of sociology at Boston College in the US and a leading researcher on children and consumerism, claims that children's 'involvement in consumer culture causes dysfunction in the forms of depression, anxiety, low self-esteem, and psychosomatic complaints'.

In short, as childhood is increasingly commercialised the social pressures bound up with consumerism can lead to negative effects on children's overall development.

# What's wrong with a SLAPP?

**Strategic Lawsuits Against Public Participation (SLAPPS) are legal actions taken by corporations in an attempt to shut up, and perhaps even shut down, their critics. Brian Walters SC, author of Slapping on the Writs: Defamation, Developers and Community Activism, explains.**

Legal actions that aim to stifle free speech in order to protect powerful interests are damaging in many ways.

Free speech is essential to democracy. In a democracy, decisions are not imposed by arbitrary force, but by citizens learning from each other and persuading each other. Good government grows from a sharing of ideas.

Free speech is important not only to good government, but to good corporate conduct.

Unless people can speak freely about corporations, they would be free to operate without regard to community values. If corporations are to be kept accountable, people must be free to speak about them.

But the importance of free speech goes beyond good governance and good corporate conduct. There can be no true community without open conversation and discussion.

Community is not some invisible ether binding us together.

Community is not some invisible ether binding us together. Our communications about our common life are an essential aspect of community.

At a deeper level still, free speech is important for the well-being of individual community members.

Many in our community – particularly young people with all their idealism and all they have to contribute – are literally dying from alienation.



One way or another, they are repeatedly told: this is not your world; your contribution is not wanted. Conform, consume, or get lost. SLAPP suits are one way – of many – in which they are given the message that questioning entrenched interests will be crushed. We are all the losers.

## Don't corporations have rights too?

They do, but not the right to abuse the justice system to further commercial ends. Let's take a look at what really happens when large corporations sue their critics.

The corporate world is better able to access the justice system because litigation is expensive.

The corporate world is better able to access the justice system than community groups or individuals, because litigation is expensive. What is more, commercial organisations enjoy tax advantages when they sue their critics – the expenses are tax deductible because they are part of the income-earning enterprise.

The average person sued by a corporation stands to lose their home. If they win, the best they can hope for is to have some of their legal costs paid by the corporation. On the other hand, if the corporation and its officers win, they have the prospect of being awarded substantial damages.

Quite apart from the financial costs, litigation is costly in terms of time, and it may take years to run its course. The time defendants spend responding to litigation keeps them away from continuing their work to improve the world. This in itself is a win for the corporation concerned.

Responding to litigation can also have other personal costs. When community groups or individuals are sued, they can feel shame, and there can be bitterness and falling out under the stress of the litigation.

Finally, others who see the strain that litigation places on defendants are deterred from speaking out themselves. This chill effect is one of the main reasons for SLAPP suits.

Of course corporations should be allowed to approach the courts – but they should not be permitted to abuse

## Examples of SLAPPs in Australia

- Mining company Murphysores sued John Sinclair, of the Fraser Island Defence Organisation (FIDO), for defamation.
- The National Association of Forest Industries threatened Alan Gray, the author of 'Forest Friendly Building Timbers', with legal action under the *Trade Practices Act*.
- Yarra Trams threatened the Public Transport Users Association (PTUA) with legal action after the PTUA published a pamphlet containing a cartoon of a sardine can labelled "Yarra Sardines" to protest against removal of seats in trams.





the court system, using their corporate power to exhaust and silence their critics rather than to have the court redress genuine and legally recognised grievances. Abuse of the courts should be stopped.

### Can justice be brought back into the court system?

As yet, Australia has no comprehensive protection for community members who speak about matters of public interest or lobby for change.

However, in the United States and Canada, SLAPPs have grown to the point where legislatures have enacted laws to protect public participation. Almost every state in the US has now done so, as well as some Provinces in Canada.

These laws have various forms, but three features are:

- they protect public participation – the exchange of ideas for the purpose of democratic decision-making – and make statements in that context privileged;
- they empower courts at an early stage to strike out actions brought with the purpose of stifling free speech; and
- they give the courts power to order plaintiffs who bring actions to silence the community to pay damages by way of punishment.

