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SITTING DAYS—2015

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FORTY-FOURTH PARLIAMENT
FIRST SESSION—FIFTH PERIOD

Governor-General
His Excellency General the Hon. Sir Peter Cosgrove AK, MC (Retd)

House of Representatives Office holders
Speaker—Hon. Bronwyn Kathleen Bishop MP
Deputy Speaker—Hon. Bruce Craig Scott MP
Second Deputy Speaker—Mr Robert George Mitchell MP
Members of the Speaker’s Panel—Mr Russell Evan Broadbent MP,
Mr Alexander George Hawke MP, Mr Ian Reginald Goodenough MP,
Mrs Natasha Louise Griggs MP, Ms Sarah Moya Henderson MP,
Mr Stephen James Iorns MP, Mr Ewen Thomas Jones MP, Mr Craig Kelly MP,
Ms Michelle Leanne Landry MP, Mrs Jane Prentice MP, Mr Donald James Randall MP,
Mr Ross Xavier Vasta MP, Mr Brett David Whiteley MP, Mrs Lucy Elizabeth Wicks MP

Leader of the House—Hon. Christopher Pyne MP
Deputy Leader of the House—Hon. Luke Hartsuyker MP
Manager of Opposition Business—Hon. Anthony Stephen Burke MP
Deputy Manager of Opposition Business—Hon. Mark Dreyfus QC MP

Party Leaders and Whips
Liberal Party of Australia
Leader—Hon. Anthony John Abbott MP
Deputy Leader—Hon. Julie Isabel Bishop MP
Chief Government Whip—Mr Scott Buchholz MP
Government Whips—Mr Andrew Alexander Nikolic, AM, CSC and
Ms Nola Bethwyn Marino MP

The Nationals
Leader—Hon. Warren Errol Truss MP
Deputy Leader—Hon. Barnaby Thomas Gerard Joyce MP
Chief Whip—Mr Mark Maclean Coulton MP
Deputy Whip—Mr George Robert Christensen MP

Australian Labor Party
Leader—Hon. William Richard Shorten MP
Deputy Leader—Hon. Tanya Joan Plibersek MP
Chief Opposition Whip—Mr Christopher Patrick Hayes MP
Opposition Whips—Ms Jill Griffths Hall MP and Ms Joanne Catherine Ryan MP

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<td>LP</td>
</tr>
<tr>
<td>Wicks, Mrs Lucy Elizabeth</td>
<td>Robertson, NSW</td>
<td>LP</td>
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## Members of the House of Representatives

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<tr>
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<th>Division</th>
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<tbody>
<tr>
<td>Wilkie, Mr Andrew Damien</td>
<td>Denison, TAS</td>
<td>IND.</td>
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<tr>
<td>Williams, Mr Matthew</td>
<td>Hindmarsh, SA</td>
<td>LP</td>
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<tr>
<td>Wilson, Mr Richard James</td>
<td>O'Connor, WA</td>
<td>LP</td>
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<tr>
<td>Wood, Mr Jason Peter</td>
<td>La Trobe, VIC</td>
<td>LP</td>
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<tr>
<td>Wyatt, Mr Kenneth George AM</td>
<td>Hasluck, WA</td>
<td>LP</td>
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<tr>
<td>Zappia, Mr Antonio</td>
<td>Makin, SA</td>
<td>ALP</td>
</tr>
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### PARTY ABBREVIATIONS

- ALP—Australian Labor Party
- LP—Liberal Party of Australia
- NATS—The Nationals
- IND—Independent
- NATSWA—The Nationals WA
- CLP—Country Liberal Party
- AUS—Katters Australia Party
- AG—Australian Greens
- PUP—Palmer United Party

### Heads of Parliamentary Departments

- Clerk of the Senate—R Laing
- Clerk of the House of Representatives—D Elder
- Secretary, Department of Parliamentary Services—C Mills
- Parliamentary Budget Officer—P Bowen
<table>
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<tr>
<td><strong>Prime Minister</strong></td>
<td>The Hon. Tony Abbott MP</td>
</tr>
<tr>
<td><strong>Minister for Indigenous Affairs</strong></td>
<td>Senator the Hon. Nigel Scullion</td>
</tr>
<tr>
<td><strong>Minister Assisting the Prime Minister for the Public Service</strong></td>
<td>Senator the Hon. Eric Abetz</td>
</tr>
<tr>
<td><strong>Minister Assisting the Prime Minister for Women</strong></td>
<td>Senator the Hon. Michaelia Cash</td>
</tr>
<tr>
<td><strong>Parliamentary Secretary to the Prime Minister</strong></td>
<td>The Hon. Charles Porter MP</td>
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<tr>
<td><strong>Parliamentary Secretary to the Prime Minister</strong></td>
<td>The Hon. Alan Tudge MP</td>
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<td><strong>Minister for Infrastructure and Regional Development</strong></td>
<td>The Hon. Warren Truss MP</td>
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<tr>
<td>(Deputy Prime Minister)</td>
<td>The Hon. Jamie Briggs MP</td>
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<td><strong>Minister for Foreign Affairs</strong></td>
<td>The Hon. Julie Bishop MP</td>
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<tr>
<td><strong>Minister for Trade and Investment</strong></td>
<td>The Hon. Andrew Robb AO MP</td>
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<tr>
<td><strong>Parliamentary Secretary to the Minister for Foreign Affairs</strong></td>
<td>The Hon. Steven Ciobo MP</td>
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<tr>
<td><strong>Parliamentary Secretary to the Minister for Trade and Investment</strong></td>
<td>The Hon. Steven Ciobo MP</td>
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<tr>
<td><strong>Minister for Employment</strong></td>
<td>Senator the Hon. Eric Abetz</td>
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<tr>
<td><strong>Attorney-General</strong></td>
<td>The Hon. George Brandis QC</td>
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<tr>
<td><strong>Minister for the Arts</strong></td>
<td>The Hon. George Brandis QC</td>
</tr>
<tr>
<td>(Vice-President of the Executive Council)</td>
<td>(Deputy Leader of the Government in the Senate)</td>
</tr>
<tr>
<td><strong>Minister for Justice</strong></td>
<td>The Hon. Michael Keenan MP</td>
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<tr>
<td><strong>Treasurer</strong></td>
<td>The Hon. Joe Hockey MP</td>
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<tr>
<td><strong>Minister for Small Business</strong></td>
<td>The Hon. Bruce Billson MP</td>
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<tr>
<td><strong>Assistant Treasurer</strong></td>
<td>The Hon. Joshua Frydenberg MP</td>
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<tr>
<td><strong>Parliamentary Secretary to the Treasurer</strong></td>
<td>The Hon. Kelly O'Dwyer</td>
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<tr>
<td><strong>Minister for Agriculture</strong></td>
<td>The Hon. Barnaby Joyce MP</td>
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<tr>
<td><strong>Parliamentary Secretary to the Minister for Agriculture</strong></td>
<td>Senator the Hon. Richard Colbeck</td>
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<tr>
<td><strong>Minister for Education and Training</strong></td>
<td>The Hon. Christopher Pyne MP</td>
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<tr>
<td>(Leader of the House)</td>
<td>Senator the Hon. Simon Birmingham</td>
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<tr>
<td><strong>Assistant Minister for Education and Training</strong></td>
<td><strong>Senator the Hon. Scott Ryan</strong></td>
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<td><strong>Parliamentary Secretary to the Minister for Education and Training</strong></td>
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<tr>
<td><strong>Minister for Social Services</strong></td>
<td>The Hon. Scott Morrison MP</td>
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<tr>
<td><strong>Assistant Minister for Social Services</strong></td>
<td>Senator the Hon. Mitch Fifield</td>
</tr>
<tr>
<td>(Manager of Government Business in the Senate)</td>
<td>Senator the Hon. Marise Payne</td>
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<tr>
<td><strong>Minister for Human Services</strong></td>
<td>Senator the Hon. Concetta Fierravanti-Wells</td>
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<tr>
<td><strong>Parliamentary Secretary to the Minister for Social Services</strong></td>
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<tr>
<td><strong>Minister for Industry and Science</strong></td>
<td>The Hon. Ian Macfarlane MP</td>
</tr>
<tr>
<td><strong>Parliamentary Secretary to the Minister for Industry and Science</strong></td>
<td>The Hon. Karen Andrews MP</td>
</tr>
<tr>
<td><strong>Minister for Defence</strong></td>
<td>The Hon. Kevin Andrews MP</td>
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<tr>
<td><strong>Minister for Veterans’ Affairs</strong></td>
<td>Senator the Hon. Michael Ronaldson</td>
</tr>
<tr>
<td><strong>Minister Assisting the Prime Minister for the Centenary of</strong></td>
<td>Senator the Hon. Michael Ronaldson</td>
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<tr>
<td>Title</td>
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<tr>
<td><strong>ANZAC</strong></td>
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<tr>
<td>Assistant Minister for Defence</td>
<td>The Hon. Stuart Robert MP</td>
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<tr>
<td>Parliamentary Secretary to the Minister for Defence</td>
<td>The Hon. Darren Chester MP</td>
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<tr>
<td><strong>Minister for Communications</strong></td>
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<tr>
<td>Parliamentary Secretary to the Minister for Communications</td>
<td>The Hon. Malcolm Turnbull MP</td>
</tr>
<tr>
<td><strong>Minister for Immigration and Border Protection</strong></td>
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<tr>
<td>Assistant Minister for Immigration and Border Protection</td>
<td>The Hon. Peter Dutton MP</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Minister for the Environment</td>
<td>Senator the Hon. Michaelia Cash</td>
</tr>
<tr>
<td><strong>Minister for the Environment</strong></td>
<td></td>
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<tr>
<td>Parliamentary Secretary to the Minister for the Environment</td>
<td>The Hon. Greg Hunt MP</td>
</tr>
<tr>
<td><strong>Minister for Finance</strong></td>
<td></td>
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<tr>
<td>Special Minister of State</td>
<td>Senator the Hon. Mathias Cormann</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Minister for Finance</td>
<td>Senator the Hon. Michael Ronaldson</td>
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<tr>
<td><strong>Minister for Health</strong></td>
<td>The Hon. Sussan Ley MP</td>
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<tr>
<td><strong>Minister for Sport</strong></td>
<td>The Hon. Sussan Ley MP</td>
</tr>
<tr>
<td>Assistant Minister for Health</td>
<td>Senator the Hon. Fiona Nash</td>
</tr>
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Each box represents a portfolio. **Cabinet Ministers are shown in bold type.** As a general rule, there is one department in each portfolio. However, there is a Department of Human Services in the Social Services portfolio and a Department of Veterans' Affairs in the Defence portfolio. The title of a department does not necessarily reflect the title of a minister in all cases.
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<th>TITLE</th>
<th>SHADOW MINISTER</th>
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<tr>
<td>Leader of the Opposition</td>
<td>Hon Bill Shorten MP</td>
</tr>
<tr>
<td>Shadow Minister Assisting the Leader for Science</td>
<td>Senator the Hon Kim Carr</td>
</tr>
<tr>
<td>Shadow Minister Assisting the Leader for Small Business</td>
<td>Hon Bernie Ripoll MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Small Business</td>
<td>Julie Owens MP</td>
</tr>
<tr>
<td>Shadow Cabinet Secretary</td>
<td>Senator the Hon Jacinta Collins</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary to the Leader of the Opposition</td>
<td>Hon Michael Danby MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary to the Leader of the Opposition</td>
<td>Dr Jim Chalmers MP</td>
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<tr>
<td>Deputy Leader of the Opposition</td>
<td>Hon Tanya Plibersek MP</td>
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<tr>
<td>Shadow Minister for Foreign Affairs and International Development</td>
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<tr>
<td>Shadow Minister for Women</td>
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<tr>
<td>Manager of Opposition Business (Senate)</td>
<td>Senator Claire Moore</td>
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<tr>
<td>Shadow Minister for the Centenary of ANZAC</td>
<td>Hon David Feeney MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Foreign Affairs</td>
<td>Hon Matt Thistlethwaite MP</td>
</tr>
<tr>
<td>Deputy Leader of the Opposition in the Senate</td>
<td>Sen. the Hon Stephen Conroy</td>
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<tr>
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<tr>
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<tr>
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<td>Gai Brodtmann MP</td>
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<tr>
<td>Shadow Minister for Infrastructure and Transport</td>
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<tr>
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<td>Hon Julie Collins MP</td>
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<tr>
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<td>Hon Alannah MacTiernan MP</td>
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<tr>
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<tr>
<td>Shadow Parliamentary Secretary for External Territories</td>
<td>Hon Warren Snowdon MP</td>
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<tr>
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<tr>
<td>Shadow Assistant Treasurer</td>
<td>Hon Dr Andrew Leigh MP</td>
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<tr>
<td>Shadow Minister for Competition</td>
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<tr>
<td>Shadow Minister for Financial Services and Superannuation</td>
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<tr>
<td>Shadow Parliamentary Secretary to the Shadow Treasurer</td>
<td>Hon Ed Husic MP</td>
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<tr>
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<tr>
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<tr>
<td>Shadow Minister for Vocational Education</td>
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<tr>
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<tr>
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<td>Hon Matt Thistlethwaite MP</td>
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<tr>
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<td>Shadow Parliamentary Secretary for Aged Care</td>
<td>Senator Helen Polley</td>
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The SPEAKER (Hon. Bronwyn Bishop) took the chair at 12:00, made an
acknowledgement of country and read prayers.

BILLS

National Vocational Education and Training Regulator Amendment Bill 2015
Returned from Senate
Message received from the Senate returning the bill without amendment or request.

Customs Amendment (Anti-dumping Measures) Bill (No. 1) 2015
Second Reading

Cognate debate.
Debate resumed on the motion:
That this bill be now read a second time.
to which the following amendment was moved:
That all words after "That" be omitted with a view to substituting the following words:
"the House is of the opinion that the bill should be amended to delete the section of the bill which abolishes the International Trade Remedies Forum."

Mrs ANDREWS (McPherson—Parliamentary Secretary to the Minister for Industry and Science) (12:02): I will deal with both the Customs Amendment (Anti-dumping Measures) Bill (No. 1) 2015 and the Customs Tariff (Anti-Dumping) Amendment Bill 2015 in my summing up speech. I thank all members from both sides who spoke on the bills and I acknowledge the work of Minister Macfarlane and Parliamentary Secretary Baldwin in bringing these reforms forward.

The Customs Amendment (Anti-dumping Measures) Bill (No. 1) amends the Customs Act 1901. It will strengthen Australia's provisions dealing with the submission of information in anti-dumping and countervailing duty investigations, simplify and modernise publication provisions for anti-dumping notices, consolidate lodgement provisions for anti-dumping applications and submissions, clarify the length of the investigation period in anti-dumping matters, clarify the cumulative assessment of injury, clarify normal value provisions, clarify the definition of dumping margin, clarify material injury determinations, clarify effective notice periods, clarify the definition of a subsidy, amend provisions dealing with new exporters, clarify provisions regarding consideration of the lesser duty rule, and streamline the processes and implement a higher procedural and legal threshold for a review to be undertaken by the Anti-Dumping Review Panel, and the bill goes further to amend provisions dealing with new exporters and clarify other provisions regarding consideration of the lesser duty rule. These changes also streamline the processes and implement a higher procedural and legal threshold for review to be undertaken by the Anti-Dumping Review Panel and allow the government to replace the statutory International Trade Remedies Forum with administrative business consultative arrangements.

The reforms being introduced by this bill will improve the current merits review arrangements, improve the flexibility of stakeholder consultations, modernise the way
information about anti-dumping investigations and other inquiries is published, and simplify, clarify and better align our anti-dumping legislation with international law and practice.

These amendments form part of a broader anti-dumping reform package which demonstrates this government's commitment to ensuring Australia has a strong anti-dumping system. They address stakeholder concerns about the effectiveness of Australia's anti-dumping system in a manner that is consistent with our trade obligations, including those under World Trade Organization agreements. By implementing the reforms included in this legislative package, the government is ensuring Australian businesses have access to a robust trade remedies system and are competing on a level playing field.

I am also pleased to provide the summing up for the Customs Tariff (Anti-Dumping) Amendment Bill 2015. These amendments complement the reforms included in the Customs Amendment (Anti-dumping Measures) Bill (No. 1) 2015 by amending the Customs Tariff (Anti-Dumping) Act 1975 to simplify and modernise publication provisions for anti-dumping notices, clarify provisions regarding consideration of the lesser duty rule and clarify the operation of exemption provisions. The improvements will improve certainty for Australian businesses engaged in the anti-dumping system and complement the improvements contained in the Customs Amendment (Anti-dumping Measures) Bill (No. 1) 2015.

I would like to address a couple of the points made by the member for Makin in his contribution to the debate. We are replacing the legislated government advisory body, the International Trade Remedies Forum, with more flexible consultation arrangements. Why we are doing that is simple: the existing ITRF is currently large and bureaucratic; with more than 20 members and legislative requirements around meetings, it is not an efficient consultative group. Removing the ITRF from the Customs Act will reduce regulation and allow greater flexibility around the scope of work and frequency of stakeholder consultations. The government will not be supporting the amendment moved by the member for Makin. We have confidence in our ability to consult with industry.

This government is committed to consultation but believes the International Trade Remedies Forum provisions as currently set out in the Customs Act as introduced by the previous government are too prescriptive. This government believes that a more focused and flexible consultative arrangement better fits the constantly changing challenges faced by today's antidumping system, with working groups to be convened around specific issues as needed. The government will seek advice from a wider range of stakeholders than was available under the forum provisions. Consultation will be guided by the issues and interests affected, whether from traditional manufacturing, industry bodies or downstream industry. Removing the embedded International Trade Remedies Forum provisions from legislation reduces unnecessary regulation and frees up resources that can be better used in other areas of the antidumping system.

The member for Makin also raised some concerns about the changes to the Anti-Dumping Review Panel. We are making changes because currently there is a low bar for applicants seeking merits reviews of antidumping decisions. Often reviews are sought on the basis of a company being unhappy about duties rather than an error of law. We are introducing a number of benchmarks to ensure that appeals are based on an incorrect decision rather than simply an undesirable one, including raising the legal and procedural thresholds for accepting applications and restricting reviews to the most meritorious issues. We are introducing a fee
to access merits review, with a smaller fee for small- and medium-sized businesses. The proposed fees amendment will allow the government to introduce a fee for applying for merits review of certain antidumping decisions by the specialist Anti-Dumping Review Panel. The fee will be established by a legislative instrument. The Minister for Industry and Science has indicated that the fee for accessing the services of the review panel will be as follows: $10,000 for large businesses and foreign governments and $1,000 for small- and medium-sized enterprises or individuals.

As the fees will be introduced by a legislative instrument, the parliament will have a chance to consider the fees during the disallowance period for the instrument. These are not a hindrance to accessing the system, but rather they are designed to ensure the review process is not being misused or gamed by big, foreign national companies. These fees will encourage businesses to more seriously consider the legal merits of the application for review. By reducing the number of frivolous reviews, the government will be providing certainty for Australian businesses and saving them the costs of participating in less meritorious reviews, which can add months to the process and create uncertainty in the final decision until the merits review is concluded.

Our reforms are allowing the Anti-Dumping Commission to be a formal party to the review, and we are introducing a conference process ahead of lodging a review to clarify the final decision. These are sensible changes to the review process and will ensure the system is robust and fair. Our government is committed to ensuring that Australian industry is able to compete on a level playing field. This is why we have introduced reforms to ensure that Australian industries have access to a strong antidumping system that delivers efficient and effective remedies for Australian businesses injured by dumping and subsidisation. I commend the bills to the House.

The SPEAKER: The immediate question is that the amendment be agreed to. There being more than one voice calling for a division, in accordance with standing order 133 the division is deferred until after the discussion of the matter of public importance.

Debate adjourned.

Customs Tariff (Anti-Dumping) Amendment Bill 2015
Second Reading

Debate resumed on the motion:
That this bill be now read a second time.
Question agreed to.
Bill read a second time.

Third Reading

Mrs ANDREWS (McPherson—Parliamentary Secretary to the Minister for Industry and Science) (12:12): by leave—I move:
That this bill be now read a third time.
Question agreed to.
Bill read a third time.
Succession to the Crown Bill 2015
Second Reading

Debate resumed on the motion:
That this bill be now read a second time.

Mr SHORTEN (Maribyrnong—Leader of the Opposition) (12:12): Of course Labor supports changing the future order of royal succession so that it will be determined by birth not gender. Of course we support removing the bar on succession for an heir of the sovereign who marries a Catholic—and we support the other provisions in the Succession to the Crown Bill 2015 regarding marriage, including those covered by the Royal Marriages Act 1772. Those in the government may enjoy the myriad of detail here: the questions as to whether Australia's head of state can be the eldest princess, or whether they can be a Catholic, or indeed whether their marriage accords with an act passed in Westminster 243 years ago. But I believe the anachronistic quality of this debate tells us all something, doesn't it? How about a better idea? What about a head of state who is an Australian? What about a head of state who is one of us? After all, no Australian has ever been born with a royal lineage, so they would never have to face any of the problems that this legislation seeks to address.

It has been more than 15 years since an unlikely alliance of direct-election republicans and staunch monarchists combined to successfully campaign against an Australian head of state.

In one of history's quirks, the leaders of both the 'yes' and the 'no' causes now both sit at the same cabinet table and, yet again, they are opponents in a very different contest. But back then, in 1999, many Australians who were republican by instinct were convinced to wait for another go at a different model and of course the second chance for change has never arrived. Back then, in 1999, a grievous mistake was made by having two questions to answer, not one. That is the equivalent of Collingwood agreeing to play Essendon and Carlton at the same time! Much of the enthusiasm and energy of the 'yes' cause has lain dormant since then.

As I said on the eve of Australia Day this year, I and Labor believe that it is time to breathe new life into the dream of an Australian republic. And I should take this moment to acknowledge the Prime Minister's valuable, if somewhat unexpected, contribution to the republican debate the very next day. I assure people that I had no idea of what he was about to do, which will put me in the same group as indeed his whole Liberal government.

The decision of the Prime Minister, and the National Party, to knight Prince Philip reminded us all of how far we have travelled since the days of the famous words of former Prime Minister Menzies, who said of the young Queen Elizabeth II, 'I did but see her passing by.'

I believe that Australians are ready for a discussion about an Australian head of state. Our aim has to be a respectful national conversation between equals, not an insider A-list celebrity debate between politicians, constitutional pedants and the same old faces. Reigniting the republican debate will be a test of our national spirit and our national imagination. It is a moment that we are equal to.

It should not be long before all Australians have the opportunity to make right a two-century-old wrong and extend constitutional recognition to Aboriginal and Torres Strait Islander peoples. This will be an uplifting moment—a time when we celebrate modern Australia, making peace with its past, when we summon the courage to face a historic truth.
In updating our national birth certificate to include the first members of our Australian family in correcting an ancient injustice dealt to Aboriginal and Torres Strait Islander people, we rightly declared that the words in our Constitution matter.

We pay respect to the idea that our Federation's founding document should speak for and to modern Australia. Or, to put it another way, if we were drafting our Constitution today we would, without question, include recognition of Aboriginal and Torres Strait Islander peoples as the traditional owners of our continent. In all likelihood, it would be the first sentence on page 1. We are no longer the nation of terra nullius and the great Australian silence. Australia's rich Indigenous culture is central to how we see ourselves as a nation and prominent in the way that we present ourselves to the world. Our Constitution should and would reflect this proudly. By the same measure, if we were drafting our Constitution today, does anyone seriously dispute that we would require a head of state to be an Australian? This is how we see ourselves; it is who we are.

None of this should be taken as criticism of Queen Elizabeth II or of the House of Windsor. The Queen has given decades of committed service to our nation. She has earned the affection of many and the admiration of us all. But the simple fact is that our nation, our place in the world, has changed and our Constitution should change with it. The sun has long since set on an empire that we once bound ourselves to, to the last shilling and the last man.

In the 21st century we no longer identify ourselves as an outpost of the empire, fearfully perched on the edge of Asia. We no longer take a narrow race-based notion of citizenship. We celebrate diversity. We are grateful to count people from every nation, culture, tradition and faith as our own. We no longer hide behind the walls of Fortress Australia. We look outwards. We embrace the opportunities of our region, the centre of the most profound economic transformation in recorded human history. And we should go to our region and the world proudly independent, declaring that we are no longer going to continue to borrow our monarch from another country on the other side of the world. The republic debate and becoming a republic would signal a constitutional renaissance. It would provide blood energy to the nation. It would announce in the 21st century that Australia is ready to set a mature and independent course with the rest of the world. It would tell the rest of the world that we are a free and independent country, confident in our Australian identity, with the zing to declare that we are running the place ourselves. And the parliament is the place where we should have these debates.

Madam Speaker, I am, like all of us in this place, a servant of the Australian people. Each day I am privileged to witness, as we all are, the courage, integrity, intellect, imagination, selflessness and good humour of our citizens. I trust one of them to be our head of state. I believe our people deserve this opportunity and that this parliament is capable of declaring to Australians: we trust you, from within your ranks of the Australian people, to provide a head of state to our country. I am confident that we can have this conversation about making this happen with optimism, maturity and respect. I support updating the British Constitution and the British sovereign lines of succession. But surely this country is more than just updating some anachronistic features of another nation, and it is time to declare that Australia should have an Australian head of state. So let us begin.

Mr DREYFUS (Isaacs—Deputy Manager of Opposition Business) (12:22): I speak to the Succession to the Crown Bill 2015. This bill gives effect to decisions taken under the Labor
government to implement in Australian law changes to the rules of succession to the British Crown. The changes were proposed by the government of Great Britain and supported by those Commonwealth nations still under the British Crown at the Commonwealth Heads of Government Meeting in Perth in 2011. The British parliament passed the Succession to the Crown Act in 2013.

The member for Pearce, in his speech on the bill, notes that legislation in the British parliament must be supported by 'all 16 realms' of the Commonwealth to make sure that the royal succession operates in the same way in each nation which has the Queen as its head of state. That term 'realm' is important. A realm is a Commonwealth nations still under the British monarchy. We used to call some of these 'dominions', although that is now perhaps too much even for the staunchest Australian monarchist. There are 16 realms now, as the member for Pearce says, but the clear majority of the Commonwealth's 53 independent nations have left the monarchy. Under Labor, COAG agreed to implement Australia's support for the changes by the parliaments of the states requesting Commonwealth legislation to have effect nationally. With the notable exception of one jurisdiction, states participated productively in those negotiations. Federal Labor thanks the states for their cooperation in that process.

But I really must take issue with the description of this legislation by the member for Pearce. In his second reading speech on this bill, he said:

This modernisation of the laws of succession ensures the continued relevance of the monarchy to Australia and her people and reflects the commitment that all Australians have to equality and to nondiscrimination.

Evidently, the member for Pearce thinks that this bill is a landmark reform of our constitutional arrangements. I expect the member to go back to his electorate and explain to his constituents just how the measures in this bill accord with their values, their aspirations and their expectations of how the Australian government should be run. The member for Pearce is pleased that the abolition of male preference primogeniture by this bill affords some gender equality to the royal succession. I hope he can explain to his constituents the ongoing relevance to Australian life of a system where high office is inherited. I hope he can explain why we are concerned with birth order at all. I hope he explains to his constituents just what a victory it is for equality and tolerance that, while the Australian head of state may not by law be a Roman Catholic, he or she may now marry one. I hope he is able to explain why, in this country, where we have not established any religion and where the Constitution prohibits the federal parliament from doing so, the law states that our head of state must be a member of the Church of England. I certainly hope that the member for Pearce tells his constituents about the important reform to marriage law he has supported here in this chamber. Truly, the reform to the law of marriage which Australians are crying out for is the abolition in the United Kingdom of the Royal Marriages Act passed in the year 1772.

I do not mean to be flippant about this bill. As I said, each measure on its own has merit. For the British, where the monarchy clearly does have an ongoing place in national life, these measures perhaps represent a meaningful accommodation between tradition and modernity. But this is not Britain, and the reason that this bill does not ensure 'the continued relevance of the monarchy' to Australia in 2015 is because it is monarchy itself which is out of step with contemporary Australian life. The problem is not the specific set of rules by which a member of the royal family is selected to take the throne. It is the fact that the only candidates are
British aristocrats with a necessarily limited understanding of Australian life. While the law dictates that an Australian may not be head of state, our constitutional arrangements will always jar, always ring a little false. As I said, Labor will support this legislation. We worked to progress it during the Labor government. On its own terms, it is a worthy piece of legislation. We are happy to work with our counterparts in Britain and in the other 15 Commonwealth jurisdictions involved to give effect to these changes.

The exception that I referred to earlier regarding the participation of the states in this legislation, some members might remember, was the LNP government in Queensland, a government very sensibly dispatched by the people of Queensland after just one term. The LNP government and its Attorney-General, Jarrod Bleijie, flew in the face of the expert constitutional advice provided to all Australian governments that the appropriate path forward was for each state to request Commonwealth legislation under section 51(xxxviii) of the Constitution. The Queensland LNP, ever parochial, wanted to legislate themselves. We were expected to accept that Queensland should have its own law of royal succession. I said at the time that this suggestion had shades of Joh Bjelke-Petersen's hare-brained scheme to create a separate Queensland sovereignty—a Queen of Queensland—which was emphatically ruled out by the High Court in 1974. We should all be thankful that the revival of the politics of Bjelke-Petersen was cut short by the people of Queensland in January this year.

Notwithstanding the initial recalcitrance by Queensland, the parliament of each state has now legislated a request for Commonwealth legislation. Accordingly, this bill will now implement the changes to the succession into Australian law. To be clear about it the bill makes three key changes to current arrangements. The bill abolishes the rule of succession, under which a man precedes his sister in succession to the throne even if she is the elder sibling. The bill removes the rule disqualifying a person from the succession if that person marries a Roman Catholic. The rule established in the Act of Settlement that the monarch must be an Anglican is maintained. The bill abolishes the Royal Marriages Act 1772. That legislation required the consent of the monarch to the marriages of the descendants of King George II, a category that now includes hundreds of people in Britain. The bill repeals that act and provides that the monarch's consent is only required for the first six people in line to the throne. Though a lack of the required consent will remove a person from the royal succession it will not, as under the Royal Marriages Act, invalidate the marriage itself.

Labor welcomes these changes to the law of succession. The bill aligns some aspects of the British monarchy with modern expectations. We congratulate the British government on this reform to its arrangements. We were happy to assist our British friends with this reform while we were in government and we remain happy to support this legislation from opposition. Echoing the sentiments already expressed today by the Leader of the Opposition, I hope that the next time this parliament considers a bill which concerns itself with the British monarchy it is a bill for an amendment to the Australian Constitution. I said in my maiden speech in this place that I hoped to one day vote here for an Australian republic, and that remains my hope today.

Ms SCOTT (Lindsay) (12:31): I rise to speak on the Succession to the Crown Bill 2015. This bill dates back to 1772. It is a piece of legislation that dates from 16 years prior to when the First Fleet arrived in Botany Bay; needless to say, it needs an update. Viewing this legislation from a 2015 mindset, it would be easy to remark that this is a rather quirky and
archaic piece of British legislation. However, the serious side of this legislation is that it does highlight how far we have come. Putting aside the obvious 'monarchy versus republic' debate, I think we also need to acknowledge that at its centre this bill finally provides gender equality to the British monarchy. It acknowledges that a boy child is equal to a girl child and that gender should not be a discriminating factor disqualifying a female.

As it stands, the selection of the English monarch centres around a Marriage Act that is based on gender. This act does finally break one of the oldest glass ceilings, which has been enshrined in legislation and tradition. It is time to reflect on how these laws came to be and the journey that have taken. From the Tudor dynasty we have the legacy of Henry VIII, Bloody Mary, Elizabeth I and, ultimately, the reformation of the Church of England. It is apt to remember the sacrifice and martyring of Protestants and Catholics alike. And today, in 2015, this most quirky piece of legislation will pass through the House of Representatives and to the Senate and on to seek royal assent—and not a single drop of blood will be spilt.

In reality it is an act from another era—when King George II learnt two of his brothers had married commoners. In a time of empire, such marriages were seen as eroding the wealth of the Crown. To protect the dynasty, the act requires descendants to have their marriages approved. Those descendants are now many: some of them do not know their marriages might be technically null and void and others would prefer not to bother getting royal permission.

This new act will mean only the six closest to the throne will continue to need permission in this system. Anyone outside the six will automatically have past marriages validated. We get offended today that the selection of heirs discriminates against women and they are not even allowed to marry Catholics. In fact, it is quite laughable. But until a generation or so ago it was common that the eldest male received the family inheritance. The ALP knows all too well the arguments that have raged between Protestants and Catholics. Indeed Bartholomew Santamaria for many years very closely aligned religion and politics, seeing a split in the ALP and the formation of the DLP.

Even King John's 1215 Magna Carta, which delivered accessible, fast and fair justice, has been updated over and over again. In fact, the idea that it provided fair laws and justice for all is incorrect. Initially, serfs—the peasants—were excluded from the charter. However, I would like to highlight some other examples of some of the more obscure pieces of legislation brought before a Westminster system of government. For instance, it is against the law to die in the English parliament—only a couple of years ago it was voted the stupidest law in Britain. Under the Metropolitan Police Act 1839, you cannot fire a cannon if it is placed within 300 yards of a dwelling. Nor can you walk along the pavement with a plank of wood. And then there is the 1279 law banning the wearing of a suit of armour in the parliament! And apparently it is perfectly legal to shoot a Scotsman with a bow and arrow—provided you do not do it on a Sunday.

It would be irresponsible of me to not acknowledge the last time we saw a republic in Britain. In 1644 His Highness by Grace and God and Republic, the First Lord Protector of England, Scotland and Ireland—the one and only Oliver Cromwell—decreed that eating mince pies on Christmas Day was to be banned. That was a fine piece of legislation that I am was sure to secure the longevity of the British republic!

In 1848, only 167 years ago, it was an act of treason to place a postage stamp with the monarch's head upside down. There was the Scottish Licensing Act of 1872 that forbade
anyone from operating a cow while intoxicated. Perhaps a contemporary take on that piece of legislation would be forbidding anyone from operating an iPhone whilst intoxicated. Going topless in Liverpool was outlawed unless you were a clerk in a tropical fish store, but I do not quite understand why and I am not sure how that would have worked with Lady Godiva only a few suburbs away in Coventry.

The point I make is that the world changes and we move on. For some, the Westminster system of democracy can be tedious and clunky, and, some may argue, even outmoded. But in the words of the British wartime prime minister, Winston Churchill:

Many forms of Government have been tried, and will be tried in this world of sin and woe. No one pretends that democracy is perfect or all wise. Indeed it has been said that democracy is the worst form of Government, except for all those other forms that have been tried from time to time …

In other words, the system is by no means perfect, but, despite our attempts to create other systems, the Westminster system of democracy still does prevail. One of its enduring features to all of us here in Australia is the stability it provides our country. If there is a single gift from Britain, it is just that: the stable democracy that we do have here in Australia. In essence, many of the kinks have been ironed out over the passage of time, through wars and bloodshed and through the breaking down of a feudal system. Am I saying that we do not have further to go? Of course we do. Am I saying that our system of government does not need to continually evolve over a period of time? Of course it does.

If we look back: this has all started really from the Battle of Hastings in 1066, the Domesday Book, the Anglo-Saxons and the Viking king. England stood as the land of riches and wealth with a political system that has learnt and developed and, as such, has withstood just about everything. Even in those early years, the seeds were there. William devised a system of taking advice from landlords before making a ruling. This period was commonly known as the feudal system, and this early system really does mark back to our Senate. From 1215, the House of Lords was then put in place and an elected House of Commons was invoked 50 years later.

It is a system developed through hundreds of years of war with the French and the Scottish. There was the War of the Roses which led to the founding of the House of Tudor, after King Richard III was killed in combat. It survived the wars of the kingdoms where Scotland, Wales, Ireland and England were at each other's throats, coming together in 1801. It is a system that is based on the enlightenment of documents—I mentioned earlier the 1086 Domesday Book. It is based on the power of separation of rights, as agreed in the 1215 Magna Carta. It is a system influenced by Martin Luther's 1512 Diet of Worms, which saw Oliver Cromwell go to civil war over the Protestant Reformation. It would lead to the important Bill of Rights in 1689 which gave Protestants liberty and decreed cruel and unusual punishment to be illegal. It is a system that flourishes around the world.

The point is: we did inherit a true and trusted, stable political system, and we have been able to adapt it to now meet our Australian needs. Of course there is more work to be done. There is more work for us to further evolve. We do not have a bill of rights, and the reality is we possibly do not need one. We know who we are, and no matter which side of the political fence we sit on, we all agree with the basics of democracy: freedom of speech, freedom of religion, access to health and the right to a good education. We are lucky to have that. As I sit in the middle seat and watch the Middle East descend into more senseless bloodshed, I can
only wonder when the agreement is to finally be reached, that when we move forward, a Westminster-style system, that tried and true method, might just work and might just save more needless bloodshed. I commend the bill to the House.

Mr PERRETT (Moreton) (12:42): I rise to speak on the Succession to the Crown Bill 2015, a piece of legislation with its roots going back to the 1500s with Henry VIII and then to 1772. It is dealing with some ancient concepts like the concept of male preference, primogeniture, as touched on by the member for Isaacs in his speech, and also by the Leader of the Opposition, Bill Shorten, in his speech.

It is particularly apt to be talking about this legislation on St Patrick's Day. We still sadly cannot have a Catholic monarch, but we now have a situation where the monarch can actually marry a Catholic. Still, here in Australia, on the other side of the world from the United Kingdom, we have a situation where our head of state must be a member of the Church of England. So this piece of legislation, whether you are a monarchist or a republican, seems to be very disconnected with modern day Australia.

Here is a parliament that has its roots in the Westminster system. They call this the 'Washminster system' because it has a little bit of Washington and a little bit of Westminster. We have the other place as well, rather than the House of Lords. This bill is disconnected with what most people in Australia are concerned about, and while they might think it is unimportant—and it has not been an issue that people have raised with me in my electorate of Moreton—it essentially ensures that the line of succession to the monarch is not determined by gender, but determined only by parentage and the timing of birth. It also overturns the statutory ban on successors to the Crown marrying Catholics.

As I am a Catholic, married to an Anglican, I guess there is some hope for one of us to be a head of state one day!—but not a big chance.

Mr Snowdon: Not you, mate!

Mr PERRETT: No, not me, as a Catholic—or my sons. It is, however, an important piece of legislation in two respects. It removes existing common-law discrimination on the basis of sex—and signs and symbols are important, as I will touch on in a minute—and it removes a little bit of the existing religious discrimination. The signs and symbols are important today because contemporary Australia at the moment is looking at domestic violence. We have seen this year that Rosie Batty, an incredibly brave Australian who has endured every mother's worst nightmare, has been made an Australian of the year, to put extra attention on domestic violence. Sadly, we still have that horrific data that nearly two women a week are losing their lives this year because of domestic violence. Just looking at the papers today, those numbers are still incredibly high.

So, signs and symbols: this piece of legislation before the chamber is only one part of changing what modern-day Australia says should be appropriate. But it is important in that context of some domestic violence challenges. The Special Taskforce on Domestic and Family Violence in Queensland, headed by Dame Quentin Bryce, recently released a report, Not now, not ever: putting an end to domestic and family violence in Queensland. The importance of gender equality is repeated throughout that report by Quentin Bryce. It is a wonderful report. It says:

Effective change cannot be achieved unless each and every one of us takes a personal interest and engages in promoting healthy and non-violent relationships in our homes, schools, and the broader
community. In doing this, we also need to address the underlying attitudes and cultural beliefs that perpetuate gender inequality and socialisation that leads to violence against women and children.

So, this legislation before the chamber—as I said, not particularly connected with goings on in my electorate or around modern-day Australia—does send an important message about gender equality. It has been a long time coming, obviously, but it does send a message. A common-law doctrine that has been in place for centuries that younger sons are promoted over older daughters in the line of succession has been discarded in favour of gender equality, placing every child born in the line of succession, whether boy or girl, on an equal footing in their place of succession.

It is an attitudinal change, and I commend the British parliament for making it. However, it is still telling a story that is anachronistic—an incremental change in an anachronistic institution—which is why I was so glad to hear the Leader of the Opposition, the Honourable Bill Shorten, restate Labor's commitment to having a republic. But, returning to the report by Dame Quentin Bryce, it demonstrates an attitudinal change about advocating to prevent domestic violence, especially coming from someone like Quentin Bryce who (a) is a Queenslander—and, sadly, Queensland at the moment has a horrible record of domestic violence in terms of murders of partners—and (b) for a time was the Queen's representative in Australia as our Governor-General. And she is now also able to advocate so strongly to prevent domestic violence.

The second important message that this legislation sends is that religious discrimination is no longer acceptable. As I said, it has not totally eliminated discrimination, but it does start people talking. In Queensland the Anti-Discrimination Act 1991 specifically prohibits discrimination on the basis of religious belief or religious activity. Queenslanders are used to religious discrimination being unacceptable. And while the Commonwealth has laws to prevent discrimination on the grounds of race, such as the Commonwealth Racial Discrimination Act, currently there are no Commonwealth laws preventing discrimination on the grounds of religion. Australia is a signatory to the International Covenant on Civil and Political Rights 1966. Article 18 of that convention in part states:

Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.

Although the protocol was dated 13 August 1980, no Commonwealth legislation has yet been enacted to reflect those obligations.

Societal attitudes do change. Monarchs were once allowed not only to marry Catholics but also in fact to be Catholics themselves. Henry VIII was a champion of the Catholic Church—until he said farewell to it. James I, Charles I and Charles II were all married to Catholics. Charles II converted to Catholicism on his deathbed. It was an English act of 1689 that provided that the monarch could not be a Catholic or be married to a Catholic. So, even in 2015 the Australian head of state—the monarch, Queen Elizabeth II—cannot actually be a Catholic. As the monarch is the head of the Anglican Church it is as important for him or her to be an Anglican as it is for the Pope to be a Catholic. However, it is certainly progress to overturn a law that for 326 years has discriminated against a future monarch on the basis of the religion of their spouse. It is an important statement to the world and the dominions that it
is not okay to discriminate on the basis of anyone's religion. As I said, it is an incremental step.

Labor supports these reforms. Labor is committed to gender equality and religious freedom. Queen Elizabeth II is Australia's formal head of state, and I think in September this year she will be the longest-serving monarch. Since 1953 she has had the title of Queen of Australia. The Governor-General is the Queen's representative in Australia, although the Governor-General holds some powers in his or her own right that cannot be used by the Queen. The dismissal of the Whitlam government was a classic example of that power and of where the Queen could not intervene in the actions of the Governor-General, although that is an argument that still creates a bit of interest amongst constitutional lawyers. The importance of the Queen's role in contemporary Australia is a matter that politicians will never all agree on, and various governments have put more or less emphasis on that role. Obviously the Labor Party is committed to a republic.

Our current Prime Minister clearly places great emphasis on the importance of the monarchy, as we might recall, famously bestowing the great honour of Knight of the Order of Australia upon the Queen's husband, Prince Philip. The previous Liberal National Party government in Queensland—now replaced by progressive Premier Palaszczuk—although only serving one term, went to great lengths to show their allegiance to the Queen. In a cringing display of extreme lickspittleness—if that is a word—the Liberal National Party government changed the Queensland government logo back to the coat of arms granted by Queen Victoria to the state of Queensland in 1893. They named the new Supreme Court building the Queen Elizabeth II Courts of Law. They returned the Queen's Birthday holiday to the traditional but completely insignificant June date. They changed the historically significant 1 May Labour Day public holiday to October. Ignoring the great tradition that labour has had in Queensland society, in a show of spite, they changed that May Day Labour Day holiday. They changed the barrister's title of Senior Counsel back to Queen's Counsel. Also, relevant to this legislation, the previous Queensland government insisted on passing their own legislation to ratify the changes to royal succession, despite the advice that was provided to them by the Commonwealth—a very strange course of behaviour by the former Attorney-General Jarrod Bleijie.

Labor, on the other hand, would welcome debating legislation that would see an Australian head of state. I am sure Premier Palaszczuk is committed to that as well. While we appreciate the small reforms contained in this quite anachronistic bill, I hope that the positive messages that come from it will aid an attitudinal change about gender equality and religious discrimination.

I affirm again my commitment to Australia becoming a republic. The United Kingdom has been a republic. There was a time there, between 1649 and 1660, after King Charles I was executed, that Britain was a republic—for 11 years. Not that I am advocating anything quite so drastic with Queen Elizabeth II, but republics do work. The United States and many of our great trading nations are republics, and I think it is time for Australians to again grapple with the process for becoming a republic.

This is the longest time since Federation that Australia has gone without a referendum. The last time we had a referendum was 6 November 1999. I know that there are many on both sides of the chamber that are passionate about Australia becoming a republic, but obviously it
is a bit hard to speak up in the coalition at the moment, with the leader being so committed to
the Crown that he was able to defeat the now Minister for Communications in the republic
referendum in 1999. We will see how that plays out in the next little while as the Minister for
Communications learns how to do the numbers a bit more carefully when it comes to getting
support for a republic.

This piece of legislation goes some small way to improving some anachronistic laws that
do not reflect modern Australia; nevertheless I commend the legislation to the chamber.

Ms PRICE (Durack) (12:56): I am pleased to rise to speak on the Succession to the
Crown Bill 2015, because it provides an opportunity to focus on a long overdue change that
directly impacts the perception of women, the status of women and the rights of women. It is
a bill for an act to change the law relating to gender and marriage on royal succession and
related matters. What motivates me to participate in this debate? As we have already heard
many before me say, the sovereign of Australia of course
is the same as the sovereign of the
United Kingdom, and changes are being made to the law in the United Kingdom, and I wish
to signal to all Australians that we are a modern government here in Australia and that my
government will dispense with discriminatory practices and support equality.

The changes that we are debating and proposing in this bill will ensure that the person who
is the sovereign of the United Kingdom is the sovereign of Australia, with two main
provisions. Firstly, it will remove the statutory provision by which marriage to a Roman
Catholic person disqualifies a person in the line of succession. This religious discrimination is
contemptible in the 21st century, and therefore this bill is most welcome. Secondly, it will put
an end to the archaic system of male preference primogeniture, such that in the future the
order of succession will be determined simply by birth and not by sex. Frankly, I wonder if
we will ever get to the point where it is actually more about intellect and ability to do
the job, but I guess that is a debate for another day. Primogeniture today is not a commonly used
word—clearly, because I am having a bit of trouble saying it myself!

Mr Williams: Well done, though!

Ms PRICE: Thank you. Primogeniture is the right, by law or custom, of the firstborn male
child to inherit the family estate in preference to siblings. In the absence of children,
inheritance passes to collateral relatives, usually males, in order of seniority. The eligible
descendants of deceased elder siblings take precedence over living younger siblings. The
principle has applied in history to inheritance of property and land as well as titles and
offices—mostly monarchies. It was just three years ago, in 2011, when representatives of the
nations of which the current sovereign is Her Majesty Queen Elizabeth II agreed that these
rules ought to be changed. In turn, the parliaments of all Australian states and territories have
also requested that the Commonwealth enact such a bill. As I said earlier, we are a modern
government acknowledging that women are equals, and we will continue to dispense with
laws and practices that get in the way of equality. That is ultimately why we are here today
debating this bill.

This leads me on to my favourite subject, which is the electorate of Durack. As we know, it
is the largest electorate in Australia. We are 1.6 million square kilometres from the northern
tip of the Kimberley down through to the Pilbara, Gascoyne and Mid West to Moora, some
100 kilometres north of Perth, and out to the Wheatbelt. In the spirit of this debate, and of
Dame Mary Durack's classic *Kings in Grass Castles*, there are plenty of women running the show in Durack, but we do not call them queens or kings—or sovereigns, for that matter.

Over the past weekend, the coastal and beautiful tropical town of Carnarvon—on the banks of the mighty Gascoyne River—suffered the severe effects of Tropical Cyclone Olwyn. Just last year—another drought year for the Carnarvon farmers—I joined in the official opening of the $100 million government funded levee bank project, which was to protect the vegetable, tomato, fruit, banana and mango plantations from flooding and to hold the precious topsoil. This year looked promising with water in the river, for a change, from some late summer rains. Then the cyclone hit, last weekend. I travelled to Carnarvon on Sunday. When I arrived I did not see a single banana tree standing. Estimates are that 100 per cent of the crop has been decimated. It was a heart-wrenching sight.

Ms Kim Nguyen—not a sovereign, but many consider her to be the Vietnamese matriarch of Carnarvon and a community leader in Carnarvon—has a family owned plantation north of the Gascoyne River. On Sunday I had the pleasure of her taking precious time to show me many of the Vietnamese plantations in Carnarvon. I saw not only the destroyed crops but also the extent of infrastructure damage. It really was heartbreaking. Ms Nguyen is a grower who has been in the region for 15 years and only last year took up the role with the Carnarvon Growers Association. She is the first member of the Carnarvon Vietnamese horticultural community to join the organisation. Ms Nguyen is a strong voice for around 100 local Vietnamese growers, many of whom share-farm.

Ms Nguyen joined the organisation because her community needs to be better informed. She speaks for them, to them and with them. Her wish is to get more Vietnamese people to participate in committees and community leadership. After last week's cyclone, I am very pleased that a translator will soon arrive in Carnarvon. They will help to explain the support that will be available, for the Vietnamese community, from the federal and state governments.

Another Durack woman—not a sovereign but a significant leader—is Lynne Craigie. Lynne is President of the Shire of East Pilbara, which includes towns like Marble Bar, reputedly Australia's hottest town, and Newman, home to BHP's Mount Whaleback iron ore operations. It is the largest open-cut iron ore mine in the world. Lynne was elected Deputy President of WALGA, the Western Australian Local Government Association, in 2012. She has been President of the Shire of East Pilbara for eight years and a shire councillor for 12 years. Lynne is involved with local, regional and state organisations. She is also chairperson of the Newman Women's Shelter, chairperson of the Pilbara Regional Council, chairperson of the WALGA Mining Forum, past chairperson of RoadWise Newman and a member of six further committees or groups. She is also a board member of the Australian Local Government Association and the Pilbara Development Commission, and is a past board member of Australia's North West tourism group. Clearly, she is a very busy lady. She is selfless and she is quite remarkable.

I am supporting the Succession to the Crown Bill today because I want to promote women like Lynne Craigie and Kim Nguyen. The seventies view of women is dead but not quite buried. Women should not hide under a bushel. I stand strongly for equal opportunity. Judge these women by what they do, not by their sex or their religion. In Durack, women work, women lead and women are respected.
I will take any opportunity to change harmful perceptions of women and to ensure equal status and equal rights for women. From my own perspective, I have always worked in male dominated areas, predominantly agriculture and mining. I have never felt any gender issues that have prevented me from getting the job I want and I have never felt that I am not respected. I acknowledge that this is not the experience of all women. We all, me included, need to call it out when we witness gender discrimination. Women like us who work in politics or who are farmers or who work in business often cannot do it on their own. Like men, they often need support. I want to put on record that without Brad Bell, my partner, I would not be doing what I am here today.

I will mention another woman in the Pilbara. As we know, it is the economic engine room of the nation. It would not surprise my modern-day colleagues and constituents to learn that the Pilbara town of Port Hedland is also led by a woman. Kelly Howlett, the popular mayor of Port Hedland and Western Australia's youngest mayor is not a sovereign either, but she is a natural and generous modern-day leader who knows all about rights and how to fight for equality.

The environmental scientist who founded the Care for Hedland environmental association was recently recognised for leading the charge for conservation in the Pilbara. Kelly was recently awarded the national Pride of Australia medal in the environment category for her conservation work. In 2007 Kelly was elected to council, at the age of 30, and became mayor of this significant local government area in 2009, at age 32. And some would say it is a pretty tough town!

Not yet 40 and with six years as a mayor, WA's youngest mayor is active, environmentally, in the community and in various leadership roles. This is with organisations such as the Pilbara Regional Council, Regional Development Australia, Pilbara Development Commission and Rose Nowers Early Learning Centre. Kelly has had many roles. She has worked as a barmaid, gardener, sustainability officer and visitor centre manager. She is what I consider a modern-day leader. She walks the talk and she is judged in Durack by her peers and what she does—not by her sex or her religion.