The statutes have now been applied in a number of cases. The volume of SLAPPs has dropped enormously. Australians deserve the same protection.

### Lest we forget

Medieval, and later Nazi, book-burnings were attempts to silence views that did not accord with the views of the powerful at the time.

The deaf, blind author Helen Keller, in a wonderful gesture of reconciliation after the Great War, donated the royalties of her books for all time to

the German soldiers blinded in that conflict.

Her works, however, did not escape the huge bonfire at Wilhelm Humboldt University in Berlin in 1933, in which Nazi students destroyed thousands of volumes. In an open letter to the Nazi students, Keller reminded them of the ultimate futility of their actions. Ideas cannot be destroyed.

The protection and promotion of free speech in defiance of the brute power that would silence it remains a deeply worthy task.

Uplifting though such eternal truths are, we know that in the meantime attempts to silence the proponents of dissenting ideas can do a great deal of damage.

The protection and promotion of free speech in defiance of the brute power that would silence it remains a deeply worthy task.

*This article is a revised version of 'Suing Into Submission: Using Litigation to Quell Dissent'.*

## Muffins beat affluenza

The Macquarie Dictionary announced in January that the word 'affluenza' was the runner-up in its inaugural competition to find the word of the year.

In reaching its decision the judging committee felt that the word 'framed a concept that was significant in the community and for which there was no other word'.

Strong sales of 'Affluenza', published in 2005 and written by Institute executive director Clive Hamilton and former deputy director Richard Denniss, suggest that the analysis of



excess consumption and money hunger, and their effects on our lives, struck a chord in the community.

Like the word 'downshifting', also introduced to Australia by the Institute, 'affluenza' quickly became part of everyday conversation.

The winner of the Macquarie Dictionary competition was 'muffin top', a noun used colloquially to describe 'the fold of fat around the midriff which, on an overweight woman, spills out over the top of tight-fitting pants or skirts'. *Kath & Kim* captures the zeitgeist too.

The two words are not unconnected, as each describes a manifestation of overconsumption.

# The National Greenhouse Accounts and land clearing. Do the numbers stack up?

**Australia's capacity to meet its Kyoto target is contingent on a reduction in emissions from land clearing. Andrew Macintosh explores the accuracy of the figures the Government is using to calculate our emissions.**

Every year since 2002, the Federal Environment Minister has put out a press release to accompany the publication of the National Greenhouse Gas Inventory stating that Australia is 'on track' to meet the target set under the Kyoto Protocol of an average of 108 per cent of 1990 emission levels over the period 2008-12.

On the surface, this looks like good news. After all, many other developed nations are likely to exceed their Kyoto targets.

But are the Government's figures accurate and is there reason to be proud of our greenhouse performance?

## Are the figures accurate?

Unfortunately, the 'good news' in Australia's greenhouse accounts is not due to the effects of good policy winding back emissions.

It is because of the so-called 'Australia clause' in the Kyoto Protocol, which allows countries with net emissions from land use change and forestry in 1990 to include net land use change emissions in their 1990 baseline.

'Land use change' essentially means land clearing – the removal of vegetation for purposes other than forestry.

Because of good agricultural conditions, the late 1980s and early 1990s happened to be bumper years for land clearing, particularly in Queensland.

This raised Australia's emissions in the Kyoto base year of 1990 by around 30 per cent, making the 108 per cent target far cheaper and easier to achieve.

Due to the 'Australia clause', any reduction in land clearing could offset emission increases from burning fossil fuels.

## Collapse in land clearing

This is precisely what has occurred. Between 1990 and 2004, emissions from most sectors have sky-rocketed. For example, stationary energy and transport emissions increased by 43 per cent and 23 per cent respectively.

However, these increases have been offset by a 73 per cent decline in emissions from land use change, providing an apparently respectable 2.3 per cent increase in overall emissions.

Given the importance of land clearing in Australia's greenhouse accounts, it is vital that there is an accurate and transparent system for accounting for land use change emissions.