I have enjoyed today being able to profile some of the women I consider are running the show in Durack, through the opportunity afforded by this debate on the Succession to the Crown Bill 2015. They are not Durack's kings in grass castles, nor are they queens or sovereigns. Ms Craigie, Ms Howlett and Ms Nguyen are modern-day leaders who just happen to be women. They are judged by what they do, not by their gender, and are duly recognised and respected. Thank you for the opportunity to discuss them today.

Ms BRODTMANN (Canberra) (13:07): I rise today to speak on the Succession to the Crown Bill 2015. Before I go into any detail in my speech, I just want to acknowledge the contribution made by Queen Elizabeth to our nation over many, many years and also the contribution made by her family. As a proud republican, I am in no way disrespectful to the monarchy and I just want to make that clear.

I also respect the institution of the Governor-General. It was a great pleasure to be at the opening of the new Soldier On headquarters as well as the Robert Poate Centre for reintegration today. Soldier On has grown from an entity launched in a tent about five years ago, down where the Canberra Services Club was located—unfortunately it burnt down years before that. It grew from that tent and that launch, with just a handful of us, including the
member for Lingiari, who was there that night. From that very early start, with those very small steps, it has now grown into this extraordinary institution with fantastic facilities out at Gungahlin—both the national headquarters and the Robert Poate Centre. So it was wonderful to be there with the Governor-General this morning. I congratulate Soldier On for growing from very small things into very big things and for all the great work they do in helping returning soldiers and those who have left the service in dealing with their PTSD and other issues.

First and foremost, this bill sees to it that men will no longer take priority over women in the line of succession. Instead, priority will simply be determined by order of birth. We support this bill because it will amend some of the worst elements of the rules of succession to the British royal Crown. The bill also removes the bar on succession for an heir of the king or queen who marries a Catholic. That is why Labor supports these reforms—because they are consistent with our commitment to gender equality and religious freedom.

At the same time that we are debating this bill in this House, similar legislation is being progressed by the states and territories and by other countries which remain part of the British Commonwealth. It is awfully quaint. This takes time; this takes money. It takes time and money to pass such legislation, and while we are standing here debating it today there is an opportunity cost to the Australian people. We could be debating issues of education, health care or child care, but we are not. We are debating changes to the rules of succession to the British royal Crown, which has little to no impact on our nation. Instead, Labor is looking forward to the day when the parliament once again debates legislation that would facilitate Australia becoming a republic, with an Australian head of state.

Why should Australia become a republic? According to the Australian Republican Movement:

A republic is for all of us, all Australians. It's about Australia belonging to all of us, in our name and not in the name of another country's figurehead. It's just common sense—and it's also our great patriotic mission.

Indeed, why should we conclude that our people are not capable of producing a new set of institutions that better represent our values in practice as well as theory? We have built a mighty democracy and can make one further improvement to make it all-Australian, owned and operated.

There are several reasons why I believe Australia should become a republic, and many of them have to do with our identity. Speaking about identity, just recently we had the opportunity to laud the achievements of Gough Whitlam in the condolence motion on his passing. In the speech I made lauding his achievements, and they are many—and, as I said in that speech, without Gough Whitlam, without the reforms that he made to our nation, particularly in terms of free education, I do not believe I would be standing in this place—I also touched on the fact that Gough Whitlam gave us a great gift. He gave us not only free education, not only the many changes particularly for women in this nation, but the great gift of being proud of ourselves. He gave us the gift of allowing us to tell our stories through film, through literature, through the arts, through a range of measures—stories that prior to that had not been told.

We had not had the opportunity to have a voice, to speak out about our identity, about what it is to be Australian. There had been novels written in the past, like My Brother Jack, Power
Without Glory and a range of other novels that did talk about Australian history, but we did not really have a critical mass of discussion about ourselves or a representation of ourselves, particularly through film, the arts and literature.

What happened was that many Australian artists went overseas. There was a real cultural cringe. In fact, the sooner they could get out of Australia, the better. They went to Europe to be with the masters, to learn about the European stories and to express themselves through a European prism. But by providing funding for the arts, by providing funding for film, by providing funding for literature, Gough provided us with the opportunity to tell our story and to show our story—and it is a great story in so many ways. For the first time, we were seeing films where the forensic Australian light was being shown on our screens. You do not get that when you watch European films or North American films. They have that muted golden light, and here we have that forensic light where every flaw is shown. We saw that as the result of the investments that Gough made in film. We got to hear about our stories in our own language, describing our own environments, through the investment he made in literature.

We got to see our own performers. We got to see our own dancers. The Australian Ballet has been going for many years, but there was contemporary dance as well that was funded by Gough. As a result of that, we had a chance to express ourselves in dance, and Australians do have a unique way of dancing. As someone who loves ballet, I know just from watching a Russian dancer compared to an Australian dancer they are vastly different. The Russians are very contained, very measured; the Australians are very exuberant, very energetic, and they are world renowned for that.

So becoming a republic is just another way of advancing Gough's cause, advancing Gough's investment in Australia, advancing Gough's pride in Australia and allowing us to have our own identity in every way. It will also allow us, as Australian people, to work out the direction we want our nation to head into in the future.

While the Governor-General acts as a de facto head of state, Australia's transformation as a nation is still incomplete. Under our Constitution, the British monarch is the font of all legal power in Australia and is our formal head of state. Isn't it time, 110 years after Federation, that we move on to the next level? The fact that Australia is still so strongly connected to the British monarchy seems out of date with Australian culture. We saw how Australians reacted to the Prime Minister knighting Prince Philip on Australia Day. That decision showed us how much the Prime Minister's vision for Australia is in the past. His vision for Australia is based on a 1950's world view. He wants a 1950's honour system, he wants a 1950's health system where only the wealthy can access health services and he wants a 1950's education system—again, where only the wealthy can access universities.

The real tragedy about the Prime Minister's decision to knight Prince Philip is the fact that it drowned out Australia Day and the achievements of all the Australians who were honoured and awarded. What is so infuriating is that it drowned out the message of Rosie Batty. If faced with the unimaginable tragedy Rosie Batty has faced, I think most of us would retreat completely into our lives and our world and would not want to engage, but it empowered this woman to campaign against domestic violence. The fact that the Prime Minister's announcement drowned out that woman's message on domestic violence is an absolute outrage.
His decision highlighted his old-fashioned values rather than being open to a modern Australia. The way that Australians reacted to his decision showed a complete disconnect, with many feeling the honours system is outdated. We saw a similar reaction from the public last year when the Prime Minister reintroduced knighthoods, and much of the criticism came from within his own team! Again, Australians found themselves debating the idea of whether we should become a republic. I might just add that, while we were debating the Prime Minister's medieval knighthood system on Australia Day and his decision on Prince Philip, at the same time a country that I lived in and that I love, India, was celebrating its Republic Day—India was celebrating its independence day. It seems shocking to me that India abolished the British monarch as the head of state, much to the chagrin of some parties in Mumbai, and established the Republic of India in 1950—more than 60 years ago—and yet we are still looking backwards to last century's ideas.

I will move to the second key reason I believe Australia should become a republic. It is because there are many aspects of the British monarchy which I find unAustralian. We tell our kids that if they work hard they can grow up to be anything they want to be—except if you want to become the head of state, which in the British monarchy is selected through the principles of hereditary male succession and with Catholics being specifically ineligible. That Australia is still connected to such an inequitable and unfair system is, quite frankly, shameful.

As we all know, Australians were asked to vote the monarchy out of existence in November 1999, and by a large margin we unfortunately said no, rejecting the proposal to replace the monarch with a president appointed by parliament. However that was not the case in my electorate. I am proud to say that 63.77 per cent of Canberrans—the most highly educated people in the country—voted in favour of becoming a republic. A Newspoll in September that year showed that 95 per cent of Australians agreed that the head of state should be an Australian—yet only 45 per cent voted for the republic package in the referendum the following November. The referendum failed, and that was largely because the question tied the issue to a prescribed model for the election of a president. I will not discuss in any detail my views on that at this point. Despite the result that we had in Canberra, unfortunately that was not the case for the rest of Australia. I believe that, if Australians had been provided with another model, the referendum would have been successful, and I welcome the Leader of the Opposition's call today for the debate to begin again on becoming a republic.

As the opposition leader said in his speech this afternoon, one of the key reasons to change our Constitution relates to the recognition of Aboriginal and Torres Strait Islander people, the first Australians. Our Constitution functions as a powerful symbolic statement of Australian identity; yet Indigenous Australians are explicitly excluded from the constitutional processes and from its text. The 1967 referendum did permit the federal government to make laws for Aboriginal and Torres Strait Islanders but did not resolve the issues of recognition of Indigenous Australians and their legal and constitutional protection. It is time to recognise Aboriginal and Torres Strait Islanders in our Constitution—and this is something the majority of Australians support.

Australia needs a political system that allows any of our citizens to rise to the top on merit not birthright. Only then will we be able to move forward into the next chapter of our history.
as a free country. We need an Australian republic, a model that truly speaks for who we are, our modern identity and our place in our region and our world. By such a declaration, Australia will make it clear to ourselves and the world that we are independent, mature and representative of us and worthy of us. An Australian republic is about the Australian people being unambiguously sovereign in a fully and truly independent Australian nation.

With all due respect, the monarch has no role at all in Australian government, and I believe Australians are ready for a discussion about an Australian head of state. I certainly know that Canberrans are, and they have been for a very long time. It is time for our country to live by our own set of values and have independence from the United Kingdom.

Ms BUTLER (Griffith) (13:21): There is nothing like debating a bill to change the way that the succession to the British throne works to remind you of how much it is well beyond time to be talking about making Australia a republic. If there is anything more irrelevant to Australian society today than the birth order of the British monarchs I do not know what it could be. Imagine how embarrassing it would have been last year, when the Prime Minister of India addressed our parliament, when the President of China addressed our parliament, when the Prime Minister of Japan addressed us, to say, 'Look, all of that discussion about regional relationships and trade is really, really important, but what we really want to talk about is the succession to the British throne, because that is the issue of significant importance to the Australian public today.' Imagine how embarrassing that would have been.

Nonetheless, of course the Australian Labor Party supports the Succession to the Crown Bill. It is great that it is going to fix some of the worst aspects of those succession rules. It will mean that men will no longer take priority over women in the line of succession. It will go on order of birth, not on gender or sex. It will also mean that a king or queen's heir who marries a Catholic will not be barred from succession. Both are laudable changes. But, as a republican, I look forward to a day when Australia no longer has a formal interest in who the King or Queen is. In the meantime, while Australia remains a constitutional monarchy, I agree that it is important to make these changes. Of course I acknowledge the contributions of the Queen, the Royal Family and the governor-generals that we have had in this nation. All of them have been outstanding individuals who have made great contributions. These changes are consistent with Labor values of promoting gender equality and religious freedom. But talking about the British monarchy just seems so old fashioned and out of touch.

Mr Howarth interjecting—

Ms BUTLER: That is why, as the member for Petrie might remember, there was so much laughter when the Prime Minister announced knights and dames last year. There was out-and-out mockery of the Prime Minister when he reinstated knights and dames last year. The member for Petrie might be a monarchist, but most of us on this side are republicans, because we are modern Australians.

Ms Macklin interjecting—

Ms BUTLER: Labor has a clear platform in favour of a republic, as I am reminded by the member for Jagajaga. We are republicans because we think the monarchy, just like the Prime Minister's ill-judged decision to reintroduce knights and dames last year, is archaic when it comes to Australian society. Could you have had a greater misread of the temper of the times? Actually, yes, you could have had a greater misread: it happened on Australia Day 2015. I
have to say that when I looked at my Twitter feed that morning and saw those comments about the knighting of a prince I thought, 'This has to be a prank. Come on—it's not April Fools Day, is it? Have I woken up after a very long sleep?' But it was not a prank: it was absolutely true. The Prime Minister, on Australia Day, had knighted a foreign dignitary. I was pretty surprised—obviously not as surprised as the members of the Liberal-National government, but I have to say that I was pretty surprised. I remember the collective shock of that day. Surely no Prime Minister of Australia, in 2015, on Australia's national day, would do this? You would have to be completely out of touch. What have we got? A Prime Minister who is so out of touch that he thought this would be great. He thought that this would be received with applause, that people would be so incredibly grateful to him. Well, I tell you who was not incredibly grateful: one Campbell Newman was not incredibly grateful to the Prime Minister for the activities on Australia Day. One Campbell Newman was pretty shocked, in the middle of a state election campaign, to have a Prime Minister knighting a prince. He was not the only one.

Of course, as much as you might engage in mockery and opprobrium of the Prime Minister for doing something so fundamentally out of touch and disconnected with the values of Australian society, it did serve one beneficial purpose—apart from the beneficial purpose in the state election campaign, obviously. That was to remind us of the importance of the debate about choosing an Australian head of state. We can improve gender equality when it comes to the succession to the throne, but we cannot elect an Australian, whether they are male or female, gay or straight or bi, cisgendered or transgendered. We can let royals marry Catholics but we cannot elect an Australian head of state regardless of whether that person is Christian, Buddhist, Hindu, Muslim or atheist. We have no right, no opportunity to choose one of the many inspirational leaders in our community that represent our identity and our values as modern Australians. Holding the highest position in Australia is a matter of birth, privilege and blood line. It is a position that cannot be held by any Australian. In our egalitarian society, in modern Australia, in outward-looking, multicultural, egalitarian Australia, that is fundamentally archaic and wrong.

That is why our continued reliance on the throne seems to leave us clinging to a monocultural past of exclusion, when national identity seemed assured, unquestionable and permanent. But it was not. Those British-to-the-bootstrap days have long gone. Our British origins are fundamentally important to us, but no more important than our multicultural present and the long history of our first nations people. This is the story of Australian multiculturalism. The monocultural past is fundamentally out of step with our modern Australia. We are not British; in fact, we are much closer to Asia geographically. We are diverse; we are cosmopolitan; we are multicultural. You will remember Prime Minister Keating's One Nation speech, which was one of this country's most significant contributions to repositioning Australia's place in the world. It added to our national story, identity and symbolism. You will remember his Redfern speech about the importance of Indigenous Australians to modern Australia.

It is important for our future prosperity that we are clear-eyed about our national values, our connections to our region and our Indigenous history. If you look at foreign perceptions of Australia, they can sometimes be unfortunately stereotypical and superficial. I met David Morris, the head of the Australian Republican Movement, a couple of years ago. He has been
doing a lot of work on Australian identity. When he conducted research into how our Australian brand is perceived in the UK and Ireland, it was fun, sun and surf—not what we might like to think people see us as, which is as a source of innovation or high-quality goods and services. Of course, we know that the Irish have not been all that happy about the way our Prime Minister has seen them this week, particularly today, of all days, on St Patrick's Day. These sorts of images of us overseas, as David Morris has argued, do nothing for our economic security. Moving to a republic would give us an opportunity, if not the right, to be seen as a grown-up, adult nation, a nation that is confident in itself. It would give us an opportunity to embrace those qualities that are truly our own.

Of course that includes our Indigenous culture. Like others in this place I want to see the recognition of our first nations people in the Australian Constitution as soon as possible, because I think that we need to recognise and acknowledge that our first peoples' struggles to overcome the effects of dispossession and British colonialism more than 200 years ago are actually fundamental to our growth as a modern Australian state. We need to recognise those first nations people in our Constitution, and we should do so as part of our shared movement, as Australians, with shared Australian values, with a shared story—not just the story of integration into a European colony, but a story of people from many nations, including our first nations, working together, striving together to build a nation, build institutions and build a national identity with shared values. The idea of a fair go is as much about European convicts as it is about migrants who have come here for a better life, as it is about people fleeing persecution to come here for asylum, as it is about people overcoming dispossession that came with British arrival here about 200 years ago. It is the idea of the fair go that led to the Freedom Ride of 1965—

The DEPUTY SPEAKER: Order! The debate is interrupted in accordance with standing order 43. The debate may be resumed at a later hour and the honourable member will have leave to continue her remarks.

STATEMENTS BY MEMBERS

Higher Education

Mr WATTS (Gellibrand) (13:30): The Minister for Education's political career started in student politics and this year we have seen it go full circle, returning to the kinds of pathetic word games and stubborn ideology that you would ordinarily expect from an over-excited university undergraduate. A Liberal Party that promised 'adult government' before the last election is currently being served by an education minister who is playing childish games with the future of Australian students. Yesterday, the Minister for Education waggishly told the House in question time that 'you have to be nimble' in politics. Let's review how this minister has been nimble.

Before the election, he promised that there would be no changes to university funding under a Liberal government. After the election, he promised that there would be no increases in student fees under the Liberal government. Then, at the budget, he announced a 20 per cent cut in higher education funding and a policy that would Americanise our universities and lead to the introduction of $100,000 degrees. He then claimed that we must have been imagining it all along because in fact the Liberal Party had never even announced a higher education
policy at the last election. I must have imagined that ‘Real solutions’ policy pamphlet coming through my letterbox.

He then told us that the government's university funding plans were 'inextricably linked' to the deregulation plans of the government, holding the jobs of 1,700 Australian scientists to ransom, for 24 hours, before he separated these measures. He certainly is nimble. He has shown us backflips upon backflips and now he is dancing on the grave of his own credibility. We have seen enough surprises from this minister. It is time this nimble minister danced off the Australian political stage and took his extreme and unfair ideas with him.

Macarthur Electorate: Wakeling Automotive

Mr MATHESON (Macarthur) (13:31): It gives me great pleasure to congratulate Wakeling Automotive, which is celebrating 30 fantastic years of service to the automotive industry in Macarthur. Paul and Margaret Wakeling started Paul Wakeling Holden in Campbelltown in 1985 with just five members of staff. With continuous hard work and dedication, the Wakelings' business has enjoyed great success, expanding immensely since its humble beginnings in the eighties to selling some of the best-selling car brands in the country today. In 2010, Wakeling Automotive set up Camden Valley Motors in Smeaton Grange in Camden, selling Holden, Mitsubishi and Hyundai. With these two locations in Campbelltown and Smeaton Grange, Wakeling Automotive now employs over 230 staff—a truly remarkable achievement.

Wakeling Automotive is not only a major employer in Macarthur; it is also a committed and generous contributor to the community through the Wakeling's Wheels for Life program. This fantastic initiative, which started in 1995, commits $25 from every new or used vehicle sold to be injected into this charitable program. This year, the Wakeling's Wheels for Life program reached an amazing milestone, raising $1 million to provide vital medical equipment for both Campbelltown and Camden hospital. This includes a ventilation machine, digital surgical cameras, state-of-the-art operating theatre lights, an ultrasound unit, 14 cardiac monitors and much, much more.

The level of dedication and passion that Wakeling Automotive has shown for Macarthur is truly astonishing. On behalf of the Macarthur community, I would like to thank Paul, Margaret and Scott Wakeling and all the staff at Wakeling Automotive for your contribution to our region over the years. Congratulations again for 30 successful years in the automotive business. Your community truly loves you.

Higher Education

Mr CONROY (Charlton) (13:33): This is a government well and truly on the nose with the Australian public. One of the key reasons it is on the nose is that it is an unfair government. It is a government, through its budget attacks on people in this country, that is seen as unfair in who it is targeting. How is it fair to burden Australian uni students with $100,000 degrees? The answer is that it is not fair. It is condemning a future generation to debt. It is condemning a future generation to less education than the current generation. It is condemning a future generation to not being able to fulfil their true economic potential.

No region will see this impact more greatly than my region of the Hunter. We have a great university, the University of Newcastle, 50 per cent of whose students are not non-school-leavers. These are the students who are typically more deterred by debt and higher fees than
students coming straight out of high school. The example of the UK showed that, when they increased fees significantly, they saw a 40 per cent drop in part-time students. In my own electorate of Charlton, four out of the five top degrees are in nursing and teaching—classic gateway degrees for working-class families. They will not earn $1 million more than non-university-degree holders. They are vital public servants who will be deterred from going to university because of this unfair government. We saw from Minister Pyne's train crash of an interview yesterday that it is time to junk this policy. It is time to junk a minister who is more embarrassing than any other minister we have seen in this government.

**Dobell Electorate: Bateau Bay Neighbourhood Centre**

Ms McNAMARA (Dobell) (13:34): Recently, I had the pleasure of visiting Bateau Bay Neighbourhood Centre. This local community organisation is spearheaded by a dedicated and passionate team of staff and volunteers, who are truly making a difference to the lives of people in Dobell. In particular, the centre runs a popular Grandparents Raising Grandchildren group, who were kind enough to share with me their experiences and valuable feedback. The group was established to create a friendly, non-judgemental environment where grandparents who are responsible for raising their grandchildren can come along for a cuppa, support and a laugh.

The group provides information on services available to help support those grandparents who take on the difficult role of physically, emotionally and financially supporting their grandchildren. The centre also provides a tool loan library, where home and garden maintenance tools are loaned out to community members who require tools to help maintain their homes. When you add in a kids' disco, a computer hub, a book library, a food store, an op shop, a homework group and a self-esteem team, this is a very busy centre that continually makes a positive difference to the people of the Bateau Bay community.

None of this would be possible without Sheryl, the community development worker, and Ellen, Kelly, Peter, Danny, Wendy and the other volunteers, who dedicate their time to making a positive difference in the Bateau Bay community. This is a community that does it pretty tough and these kids go without a lot. So I congratulate this community group for all the great work that they do.

**Higher Education**

Ms MACKLIN (Jagajaga) (13:36): Last week, I met with a group of students at La Trobe University, on the border of my electorate of Jagajaga. I met with a diverse range of students including Betty Belay, Jenny Stramilos, Jasmine Ingram, Marie Trevithick, Sebastian Horey and many others. They made one thing very clear to me: they do not want Abbott's plan for $100,000 degrees. Instead of planning their future careers with confidence, these students are very worried about how much more they are going to have to pay in their higher education loans. This is particularly so for those students who are already carers, young people caring for their older siblings or, in some cases, their parents, and students worried about starting a degree which might end up costing them a lot more than they had anticipated when they first enrolled. At La Trobe we have many students who are the first in their family to go to university. Many of these students are now worried that they could be the last. If ever you needed a better illustration of the threat posed by deregulating our university system, look no further than an 18-year-old student who thinks they will be the last person in their family to
go to university. Labor will continue to fight this Liberal government's plan to price Australians out of a university education.

**Bass Electorate: St Patrick's College**

Mr NIKOLIC (Bass—Government Whip) (13:37): I acknowledge my constituents Alan and Jill Birchmore, who are in the gallery today. I rise to congratulate St Patrick's College in my electorate of Bass for its clean sweep at the Sports Association of Tasmanian Independent Schools swimming championships, which were held at the Launceston Aquatic Centre on 10 March. The college won the junior boys and junior girls shields and the senior girls and overall girls shields. St Patrick's also won seven out of 10 age group pennants plus 10 out of 16 relays. This effort reflects an incredible amount of hard work and commitment by this quality squad of 53 and their support staff. Individual victors were Meg Campbell, Joseph Cockburn, Ariarne Titmus, Morgan Stephenson-Scott, Ella McKenzie, Ethan Best and Morgen Hawkins. Ariarne Titmus is to be further congratulated on breaking two NSATIS records in the 50 metres and 100 metres freestyle events. The U/14 girls freestyle relay team of Ariarne Titmus, Abbey Badcock, Georgi Davis and Isabella French broke the NSATIS record. I congratulate all of the St Patrick's swimmers, the support staff, swimming coaches Tony Cullen and Katrina von Stieglitz, and the parents for their invaluable love and support. I wish the college well as they travel to the SATIS championships in Hobart on 25 March where St Patrick's, Grammar, Scotch, St Brendan-Shaw and Marist will be joined by about a dozen southern schools.

**Higher Education**

Ms RYAN (Lalor—Opposition Whip) (13:39): I rise today to highlight the farce that is the passage of the Higher Education and Research Reform Amendment Bill. This has been going on for months now with the member for Sturt playing Basil Rathbone in the adventures of higher education. Before the election, he was Mr Nice Guy—there would be no changes—but soon after the election his first attack came in the budget papers, where we found a 20 per cent cut to university funding lurking. His second foray is his higher education package, where the 20 per cent cuts are wrapped in a deregulation ribbon. But the people cried foul when they did the maths and found the poisonous $100,000 degrees. 'This is unfair,' they said, 'and your Commonwealth scholarships will be a sham.' Undeterred, our Basil Rathbone of the parliament threw in a threat to the livelihood of 1,700 scientists. But his package is now broken—unravelling as he retreats. Last night, pinned to a metaphoric wall, Basil claimed, 'I am a fixer,' and then twirled his moustache and continued, 'And I'll have a surprise in the budget.' I would like to remind the member for Sturt that, when push comes to shove in this country, no matter how many times we have this fight—no matter how many times you watch Robin Hood—the people of Sherwood win the day.

**Flynn Electorate: Shipping Industry**

Mr O'DOWD (Flynn) (13:40): I am concerned that the coastal shipping trade in Australia is sinking—and sinking fast. Between 2000 and 2012 national freight in Australia grew by 57 per cent, but shipping fell from an already small 27 per cent back to 17 per cent. This is because Australia has an inflated cost structure for coastal shipping. The cost of shipping commodities around the coast of Australia is high by global standards, and the shipping freight rates are rising further to new levels. This has caused job losses in the shipping
industry, and it also has a flow-on effect for land-based industries. We can thank the previous Labor government's reforms for destroying these jobs in a vital industry.

A government member: Shame!

Mr O'DOWD: It is a shame. The main beneficiary of these reforms was the Maritime Union at the expense of their own membership. I experienced this firsthand in my electorate of Flynn. We are an island nation. Gladstone is an important port in that whole freight circle. All freight, including cement and aluminium, are shipped out of Gladstone. This issue should be addressed as soon as possible. We must be cost competitive to meet global benchmarks and retain our marine workforce, which has already been badly depleted.

Indi Electorate: Broadband

Ms McGOWAN (Indi) (13:42): I would like to acknowledge some of my constituents—Chiltern, Barnawartha, Rutherglen, Wahgunyah—up there in the gallery. Could my colleagues all wave to them! It is great to have you here, young people. Today I would like to respectfully request that the NBN Co give regional businesses advance notice of their rollouts. In my electorate of Indi in the past two weeks I have received 33 inquiries about telecommunications. Forty-two per cent of these require information on the NBN rollout. Business owners are truly frustrated at their inability to plan for further development and growth of their businesses, because there is no comprehensive time line for NBN rollouts. I will illustrate this with one example. Sally McGregor of Beechworth Sweet Company—and I am sure some of my young constituents know that is a destination place in Beechworth—contacted my office recently to inquire when she was getting a fixed NBN line to the business precinct in Beechworth. The time lines for the fixed line NBN rollout are so vague they are virtually meaningless to Sally's business. As result, she will be guessing instead of planning for her future telecommunication contract. NBN Co currently inform the nation of the anticipated rollout using an NBN rollout map. However, this map provides no further details on whether construction has begun or whether it is currently available. (Time expired)

Barker Electorate

Mr PASIN (Barker) (13:43): Mount Gambier was delighted to welcome Prime Minister Abbott to our city on Tuesday last, following an invitation extended to him jointly by Mayor Lee and me. This visit marks the third time that a sitting Prime Minister has visited South Australia's largest regional city during my lifetime and, proudly, all of them have been from the coalition.

Tuesday night was a magnificent showcase of the talents of students from the James Morrison Academy of Music as they and James Morrison played for 560 members of the local community at The Barn Palais. At the dinner the Prime Minister surprised everyone, including me, with his full-throated endorsement of our city's campaign for an MRI licence, as he observed that Mount Gambier deserves to have one, with the closest available MRI machine either in Adelaide to the east or across the border in Warrnambool to the west.

The following morning the Prime Minister and I visited the Mount Gambier saleyards to see the weekly cattle sales and to get a better understanding of the benefits that will flow from the successful conclusion of a trifecta of free trade agreements, not to mention the re-establishment of the live cattle trade that those opposite did so much damage to.
Later that morning, Prime Minister Abbott and I visited the offices of *The Border Watch* newspaper. It was the first prime ministerial visit to that proud paper over its 150-year history, following which we met with Father Paul Gardiner, Sister Sue McGuinness and Sister Loretto O’Connor, as well as volunteers from the Mary MacKillop Penola Centre, to discuss the inspirational life of Mother Mary MacKillop, Australia’s first saint.

It was a fantastic visit and you are welcome to return.

**Higher Education**

Mr GILES (Scullin) (13:45): Of all the many failings of this government none are more profound than its handling of higher education, starting with a broken promise, going through to blackmail. What this really is about is a narrow vision of Australia’s future and the abandoning of our future generations. This is a government which is either unwilling or, I think, incapable of facing up to the challenges of Australia’s future. Its members are solely concerned with their own futures, none more so than the member for Sturt, Minister Pyne.

He is the Don Quixote of Australian politics, who continues to tilt away at his ideological windmill. But it is worse than that because, in the end, Don Quixote reluctantly swayed towards sanity. Anyone who watched that extraordinary interview on Sky TV yesterday would know that there is no danger of this minister coming to his senses. This nimble fixer is not troubled by sanity in how he approaches this debate or how he approaches Australia’s future. When challenged on the central proposition he put out in that interview, he said, smugly and smirkingly: ‘I want to make it a surprise for you.’

This is a minister out of touch with Australia. He is not listening to the Australian community, which has told him: ‘We don’t want your $100,000 degrees.’ These broken promises and $100,000 degrees must be abandoned in favour of a vision of Australia’s future— *(Time expired)*

**Hinkler Electorate: Austchilli**

Mr PITT (Hinkler) (13:47): Hinkler residents will be glued to the TV tonight to see some of our own produce become the so-called ‘hero of the dish’! The De Paoli family will spice things up on the hit reality show *My Kitchen Rules*, with their high-quality, fresh, locally grown chillies.

Based on Goodwood Road in Bundaberg, Austchilli grow eight different varieties of chillies that are hand-picked every day to ensure year-round supply for consumers.

Since 1995 Austchilli has field-tested over 200 varieties of chillies from all over the world, to find the best on the basis of flavour, heat, colour, yield and consistency.

As well as growing chillies, they grow a wide variety of herbs. They value-add and manufacture a range of products, including Avo Fresh. Today, they export fresh and packaged food to 10 overseas markets. Austchilli are strong supporters of our plan for country-of-origin food labelling. Austchilli are just one in a long line of food manufacturers based in my electorate.

This is my winning suggestion to the MKR contestants: Hervey Bay sea scallops, Ocean King prawns, stir fried with Hinkler vegetables in an Austchilli sauce. Wash it down with a dark and stormy—for the uneducated, that is Bundaberg rum—Bundaberg ginger beer and a
wedge of Bundy lime. And finish the meal with a bowl of Mammino's ice-cream and Steinhardt's choc-coated macadamias.

While I usually prefer to be watching the football, my family are usually watching *My Kitchen Rules*. Tonight I will make an exception! I hope my colleagues and the rest of Australia will tune in to see just some of what my region has to offer!

**Higher Education**

**Mr STEPHEN JONES** (Throsby) (13:49): It is a brave person who disagrees with the member for Lalor, the Opposition Whip, but I have to say that the education minister more resembles Basil Fawlty than Basil Rathbone. His performance on Sky TV yesterday is deserving of a Logie award.

There are 150 electorates represented in this parliament. Mine, regrettably, ranks at 133 in terms of participation in higher education. We know that the way to turn that around is to invest in our schools system and in our universities. We know that the way not to improve education participation is to put more obstacles in the way of people from modest backgrounds entering our higher education system. But, regrettably, that is exactly what the minister is intending to do.

Today, we saw Professor Chapman bell the cat. Professor Chapman is often relied on by the member for Sturt in support of his policies. But today he said this, and I quote:

… I still expect that prices, at least for the Group of Eight strong demand courses, will be at least two and a half times—

what they are today. That means that $100,000 degrees are a reality. But there is a gift! Easter and Christmas are coming early, because they say they are going to take it to the next election. Bring it on! *(Time expired)*

**Alzheimer's Disease**

**Mrs PRENTICE** (Ryan) (13:50): What these higher education reforms can deliver are things that are happening at the moment at the University of Queensland. We received amazing news last week with the breakthrough in Alzheimer's research by Professor Jurgen Gotz and his team. The research is performed at the Clem Jones Centre for Ageing Dementia Research. They have found that non-invasive ultrasound technology can be used to not only treat the disease but actually restore memory as well. They break apart neurotoxic amyloid plaques that cause memory loss and cognitive decline. The treatment is inexpensive and completely drug free. This is an amazing step forward.

The next step will be to upscale, to test a larger animal, probably a sheep, and this should begin soon. Human trials are still a few years away, but I can think of a few possible subjects.

Alzheimer's affects more than two-thirds of dementia patients and a quarter of a million Australians. By 2050 the total number of dementia cases in Australia is expected to reach 900,000. This is an amazing step forward in the search to find a cure for Alzheimer's and, once again, it is Australia and Queensland leading the way in this innovation. Congratulations to the Queensland Brain Institute founding director, Professor Perry Bartlett, and to Professor Jurgen Gotz and his wonderful team.
Higher Education

Mr KELVIN THOMSON (Wills) (13:51): Before the election, Minister Pyne said:

The Coalition has no plans to increase university fees …

Now he wants to allow universities to charge as much as students or their parents are prepared to pay. This is an outrageous breach of intergenerational equity, made even worse by his botched plan to hold scientists and scientific research hostage to it. If his legislation is again defeated in the Senate he will have shredded all credibility and the Prime Minister should sack him. He has cost the government much more support than poor old Peta Credlin. The minister is undermining academic standards and quality. When I went to university there were no fees and places were allocated on the basis of academic merit. If the Liberal government succeeds in its plan to deregulate university fees, we will have achieved the complete opposite of the system of the 1970s. Academic merit and performance will count for nothing. Your capacity, or more accurately your parent's capacity, to pay large fees will count for everything. Under this, what point would there be in working hard during year 12. What value would be the marks of students past who have worked hard and done well in year 12. Good luck to the year 12 teachers, and secondary teachers generally, trying to encourage their students to do the hard yards at secondary school. This is a free market dream that will give us declining academic quality and increasing social inequality.

Durack Electorate: Cyclone Olwyn

Ms PRICE (Durack) (13:53): Over the weekend, the north-west was battered by Cyclone Olwyn. Towns like Denham, Shark Bay, Coral Bay, Exmouth and Carnarvon were all impacted by winds of up to 200 kilometres per hour. The most impacted, however, was the town of Carnarvon, in particular, the 150-odd plantation owners whose plantations have been severely damaged. I expect some time today that the Western Australian state government will declare Carnarvon is eligible for NDRRA funding. Once that occurs, the federal government will contribute 50 per cent of the NDRRA funds. The NDRRA will cover costs such as personal hardship grants, small business low-interest rate loans and local government clean-up costs. In addition to this, the federal government will also provide farm household allowance for eligible farmers and families and disaster recovery allowance for income lost due to the cyclone. I would like to pay tribute to the local council which is led by Karl Brandenburg. The local council have moved swiftly to clean up the mess that was left by the cyclone, and I want to congratulate this very resilient town for the way in which it has approached the clean-up. The town will quickly get itself back on its feet just in time for the tourist season. However, the plantation owners will take a little longer. I want to pay tribute to the Vietnamese leaders in Carnarvon and thank Kim Nguyen and Gia Phan for taking the time on Sunday to show me some of the badly impacted plantations, including infrastructure. I would also like to thank Tami Maitre for her time. I am very proud of all the community leaders and, in particular, the federal government for the role that it has played.

Higher Education

Ms BIRD (Cunningham) (13:55): There is a simple message for this government and the Minister for Education today: give up on trying to be nimble. The project has failed abysmally. It has gone through various policy proposals, packages, propositions and, indeed, all sorts of variations across the period since the last budget, and on each occasion it has
failed. The minister is not nimble. He should stop trying to be so. It culminated last night in the most amazing interview with David Speers on Sky where he claimed to be a nimble fixer. He was not a nimble policy maker, he was not a nimble legislator, and he most certainly is not a nimble fixer. It is quite simple: just start being fair. Try fairness. Give fairness a go. That would be a nice start. The minister consistently presents the argument that vice-chancellors and peak university bodies support his packages in all their iterations, and no-one else does. Well, I can tell him who does not support the packages and that is the thousands of students in each of our electorates whose voice has been loudly and clearly heard, along with their families and their parents, saying, 'We will not tolerate our university system that has unfairness at its heart.' That is exactly what this package is. You have failed on being nimble. You have failed on being clever. You have failed on being a fixer. Just give fairness a go.

**Capricornia Electorate: Mental Health**

Ms LANDRY (Capricornia) (13:56): Recently, I had the privilege to officially open stage 2 of the new $5 million Archerview Clinic at Hillcrest Rockhampton Private Hospital. Hillcrest is operated by Ramsay Health Care, a proud Australian company that employs hundreds of medical staff and operates hospitals around the world. The Australian government contributed $2.1 million towards the facility. The project has seen the hospital's mental health unit expand from 12 to 24 beds. Archerview is now the only private Queensland mental health facility of its type between the Sunshine Coast and Cairns. It fills a vital role in the demand for mental health care from remote country patients. Archerview will also become the only private facility outside Brisbane to offer a new treatment for depression. It is called transcranial magnetic stimulation and it is for patients who do not respond to medication for severe depression. The current drought and coal job losses in Central Queensland have been catalysts for depression, suicide and other mental health issues, and I encouraged people to seek professional support. My message to country people is that you should not feel ashamed or embarrassed in seeking professional help to look after your mental health.

**Higher Education**

Ms CLAYDON (Newcastle) (13:57): Last week I joined with my colleagues the member for Shortland and the member for Charlton at an important event at Newcastle university campus in Callaghan where we met with students from right across regional Australia. There were students there from Tamworth, from Port Macquarie, from Wagga Wagga, from Orange, from Taree—many areas where members opposite represent these students. What were these students talking to us about on the eve of embarking on a new venture in life, enrolling in university for the first time? What were they worried about? They were worried about being saddled with a lifelong debt and what that was going to cost them. They were worried about this government and members opposite ripping off funding and slashing funding to our universities by 20 per cent, a loss of $1.9 billion over four years. They were worried that when universities get the options to set their own fees they are going to be saddled with a $100,000 degree. They were worried that funding for PhDs is being cut by 10 per cent and what that will mean for the future research of our nation. They have got good reason to be worried because, despite what members opposite have to say, we have seen just today confirmation from Professor Chapman who says that, despite the minister trying to split his spill, he expects that prices for the Group of Eight strong demand courses will at least be 2½ times the current costs. *(Time expired)*
Richards, Ms Sienna

Mrs GRIGGS (Solomon) (13:59): I want to talk about an amazing young lady from my electorate, Sienna Richards, who has cerebral palsy. She raised $7,000 in the YMCA swimathon on the weekend by swimming seven kilometres in one hour. It is an amazing achievement.

The SPEAKER: In accordance with standing order 43, the time for members’ statements has concluded.

QUESTIONS WITHOUT NOTICE

Higher Education

Mr SHORTEN (Maribyrnong—Leader of the Opposition) (14:00): My question is to the Prime Minister. I refer to the Minister for Education’s magnificent interview on Sky News in which he described himself as ‘a fixer’. What exactly in higher education has ‘the fixer’ fixed?

Mr ABBOTT (Warringah—Prime Minister) (14:01): Every single member of this government, in every single portfolio, is fixing Labor’s mess. That is what we are doing. We are fixing Labor’s mess. What we want to do is end Labor’s fixation with central control by liberating our universities from the dead hand of Canberra. The Leader of the Opposition asks about the Minister for Education’s interview. Well, what about the Leader of the Opposition’s interview with Leigh Sales in December? He said: ‘What I’m spelling out is our direction for the future. If you don’t know where you’re going, any road’ll get you there.’ It is almost like an Irish joke!

Mr Burke: Madam Speaker, on direct relevance: it is very easy to say a lot about that interview yesterday. The Prime Minister should be asked to withdraw.

The SPEAKER: The member will resume his seat. The Prime Minister was quite within the broad nature of that question.

Mr ABBOTT: I was asked about interviews and I am just referring to the interview with the Leader of the Opposition in which he said: ‘What I’m spelling out is our direction for the future. If you don’t know where you’re going, any road’ll get you there.’ That was almost as good as his interview last Friday with Jon Faine in which he said his sole object in life was ‘to ensure that everybody is somebody’—and then he said it was Martin Luther King! I tell you, it was the Travelling Wilburys!

National Security

Ms LANDRY (Capricornia) (14:03): My question is to the Prime Minister. Will the Prime Minister update the House on action the government is taking to further strengthen Australia’s national security?

Mr ABBOTT (Warringah—Prime Minister) (14:03): I thank the member for Capricornia for her question. The safety of our community is the first duty of government and that means giving our police and security agencies the powers they need to keep our people safe. It means giving them access to the information they need to do their job. As I am sure most members now know, telecommunications metadata—or data about data—is the vital ingredient in almost all serious crime investigations. I am advised by the Australian Federal Police that between July and September last year metadata was used in 100 per cent of cybercrime investigations—
Mr Albanese: Really!

Honourable members interjecting—

The SPEAKER: The guffawing will stop.

Mr ABBOTT: nine out of 10 counterterrorism investigations and nine out of 10 child abuse investigations—

Honourable members interjecting—

Mr ABBOTT: They are still laughing! Show a bit of respect!

Mr Dreyfus: You're not fit!

The SPEAKER: I warn the member for Isaacs!

Mr Burke: Madam Speaker, on a point of order: when someone wants to make a claim that people are laughing about child abuse there will be a reaction!

The SPEAKER: The member will resume his seat.

Mr Burke interjecting—

The SPEAKER: Resume your seat.

Mr Burke interjecting—

The SPEAKER: The member for Watson will remove himself under 94(a).

The member for Watson then left the chamber.

Mr Dreyfus: Madam Speaker, on a point of order: I would ask that the Prime Minister withdraw the outrageous imputation against the Labor Party.

The SPEAKER: There was nothing to withdraw. The member will resume his seat. You can take a look at the tape and see for yourself the behaviour that was going on. You can do it after question time.

Mr ABBOTT: I am happy to withdraw because the last thing I want to do—

Mr Snowdon interjecting—

The SPEAKER: I warn the member for Lingiari!

Mr ABBOTT: I am happy to withdraw because the last thing I want to do is bring about needless contention in this chamber. I was simply referring to the advice I have from the Australian Federal Police that metadata was used in 100 per cent of cybercrime investigations. That seemed to promote tittering and yahoohing from members opposite. I went on to say that nine out of 10 counterterrorism investigations and nine out of 10 child abuse investigations—and something was happening on the other side of the chamber.

In a recent European investigation into a big paedophile ring, the UK was able to convict 121 offenders using metadata. In contrast, the Germans, who have no metadata retention regime, could not convict a single perpetrator. Because changing business practices mean that the telecommunications providers are keeping less and less metadata for shorter and shorter times, it is important that we pass the legislation that is currently before the parliament. It is very important that we pass this legislation to ensure that telecommunications providers keep metadata records for up to two years.

I thank the Joint Standing Committee on Intelligence and Security, particularly the member for Wannon, for the good work, and I acknowledge the good work of the Attorney-General
and the Minister for Communications. This is important legislation. It is a serious subject and the legislation needs to be passed— *(Time expired)*

**Higher Education**

**Ms BIRD** (Cunningham) (14:08): My question is to the Prime Minister. Speaking about his plans for higher education changes on Saturday, the Prime Minister said he was:

Very committed—very, very committed.

He also said:

This is a reform that ... will come up again.

Can the Prime Minister confirm that he is still firmly committed to his plans for $100,000 degrees?

**Mr ABBOTT** (Warringah—Prime Minister) (14:08): There are no plans for what the member suggested—no plans whatsoever. Our plans are for more freedom for our university sector. If the members opposite do not respect the minister or, indeed, me, they should at least respect Professor Brian Schmidt, Nobel laureate, who said this morning on ABC radio:

I think this is an incredibly important reform. The current university funding model is, in my opinion, not very good. I would say—

he went on—

it’s close to being broken.

This is Brian Schmidt, Nobel laureate, who says that the current model is broken—someone that members opposite were quoting yesterday. He says that the current model is close to being broken and he goes on:

It’s certainly not serving either the students or the universities very well.

We need to fix it—

**Mr Watts:** Stop verballing him!

**Mr ABBOTT:** I am quoting Professor Brian Schmidt accurately.

**The SPEAKER:** The member for Gellibrand will desist.

**Mr ABBOTT:** We need to fix it, and so I have some sympathy with Minister Pyne trying to do something. He says we need to fix it; he is fixing it. He is the fixer we need to sort out Labor’s mess.

**International Development Assistance**

**Mr WILLIAMS** (Hindmarsh) (14:10): My question is to the Minister for Foreign Affairs. Will the minister update the House on the additional emergency assistance that government is providing to Vanuatu and to other Pacific Islands countries in the wake of Cyclone Pam?

**Ms JULIE BISHOP** (Curtin—Minister for Foreign Affairs) (14:10): I thank the member for Hindmarsh for his question and note his deep concern about the aftermath of tropical Cyclone Pam. Over the last 24 hours, Australian teams in Vanuatu have been carrying out assessments in Port Vila and have formed a clearer picture of the needs on the ground. A priority is the Port Vila hospital, which has been seriously damaged by the cyclone, and it is clear that medical staff are currently overwhelmed, trying to meet the needs of those affected by the cyclone.
Today the Minister for Health and I announced further support to assist the Vanuatu government to get Port Vila hospital up and running. Specifically, we are deploying an Australian medical assistance team, including doctors and nurses, ready to provide urgent medical assistance. They will set up a temporary mobile ward within the Port Vila hospital complex and replace the capacity that has been reduced by the cyclone. That will bring to 27 the number of Australian health and medical personnel in Port Vila. In addition, we have deployed today a further urban search and rescue team to clean up and repair the Port Vila hospital. They will also provide assistance to the Vanuatu government to assess the damage and the potential recovery needs of other major infrastructure. This will bring to 56 the number of Australian search and rescue personnel in Vanuatu.

Five RAAF planes have already made the journey to Vanuatu, providing much-needed emergency supplies and humanitarian equipment and personnel, and three more military planes will depart today. This support is in addition to our initial package which I announced on Sunday, when we pledged $5 million in funds to go through Australian non-government organisations, the Red Cross and UN agencies, as well as distributing emergency shelter kits, supplies and personnel. We do have grave concerns, particularly for those on outlying islands where no communication is possible. The death toll is likely to rise and the casualty figure is yet to be determined, and until such time as we are able to reach those outlying islands, I will not be confirming the death toll. Yesterday, an Air Force Orion conducted aerial surveillance, particularly of these remote islands, and we are assessing the extent of the damage for further assistance.

The governments of Tuvalu and Solomon Islands have also requested assistance, and we have conducted such surveillance there. Thankfully the cyclone only caused minor damage in Solomon Islands, but Tuvalu was not so fortunate and suffered damage from storm surges and flooding. We have provided supplies and equipment to support Tuvalu's early efforts.

We continue to provide consular support for Australians in Vanuatu. Commercial flights have returned, but yesterday we provided assistance for military transport of 166 Australians, who have now returned home. The Australian government stands with our friends in the Pacific, particularly with Vanuatu, at this grim time. While the people of Vanuatu are of course resilient and resourceful and are already working through the challenges, the Australian government stands ready to support them at this time.

**DISTINGUISHED VISITORS**

The Speaker (14:14): I wish to advise that we have a number of distinguished guests with us in the Speaker's gallery this afternoon. Firstly, we have Mrs Rosario Marin, who is the 41st Treasurer of the United States of America—that was under President George W Bush—together with the Deputy Chief of Mission, Mr Thomas Dougherty, from the United States embassy. From Ireland, we have Minister Tom Hayes, Minister of State at the Department of Agriculture, Food and Marine—and that seems appropriate on St Patrick's Day. He is accompanied by His Excellency Mr Noel White, Ambassador of Ireland to Australia. As I said, we have a galaxy of visitors today, and we make all of them most welcome.

Honourable members: Hear, hear!
QUESTIONS WITHOUT NOTICE

Higher Education

Mr GILES (Scullin) (14:15): My question is to the Prime Minister. I refer to Professor Bruce Chapman's statement in the Australian today in relation to the government's latest bungled plan on universities:

I still expect that prices, at least for the Group of Eight strong demand courses, will be at least two and a half times higher.

Can the Prime Minister confirm that Professor Chapman's analysis will mean that Australian students will pay $100,000 for degrees?

Mr PYNE (Sturt—Leader of the House and Minister for Education and Training) (14:15): I relish the opportunity to answer this question from the member, because of course he is entirely wrong about his analysis, and it gives me the opportunity to explode the myth that Labor has tried to create about so-called $100,000 degrees. There are three universities that have announced their fees under the government's reform. The Australian Catholic University have indicated that they will not increase their fees by $1, and that was before the government split the 20 per cent Commonwealth Grants Scheme reduction away from the deregulation. They had already indicated that there would be no increase in fees whatsoever. For both the University of Western Australia and the Queensland University of Technology—who both indicated what their fees will be—the fees are less than half those in the scare campaign promulgated by the Labor Party.

But if you need any evidence at all to know how Labor's scare campaign has failed, the facts are that this year enrolments of students at university are up. They have gone up. Every year since the Higher Education Contribution Scheme was introduced, averaged over this period since 1988, enrolments have exponentially increased. So, in fact, because of the Higher Education Contribution Scheme, more students have gone to university because universities could afford to enrol them. Under the Labor Party's elitist model of so-called free education, because of a lack of revenue going to universities, fewer students had the opportunity to go to university. Since 1988 the number of students accessing higher education has risen and risen to the point where now there are almost 800,000 full-time undergraduates at university.

That is transformative for those people who have had that opportunity, and Labor wants to put the caps back on. Labor wants to shut the door for low-SES students getting into university. It is this side of the House that wants to expand the demand-driven system to the pathways programs that low-SES students and first-generation university goers use to get the opportunity to go to university. So, I am fixing Labor's problem. I am fixing Labor's failures, because I am a fixer. When we came to power 18 months ago we found $6.6 billion of cuts, and we are transforming the higher education system. But don't take my word for it. Gareth Evans, John Dawkins, Bruce Chapman, Peter Dawkins, Craig Emerson and Peter Beattie are all supporting this government's reforms.

Opposition members interjecting—

The SPEAKER: Before any further questions are asked, there is again that wall of noise starting to erupt, which will not be tolerated—and that includes the member for Melbourne Ports.
Economy

Mr BROAD (Mallee) (14:19): My question is to the Treasurer. Will the Treasurer update the House on how the government is working to build a stronger economy? How will a stronger economy help Australia deal with the demographic change in Australia over the next 40 years?

Mr HOCKEY (North Sydney—The Treasurer) (14:19): I thank the honourable member for Mallee for his question and recognise that whilst Australians are obviously living longer and life expectancy in 1992 was around 72, today we have the equal highest life expectancy in the world and by the middle of this century it will be close to 100. I recognise that the member for Mallee has often pointed out that in his part of the country life expectancy is less than that. It is not a uniform indicator. But what it does indicate is that as a nation we are living longer. That is to be welcomed. We are wealthier as a nation. That is to be welcomed as well. And what we have to do is make sure we can afford the services that are going to ensure that our quality of life, not only today but well into the future, is even better than that which belonged to our parents in the years before us.

It is hugely important that government lives within its means to help along the way. At the moment the Australian government is spending $100 million a day more than it collects in revenue. That is $100 million a day that we have to borrow, overwhelmingly from people living overseas, in order to pay our day-to-day bills running the government—paying for Medicare, paying for welfare, paying for defence needs. We have to borrow $100 million every day just to pay our bills. That is clearly not sustainable. And it is not sustainable because our spending trajectory, as illustrated in the Intergenerational report, was heading up to a third of our GDP. A third of our economy would be federal government expenditure alone. But the highest ever level of tax was around a quarter of our economy. So, clearly, the numbers just do not add up. Therefore, we have to start living within our means. We have to make sure that we reduce expenditure but at the same time try to deliver better services to ensure that the government and taxpayers get better bang for their buck.