To perform this task, the Federal Government established the National Carbon Accounting System (NCAS),

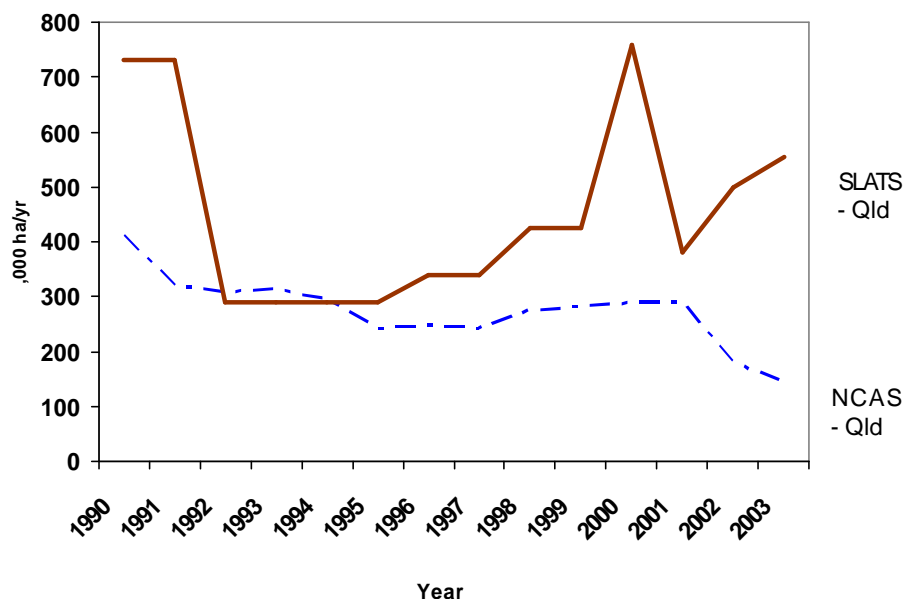
which relies on satellite data to track trends in land clearing.

The SLATS estimate of clearing is approximately 50 per cent higher than the NCAS estimate.

In order to evaluate the reliability of NCAS outputs, the Australia Institute recently attempted a comparison between NCAS land clearing data and the data generated by the Statewide Landcover and Trees Study (SLATS) run by the Queensland Government.

Despite the similarities between the projects, we found significant differences in the estimates of land clearing in Queensland.

The SLATS estimate of clearing between 1990 and 2001 is approximately 50 per cent higher than the NCAS estimate. In individual years the SLATS estimates are up to 164 per cent higher.



Comparison between NCAS and SLATS land clearing data for Queensland (000 hectares per year), 1990 – 2003



Most alarmingly, there are significant differences in the trends, with NCAS showing a steady decline in clearing, while SLATS suggests clearing was high in the early 1990s, fell in the mid-1990s and then spiked again in the late 1990s and early 2000s.

We investigated whether the variation in results could be explained by legitimate differences in method.

The most important issue appears to be that NCAS and SLATS have different definitions of what constitutes land clearing.

NCAS and SLATS have different definitions of what constitutes land clearing.

NCAS only counts clearing of so-called 'Kyoto forests' – roughly vegetation covering at least 0.2 hectares with greater than 20 per cent crown cover and the potential to reach two or more metres in height.

In contrast, SLATS defines land clearing more broadly as the removal

of any perennial woody vegetation that can be identified by satellite, which roughly equates to vegetation with 16 per cent crown cover.

Using adjusted SLATS data, we sought to account for these definitional issues, but found that large differences remained.

The SLATS clearing estimates were still significantly higher than the NCAS estimates and SLATS continued to show a spike in clearing in the late 1990s and early 2000s that was not evident in the NCAS data.

Not only were we unable to explain the differences between the Federal and Queensland land clearing estimates, but when we looked at the NCAS outputs since 2002 we found large fluctuations in its own data.

For example, the estimated rate of clearing in 1990 that was published in 2005 was 46 per cent higher than the estimate published in 2002.

Of course, the upward adjustment of the 1990 clearing estimate has made it easier for Australia to meet its Kyoto target.

The Government dismissed the Institute's report, claiming we don't understand the Kyoto accounting rules and didn't make adjustments for differences in methods.

There needs to be an independent review of NCAS and the entire system must be made more transparent.

These claims are false (and are addressed in a paper available on the Institute's website). Even if they were correct, the fact remains that NCAS is a black box: its data are not available to members of the public and are not subject to regular, independent scrutiny.