The fundamental challenge going forward is that we are seeing an enormous disruption to tradition in our economy—the traditional areas where government has been active, regulating the economy in banking, in broadcasting, in transport and logistics. All these things, all these areas of government regulation, are being substantially challenged by the new empowerment of consumers. And consumers are actively going directly to the source rather than using intermediaries. That means that government is not able to regulate economies the way it was 10 years ago or two decades ago. So the challenge is there. This government is up for the challenge. This government is responding to the challenge, and we are inviting the Australian people to participate in that conversation.

The SPEAKER: I call the honourable member for Adelaide.

Higher Education

Mr BUTLER (Port Adelaide) (14:22): It is Port Adelaide—right city, though, Madam Speaker; thank you. My question is to the 'fixer', formerly known as the Minister for Education and Training. When speaking on Sky News about where he would find budget—

The SPEAKER: Just because I left out the 'Port', does not mean to say you can take leave and not refer to the minister in proper terms.
Mr BUTLER: I will start again. My question is to the minister for education. When speaking on Sky News about where he would find budget savings to pay for his latest backflip, the minister said, 'I want to make it a surprise.' Given the Prime Minister promised a 'no surprises' government, can the 'fixer' tell us exactly where the $150 million is coming from?

Opposition members interjecting—

The SPEAKER: This is not a place simply for amusement and entertainment, despite what you may be implying. The fact of the matter is: this is a serious question time. An important question has been asked, and the minister will answer the question without the hilarity.

Mr PYNE (Sturt—Leader of the House and Minister for Education and Training) (14:24): I thank the member for Port Adelaide for his question, although I am surprised he is asking me a question, since I thought he was the shadow minister for the environment—nevertheless. The member for Flinders is going to miss the boat today. I can tell you where the $150 million was not going to come from: it was not going to come from the Labor Party.

Mr Albanese interjecting—

The SPEAKER: The member for Grayndler will leave if he is not careful!

Mr PYNE: The National Collaborative Research Infrastructure Strategy is a very, very important research scheme. When we came to power, we discovered that the Labor Party had defunded the scheme from 30 June 2015. So I talked to the Prime Minister and the Treasurer about how we could make sure that NCRIS continued into the future doing the good work that it does. To put that in context, the government spends $9 billion a year on research in higher education—every year—and $150 million is the national collaborative research infrastructure scheme. I and the Prime Minister were absolutely determined to make sure that continued, so we linked it to the savings in the reform bill—

Ms Ryan interjecting—

Mr Pyne: quite properly. When that became a distraction to the crossbench, I found the money. Why? Because I am a fixer. So I fixed it. I found the $150 million. And, as is the correct procedure when the Treasurer hands down his budget in May, all of those things will be revealed, as they should be in the budget process. For me to start nominating various aspects of my department where the money might be coming from would be entirely outside the normal process, and the opposition knows that. The simple fact is: this government has saved 1,700 jobs that Labor put at risk by not funding the national collaborative research infrastructure scheme. Under Labor, NCRIS would have come to an end. Under Labor 1,700 people's jobs would have been at risk. Under this government—a government that supports science and research and higher education—we have found the money to make sure that it continues, for which I am very grateful—

Ms O'Neil interjecting—

Mr Danby interjecting—

The SPEAKER: The members Hotham and Melbourne Ports will leave under 94(a).

The members for Hotham and Melbourne Ports then left the chamber.
Mr PYNE: to receive the praise of Brian Schmidt today, the Nobel laureate who the Labor Party only yesterday were quoting. Now, apparently, they do not want to touch him with a barge pole. Now they do not want anything to do with him. Oh, they have gone very quiet, Madam Speaker. They always do when they have been caught out. Yesterday Brian Schmidt the Nobel laureate was worth quoting; today they want to run away from him. Brian Schmidt today has indicated that he absolutely supports the government's decision on NCRIS, and he also said, to his great credit, that he supported the government's higher education reforms, because the current system is broken. Unlike the irresponsible members of the opposition, we are getting on with the job of fixing Labor's problems, for which the Australian public will be grateful at the next election.

Mr Shorten: Madam Speaker, I seek leave to table Brian Schmidt's comments about Christopher Pyne's tactics, where he says—

The SPEAKER: The member will resume his seat. That is an abuse of the standing orders, and you know it.

Broadband

Ms McGOWAN (Indi) (14:27): My question is to the Minister for Communications. There is enormous demand in my electorate of Indi for the NBN, and I am wondering if you could give the House some details on when we are going to get information about the rollout of the NBN. We have got the first 18 months, and now my community is wanting to know: when are we going to know about the next three years?

Mr TURNBULL (Wentworth—Minister for Communications) (14:27): I really have to pay a compliment to the member for Indi. She has asked me five times more questions about the NBN than the shadow minister for communications. I mean really! I think the Leader of the Opposition should consider recruiting her as the shadow minister. She is essentially a volunteer in that role. The honourable member asked me the question. I have provided her with a lot of particular details about her electorate.

The NBN has a rolling 18-month forecast of where it is going to be. It is a construction schedule, and that is updated every three months. So another three months will be tacked onto it, as it were, at the end of this month. In the middle of the year, in the second quarter of this year, we expect to have the NBN's revised corporate plan, which will set out its three-year plan. I know that everybody—my colleagues on the government side and, I am sure, all other members—is anxious to know when the construction work will begin in every single neighbourhood. It is proceeding at a much greater pace than it was under the Labor Party. It will be finished many, many years before it would have been finished under the Labor Party. And obviously it will be much cheaper—at least $30 billion cheaper. I expect in due course it will be seen that the savings will be even greater than that.

But the critical thing is that we make—or the NBN Co, I should say, makes promises or forecasts that it can meet. There was a genuinely Orwellian arrangement, under the Labor Party, where language and terms were literally invented. It is worth going back into the Orwellian library. Who could forget the Conrovian outburst?

Mr Champion interjecting—

Mr TURNBULL: We only seek to make you happy; that is all we seek to do. And you are so easily pleased! There is exhibit A for that proposition sitting right there. The point is,
Labor was so outrageous as to actually have a metric, which had a number that said: 'Premises where construction has either commenced or been completed.' Under their definition—

Mr Champion interjecting—

The SPEAKER: The member for Wakefield is warned!

Mr Turnbull: construction commenced when a plan had been ordered, so they could cite millions and millions of premises—

Mr Champion interjecting—

The SPEAKER: The member for Wakefield has been warned. One more utterance and you will leave.

Mr Turnbull: where not one shovel, not one mattock, not one truck had ever approached. We are in the real world, and the honourable member will have more details at the end of the month.

Budget

Ms Plibersek (Sydney—Deputy Leader of the Opposition) (14:30): My question is to the Minister for Foreign Affairs. I refer to reports leaked from last night's full meeting of the government's ministry that the Minister for Foreign Affairs criticised the Prime Minister's handling of the budget. Given the foreign minister's criticism of the handling of last year's budget, will the foreign minister play a more hands-on role in future budgets?

Mr Pyne: Madam Speaker, on a point of order: I am just wondering how this question could possibly be in order when it is based on gossip around the building rather than any kind of fact. It is just assertion. At best it could be hypothetical, but it is actually just based on gossip. I do not know how the foreign minister can be expected to respond to it.

The SPEAKER: That is a reasonable point made by the Leader of the House. I call the honourable member for Berowra.

Mr Ruddock: Thank you very much, Madam Speaker.

Mr Burke: Madam Speaker, on a point of order: that question was perfectly in order. It takes a form that has been used in this House for decades.

The SPEAKER: The member will resume his seat. He is contrary to standing order 100. I call the honourable member for Berowra.

Infrastructure

Mr Ruddock (Berowra) (14:32): My question is to the Deputy Prime Minister, the Minister for Infrastructure and Regional Development. It is a serious question. I ask the Deputy Prime Minister to outline to the House how the government is getting on with building infrastructure our nation needs, for future growth, and to keep Australians in jobs.

Mr Truss (Wide Bay—Deputy Prime Minister and Minister for Infrastructure and Regional Development) (14:32): I thank the honourable member for Berowra for the question, because he knows how important infrastructure is for our country to help ensure that we have a prosperous economy. We boost our productivity and create thousands of new jobs. For as long as I can remember, the honourable member for Berowra has been a champion, an aggressive agitator, for the project we now call NorthConnex. He has been pushing for this for decades, because he knows how important it is for the people of his electorate.
NorthConnex is a real game-changing project that will reduce congestion. It will save motorists 15 minutes of travelling time, it bypasses 21 sets of traffic lights and will result in 5,000 less trucks on Pennant Hills Road.

Ms Owens interjecting—

The SPEAKER: The member for Parramatta is warned!

Mr TRUSS: I was pleased today to be able to announce—with the honourable member for Berowra—an enhancement of that project. We will be working with the New South Wales government and the Hornsby local council so that up to two million cubic metres of excess soil from NorthConnex can be used to transform the old Hornsby Quarry site. The spoil will be used to improve the liveability of that region and, indeed, solve two problems: build the road that is important for the region, but also provide a new recreation area for the community. This is an important project. NorthConnex is one of a series of projects around Sydney which will transform the traffic flows of the city.

Mr Albanese interjecting—

Mr TRUSS: I notice the shadow minister intervening. He is suffering a great deal, these days, from relevance deprivation syndrome—wandering around the countryside, trying to take credit for projects that Labor only talked about but never ever built. Indeed, I note that he even sought to take credit for NorthConnex, saying that he had actually done the deal for NorthConnex.

Mr Albanese interjecting—

The SPEAKER: The member for Grayndler will desist!

Mr TRUSS: What he said in June 2013 in his press release was that he was supporting a 'new 7.7 kilometre dual two-lane road tunnel beneath Pennant Hills Road'. What we are building, in practice, is a nine kilometre dual tunnel, three lanes wide in each direction.

The SPEAKER: The minister will resume his seat. The member for Grayndler on a point of order, and it had better be a proper one.

Mr Albanese: This is a point of order, Madam Speaker.

The SPEAKER: What is it?

Mr Albanese: I ask the member to table the document from which he is reading.

The SPEAKER: He has not completed his answer. The member will resume his seat.

Mr TRUSS: If it is not bad enough that Labor is seeking to take the credit for a project for which they did precious little, now they actually want to stop the project. The state Labor candidate for the region says he wants to stop the project. Now that would be completely unacceptable to the people of the region, who are expecting NorthConnex to be constructed. We have got the project underway. Labor just gets in the way, and wants these sorts of projects to be stopped.

Mr Albanese interjecting—

The SPEAKER: The member for Grayndler will desist or leave; the choice is his. I call the honourable member for Gilmore.

Mrs Sudmalis: Thank you, Madam Speaker.

An opposition member interjecting—
Mrs Sudmalis: No; you were out of turn before!

The SPEAKER: The member for Gilmore will resume her seat. The member for Isaacs will resume his seat. The fact of the matter is the member for Sydney was called after the member for Indi. Her question was ruled out of order. The question will now go—is the member for Sydney seeking the call? The member for Sydney can have the call.

**Defence Procurement**

Ms PLIBERSEK (Sydney—Deputy Leader of the Opposition) (14:36): Thank you, Madam Speaker. My question is to the Minister for Foreign Affairs. I refer to the *Four Corners* program last night. Was the minister consulted about the government's decision to hold a competitive evaluation process to choose Australia's future submarines, and can the minister please explain what her understanding of the competitive evaluation process is?

The SPEAKER: I call the honourable Minister for Foreign Affairs. I might add she is not responsible for the *Four Corners* program.

Ms JULIE BISHOP (Curtin—Minister for Foreign Affairs) (14:36): This shows an appalling lack of understanding of how our National Security Committee works, but I am not surprised. I am not surprised at all, given that the Deputy Leader of the Opposition was such a supporter of the former Prime Minister, who did not even bother to attend the National Security Committee meetings and used to send her bodyguard in her place.

Our National Security Committee deals with all matters of national security. If the Deputy Leader of the Opposition had a more sophisticated understanding of how government works, she would understand that her question has an obvious answer. It is obvious that she does not realise that I am on the National Security Committee.

Honourable members interjecting—

The SPEAKER: This place has descended into a rabble—

Mr Snowdon interjecting—

The SPEAKER: and the member for Lingiari can leave under 94(a).

The member for Lingiari then left the chamber.

Mrs SUDMALIS (Gilmore) (14:38): My question is to the Minister for Immigration and Border Protection. Will the minister update the House on Operation Sovereign Borders? Are there any threats to the ongoing success of this policy?

Mr DUTTON (Dickson—Minister for Immigration and Border Protection) (14:38): I thank the member for Gilmore very much for her question and her interest in making sure that our country has secure borders. Operation Sovereign Borders has been incredibly successful. In fact, I can update the House today that it has been 233 days since the last successful people-smuggling boat arrived in our country.

At the last election the Australian public spoke very clearly about the fact that they wanted a government that could secure our borders. Under Labor's time, between 2007 and 2013, they completely lost control of our borders, and a government that loses control of its borders
cannot guarantee the safety of the Australian public. So what the public were seeking at the last election was leadership, and in the Prime Minister on boats they have strong leadership. They have absolutely strong leadership, because not only have we stopped 1,200 people drowning at sea; we have stopped 50,000 people that arrived on 800 boats under Labor who would seek to come to our country tomorrow, given the opportunity.

Labor have demonstrated again, as recently as last weekend, that they remain completely divided when it comes to border security. My old friend the member for Sydney was out on television, on Peter van Onselen's program on Sky on the weekend, saying that they would not adopt the coalition's policy, which has made Operation Sovereign Borders a success. They would stop the policy of turn-backs where it is safe to do so. The Leader of the Opposition, in all of the words that he has uttered since the weekend, has not repudiated any of those remarks.

A turnaround in Labor's policy on boats would spell disaster for our country. It would spell disaster because it would spell a return to the failed policies that Labor presided over when they were last in government. Bear in mind that when Labor came to government in 2007 there were no children in detention. There were four people in total in held detention. And yet during Labor's reign 1,992 children were held in detention. As of today, that number is close to 100 children on the mainland here in Australia, and the number will go further south.

At the same time, given the success of Operation Sovereign Borders and the strong leadership shown by the Prime Minister in relation to securing our borders, we have been able to increase the number of humanitarian places that we can offer to people. That is the human dividend that we can provide to people around the world who would seek refuge in our country. We have stopped people drowning at sea, we have closed 11 detention centres, we have returned a dividend of $2½ billion to the budget and all we see from the other side is complete division.

Ms Plibersek interjecting—

Mr DUTTON: The member for Sydney, who wants to chime in now, leads the division within the Labor Party because she is the champion of the Left, and Bill Shorten cannot contain her or the Left on this issue.

Ms Plibersek: Absolutely.

Mr DUTTON: Absolutely.

Taxation, Pensions and Benefits

Mr BOWEN (McMahon) (14:41): My question is to the Treasurer. Last night the Treasurer said:

I'm always cautious about taking people's money off them.

Was the Treasurer cautious about ripping away $6,000 from Australian families? Was he cautious about ripping $80 a week away from Australian pensioners, and was he cautious about abolishing the only tax concession low-income earners get for their superannuation contributions?

Mr HOCKEY (North Sydney—The Treasurer) (14:42): I am very cautious about policy announcements and making sure that they actually deliver what they promise. That is why we have not promised things like Fuelwatch and GroceryWatch. That is why, when we make promises, we seek to deliver them. But I would say this to the member for McMahon: I have a great deal of respect for taxpayers who work darn hard to pay their taxes. I tell you what: I
will never apologise for respecting people who work hard and make a contribution to the
government for other people's services.

On our side of parliament, we know because we have actually worked for people and
employed people. There are a sea of small business people here on this side of the House who
have employed people and know how hard it is to earn a dollar, to engage in employment
practices, to create wealth. I am prepared to match the qualifications of every person on this
side of the House against those of people on that side of the House. I understand the
difference on the basis of the fact that these people respect tax payers, whereas the Labor
Party has total contempt for taxpayers. So there will be no apologies from me for being
precious about taxpayers' money.

That is why we are trying to ensure that Australia lives within its means. You mentioned
the carbon tax compensation. We got rid of the carbon tax and kept the compensation in
place. We got rid of the carbon tax, reducing the bills for everyday Australian households by
$550 a year, and we kept the tax cuts. For pensioners we kept the compensation package
when there was no carbon tax.

Ms Ryan interjecting—

The SPEAKER: The member for Lalor has been warned!

Mr HOCKEY: So yes, we do have respect for taxpayers. We make no apologies for that.

Food Labelling

Mr PITT (Hinkler) (14:44): My question is to the Minister for Industry and Science. Will
the minister update the House on steps the government is taking to improve country-of-origin
labelling to ensure it is clear, consistent and easy to understand?

Mr IAN MACFARLANE (Groom—Minister for Industry and Science) (14:44): I thank
the member for Hinkler not only for his question but also for the hard work he does in his
electorate. I know it is appreciated by a wide range of businesses in that electorate and I know
that some of those have been consulting him in relation to the food-labelling issue. He has
some great brands up there like Austchilli, Farmfresh Fine Foods and Bundaberg Brewed
Drinks—of which I may have participated in one or two but, as far as I understand, it is only
ginger beer!

The member for Hinkler, along with nearly all members of this House, understands the
importance of food labelling and having clear and concise food labelling for the consumers of
Australia. This issue has been around longer than I have been in public life, which is
approaching 31 years, I have to say. In terms of getting this issue resolved, I asked the
member for Grey, who heads up the House of Representatives committee in this area, to
conduct an inquiry. I would have thanked the member for Hotham, if she had stayed around
long enough to hear it.

Honourable members interjecting—

Mr IAN MACFARLANE: I am sure she is watching. The member for Grey and his
committee came up with a very good set of recommendations which we then began to work
on. The impetus on this issue obviously increased in relation to the food scare that we had just
a little while ago. As a result of that, the Prime Minister has formed a ministerial working
group, which I chair. We have had wide-ranging consultations to ensure that the world-class
Australian food that we produce is clearly branded in the supermarket. We do have the cleanest, best food in the world, and we should be making sure that consumers know it.

As a result of the discussions of the committee and the discussions we have had with industry, we are close to finalising a branding system which will allow people to walk in to the supermarket and, without their glasses, see whether or not a product is made and processed here in Australia. In fact, we are going to be placing out for consumer testing a symbol with a set of words which clearly defines that a product is made and processed here in Australia and contains a percentage—100 per cent, more than 50 per cent or less than 50 per cent—of Australian food.

We need to do this because consumers are demanding it. I am confident that, along with the Minister for Agriculture, cabinet will approve a proposal which will, once and for all, actually give the consumers the confidence and understanding they need in labelling. They need to know that the product is processed here in Australia. They need to know how much of that produce was grown or produced here in Australia. Conversely, they also need to know if a product is brought in from overseas.

**Minister for Agriculture**

**Mr SHORTEN** (Maribyrnong—Leader of the Opposition) (14:47): My question is to the Prime Minister. Yesterday in question time in explaining why the Prime Minister sacked the Secretary of the Department of Agriculture, the Prime Minister informed the parliament that there was conflict between the former secretary and the current agriculture minister—two people in conflict; one got sacked. Therefore, what steps did the Prime Minister take to satisfy himself whether the real issue was the conduct of the agriculture minister, or does the Prime Minister assert that the former secretary was 100 per cent to blame for the conflict?

The SPEAKER: That question is running very close to making an allegation against a minister, and I think you could rephrase the question.

**Mr SHORTEN:** I am happy to rephrase the question if you insist, Madam Speaker. My question is to the Prime Minister. Yesterday the parliament was told by the Prime Minister that the secretary of the agriculture department was sacked by him and he said there were issues between the department secretary and the minister. Why is the secretary of the agriculture department shouldering 100 per cent of the blame for the issues? What steps did the Prime Minister take to acquaint himself with the conduct of the agriculture minister in this matter?

**Mr ABBOTT** (Warringah—Prime Minister) (14:49): As I told the parliament yesterday, when I was advised that there were issues between the secretary and the minister, I asked the secretary of my department to look into it. He did look into it and he brought some recommendations to me and I acted upon the recommendations—simple as that.

**Carbon Pricing**

**Mr LAUNDY** (Reid) (14:49): My question is to the Minister for the Environment. I refer the minister to an email from the owner of Homebush Export Meat Company in my electorate which states that due to the repeal of the carbon tax he will be able to expand further, put on another employee in his small business and return to profitability. Will the minister outline what savings have been passed on to families and businesses in New South Wales since the government scrapped the world's biggest carbon tax? Are there any threats to these savings?
Mr HUNT (Flinders—Minister for the Environment) (14:50): I thank the member for Reid for his question for two reasons: firstly, because he bothered to ask a question about the environment. The shadow minister for the environment has given up. He will ask questions about defence. He will ask questions about education. But in almost two years he has barely asked two questions on the environment and has given up. The second reason I want to thank the member for Reid is that he voted to repeal the carbon tax, and that has meant real benefits to people in his electorate. He knows a little bit about this topic because he comes to this House as a small business owner and a publican. Therefore, he is somebody who has dealt with the cost of refrigerants.

Mr Conroy interjecting—

The SPEAKER: The member for Charlton is warned!

Mr HUNT: Let me make this plain. The member for Reid referred to Homebush Export Meat Company. The owner of Homebush meats wrote: 'The carbon tax savings for me will be approximately $2,000 per month in electricity and refrigerant savings.' So what we see is a $24,000 a year benefit to a small business—

Mr Perrett interjecting—

The SPEAKER: Member for Moreton, one more utterance and you will leave.

Ms Claydon interjecting—

The SPEAKER: The member for Newcastle will leave under 94(a).

The member for Newcastle then left the chamber.

Mr HUNT: Across New South Wales what we see is a $2 billion saving in electricity costs for families and small businesses over two years—a nine per cent saving for businesses and a saving of up to 10 per cent in electricity costs for households. These are legitimate, real reductions in electricity bills.

However, the question asked whether or not there were any threats. Of course, the answer is, 'There are.' We know that these electricity savings are threatened, because the Leader of the Opposition wants to bring back a carbon tax with higher electricity prices. So it is time to ask some questions for Bill. It is time to ask him how much he will increase electricity prices by.

Mr Perrett: Madam Speaker, on a point of order, I would ask the minister to refer to people by their correct titles. He has called the Leader of the Opposition by his first name.

The SPEAKER: I will accept the point of order and the good behaviour of the member for Moreton for the rest of question time. The minister will call people by their correct title.

Mr HUNT: I shall refer to questions for 'the loyal leader', because we know how loyal he is! So these are questions for the loyal leader. How much will electricity prices increase under his plan to bring back the carbon tax? When will he at least answer as to how much it will be? When will he release his policy for increasing prices and why won't he look small business owners in the eye to say how much he will add to their costs? How much will he add to the costs of families? It is time for the loyal leader to answer questions about his plans for higher electricity prices.
Minister for Agriculture

Mr FITZGIBBON (Hunter) (14:53): My question is to the Minister for Agriculture. I refer him to the meeting he had with the former agriculture secretary on 27 October last year in which changes to the minister's Hansard record were raised. Minister, at the special estimates hearing on 5 March, Dr Grimes took questions about the detail of the meeting on notice. Given that Dr Grimes has subsequently been sacked, can the minister provide the House with details of that meeting?

Mr JOYCE (New England—Minister for Agriculture) (14:54): I thank the member for Hunter for his question. I think this issue was covered by the Prime Minister yesterday, when he said that the questions taken on notice will be dealt with in the usual way. What I can say is that we have had this fascination with this issue by the member for Hunter for about five months, and in five months he has been unable to prove anything.

Mr Albanese interjecting—

The SPEAKER: The member for Grayndler will leave under 94(a).

The member for Grayndler then left the chamber.

Mr JOYCE: After two Senate inquiries and after an inquiry by you, Madam Speaker, he has nothing. Yet he has this nefarious pursuit. It would not matter if he had Sherlock Holmes, because we have told him the truth. But he does not accept the truth. Why would he accept the truth? This is the person who believes he has been surrounded by Judases. Who would believe they are surrounded by Judases? Obviously someone who is paranoid or someone who believes they are Jesus Christ.

Workplace Relations

Mr COULTON (Parkes—The Nationals Chief Whip) (14:55): My question is to the Minister for Education and Training, representing the Minister for Employment. Will the minister update the House on the government’s plans to maintain the rule of law in our workplaces, and what obstacles stand in the way?

Mr PYNE (Sturt—Leader of the House and Minister for Education and Training) (14:56): I am delighted to get the question from the member for Parkes. It is a very serious issue that he raises. Unfortunately, the CFMEU, the union often at the centre of these kinds of allegations and stories, has again been in the newspapers today, this time on the front page of The Australian Financial Review, facing more allegations of intimidation and unlawful behaviour and thuggery, this time against the Sydney builder BKH Group, who are building near Sydney Airport, being investigated by Fair Work Building and Construction for their treatment of an employer, locking the gates on a building for which they had had no responsibility to do so and attacking, verbally and almost physically, officers of Fair Work Building and Construction.

Opposition members interjecting—

Mr PYNE: I suppose you think that is amusing, do you? This is from Nigel Hadgkiss, who is the Director of Fair Work Building and Construction:

The investigators received a hostile reception, including a female investigator being spat at by a male individual. This is the same female investigator who was called an f—ing s— at a construction site at Barangaroo last year.
Do you think that is acceptable? We do not on this side of the House. We certainly do not. That is why we are trying to get the rule of law instituted on building and construction sites around Australia. It is why we introduced the Australian Building and Construction Commission in the Howard government and we are trying to bring it back. The Leader of the Opposition has voted against the reinstatement of the Australian Building and Construction Commission in the Senate. We are trying to create the Registered Organisations Commission. Again, the Leader of the Opposition is stopping that from happening. On this side of the House, we are taking these issues seriously and we are trying to act on them. On the other side of the House, the Leader of the Opposition continues to allow the CFMEU to run rampant on building and construction sites in Australia. His only response is that it is okay if bikies turn up to construction sites as long as they are wearing plain clothes. Plain clothes thuggery is fine, but thuggery in bikie colours is off limits. It is not the thuggery that worries the Leader of the Opposition; it is what they are wearing: the branding of the bikies and the CFMEU.

Unfortunately, the Leader of the Opposition is like a pane of glass. He is like that man on the stairs who was there today but was not there yesterday. He is the man on the stairs in the poem: 'Yesterday, upon the stair, I met a man who wasn't there.' That is the Leader of the Opposition: he is a man without policies; he is a man without principles; he has no substance. It was exposed on Jon Faine last Friday, and there is going to be a lot more of that between now and the election, as the public discover that this man has no substance; he is just a pane of glass.

**Minister for Agriculture**

Mr SHORTEN (Maribyrnong—Leader of the Opposition) (14:59): My question is to the Prime Minister. Given that the Public Service Act requires that the Prime Minister advise the Governor-General of the reasons why he is seeking the dismissal of a departmental secretary, will the Prime Minister advise the House of the reasons that he gave the Governor-General for the dismissal of the Secretary of the Department of Agriculture?

Mr ABBOTT (Warringah—Prime Minister) (14:59): Let me just quote from the statement that was issued last Friday. It said:

Dr Paul Grimes will step down as secretary of the Department of Agriculture. This follows a report under the Public Service Act 1999 from the secretary of the Department of the Prime Minister and Cabinet, with which Dr Grimes agreed, that a relationship of strong mutual confidence between the secretary and myself—that is, the Minister for Agriculture—was not a realistic prospect.

There is no question of wrongdoing by anyone here, simply the absence of the relationship necessary between a minister and a departmental secretary.

**Intergenerational Report: 2015**

Mr HAWKE (Mitchell) (15:00): Will the Assistant Treasurer update the House on the implications in the 2015 *Intergenerational report* for Australia's tax system? Can the Assistant Treasurer tell the House if there are any risks to Australia's prosperity?

Mr FRYDENBERG (Kooyong—Assistant Treasurer) (15:00): I thank the member for Mitchell for his question and acknowledge the strong interest he has in public policy. The Treasurer recently released the *Intergenerational report*, a vitally important document that
tells a very good story about how Australians are living longer and how their incomes are rising. But the impact of this on our tax system will be quite significant, particularly as the proportion of traditional working-age Australians to those over the age of 65 will decrease from 4.5 to one to just 2.7 to one over the next four decades. The trajectory of debt and deficit which we inherited from the Labor Party would have reached $5.6 trillion in four decades time, which would have condemned Australia to a higher tax regime.

Mr Champion interjecting—

The SPEAKER: The member for Wakefield will leave under standing order 94(a).

The member for Wakefield then left the chamber.

Mr FRYDENBERG: That is why through the legislated amendments that we have already passed through the Senate we will halve that debt over the next four decades.

I am asked whether there are any risks to that approach. I am aware of three big risks, and they all sit with those opposite. The first major risk is that the Labor Party are addicted to spending. We have around $30 billion worth of savings stuck in the Senate to which the Labor Party are opposed, including nearly $5 billion worth of savings that they took to the last election. Secondly, the Labor Party are addicted to higher taxes. Who could forget the drive-by FBT hit on the motor vehicle industry or the additional tax on people with self-education expenses or the $9 billion worth of taxes on the superannuation industry? Now they want to reheat the carbon tax and the mining tax, which were rejected by the Australian people. They also want to put a tax on some of Australia's largest companies and biggest employers.

Thirdly, Labor are a policy-free zone. They have no plan to fix the debt and deficit legacy that they left us. Exhibit A was that horror interview with Jon Faine on Friday the 13th when the Leader of the Opposition was asked seven times how he would pay for things and each time he failed to give an answer. Exhibit B was that famous interview on 7.30 with Leigh Sales when he said:

If you don't know where you're going, any road'll take you there.

In that same interview, the policy-free zone was revealed. The Leader of the Opposition was asked:

LEIGH SALES: But Tony Abbott could call an election next year and you haven't yet started laying out to give Australians time to think about what you'd like to do.

BILL SHORTEN: That's a good point. I appreciate you raising that.

So much for Labor's year of big ideas!

Minister for Agriculture

Mr FITZGIBBON (Hunter) (15:03): My question is to the Minister for Agriculture. Minister, in his last answer the Prime Minister said that Dr Grimes had to go because of an irreconcilable conflict between Dr Grimes and you. Minister, what was this conflict and didn't it really involve your handling of Hansardgate?

Mr JOYCE (New England—Minister for Agriculture) (15:04): I agree with the Prime Minister. It is remarkable the way the member for Hunter gets worked up. I have tried to discover some further documents to assist the member for Hunter. I have come up with a few. This one is from Michelle Grattan in The Sydney Morning Herald on 27 March. It is headed, 'I was wrong': Fitzgibbon says sorry. It says:
Defence Minister Joel Fitzgibbon—
this was when he was the defence minister—
is "absolutely confident" he has disclosed everything about sponsored trips to China paid for by businesswoman Helen Liu.

Mr Fitzgibbon: Madam Speaker, I have two choices available to me, I believe. I can take a point of order on relevance or simply say, 'I rest my case.'

The SPEAKER: That is a total abuse of the standing orders with regard to points of order. If you try it again, you will leave the chamber.

Mr JOYCE: Maybe he rests his case on, 'I was wrong': Fitzgibbon says sorry. This is about how—

Mr Bowen: Madam Speaker, I rise on a point of order. The question was about the serious matter of the sacking of one of Australia's most distinguished public servants and the minister's role in it.

The SPEAKER: I have said before and I will say again that a point of order is not an invitation to repeat a question. You will make it relevant to the standing orders or you will not make it at all.

Mr JOYCE: Madam Speaker, I thank you for giving me this chance to talk about further documents I have found. This one is entitled, 'Joel Fitzgibbon resigns as defence minister'.

Mr Dreyfus: Madam Speaker, I rise on a point of order. The minister knows that he needs to be directly relevant, and he has made no attempt to answer the question.

The SPEAKER: We have had a point of order on relevance and you are only permitted one.

Mr JOYCE: I have been trying to discover documents that further elucidate the concerns of the member for Hunter. This article says:

Mr Fitzgibbon said he had quit after it was revealed his ministerial office was used for a meeting between a big US health insurer, Humana, his brother Mark, who heads the health fund NIB, and government and veterans' affairs officials.

Here is another one. It is entitled, 'Shamed Joel Fitzgibbon slams 'Judases' for his fall'. But I think the ABC report is the best.

Mr Dreyfus interjecting—

The SPEAKER: I refer the member for Isaacs to the Practice. He should resume his seat or leave the chamber.

Mr Dreyfus interjecting—

The SPEAKER: Leave under 94(a); the member for Isaacs is asked to leave under 94(a).

Mr Dreyfus interjecting—

The SPEAKER: Because you were disorderly. The Manager of Opposition Business, who has returned to the chamber, has a point of order.

Mr Burke: Madam Speaker, I raise a point of order. The minister is referring to members by their names rather than by their titles and I ask you to bring him to order.

The SPEAKER: I thank the Manager of Opposition Business. The member for Isaacs will leave under 94(a). The minister has the call and will properly refer to members by their titles.
The member for Isaacs then left the chamber.

Mr JOYCE: The best article is by the ABC: ‘Fitzgibbon defenceless against 'Judas' staff'.

The member for Hunter said:
I have at least two or three Judas' in my midst …

Who are they? Who are these Judases in your midst? Who are these Judases?

Mr Thistlethwaite: Madam Speaker, I rise on a point of order on direct relevance. This is a very serious issue—

The SPEAKER: There is no point of order. You are only entitled to one. Resume your seat. Resume your seat or leave under 94(a)!

Mr JOYCE: The member for Hunter said:
I have at least two or three Judas' in my midst, and they have the drip … on me.

So the question really needs to be, 'Who are the Judases on that side and who is the drip?'

Small Business

Mr ALEXANDER (Bennelong) (15:09): My question is to the Minister—

The SPEAKER: The member for Bennelong will resume his seat. The noise will cease. We will listen to the question from the member for Bennelong.

Mr ALEXANDER: My question is to the Minister for Small Business. Will the minister outline to the House the steps the government is taking to grow the economy and boost productivity in the small-business sector by introducing a grocery code of conduct?

Mr BILLSON (Dunkley—Minister for Small Business) (15:09): It is great to get a question from the member for Bennelong, and I am looking forward to joining with him in his electorate to learn more about his Bennelong Village Businesses Project, which encourages local consumers to get behind their local-strip shopping centres to shop small, to shop local and to get behind those enterprising Australians who are the backbone of our economy.

We on this side of the parliament and the general public know a great deal about the concerns that have been expressed about the conduct of big supermarket retailers and wholesalers toward smaller suppliers in the food and grocery space. In fact, there was a time when even Labor recognised this as a concern, but that was back in 2008 when the now shadow Treasurer promised some action. Guess what has happened since then? Absolutely nothing. In 2008, concern was recognised and action was promised but absolutely nothing happened. What we on this side of the parliament and in government have done is work very effectively with industry to implement the first ever food and grocery code. This code will help small businesses and it will help the economy by ensuring that suppliers are treated fairly. The code makes sure that all dealings are fair and transparent with clear written supply agreements. This provides the solid ground that suppliers are looking for so they can thrive, they can invest and they can innovate. Payments will be made on time, because we on this side note the importance of cash flow to small business. Also, since the announcement of this code, there is already some evidence that retailers and wholesalers are changing their ways and changing their behaviours for the better. This code, heralded by the Australian Food and Grocery Council as historic, is yet another example of how this government is working hard to support small business, yet more evidence that the coalition is the only friend of small business in this place.
But we know that there is more to do. We have to recover the 519,000 jobs lost in small business under Labor. That is 519,000 livelihoods lost in the small-business economy under the Rudd-Gillard-Rudd government. We need to build the momentum to provide for more jobs and opportunities in the small-business engine room of the economy. That is why I am working so hard on the small-business package that the Prime Minister announced to energise enterprise to drive jobs and economic growth. True to form, it is the Liberal and National parties getting behind these enterprising men and women who take risks, who mortgage their homes, who apply themselves day in, day out and who use their talents to create opportunities for themselves, others and their communities. These people are out there having a go. They deserve a fair go. They deserve the support of this parliament and they can count on the Liberal and National parties to deliver the support they are looking for.

Mr Abbott: I ask that further questions be placed on the Notice Paper.

The SPEAKER: Before people leave the chamber, I might point out that I have a small dilemma. There is on the bench what I can only call a prop, but this time it is a soccer ball. I have to announce that there was a game this morning between the pollies and SBS, augmented by professionals. It was for Harmony Day and the pollies won 8-6. The prop will be removed, but we will note that the member for Forde was the man of the match and was indeed the goalie who was successful.

DOCUMENTS
Presentation

Mr PYNE (Sturt—Leader of the House and Minister for Education and Training) (15:13): Documents are presented as listed in the schedule circulated to honourable members. Details of the documents will be recorded in the Votes and Proceedings.

MATTERS OF PUBLIC IMPORTANCE

Higher Education

The SPEAKER (15:14): I have received a letter from the honourable the Leader of the Opposition proposing that a definite matter of public importance be submitted to the House for discussion namely:

The government undermining the future of higher education.

I call upon those members who approve of the proposed discussion to rise in their places.

More than the number of members required by the standing orders having risen in their places—

Mr SHORTEN (Maribyrnong—Leader of the Opposition) (15:14): This is a matter of public importance because higher education in this country is at a crossroads. The chief higher education minister of the nation has no adoptable strategy for higher education in this country. At the moment, under the current minister, government policy offers no hope for a bright future for universities. The government has no adoptable plan for higher education. By 'adoptable', I mean one which can convince a sufficient majority in the Senate to vote for it. This is a government who does not believe that its own ideas will be accepted by the Senate, yet it persists with them, wasting valuable time when we need to have a much better debate about higher education. This government says it believes in the deregulation of higher
education, but its model of deregulation will lead to higher prices and fewer students completing university.

Every government throughout the history of the Commonwealth has had to deal with the Senate. So why is it that we have a minister for higher education who is proving so incapable of dealing with higher education? This minister loves to refer to himself in terms of Bismarck, Ataturk, Churchill; but in fact this is a minister who has become a parody of himself. His Sky News interview is remarkable, cringe-worthy television. I almost thought that Clarke and Dawe had captured the studio, until I realised that it was the real thing on show.

This week we saw the so-called minister for higher education threaten the jobs of 1,700 scientists and $150 million worth of research funding. I give this minister points for one thing: he has no shame. Yesterday, with a smile fixed on his face, he said, 'I was fixing the problem.' The problem is that the minister created the problem by taking 1,700 jobs hostage. I have never seen such a poorly executed negotiating strategy in all my time in parliament. He goes to the crossbench senators, to Labor and to other senators, and says: 'I have an amazing plan to you. Vote to increase to $100,000 fees, vote to make it harder for working class kids, harder for kids from the regions, harder for adults and harder for mature age students from the regions go to university.' He said, 'If you don't vote for this unfair plan'—which is a broken promise—the science research of Australia will get it in the neck.' Of course, he now says, 'I never really meant that—or maybe it was just me creating an issue so I could fix the issue.' The truth of the matter is that he said that threatening 1,700 scientists' jobs was inextricably linked with his funding proposals for higher education. He is now desperately looking through his file to try to prove that he did not in fact say that.

The truth of the matter is that that television interview will go down in history as one of the most famous television interviews ever given by a coalition minister. He is desperate to introduce $100,000 degrees. It is always funny to find someone who gives themselves their own nickname—that is never a good sign. He promoted himself to 'Fixer'. Not only did he give himself a nickname; it is not the correct nickname. He has changed his policies three times, and he puts this policy, which is well beyond redemption, up again to the Senate and assumes that people are kidded.

The good news for higher education in this country is that Labor has stood by one principle through all of this: we believe it is not someone's wealth which should determine whether they get access to higher education; it is how hard they work and how good their marks are. Labor has fought the debt sentence of Christopher Pyne and we are winning. Then we see this fellow again, with all the front of Myer, saying: 'No worries, it's only a flesh wound,' like the Black Knight out of Monty Python. He has promised Australia that he will present the same policies at the next election. Please do, and we will beat you on that proposition too. By contrast, Labor has a very positive view about the future of higher education. We do not believe that higher education is in the doldrums. We understand that hundreds of thousands of students, hundreds of thousands of teachers and researchers, great universities across Australia, are working positively for their future. They just need a minister for higher education who is as switched on as they are.

Labor has made it clear that we will not offer a return to the past in university policy. We are listening, we are consulting and we are working with universities. When we talk about working with universities, we do not just mean vice-chancellors, as important as they are. We
are talking about students, about academics, about parents and about businesses. There are
many more stakeholders in higher education than this minister for higher education ever cites
in support of his propositions.

We are committed to sustainable funding for universities. We believe in growth in the
system; we do not believe in freezing places. But we also understand that the parliament
needs to have a big conversation about the future of research funding, and we say that
research jobs should not be held hostage by political brinksmanship. The sheer cheek of this
current minister for higher education to verbal Professor Brian Schmidt, Nobel prize laureate,
and imply in the parliament, in question time, as he did, that somehow Professor Schmidt
endorses his policies, when that is not correct. The selective honesty, the periodic cherry
picking of individual quotes, the twisting of the words of respected scientists and researchers
to justify the government's unfair agenda, is not on. Those opposite would not let us table a
quote from Professor Schmidt during question time. When Professor Schmidt heard about the
Fixer's latest hostage-taking issue—when the Fixer said that 1,700 research jobs would get it
in the neck, that $150 million would not be funded—he said, 'Australia does not have time for
these childish tactics,' and he is correct.

Labor recognises the importance of higher education. By 2020, two out of every three jobs
will require a university degree. We understand, unlike the rotten industrial relations agenda
of this mob opposite, that we have to invest in skills and training and higher wages, not a race
to the bottom, taking away the safety net of our industrial relations system. Labor has goals
for higher education of access and equity. That is the right direction for Australian higher
education. When Labor was in office, due to its policies, 190,000 extra students got the
opportunity to go to university. We are on target that, by 2025, 40 per cent of Australians
under 35 will have a bachelor's degree. By 2020, Labor's target was that 20 per cent of
children from disadvantaged families would have the opportunity to go to university, boosting
enrolments for Indigenous students, kids from the bush, poor families, first-generation
migrants.

We also understand that the future of higher education has to involve making sure that
students finish—that they complete year 12 and they complete their opportunities at
university. Labor believes in certainty and autonomy for universities and the decisions they
make, but we also recognise that taxpayers have a legitimate expectation of accountability.
Parents, students and employers should be able to expect that the higher education dollars that
they spend are spent in an accountable manner. Labor will develop and find the right balance
between accountability and autonomy.

It is long overdue for this government to start talking about better integration with
vocational education; it is long overdue that we start putting resources back into the TAFEs
sector and sub-bachelor programs—not presiding over the sorts of rots that we see in the
private market of the vocational education sector, where, under this government, we have
seen an explosion in the system. They are now saying that there is a problem. Yes, there is a
problem: the government policies of this mob on vocational education.

We certainly see that we need to have more inclusive system which give students a
pathway to make the right choices for their future. Labor will work on all of these
propositions. They are the principles that Australians interested in higher education want to
see and they are the ones that we will deliver. We are committed to making sure that Australia
is more productive and more innovative. We understand that it is skills and knowledge that will drive the new economy. We are not pessimistic about the future of higher education; we are just pessimistic about the higher education minister. We are tired, as will Australians are, of the constant noise from this minister—the uncertainty, the backflips and the circus performance from a minister who has generated a lot of controversy and indecision, but no outcomes.

It is time for a real conversation with parents, with students, with employers, with universities and researchers about sustainable education. But the conversation must always have at its core that we view higher education not as a private benefit, but as a public benefit. We will never, ever, support the views of this rotten higher education minister, who says that people who have not been to university begrudge those who do.

Mr PYNE (Sturt—Leader of the House and Minister for Education and Training) (15:24):

Obviously, the government will not be agreeing with the Leader of the Opposition's motion. The Leader of the Opposition said that Labor was proud of their record in government and that they value education. Let me explain what Labor believed in, Madam Speaker, when they were in government. Let me explain what they did to higher education sector when they were in government—this is record that the Leader of the Opposition says he is so proud of.

In the 2013-14 budget, they saved $902 million by imposing an efficiency dividend of two per cent in 2014 and 1.25 per cent in 2015. They removed the 10 per cent HECS HELP up-front discount and the five per cent HELP refund bonus, saving $276 million. They converted the Student Start-up Scholarships to student loans, saving $1.182 billion. They put a cap on the tax deductibility of self-education expenses of $520 million. In the 2012-13 MYEFO, Labor's very proud record, which the Leader of the Opposition talked about, was a general interest charge on Student Income Support debt, saving $7.5 million. A pause in Student Start-up Scholarships indexation saved $103 million; a change in the rate of funding for the Sustainable Research Excellence program saved $563 million. They saved $200 million by delaying for a further three years the extension of Student Income Support to all students in coursework masters programs. They saved $384 million in the cessation of facilitation funding; they saved $42 million by removing the eligibility to CSPs and help for overseas students; they saved $324 million for increased contributions for maths and science students; they saved a whopping $1.03 billion to reinstate band 2 student contributions for maths, statistics and science units. They reduced reward funding by $487 million and they reduced the HECS HELP discount and voluntary repayment bonus, saving $607 million.

In the period from 2011-12 to the time they left government, the Labor Party's proud record in higher education was to cut $6.66 billion from higher education. I table the document listing those cuts. That was the Labor Party's proud record of achievement in higher education and the Leader of the Opposition has the gall to come into the House this afternoon and try to lecture the government about higher education reform. What the Labor Party did was take the higher education sector for granted, assume they would always vote for them and use them as a cash cow to fund their profligate spending in so many other areas of government. So what this government is trying to do is fix the Labor Party's mess; we are trying to put the money back into the national collaborative and research infrastructure scheme, which Labor defunded. In fact, Penny Wong said in the Senate today that it was 'a lapsing program'—in other words, Labor had no intention of re-funding it. We want to re-fund the future fellows
midcareer researchers so that midcareer researchers in Australia can access the Future Fellows program—it is another funding cliff left by the previous government.

We are trying to expand scholarships in Australia to make it the biggest scholarships program in Australian history so that more student—from low socioeconomic status background, from rural and regional Australia, from disadvantaged backgrounds—get the chance to go to university and transform their lives. In fact Michael Spence, the Vice-Chancellor of Sydney university, says that, if these reforms go through, he will be able to increase his scholarships from 700 a year to 9000 a year. I do not know which university the Deputy Leader of the Labor Party went to—it may well have been Sydney university—and her vice-chancellor, I assume, wants to increase the number of scholarships from 700 to 9000. And he says that will allow him to change the demographic make-up of his university from six per cent low SES to 30 per cent low SES. This is the reform the government is trying to bring in; this is the reform that the Labor Party and the Greens are blocking in the Senate. It is an expansion of opportunity.

We are also trying to expand the demand-driven funding system to pathway programs, sub-bachelor courses, diplomas and associate degrees so that any young person who wants to do a pathway program that leads on to undergraduate education can do so. Labor left the cap in place on those. They took the cap off undergraduate places, and we supported that. In spite of them not taking that policy to the election in 2010, we supported it because we thought it was the right thing to do. Julia Gillard, when she was the Minister for Education, and I negotiated an outcome that expanded youth allowance for rural and regional Australians—not as far as we would have liked but it did some good work—and we supported that reform.

We want to expand the demand-driven system to pathway programs because we know, because of the Kemp-Norton report, that young people who do pathway programs have a one per cent dropout rate; but, if they do not, they have a 24 per cent dropout rate. And who are the people who most use pathway programs? They are the low-SES students and the first-generation university goers.

Again, this side of the House is trying to expand opportunity at universities to support aspirational Australians, as has been our party tradition since we were founded in 1944 by Sir Robert Menzies—opening up the university system, creating universities across Australia. When Sir Robert Menzies was elected Prime Minister in 1939, there were six universities; by the time he left, there were 18 universities. He increased the number of students at uni by 10 times. The Howard government continued, and this government is continuing, that tradition of expanding opportunity, particularly for low-SES and first-generation university students.

We are trying to expand the Commonwealth Grant Scheme to non-university higher education providers. We are taking away the 25 per cent and 20 per cent premiums on VET FEE-HELP loans and HELP loans. Why are we doing that? Because it will help 130,000 Australians with the costs of their education, expanding opportunity by reducing the costs for those students. Our measures will lead to 80,000 more students a year getting the opportunity to go to uni by 2018. A total of 210,000 students will benefit from our reforms. They are the reforms that Labor and the Greens are blocking in the Senate. Through these reforms, we will improve the university system and make a big difference to students at university and to those who will go to university in the future.
Labor's alternative represents an existential threat to universities, because Labor want to bring back caps, they want to pay on outcomes, they want compacts with universities. This will lead to a $520 million hit in revenue to universities and lead to 37,000 fewer students. Chris Bowen, the member for McMahon, and Julia Gillard, the former Prime Minister, described the demand-driven funding system for undergraduate degrees as one of their proudest achievements. The current opposition, led by the shadow minister for education—who has led them up the garden path—are looking at slamming the door on those reforms that the previous, Labor government introduced. I am shocked that the member for Sydney, who is sitting at the table, would support that. I am shocked that the Leader of the Opposition would allow Senator Carr to run this agenda in such a way that it will shut the door on future students being able to go to university.

Many of the Labor Party's own figures agree with the government, whether it is Peter Beattie, whether it is Gareth Evans. People like John Dawkins, the former Treasurer, and people like Bruce Chapman are saying that the Labor Party needs to get into the conversation because higher education reform is too important to cede responsibility for it to the coalition. Andrew Leigh, the shadow Assistant Treasurer, has himself said: 'Australian universities should be free to set student fees according to the market value of their degrees. A deregulated or market-based HECS will make the student contribution system fairer because the fees students pay will more closely approximate the value they receive through future earnings.'

So we know the Labor Party is split on this matter, when people like Gareth Evans support the reforms. The Chair of Regional Universities Network—which many of my colleagues who are here in the chamber today pay a lot of attention to, and they should—Peter Lee, the Vice-Chancellor of Southern Cross University, said today: RUN urges the Senate to end the uncertainty for students and universities and to pass the package.

**Ms PLIBERSEK** *(Sydney—Deputy Leader of the Opposition) (15:34):* I have seldom heard a contribution in this place that bears less relation to reality than the one we just heard from the Minister for Education. 'The fixer' certainly displayed his tenuous grip on reality in that contribution! He talked about the University of Sydney and the University of Technology in my electorate. I have been with students and academics at both of those institutions in recent weeks, particularly during O week. The students are desperately worried about the financial penalties that they will incur in undertaking a degree, while the academics are desperately worried that young people will not be able to afford to do the courses that they are offering.

The Minister for Education talked about how great it would be when Sydney university could offer more scholarships. I have two things to say about that. First, these scholarships are funded by the fees of other students. They are not through the generosity of the universities or the generosity of the education minister. Second, the reason that you need 9,000 scholarships is that ordinary kids will not be able to afford to do the courses that they are offering.

We say that bright kids should be able to go to university based on their ability, based on their desire to work hard, based on the passions that they have and the interests that they want to pursue professionally. We know that, after those bright kids go to university, they will repay the investment we as a community make in their education by working hard for our
nation and by paying their taxes—by earning well and paying more taxes over the years. Eighty-eight per cent of people want their kids to be able to go to university. The minister says, ‘Why should a factory worker, why should a taxi driver, why should a shopkeeper pay for someone else’s kids to go to university?’ I will tell you why my dad, who was a plumber, and my mum, who was a housewife, were happy to pay their taxes: because they were delighted that they had three children who, if they worked hard, if they tried hard and if they were bright, could one day go to university.

I am reminded of that brilliant speech that Neil Kinnock made in 1987. He asked why he was ‘the first Kinnock in a thousand generations to be able to get to university’ and why his wife, Glenys, was ‘the first woman in her family for a thousand generations’ to go to university? Was it because their predecessors were dumb? Was it because they were weak? It was not. It was because the previous generations did not have the structures, like those we have now, to collectively contribute to the education of all children so that those children are raised up as individuals. They benefit and their families benefit, but we as a nation benefit too.