To ensure the integrity of Australia's greenhouse accounts, there needs to be an independent review of NCAS and the entire system must be made more transparent.

If this doesn't occur, doubts will continue to linger over Australia's claims about its superior greenhouse performance. ■

## Woodchips or water?

In late January, the *Sunday Age* criticised the Victorian state government policy of continuing logging in Melbourne's most important water catchment.

The front-page coverage highlighted the conflict between the timber industry (in this case, woodchips are the main forest product) and urban water use.

In essence, logging causes reduced water yields because young trees take up more water than mature forests, leading to reduced runoff. The effects last for decades.

Back in 1995 the Institute released a paper that predicted exactly the effects of logging in the Thomson catchment that are now causing so much concern.



The Institute's report, Discussion Paper Number 5 'Logging and Water', analysed the effects of logging in the Thomson catchment, Melbourne's main water supply and the source of belated anxiety.

It noted that "a reduction in timber harvesting would be very likely to increase the water yields from the Thomson catchment and thus the water supply to Melbourne".

The report concluded:

"... among the options considered, the existing management of the Thomson catchment [short-rotation logging] is the most inefficient.

According to this analysis the best options are either a very long rotation (200 years) or a complete end to logging.

The clear conclusion is that, using the estimated prices for timber and water, the loss of timber as the rotation is lengthened is more than compensated for by the increased water yields.

If other values were taken into account, in particular ecological values, it is likely that the results would favour long rotations or no logging options even more strongly." ■

# Legal protection for human rights

***A fully drafted Commonwealth Human Rights Act will soon be introduced into Federal Parliament as a Private Members' Bill. Professor Spencer Zifcak, principal author of the draft legislation, gives an overview of the political campaign behind this achievement.***

The campaign to enact a Human Rights Act for Australia began early in 2005 and has been sponsored by the online magazine of political and policy opinion, New Matilda ([www.newmatilda.com](http://www.newmatilda.com)).

The campaign was prompted primarily in response to the Federal Government's policies in relation to asylum seekers and terrorism.

Australia's political leadership had lost its moral compass.

The argument was made in the pages of the magazine that Australia's political leadership had lost its moral compass. The nation, therefore, needed new and comprehensive legislation to counter what many have perceived as a steady and significant erosion of our fundamental human rights.

In relation to asylum seekers, the sponsors of the campaign were particularly concerned about the effect of a series of very important High Court decisions.

In these decisions the High Court determined that the law offered no assistance to children in detention; that a stateless person could be

detained indefinitely and perhaps for life at the will of the executive; and that as long as the purpose of immigration detention was administrative, the conditions under which a person was held, however cruel or inhumane, were irrelevant to any application for liberty.

As for terrorism, deep concern was expressed by contributors to the magazine that fundamental legal protections such as freedom from arbitrary detention, the presumption of liberty, and the right of a party to know the case against them had all been significantly compromised by the Government's Anti-Terrorism legislation.

In response, the magazine established a Human Rights campaign committee Chaired by the former Federal Minister for Education, Susan Ryan. The committee determined that the best way forward for the campaign would be to draft a Human Rights Act and then to present it to the Australian community for comment and criticism.

## **A draft Human Rights Act**

The campaign developed its own website ([www.humanrightsact.com.au](http://www.humanrightsact.com.au)), and posted the draft legislation on the site for public scrutiny for almost a year. As the result of expert commentary and the very diverse and astute

comments from the community at large, the draft was comprehensively amended and will soon enter the political arena as the Private Members' Bill.

In brief, the draft Human Rights Act sets in law Australia's already existing international human rights obligations.

In other words, it codifies human rights responsibilities undertaken freely by Australian Governments of all political complexions over the last 25 years. Until now, these obligations have not been given legal force.