We know that our prosperity in the future will not depend just on what we dig out of the ground and it will not depend just on what we grow. Those things will always be important, but it is how we transfer those raw materials—through our hard work, through our brains, through our inventiveness and through our intellect—that will really count in the world of the future. By 2020, two-thirds of jobs will require a university education. That is the answer to why the taxi driver, the shopkeeper and the factory worker do not mind paying their taxes. They know that their kids will have an opportunity to benefit individually, and they know also that this is an investment in the prosperity of our nation.

John Adams, 200 years ago, in the beautiful series of letters that he wrote to his wife, Abigail, said:

I must study politics and war, that our sons may have liberty to study mathematics and philosophy. Our sons ought to study mathematics and philosophy, geography, natural history and naval architecture, navigation, commerce and agriculture in order to give their children a right to study painting, poetry, music, architecture, statuary, tapestry and porcelain.

What he was saying is that every generation wants life to be a bit better for the next generation. That is true of us as individuals in what we want for our own children; it is true of us as leaders in the federal parliament in what we want for our nation. We want the best, brightest, hardest-working kids—irrespective of their family background, irrespective of the parent’s ability to pay and irrespective of their own ability to pay—to be able to choose a university education or a vocational education, whatever it is that suits them, their interests and their abilities. A system that only relies on scholarships for those kids is not a system that I can support.

Mr EWEN JONES (Herbert) (15:39): I think that this is a great discussion to have—not so much the topic of the MPI, but I think that the discussion around higher education is a great one to have. I go back to a previous MPI that we had on this. The member for Pearce gave a great speech where he outlined why he thought this was a great discussion to have. Under the Menzies system, there were Commonwealth scholarships. So it was not as if everyone had to pay to go to university. John Howard went to Canterbury Boys’ High School, a state high school. He was the first Prime Minister ever to go to a state high school. He won a
Commonwealth scholarship because he was one of the best and brightest. Lots of people went through that system.

The question asked by Gough Whitlam in the early 1970s was: could you get more people from lower SES backgrounds to go to university if you removed all the costs? I think that was a great question to ask. They took away all the costs. I notice the member for Chisholm is in the chamber. She did not pay for her first degree, and I remember that story. By the time that 1988 came around and Labor brought in HECS, the answer was: no, it would not. Free education would not necessarily raise the number of low-SES students, because the fact was that the numbers had not changed substantially. So Labor brought in HECS.

On this issue, you always hear the Labor Party say that we did not take this to an election and that it is a budget bill not an education bill. I point out that every bill is a budget bill, because everything passes—including HECS. I quote from a speech that I gave earlier in relation to higher education:

Liberal Senator Bill Teague led our response to the package of bills, which included HECS, in a major change to higher education, which, incidentally, in 1989 was not taken to an election. This is what then Senator Teague said:

We in the Opposition are opposed to the graduate tax, but we will be supporting the higher education contribution scheme in this legislation, for several reasons. First, it is a Budget Bill and we respect the ability of an elected government in the House of Representatives to determine a Budget and its financial provision for higher education.

That is what a responsible opposition does. It respects the government's right to set a budget.

This debate gets down to the argument that a degree should cost the same in every context. My university in Townsville is James Cook University, and it is a Menzies university. We have a science degree which includes access to Orpheus Island, to a working cattle station and to the Great Barrier Reef; it offers all of these things. Why should that degree cost the same as a degree in the concrete jungle in Melbourne? Surely, there should be some differentiation.

HECS was brought in, and the number of students from lower SES backgrounds did not drop; in fact, it rose. Towards the end of the Keating government and into the first Howard government, we actually had increases of up to 800 per cent in HECS.

Ms Chesters: Yes, Howard in 1996.

Mr EWEN JONES: Keating put it through, mate. Did that discourage people from going to university? Did that discourage people from lower SES backgrounds from going to university? No, it did not, because the numbers went up and up. All the way through, the numbers have gone up. Labor cut $6½ billion from education funding over the last two governments, and numbers still went up.

We had the Leader of the Opposition standing there for 10 minutes, and he had a chance to outline how we are undermining education or what he is going to do. He quoted, of all things, Monty Python and the Holy Grail. He said it was the Black Knight. I find it amazing after his Jon Faine interview where he said, 'Everybody is somebody'. Maybe he should have quoted from Monty Python’s Life of Brian, because we are 'all individuals'. I would suggest that he is not the Leader of the Opposition, and he is certainly not a Prime Minister, 'he's just a very naughty boy'. So what is his plan? He does not have a plan, and he spent 10 minutes there saying absolutely nothing.
What we are doing with higher education is expanding access to TAFE to allow people with diploma skills to get diplomas and, for the first time, get the costs of those put onto a HELP loan. Once again, a very vast majority of people in this much undervalued part of our education system can access that support to go through there. We have an education system around the world which is in global flux. It is in rapid change. If we do not keep up with that change, we will be left behind. Education is a major export industry for this country. It should not be bandied about. It should be something around which our universities can be as competitive as they possibly can in a global environment, taking into account the challenges that we face today, not just here or in Melbourne, Sydney, Brisbane, Townsville, but across the world.

Ms BURKE (Chisholm) (15:44): I agree with the last statement from the member for Herbert: education is one of our largest export earners. That is no more evident than in my electorate, which is home to Monash University’s Clayton campus, one of the largest university campuses in Australia, and the city campus of Deakin University, in Burwood. Between them they educate in excess of 50,000 students on campus and it is probably 100,000 when you take in the offline students and students around the world. Monash has a campus in South Africa, of all places.

So this is a huge issue. It is not something to be bandied around and made fun of with Monty Python skits, even though I am a great Monty Python fan. A bit of Monty Python on the record is not something that goes astray, but nor should this be used as a political football, which the Prime Minister did at the election when he said there would be ‘no cuts to education’. The Minister for Education, when he was the shadow minister, said there were not going to be any rises in fees. Both of these statements were absolutely false. I will not use the other word because I know the rules of the parliament, but these statements before the election were completely and utterly false. Not only was this not an election commitment anywhere; this is a completely nasty surprise—a complete falsehood from both the Prime Minister and the Minister for Education—and it is not something we can just joke about. This is one of the nastiest surprises from the unfair budget, in which, again, we were not going to have any surprises or shocks. It is Gomer Pyle on steroids—‘Surprise, surprise, surprise!’ The surprises are out there and happening, including $100,000 degrees. You might quibble about it, but it is now been proven that that is how much they are going to cost.

Why do we want to go back to the days of having scholarships? Why do we want to go back to the days when my father-in-law had to sit his matriculation twice to get a perfect score to get into medicine at Melbourne? Why would we want to deny this populous of one of the best doctors I know because his father was a tram driver? Surely, he should have been able to just enter that university on the score he got the first time around, which was in excess of what was needed in that day to get into medicine—but, no, he needed a full scholarship. There was no way his father, a tram driver, was going to get his son through university. Did my parents get to go to university? No, they did not.

Mr Ewen Jones: Did he get a full scholarship?

Ms BURKE: Yes, he got a full scholarship; he had to sit it twice—but that is the point. That is wrong. It is fundamentally wrong and you don't get it. You do not get how obscene that is. You now want university students, poor kids, to pay for the scholarships of other students, and you have put no parameters around them, have you? You have not said they will
only be for poor kids. You have not said they will only be for rural kids. How decimating to kids in my electorate who live in Clayton and know that they will never be able to afford to go to that university in Clayton. They are not rural; they are not wealthy. This is what is fundamentally wrong and why you just do not get it.

It is obscene to threaten 17,000 scientists' jobs on top of the cuts that are already happening. At the largest CSIRO institution, again in my electorate, I have seen jobs lost. I have seen, for the first time, hefty rises in unemployment in my electorate. As one scientist living in my electorate, who was in contact with my office this week in a despairing situation, said, after two decades of research excellence, a mortgage and four school aged children, he has no certainty of a job in six months, when his funding runs out. There is no certainty about this. He was openly wondering whether getting his PhD and pursuing his research was even worth it. He cannot move to private industry now; he is locked into his career and even wonders why future students would want to follow in his footsteps. With $100,000 degrees, why would the young people with the extraordinary intellects we need in science research follow in his footsteps to be rewarded only with constant career uncertainty, job insecurity and crippling debt?

This is what you are doing: creating uncertainty in an environment where we need children to go to universities; we need kids to go to TAFE—we need kids to get the education they need for the jobs of the future, jobs we have not even been able to think of yet. We are not skilling up our society, we are not making quality citizens and it is down to the current government of this day.

Dr HENDY (Eden-Monaro) (15:49): I note that this is a matter of public importance that the Leader of the Opposition proposed. He is not here, of course. He is not here to listen to the debate about something he regards as a matter of public importance. Labor has five people in the chamber at the moment. For those who might be listening, they have five people and they regard this as a matter of public importance. I will tell you why they do not really regard this issue. If you had listened to the speech of the Leader of the Opposition, you would have heard no alternative policies given—none. That is how important they regard this issue. In their so-called 'year of ideas', they have not put forward a higher education policy at all.

The Leader of the Opposition is the man who famously said recently: 'If you don't know where you are going, any road will get you there.' During the course of the last government, where did they get us? In the last two years of their government, they cut $6.66 billion out of higher education. That is actually the Labor Party policy and I suppose that remains the Labor Party policy.

Mr Brough: How much?

Dr HENDY: It was $6.66 billion. It is just amazing. So you cannot rely on the ALP to look after universities. But there are things you can rely on the Australian Labor Party for. You can rely on the Australian Labor Party to stand in the way of important and beneficial reform, you can rely on the Australian Labor Party to place politics ahead of policy and you can rely on the Australian Labor Party to place their own interests ahead of the nation's. A case in point is their obstinate refusal to get on board with these higher education reforms. In the face of near universal consensus and support for the coalition's reform package, the
Australian Labor Party crouch there, heads in the sand, and flatly refuse to engage in the issue in any serious manner—obstruction for obstruction's sake.

Thankfully, there are those stakeholders who do engage the issue in a serious manner. Universities Australia in January of this year said:

Our appeal to Senators as they return to Canberra is not to ignore the opportunity they have to negotiate with the Government in amending and passing a legislative package that will position Australia's universities to compete with the world's best.

The Regional Universities Network play a vital role in the development of regional economies and communities. What did they have to say? They said:

It’s not in the interest of students or universities to continue to let this issue drag on. We urge the Senate to consider and amend the new bill and to pass it early in the 2015 Parliamentary sittings.

I am sorry, Regional Universities Network, but the Australian Labor Party has a different view. That focus is not on the students or the universities that the Regional Universities Network speak for. It is on themselves. What does the Group of Eight have to say? It said:

If the Bill is passed it will provide a more coherent and financially sustainable foundation for continuing development, open up extensive and diverse opportunities for future generations of learners, and underpin a more globally competitive economy.

If the Bill is not passed, there is no plausible default.

'It's plausible default,' said the Group of Eight.

It is not only universities. What about TAFE? Only last week I was given a useful briefing by Institute Director Lucy Arundell and District Manager David Guthrey of Illawarra TAFE, who have a campus in Cooma in my electorate of Eden-Monaro. What do TAFE Directors Australia have to say? This is what they had to say:

Blocking this legislation will also disadvantage many students who want to undertake higher education at a TAFE Institute.

Many TAFE students from regional and rural and remote areas and those from disadvantaged backgrounds will also continue to be discriminated against by entrenching the flaws of the current system.

Our reforms will lead to 80,000 more students attending universities, including through the pathway programs through TAFE.

Across the ACT border from my electorate of Eden-Monaro is the home of the great Australian National University—a university that I am proud to say I attended some years ago. What does the Australian National University say? Professor Ian Young and Gareth Evans—a name well known to those opposite—had this to say:

The bottom line is that if Australia is to develop universities which can truly compete internationally, that can provide an excellent educational experience for students and provide outstanding graduates of the kind that are so vital to our nation's future, we have to not only allow, but encourage, diversity by removing constraints that prevent innovation.

(Time expired)

Ms CHESTERS (Bendigo) (15:54): This matter of public importance shows how delusional so many members of the government are about what the Australian people think about their plans for higher education. It does not matter how many times you tell yourselves
otherwise, these reforms are unpopular. They are unpopular because people know that deregulation means one thing. It means it will cost regional students—any students—over $100,000 to do a degree which does not cost that much today. If you deregulate university fees, that allows universities to set their own fees. We already know from universities that have done their modelling, like UWA, that they are going to double and triple their fees. That is what is already out there. We know that this is a guarantee, because this is the same government and the same minister that have not backed down from their 20 per cent cut to the government's contribution towards student university fees. That is how we will get $100,000 degrees within one year of this reform coming in.

This is not HECS. This is not HELP. This is not Dawkin's original vision for higher education. When HECS was first brought in it opened up the number of university places and increased the number of working kids and people from middle-class backgrounds who could access university based upon their ability. They did not have to be the brightest. They did not have to get 100 per cent—they still had to do well at their school studies—but they still got access to university. That is what Dawkins did. He said if you pay a modest fee, a small contribution, then the government will back you and pay the rest. What the government is trying to do is completely reverse that and say that you should pay the absolute most—up to $100,000—and we will chip in the last couple of grand. That is not a fair education system. This government is trying to unwind that fundamental principle where your brains and your ability decide whether you go to university.

This government is touting the scholarship system and saying it is great. There will be scholarships for kids from working class—low SES—backgrounds. What this government does not tell you is that you have to be the absolute brightest. You may be bright and you may have the skills, but if you do not have the money—the trust fund—then you cannot have access to that place. Scholarships and these fees do one thing: the absolute brightest—that top one per cent—can go to university. The rest of you—unless you have the money in your bank account—cannot go to university. Unless you are willing to get into debt, you cannot go to university.

As we have ready heard from the speakers on this side, by 2020 two out of three jobs will need a higher education. They will need a university degree. This government just wants to exclude people from going to university. This government also does not understand the importance of having a highly educated workforce to be able to do those two out of three jobs. The minister likes to stand up and say that factory workers resent having to pay their taxes so that people can go to university. I have never met a factory worker or a cleaner who did not want their children to go to university. Jamal Babaka, who is an office cleaner in Melbourne, said to me very clearly: 'I'm a cleaner. I don't want my children to be cleaners. I work hard and pay my taxes so my children have the opportunity to go to university.' That is what is great about Australia—that a shopping centre cleaner can have three children go to university and go on to be psychologists, teachers and early childhood educators. That is the Australia I am proud of. That is what this government should be standing up for. This government should be making sure that the children of every cleaner and every factory worker have an opportunity to go to university.

These reforms do not do this. They attack working people. They attack people in the regions. They attack people who simply want a better Australia and an opportunity for
everybody to go to university. This government should stand condemned for being a government that is going to deny a generation of young people the opportunity to go to university.

This young generation will be the first generation in many decades not to have the opportunity that I had and many on the front bench had. That is the problem with the government. They are out of touch and do not understand the implications of their reforms. (Time expired)

Mr COLEMAN (Banks) (15:59): I really will have to come to the member for Bendigo's remarks on this MPI, because that was one of the most absurd speeches I have heard in the last 18 months in this place. But I want to start out by talking about the 'Year of Ideas' because, as you know, this is the 'Year of Ideas' for the opposition. So far, we have had one idea from the opposition. That idea, surprisingly, was a new tax that will not raise a lot of money but will result in the loss of Australian jobs. It will lead to substantially less investment in Australia. That is the one idea that is so far out there. Interestingly, if we look back at just last week, in a speech at Monash University, the opposition leader said:

This is the big conversation Labor is having with the university sector right now.

Then, on the next day, The Guardian told us what that big conversation was about. The Guardian of course is not known as an attacker of the opposition. Far from it. The Guardian headline said 'Labor signals shift from demand-driven funding system for university places'.

And further:

Education spokesman Kim Carr rules out bringing back crude caps on student numbers, but says Labor would exercise "greater control".

A greater control over universities—doesn't that sound like an appealing prospect! Of course, under the demand-driven system universities and students decide how many people will study different courses based on the level of demand. Indeed, that was a policy introduced by the Labor Party. What of course occurred was that more students have gone to university, which is a good thing, and that has led to an increased cost. So what the Labor Party is very clearly telegraphing it will do is pull back on the demand-driven system, reduce the number of places available in universities and actually intervene on a case-by-case basis and tell them who they can enrol and how many. Senator Carr, who is of course the spokesman in this area, said:

... Labor expects universities to work with the commonwealth to help address national and regional priorities ...

And further:

The key to making this partnership work is to find a balance between institutional autonomy and accountability for the use of taxpayers' funds.

He went on: 'There are lots of ways in which governments can influence decision making at the university level.' That means that Labor will pull back from the demand-driven system and will intervene on a university-by-university basis, and say, 'We want you to enrol this many people in this course and we want you to enrol this many people in that course.' That is of course the absolute antithesis of the demand-driven system. The reason that Senator Carr wants to do that is that it is (a) consistent with his interventionist tendencies and (b) it will reduce the number of people who are at university and therefore the cost to the government.
The proposition in this debate by those opposite that they are the promoters of university access is absolutely false because, as we know, under the government's reforms there will in fact be an additional 80,000 places for students under the HECS-HELP system by 2018. That will extend the government support to people who are in associate diploma courses and various TAFE courses. Currently, you do not get that government support. An additional 80,000 people will be funded.

Another thing we know—and the member for Bendigo said some extraordinary false statements moments ago—is that nobody is required to pay fees up-front. It is very, very clear. Nobody in the undergraduate system is required to repay any fees until they earn at least $50,000 a year. So no-one is required to pay fees up-front. No-one is required to pay anything until they earn at least $50,000 a year. And they will pay approximately half of the cost of their education through that HECS system after they graduate, when they are earning at least $50,000, and the other half will continue to be borne by taxpayers, who of course do not gain the same direct benefit from that course as the individual does. That is exactly what is happening under this system.

So there will be an additional 80,000 people funded to study at university through the deregulation of the system. We allow universities to focus on what they do best and that will mean that there will be greater investment in the areas of greatest growth. That means that where students want to study there will be more investment. Rather than Senator Kim Carr sitting around with academics, telling them what to do on a university-by-university basis, the demand-driven system, coupled with the deregulation of fees will allow universities and students to focus on what they each do best. And that is why these are good policies.

Ms BUTLER (Griffith) (16:04): Mr Deputy Speaker, as you know, inequality is a threat and a risk to economic growth. That is not just my view; it is the view of the International Monetary Fund. It is a threat to peace and security. Inequality in Australia has been rising over recent decades. It has been rising here and it has been rising overseas. It is true that the best way to deal with the risks that are inherent in rising inequality is through education. It is through making education available to everyone and that is as it should be. Education should be a right. Education should not be a matter of the rich deigning to give a gift of a scholarship to the poor. It should not be a matter of rich students funding scholarships for poor students. That is not the Australian way when it comes to education. The Australian way is that every child, every adult, every person who has the aptitude, the gumption and the guts to work hard to get the marks that they need to go to university should be able to go there, regardless of the size of their parents' bank account and regardless of the size of their own pay packet.

That is such a clear theme that has run through Australian society and that is why this government's rotten so-called higher education reforms are so unpopular in the electorate because Australians know, as a matter of absolute fairness and in accordance with Australian values, that education should be accessible to everyone. No-one should have to get a debt the size of a second mortgage to get a higher education. No mature age student or school leaver should have to choose between getting a higher education, and going into significant debt, and not getting a higher education or not furthering themselves at all. It is an utter disgrace what this government is proposing.

Mr Ewen Jones: It should be free; is that what you're saying?
Ms BUTLER: The other side can yell all they like and they can verbal Labor figures all they like. I have heard that the former member for Rankin has been verballed today. And might I say that the former member for Rankin has made it quite clear that he believes that the Senate should knock back this outrageous bill. I stand with the former member for Rankin on that perspective because this bill and every bill that has preceded it and every attempt that this shambolic minister has made to try to change the face of higher education in this country and to wind the clock back to pre-Whitlam and every single attempt that has been made to attack the very foundations of our higher education system has been an utter disgrace not just because of the effect on the lives of individual working class and middle class kids—because we are talking about individual working class and middle class kids—but because of the effect that these changes will have on our economy as a whole.

We all know that we have a changing economy. If you just look at what is being said out there, what business is saying about the skills that are going to be needed for the future, what our science community is saying about the science needs of the future, what our information technology specialists are saying, we all know that high-skill jobs are the way of the future. In this country, if you want to get a higher education, you should be able to get one, provided you have got the hard work and the aptitude. If you want to get a vocational education, you ought to be able to get one, provided you have got the hard work and the attitude.

This country ought to be a country of opportunity, not the false opportunity, not the sham opportunity of the Liberal Party, who just mean opportunity for the very rich. They do not care about the middle class. They do not care about the working class. They only mean opportunity for their friends and themselves. It ought to be the genuine opportunity that comes from living in a strong economy, in an economy where governments actually tackle unemployment, not throw their hands up about it, in an economy where people can get a higher education, a vocational education or a quality school education—regardless of which part of the country or city they live in—and where they can get a quality early education. That is the sort of society that delivers real prosperity and real benefits. That is the sort of society where you can put a curb on the growing inequality which, as I say, threatens future growth and threatens, more to that point, peace, security, the Australian way of life, the prosperity of our people and the ability for people to get a job, regardless of whether they have got a higher education or a vocational education, because a job depends on a strong economy. A low unemployment rate depends on a strong economy.

All of these things are linked. It is not possible to take these rotten changes in isolation and say, 'It's all right. It's okay if you have to have a debt the size of a second mortgage to get a university degree. It's okay if we hold 1,700 scientific jobs hostage to get our changes that we want through the Senate.’ Those things are not okay. Those things are not the way that this country does business when it comes to ensuring that our people, the people who live and work here, get the higher education, the vocational education, the school education and the early education that they deserve as a matter of right because they are Australian citizens. (Time expired)

Mrs WICKS (Robertson) (16:09): The future of higher education is certainly a matter of public importance, and it deserves to be debated here today. But it is simply absurd to suggest, as members opposite today have done, that we as a government are somehow undermining higher education when, on the contrary, we are setting it up for success. So it is
even more outrageous that members opposite would make these claims, flanked either side by their own scare campaigns and misinformation. I am proud to say that I support this government's proposed reforms, including our amendments in the Senate this week, and I will fight alongside my colleagues, including the Minister for Education, for as long as we need to see our reforms become a reality, because they will help to secure a stronger and better future for our next generation.

These reforms have got enormous benefits for students. You just have to ask any of the higher education peak bodies. All of them support the reforms with the amendments. Despite this, the Labor Party is threatening to tear down a stronger future for higher education students of all ages and all backgrounds, and even school students, who dream of a world class education not in London or New York but right here in Australia—in Sydney, in Melbourne, in Perth and, dare I say, even in areas in regional Australia, particularly the Central Coast of New South Wales.

My drive and my passion to see these reforms succeed come from my own experience growing up as a teenager on the Central Coast around 25 years ago—although perhaps I should not admit that. I could study a bachelor of arts at many universities around Australia, but I could not choose to study locally at my local university because the choice simply was not available. Twenty five years later, this issue of choice is still a reality for more than 4,600 students who still leave the Central Coast daily to commute to Sydney to their chosen metropolitan university. There are also about 3,000 who leave to attend a technical institution. These reforms will free up the university sector and will mean that the reality of tertiary educational opportunities for people in my electorate of Robertson today may not remain the reality for people in my electorate tomorrow.

We know that higher education study leads to more opportunities, higher wages, pathways for further education and careers and to genuine aspirations. We know that university graduates earn, on average, 75 per cent more over their lifetime than non-graduates and typically earn around $1 million more over their working lives. Further educational opportunities are also made possible by encouraging pathways programs like those from the University of Newcastle, who have a Central Coast campus not far from my own electorate at Ourimbah. More than 900 students were enrolled through the pathways program in 2013, and 40 per cent of these were from low socioeconomic backgrounds. Over half were mature age students.

Directly as a result of these reform proposals, I have had the privilege to be able to work closely over the last six to eight months or so on a shared dream in my electorate to see a university campus in Gosford. We have worked with the world-class University of Newcastle, the Central Coast Local Health District and Gosford City Council, and recently I have been lobbying the New South Wales government for capital infrastructure funding. As a result of this collaboration—made possible because of, not in spite of, our reforms—we have developed now plans for a globally connected, fully integrated Central Coast health and medical research institute. Because of these conversations, made possible by this government's reforms, we have been presented with a unique opportunity to deliver a shared vision of a centre of excellence in tertiary education right in the heart of a city that definitely needs rejuvenating. It is a plan that would help tackle emerging health issues on the Central Coast, as well as attract high-quality students, clinicians, researchers and healthcare
professionals to Gosford. It has got the potential to become a base for world-class health care and medical research and education to deliver real hope, real aspiration, growth and opportunity, and there is no reason why Gosford students cannot, one day, enjoy a world-class education in medicine or medical research if these reforms could pass.

Are these not the sorts of conversations we ought to be having instead of this matter of public importance? Instead of denying the need for reform, should we not be unlocking the potential for world-class higher education in regions like the Central Coast, considered by some to be regions of disadvantage today? Thanks to the opportunities made possible by these deregulation reforms, it could potentially become a region of advantage in the future. Today, let it be known to the House how these reforms can transform an area like the Central Coast.

The DEPUTY SPEAKER (Hon. BC Scott): Order! The discussion is now concluded.

BILLS

Customs Amendment (Anti-dumping Measures) Bill (No. 1) 2015

Second Reading

Debate resumed on the motion:
That the bill be now read a second time.
to which the following amendment was moved:
That all words after "That" be omitted with a view to substituting the following words:
"the House is of the opinion that the bill should be amended to delete the section of the bill which abolishes the International Trade Remedies Forum."

The DEPUTY SPEAKER (16:15): In accordance with standing order 133(c), I shall now proceed to put the question on the amendment moved earlier today by the honourable member for Makin, on which a division was called for and deferred in accordance with the standing order. No further debate is allowed.