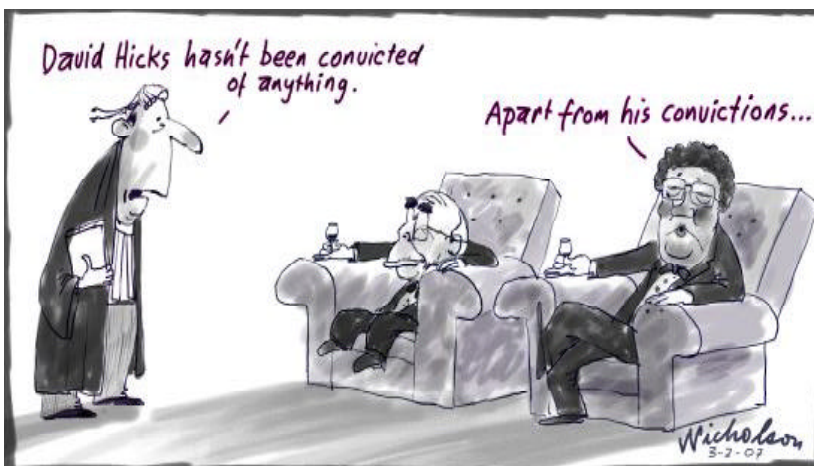
Australia is the last country in the Western world not to have enacted a constitutional or legislative charter of rights.

The human rights that will achieve domestic protection are as one would expect.

For example, the Act embraces the rights of freedom of thought, conscience, religion and belief; the rights of free expression, free assembly, free association and free movement; the right to liberty and security of the person; the right to privacy; and the right to a fair trial – among many others.

It is frequently thought that these rights are already protected in the Constitution or by law. That is not the case.

It is sobering to note that Australia is the last country in the Western World not to have enacted a constitutional or legislative charter of rights. And, regrettably, this protection is needed more now than at any time in the last 50 years.



Nicholson of "The Australian" newspaper. [www.nicholsoncartoons.com.au](http://www.nicholsoncartoons.com.au)

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# Real food, real relationships

***A new program for primary school children offers a deep understanding of food relationships and leads to a range of positive outcomes. Partnership between government, schools and communities is essential to the program's success, reported below by Ange Barry, Executive Officer of the Stephanie Alexander Kitchen Garden Foundation.***

Even in Australia where good food is readily available, not all children eat well. A disturbing number go to school each day without breakfast, while many others are overweight or obese. Policy-makers are openly concerned about the probable long-term health outcomes for such children.

In 2001, the influential chef and food writer Stephanie Alexander took practical action to address these food-related child health concerns, incorporating the realisation that such problems stem from broader fundamentally unhealthy relationships with food.



For example, of the 30,000 television advertisements children watch on average a year, 12,000 are for food. Of those foods advertised, 75 to 80 per cent have marginal or low nutritional value.

Children's learning about food will be heavily affected by such advertising messages unless they are counteracted in a positive way.

In recognition that, if given the chance, children enjoy learning how to grow and prepare food, Stephanie worked with the staff, students and community of Collingwood College – a P-12 government school in inner Melbourne – to establish the pilot kitchen garden program.

## **Kitchen garden program bears fruit**

Five years later, each week 120 children aged eight to eleven spend forty minutes in an extensive vegetable garden (800 square metres), which they have helped design, build and maintain on the school grounds according to organic gardening principles.

They also spend one and a half hours each week in a revamped home-economics kitchen preparing and sharing a wonderful variety of meals created from their produce.

Some students have not previously enjoyed social experiences around food, and sharing food preparation and eating the delicious results together provides an environment for positive social interaction among the

students, the staff, and the volunteers associated with the program.

All aspects of the kitchen garden program are embedded within the school curriculum, and the initial program has been acclaimed as an outstanding success.



News of the benefits of the kitchen garden program has spread so quickly that more than 160 Victorian schools applied for the 20 part-funded places available in 2007.

The expansion of the program was fostered by the Victorian state government, which provides some funding to each school.

Schools also benefit from project support provided by staff at the Stephanie Alexander Kitchen Garden Foundation. However, beyond this they must contribute funding from their own budgets, fundraise, and solicit in-kind contributions from parents, the local community and local businesses.

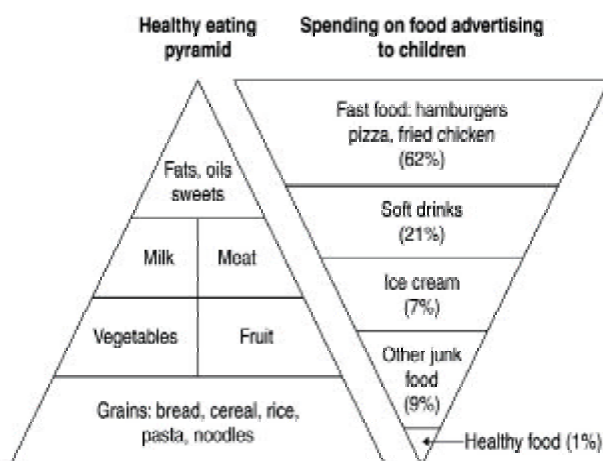
Running a kitchen garden program is not possible without adequate facilities and staff.

Few primary schools have a kitchen suitable for a whole class to use, and establishing one and sourcing equipment for it is an initial challenge. To facilitate the program, each school employs a part-time gardener and a part-time chef, and these specialist staff are the greatest ongoing expense.

Schools also establish and co-ordinate a group of volunteers who work with the children in the garden and in the kitchen, with one volunteer

*Continued on page 12*

## **Inverting the pyramid - healthy eating versus food advertising to children.**



Source: C. Hamilton and R. Denniss, *Affluenza*, Allen & Unwin, 2005

## New Publications

A. Macintosh. *The National Greenhouse Accounts and Land Clearing: Do the numbers stack up?* Research Paper 38, January 2007

A. Macintosh, *Who Wants a Nuclear Power Plant? Support for nuclear power in Australia.* Research Paper 39, January 2007

A. Macintosh, *Siting Nuclear Power Plants in Australia. Where would they go?*, Research Paper 40, January 2007

C. Downie and K. Glazebrook, *Mobile Phones and the Consumer Kids*, Research Paper 41, February 2007

C. Hamilton and F. Muller, *Critique of the McKibbin-Wilcoxon Hybrid Emissions Trading Scheme*, Research Paper 42, March 2007

C. Hamilton and S. Maddison, *Silencing Dissent*, Allen & Unwin, February 2007

## Forthcoming Publications

C. Downie and C. Hamilton, *University Capture*

E. Rush and K. Glazebrook, *Kids and Consumerism*

A. Macintosh and C. Downie, *Aviation and Climate Change in Australia.*

### Announcing a new book by Clive Hamilton

On 24<sup>th</sup> April, Black Inc will publish

## Scorcher: The dirty politics of climate change

According to the publishers ... This is the book that blows the whistle on the politics of global warming in Australia. Why have our political leaders been so slow to act? How have big corporations succeeded in preventing real action? Who are the "greenhouse mafia"?

In *Scorcher*, Clive Hamilton reveals a shadow world of lobbyists and sceptics, spin and hidden agendas. He investigates a deceitful government and a compliant media. And he lays out the facts about Kyoto, carbon emissions and what governments and individuals might do, and have done.

**Clive Hamilton** is the executive director of the Australia Institute and a leading authority on the economics and politics of climate change. Copies of the book will be available from the Institute from late April 2007.

Legal protection for human rights.  
Continued from p.10

One very important feature of the draft legislation is that it gives each branch of government a role to play in the protection and advancement of citizens' rights.

The Government must certify that legislation it introduces into Parliament is compliant with the human rights set down. The Parliament must review all legislation for compatibility with human rights and the Courts may declare that legislation is not compatible with the terms of the Act. When that happens, the relevant legislation must be returned to the Parliament for further discussion and amendment.

### Where to next?

The Private Members' Bill will be introduced by representatives of the Labor Party, the Greens and the Democrats. The hope is that it will then be referred to the Senate's Legal and Constitutional Committee for further inquiry and report. The upcoming Labor Party Conference will also be asked to include a commitment to the introduction of a Human Rights Act in its platform for the next election.

Beyond that, the fate of the legislation will depend critically on the make-up of the next parliament. Sadly, the Liberal-National coalition has as yet shown little or no enthusiasm for such an initiative. ■

Real food, real relationships. Continued from p. 12

guiding and assisting small groups of four to five children.

The extensive co-operation needed to support a school's kitchen garden program has the additional benefit of strengthening links between the school and the broader community. The overall success of the kitchen garden program is testament to what can be achieved when government, schools, philanthropic bodies, and the wider community work together.

The Foundation is contacted by many individuals and schools around Australia enquiring about the program. There is a groundswell of support for a new approach. ■