The House divided. [16:19]

(The Deputy Speaker—Mr Bruce Scott)

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<th>Ayes</th>
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AYES

Albanese, AN          Bandt, AP
Bird, SL             Bowen, CE
Brodmann, G          Burke, AE
Burke, AS            Butler, MC
Butler, TM           Byrne, AM
Champion, ND         Clare, JD
Claydon, SC          Collins, JM
Consroy, PM          Danby, M
Dreyfus, MA          Elliot, MJ
Feeney, D            Ferguson, LDT
Fitzgibbon, JA       Giles, AJ
Gray, G              Griffin, AP
Hall, JG (teller)    Hayes, CP
Husic, EN

CHAMBER
AYES
Katter, RC
Leigh, AK
MacTiernan, AJGC
Mitchell, RG
O'Connor, BPJ
Owens, J
Perrett, GD
Ripoll, BF
Ryan, JC (teller)
Swan, WM
Thomson, KJ
Watts, TG
Zappia, A

King, CF
Macklin, JL
Marles, RD
Neumann, SK
O'Neil, CE
Parke, M
Plibersek, TJ
Rowland, MA
Snowdon, WE
Thistlethwaite, MJ
Vamvakinou, M
Wilkie, AD

NOES
Alexander, JG
Andrews, KJ
Andrews, KL
Billson, BF
Briggs, JE
Broadbent, RE
Buchholz, S
Christensen, GR
Cobb, JF
Coulton, M (teller)
Fletcher, PW
Gillespie, DA
Griggs, NL
Hawke, AG
Hendy, PW
Howarth, LR
Hutchinson, ER
Jensen, DG
Joyce, BT
Laming, A
Laundy, C
Macfarlane, IE
Markus, LE
McCormack, MF
McNamara, KJ
O'Dowd, KD
Pasin, A
Porter, CC
Price, ML
Ramsey, RE
Robb, AJ
Roy, WB
Scott, FM
Smith, ADH
Stone, SN
Sukkar, MS
Tehan, DT
Tudge, AE

Andrews, RC
Baldwin, RC
Bishop, JI
Broad, AJ
Brough, MT
Chester, D
Ciobo, SM
Coleman, DB
Entsch, WG
Frydenberg, JA
Goodenough, IR
Hartsuyker, L
Henderson, SM
Hogan, KJ
Hunt, GA
Irons, SJ
Jones, ET
Kelly, C
Landry, ML
Ley, SP
Marino, NB
Matheson, RG
McGowan, C
Nikolic, AA (teller)
O'Dwyer, KM
Pitt, KJ
Prentice, J
Pyne, CM
Randall, DJ
Robert, SR
Ruddock, PM
Simpkins, LXL
Southcott, AJ
Sudmalis, AE
Taylor, AJ
Truss, WE
Turnbull, MB
Question negatived.
Original question agreed to.
Bill read a second time.

Third Reading

Mrs ANDREWS (McPherson—Parliamentary Secretary to the Minister for Industry and Science) (16:27): by leave—I move:

That this bill be now read a third time.
Question agreed to.
Bill read a third time.

PERSONAL EXPLANATIONS

Mr ALBANESE (Grayndler) (16:28): Mr Deputy Speaker, I seek leave to make a personal explanation.

The DEPUTY SPEAKER: Leave is granted. You can proceed if it is a personal explanation.

Mr ALBANESE: Today, in question time, the Minister for Infrastructure and Regional Development suggested that it was not the case that I was responsible for signing the agreement on the NorthConnex project. Indeed, the NorthConnex project is just the renamed F3-M2 project, and this release of 21 June 2013 says, ‘Federal Infrastructure and Transport Minister, Anthony Albanese, and New South Wales Roads and Ports Minister, Duncan Gay, have today signed an intergovernmental agreement on behalf of their respective governments’, locking in the funding for that project. I seek leave to table the photo of me and Duncan Gay, the New South Wales minister, in the New South Wales coalition party room, where the agreement was signed.

The DEPUTY SPEAKER: Deputy Prime Minister, is leave granted?

Mr Truss: Leave is not granted.

The DEPUTY SPEAKER: Leave is not granted.

Mr TRUSS (Wide Bay—Deputy Prime Minister and Minister for Infrastructure and Regional Development) (16:29): Mr Deputy Speaker, I seek leave to make a personal explanation.

The DEPUTY SPEAKER: Are you seeking to make a personal explanation?

Mr TRUSS: Indeed. I have just been misrepresented by the shadow minister. The reality is that the project which he alleges that he signed was in fact for 7.7 kilometres—a two-lane road. What is being built is a nine kilometre road, with dual three-lane tunnels, and that is in exactly the same press release as he referred to just a few moments ago.
The DEPUTY SPEAKER: I thank the Deputy Prime Minister and the member for Grayndler.

Mr Albanese interjecting—

The DEPUTY SPEAKER: The Deputy Prime Minister has finished his explanation. The member for Grayndler has had indulgence, and quite a lot of it.

**BILLS**

**Succession to the Crown Bill 2015**

**Second Reading**

Debate resumed on the motion:

That this bill be now read a second time.

Ms BUTLER (Griffith) (16:30): As I was saying, the head of the Australian Republican Movement, David Morris, is someone I met in 2013 when I was chairing a panel on the Australian republic at a Progressive Australia conference conducted by the Chifley Research Centre—which, might I say, was an excellent conference. The panel talked a lot about the importance of a republic when it comes to talking about our national identity and our place in the world, particularly our place in the world in the Asian century. The point was made then that it is difficult for someone to understand why Australia—a modern country with important relationships with Asian nations as well as Western nations—would want to have a foreign head of state. As I was saying, David himself is someone who is a very strong advocate for talking about the national identity and what it means to be Australian in the context of thinking about how to have an Australian head of state and whether it is appropriate to have an Australian head of state. And, as I said, I think when you talk about the idea of becoming a republic and of standing on our own two feet you have to think about that in the context about what it really means to be Australian in the 21st century. As you well know, Mr Deputy Speaker Goodenough, we are a multicultural society; we are a society of mixed heritages; we are a society that recognises the contributions made by the first peoples of this country—the first nations people; we are a society that has valued immigration and the contribution that immigrants have made to our nation, particularly in recent decades and since the Second World War.

And I want to mention that our Indigenous culture rightfully has a central place in our understanding of what it means to be Australian and in the international understanding of what it means to be Australian. In fact, Indigenous art is as much a symbol of our national identity as is the kangaroo and vegemite. When one travels overseas all of those things—as well as platypus, for example—get raised, about what it means to be Australian and the images and symbols and emblems and ideas of Australianism that come from our national environment and from our peoples and from our culture that we have developed here. So, I did want to mention the struggles of the first peoples to overcome the adverse effects of the dispossession that arose during British colonisation. It is something that informs our national values as a modern nation state. But, as I said earlier, we still have not recognised those first peoples of this country in our Constitution. And, like many people in this place—hopefully everyone in this place—I believe it is something we should do.

When you are talking about the nature of the head of state of Australia and when you are talking about this bill, which is really about the way lines of succession work—whether a man
or a woman gets to be first in place in the race for the British throne or whether an heir to a king or a queen can marry a Catholic—it is, as I said earlier, really a reminder that we should not be talking about a foreign monarch; we should be talking about an Australian head of state, a home-grown head of state. And, as I said earlier, that has to be informed by our values, and one of the fundamental Australian values of course is the idea of a fair go. It is that idea that led to the Freedom Ride of 1965, and it is that idea that leads to overwhelming support for the reconciliation movement, including the apology to the Stolen Generation that my predecessor as the member for Griffith, the Hon. Kevin Rudd, made in this place.

I mentioned earlier David Morris, who, as I said, is someone who speaks a lot about Australian identity in his work leading the Australian Republican Movement. As he said, an Australian republic is an opportunity to ‘unite Australians, in our diversity, around an identity that can also strengthen our identity in the world, an identity that is not simply rooted in being comfortable with the past, but one that actively embraces our present and future’.

In the Asian century, the region and the world can better understand Australia if we stand on our own two feet. If instead of having a foreign monarch as our head of state we have an Australian as our head of state, we can better understand ourselves—in the stories that we tell ourselves about what it means to be Australian today, in the way that we understand our values, in the way that we articulate what it means to be a mate, to be courageous, to be bold, to be enterprising, to be caring, to love community, in all of those things, and in forming our identity, in acknowledging our history, good and bad, in acknowledging our diversity, in working towards a particularly Australian multiculturalism which is a spectacularly successful form of multiculturalism, one of the best examples of multiculturalism in the world, where we underpin our respect for each other’s cultures and values with our fundamental respect for the rights, liberties and freedoms of an Australian living under the Australian Constitution with respect for democracy and the rule of law. When you put all those rights and values together, when you put all of those shared ideas and values together, it is really one way of giving expression to the fact that we do stand on our own feet, that we do have our own identity, that we are a modern adult nation, a mature nation, no longer hanging from the apron strings of a mother country, no longer dependent on a monocultural past based around a British throne, those things really do lend themselves to becoming an Australian republic.

I of course acknowledge, as I did earlier in the course of this debate, the contribution that the British monarch, the Queen herself and the Governors-General of Australia, have made to our nation. I do say that it would be wonderful if instead of debating a bill about the way succession to the British throne works we were debating a bill to become an Australian republic.

Ms HENDERSON (Corangamite) (16:37): I am pleased to rise to speak on the Succession to the Crown Bill 2015, which will provide the parliament of Australia’s assent on three important reforms. The first reform will end the system of male preference primogeniture, so that in future the order of royal succession in the United Kingdom will be determined simply by the order of birth—female heirs will no longer be sidelined by their younger brothers. The second reform will remove the bar on succession for an heir and successor of the sovereign who marries a Catholic. The existing restriction applies to Catholics alone and not to any other faith. The reform will apply to all existing marriages at the time the law comes into force, as well as to future marriages. The third reform is to limit
the requirement that the sovereign consent to the marriage of a descendant of his late Majesty King George II to the first six persons in line to the Crown.

The reforms were enacted by the parliament of the United Kingdom on 22 April 2013 and will come into force on the commencement of the UK legislation as soon as all 16 realms, including Australia, implement the reforms in their jurisdictions. I note that, as agreed at COAG, all states have passed laws authorising the Commonwealth to enact this legislation for the whole of Australia. These reforms serve to modernise the monarchy. I agree with the member for Pearce and Parliamentary Secretary to the Prime Minister that this is a landmark reform.

I appreciate that some members today in this debate have used this opportunity to advocate for a republic and an Australian head of state. They have used this opportunity to criticise the English monarchy and some of the—let's face it—antiquated laws on which the monarchy was built. I do not propose to add to that debate other than to say I respect the right of every member of this parliament to advocate for the Australia he or she wants to see in the future. For me, I would like to see an Australian head of state one day. I know many Australians share that aspiration, including members on both sides of the House, but I do not consider now is the time.

Under the reign of Queen Elizabeth II, I do not consider we are seeing in this country at this time the appetite to move to another referendum on this question. Queen Elizabeth has provided decades of service to all Commonwealth nations, including to Australia. She is loved and admired by many. I think the Leader of the Opposition has mistimed and miscalculated the start of his campaign for an Australian republic. In fact, on this point it is worth noting that later this year, 11 September 2015, will mark the day that Queen Elizabeth II becomes the longest-serving British monarch—63 years, exceeding the length of Queen Victoria's reign.

I have to put on record my disappointment about the very partisan contribution by the member for Canberra in this debate, including the comments that she made that these reforms will have little or no impact on our nation. Regardless of whether members support a monarchy or a republic, these reforms are significant as a strong symbol and in substance. Today in my contribution I choose to celebrate the modernisation of the monarchy in a number of important respects. I choose to celebrate the removal of deeply entrenched discrimination—discrimination against women and Catholics.

The reform that royal succession will be determined by birth not gender applies to any person born after 28 October 2011. This was a proposal reportedly put forward at the urging of the Duke and Duchess of Cambridge some two years before their first son, Prince George, was born. I think it is fair to say they are the epitome of the modern Royal Family. Last April, it was a great pleasure to battle the crowd of MPs, many of whom are republicans, to meet the duke and duchess during their visit to Canberra. It was a very special time. I was delighted to present the royal couple with a Rip Curl wetsuit, on behalf of the people of Corangamite, for their young son, Prince George. I had a chat to the duchess about this and she told me the wetsuit would very much come in handy and be perfect for those chilly British summers.

I grew up in a family who believed that anything was possible, regardless of gender. My mother, Ann, was a proud champion of women. She was a Victorian member of parliament in the 1990s. As the minister for housing and Aboriginal affairs, she was also a champion for the
most disadvantaged in our community and for Indigenous peoples. Upon my election to this place, we became the first and, to date, only mother and daughter to be elected as members of parliament in this country.

Last week, I attended a wonderful event at the Otway NouriShed held by the Lavers Hill and Gellibrand Community Houses in my electorate of Corangamite, deep in the magnificent Otways. In celebration of International Women's Day, we watched the film *Utopia*, which told the story of how women won the right to vote in Australia. When I returned home and explained to my nine-year-old son, Jeremy, where I had been, he could not believe that at one stage in our history women were prohibited from voting. He was just as incredulous when I told him that also, in part of our history, Indigenous peoples were prohibited from voting.

Our history is riddled with unjust laws, and it is important we work hard as a parliament and as a nation to right prior wrongs. In the 1930s, my grandfather Ern Henderson, a Catholic, could not get a bank loan because he was a Catholic. He managed to start a haberdashery business without the bank's help. I know many older Australians lived through this era and well remember this type of discrimination. In fact, I might just add, on a personal note, in my final year of school I was appointed school captain of Geelong College—and it caused a bit of a storm. That is because the school I attended was historically Presbyterian and then a Uniting Church school. There was enormous objection to my appointment, because I was a Catholic and because I was a girl. I still am a girl.

This was in the 1980s, at a time when you would not think this type of open discrimination would be alive and well. For women in this country, we live and breathe ongoing discrimination. It is incredibly important as a parliament that we work as hard as we can, in substance, and, with the strong symbols that are so important to people, to rid this country of discrimination, both direct and indirect.

It is significant that the bar on succession for an heir of the sovereign who marries a Catholic is being removed. I do note, with some disapproval, that Catholics continue to be barred from ascending the throne. Young Australians do not understand many of the injustices of our past. For young children—like my son, Jeremy—they simply do not understand the concept of discriminating on the basis of gender or religion. That is something to celebrate. For this reason alone, this bill is important. I commend the bill to the House.

Dr Leigh (Fraser) (16:46): Walter Scott said:

> Breathes there a man with soul so
dead, Who never to himself hath said;
>This is my own, my native land.

These fine words have never been uttered by any Australian head of state about Australia. Under our Constitution, they never could be uttered. That is because, while no British citizen can ever be Australia's head of government, only a British citizen can ever be Australia's head of state.

This bill brings the monarchy into the 19th century. It ensures that the sexism inherent in the current arrangements is no longer present, that a firstborn girl can succeed in preference to her younger brother. It ensures that marrying a Catholic is no longer a bar to ascending to our head of state. But it fails to ensure that any of my three little boys—Sebastian, Theodore or
Zachary—could one day aspire to be Australia’s head of state or, indeed, that any of the 800 children born today could be Australia’s head of state.

The republican movement has a proud history. I look to the Eureka uprising, at which there was a strong strain of republicanism prevalent among the miners. Among the Irish—it is appropriate we acknowledge this on St Patrick’s Day—were republicans, because of their hereditary hatred of the English. The Americans were republican because of their long history of struggle against the British, and many of the Europeans bore Republican sympathies, having lived through the 1848 revolutions that swept through Europe.

When we look back at the Eureka charter, it is so easy to understand how republicanism was fired up among those who came to the shores of Australia, a nation where they quickly recognised that Jack was not just as good as his master but perhaps better. Here in the ACT we are natural republicans—the one jurisdiction that in 1999 voted for a republic and the one jurisdiction that voted for Waltzing Matilda as our national song.

In 1999 Australia held a referendum. It was a three-cornered contest between bipartisan parliamentary appointed republicans, direct-election republicans and monarchists. As the member for Wentworth has pointed out, the monarchists ‘delightedly, if cynically, exploited the division by promising the direct electionists that if the parliamentary model were defeated at the referendum they could have another referendum on the direct-election model within a few years’. It has been half a generation since then.

Some, like the previous speaker, counsel patience. They argue that the push for an Australian as head of state should wait until King Charles III ascends the throne. That fundamentally misunderstands the argument for an Australian republic. Our quibble is not with Queen Elizabeth II, Prince Charles, their heirs or successors. Each of those individuals has done their job diligently. Indeed, a belief in a republic does not lessen respect for them as individuals. In 2012, when Prince Charles and the Duchess of Cornwall visited Canberra, I was pleased to welcome them on the tarmac of Canberra Airport, representing the government.

Respect and politeness for the Royal Family sits alongside my passionate belief that Australia should have one of our own as head of state. I held the same courtesy in my heart as I went out to the tarmac last year, to welcome Prince William, Kate Middleton and their baby, George, to Canberra. Again, I was representing the Labor Party. I took my son Sebastian out with me the first time, onto the tarmac, and my son Theodore the second time—we see too little of our families in this job and it is nice to be able to spend some time, with your children, when you can.

It was a real delight for me to have my son Theodore meet their son, George. I thought at the time: why is it that baby George is better suited than every Australian baby to grow up to be Australia’s head of state? The 800 babies born in Australia today will grow up around gum trees and sandy beaches. They will call their friends ‘mate’ and they will barrack for the baggy greens, the Wallabies and the Socceroos. Their success in life will not be decided by their surname. If they say they live in a castle, it will be because they are quoting Darryl Kerrigan. In short, every one of the 800 babies born today will be Australians and every one of them should be able to aspire to be our head of state.
Those who disagree with this view sometimes claim that the Governor-General is our head of state. At best, that is a contentious, strained protestation. As members of the parliament of the Australian Commonwealth of states, we all swore or affirmed our allegiance to the Queen, not to the Governor-General. At state dinners, visiting heads of state toast the Queen of Australia. Her image is on our currency. Australian government websites say, 'Australia’s head of state is Queen Elizabeth II.'

The slogan 'don't know, vote no' has never been more powerful in Australian public life. The Prime Minister used it when he was campaigning for the monarchy in 1999 and he has deployed it relentlessly in recent years, including against a market-based solution to climate change, fibre-to-the-home broadband and fiscal stimulus to save jobs. It is a seductively simple line, but one that is more dangerous than ever as Australia grapples with complex challenges. The member for Griffith went to exactly this point a moment ago in speaking about how the anachronism of the Australian monarchy looks to our friends in the Asian region. What must they think? Looking from Indonesia, China, Korea and Japan, it is that we here in Australia cannot shrug off the 19th anachronism of having a member of the house of Windsor as our head of state. How does it sit with our claimed belief in a fair go when the qualification to be our head of state is that one must be British and white? They are characteristics that remain unchanged as a result of this bill.

While I support this bill, as I suspect everybody in this place will do, I also call upon this parliament to make it a priority to hold a referendum to make Australia a republic. In so doing, we will make it clear to ourselves and the world that, instead of a foreign child from a foreign land, Australians trust an Australian child to grow up and be an Australian head of state. Such a child will be more appropriate for us, more representative of us and more worthy of us—a child who knows their own native land and their living Australian soul.

Ms MacTIERNAN (Perth) (16:55): I wish all of the parliament family a happy Saint Patrick's Day. People have commented that perhaps it is somewhat ironic that debate on this bill, which is to do with the succession of the Crown and Australia's head of state, is being held on Saint Patrick's Day. I think it is really important to make it clear that those of us who see this legislation and the fact that we have a head of state who is a British monarch as ironic is not a result of us having an anti-British sentiment—far from it. It is rather that here—150 years after we became a nation-state that had universal suffrage right at its very heart and where men and women were treated equally—we are dealing with a piece of legislation that seeks finally to catch up and change the gender preference of the British monarch so that female children are treated equally to male children in the order of succession.

I think it is also ironic that it is 115 years since we enshrined our Constitution, which was steadfastly a secular constitution, that we are having to deal with the removal of a religious principle. For the spouse of the head of state, no longer will a concern of Romanism be enshrined into the marriage entitlements of the British monarchy and therefore the Australian head of state. We do note that this legislation, however, does not cease to require the British monarch to be an Anglican. Of course, in Australia we are a staunchly secular country in terms of our political structures, where all faiths and no faith are given equal standing. But we are nevertheless compelled to have as our head of state a member of the Anglican Church. I think probably the percentage of Anglicans in the Australian community now is probably down to around 30 per cent, if that.
Again, I think this legislation that we are dealing with today is a powerful reminder that the structures we have in place for the determination of our head of state are really, really quite inappropriate for that very thing that we are. It is not, as I say, that to take this view one needs to be anti-British. The majority of my ancestry is Irish and German; I did have one great-grandmother who was born on Bayswater Road. But nevertheless, notwithstanding that, whilst genetically I have very little British inheritance, I would believe very strongly that culturally we have a British inheritance. I think that anyone who has studied history, has studied law or has been in this parliament would deeply value those things that we inherited from the British culture. They are not the things that we have inherited through the monarchy; they are those powerful institutions of a parliamentary democracy, a Westminster system, the rule of law and the beautiful practicality of the common law.

All of those things have been very fundamentally at the foundation of Australia as a nation state. What has not been at the foundation of Australia as a nation state is a deeply incensed system of inequality. The whole notion of a monarch is deeply discordant with the whole enterprise that is Australia. The idea that we have a position that one inherits is indeed absolutely antithetical to the very notion of what it is to be Australian. Australia is a land that has offered people from across the globe and people from all walks of life an opportunity to make their own destiny. So the symbolism of a head of state that has that position bestowed on them by virtue of their birth and not by virtue of their attainment is, as I say, deeply antithetical to the whole exercise of Australia and, as such, is very much the wrong symbol for us to have enshrined in modern day Australia.

Whilst I do pay tribute to the British institutions that have very much shaped this country, we have to recognise that we have institutions and cultural influences now from all around the world. It was very interesting at the Simpson Prize awards to talk to a young girl, Alicia, from Western Australia who was the runner-up. We talked about her essay on the young people who signed up from Australia to participate in the war. She made the comment that her research showed that, overwhelmingly, people who were going to fight were going to fight for Britain rather than for Australia and, indeed, the majority of those that she looked at had actually been born or had a parent born in Britain.

But it is vastly different today. We are such a different country. We have people who have been in this country for many generations. We now, fortunately—albeit belatedly—acknowledge the value and the traditions of the original Australians, and they are very much woven into our heritage. We have had the waves of migration from southern Europe, from Vietnam and, more recently, from the Middle East, Africa and other parts of Asia. So we have become a much richer and more complex society culturally. So, again, it seems to me to be totally inappropriate that we have as our symbol this position that one inherits and one that can only be British and be Anglican. We need to recognise that we have this richer society, and we need a symbol. We need a head of state that is drawn from that.

As has been said by many speakers, the idea that we can have a head of state that is one of us—that comes from this country—that we can have a person who is Australian being the symbolic head of our community is really important for the creation of that social glue, the creation of that strong sense of an Australian identity and the value of that Australian identity. Having an Australian head of state delivers value to our community—a value that I think is very much lost by having a British monarch as our head of state.
As a staunch republican—but a staunch republican who values our British heritage—I think it is important that we have minimalist change. I certainly think that the complexities that are introduced by having an elected head of state have undermined the arguments for a monarchy. Notwithstanding what they might think of us individually or as a class, I think that, by and large, Australians are generally pretty happy with the structure of our democracy. So it is really important that we make a change that is very transparent to the community and that we not have a great many unknowns—as people were concerned about. For example, what happens if you have a directly elected head of state? Do you have conflict between that head of state and the Prime Minister, each of them having, arguably, their own mandate?

By recognising the strength of our parliamentary democracy and the system that we inherited and preserving that structure where we have a Governor-General and that Governor-General however becoming the pinnacle of the political structure is, I think, very much the way that we should go. The only thing that would change is that, instead of the government of the day advising through the Governor-General to the Queen who the next person to be appointed to that position would be, that would happen directly to the Governor-General. So, effectively, it would be exactly the same structure and exactly the same rights and obligations would remain, except it would simply not have to be processed through the Governor-General to the British monarch. That is a clear case that I would love to see all republicans get behind.

Whilst I can see the superficial appeal of an elected head of state, I think, unfortunately, the type of person most people would like to see—and have been happy to have—as governors-general would tend not to want to put up their hand to be elected as a governor-general, and I think it creates a difficulty if you have these two offices where there are two competing mandates.

Again, in summary, of course we support this legislation, but it is really quite absurd that, 115 years into our nationhood, we have to have these extraordinarily archaic discussions about the line of succession to a monarchy many tens of thousands of kilometres from this country. In the next decade I would really like to see, and I hope that we will see, Australia reach that final level of maturity where we have a head of state who is an Australian, who is a person that achieves that position not by virtue of the privilege of birth but by virtue of the things that they have achieved within their life, and that that will strengthen this incredible exercise that we have here in Australia, where we are seeking to weld together peoples from all over the world into a single common identity.

Mr WATTS (Gellibrand) (17:08): I feel a familiar sense of embarrassment as I rise to speak on this bill today, the Succession to the Crown Bill 2015. It is an embarrassment that many Australians will have felt, perhaps while they were sitting in the outer watching an Ashes test match and listening to the Barmy Army sing, 'God save your Queen.' Why does this so stick in our craw? Why does the Barmy Army know that it sticks in our craw? Because today, 227 years after the First Fleet and 115 years after Federation, Australia's head of state does not represent us. It is not simply that it is an anachronism; it is that the institution of the British monarchy offends the very things that we are most proud of about Australia. It is utterly out of step with the values and expectations of modern Australia—values like a fair go, egalitarianism and mateship. The British monarchy is an elitist and exclusive institution. There is no way around this. It is an institution that looks backwards to who someone's parents happen to be when determining whether someone is qualified to be a head of state. It
is an institution that excludes the millions of Australians whose families, like my own, have come to this country from nations outside the British Empire. It is an institution that, as we see in the bill before us today, continues to discriminate on the basis of gender and religion.

I have no doubt that the individuals, the human beings who are trapped within these institutions, are generally good and decent people like the rest of us. But we can do better as a nation than the British monarchy. Indeed, we have already built something better in this country. That is why the Barmy Army mocks us, because even they can see the incongruity between the nation that we have made for ourselves and the outdated and unrepresentative head of state at the apex of our system of government.

I have heard some members in this place lament that this bill is a waste of time and that the parliament has more important, more substantive things to deal with. I could not disagree more. Symbols matter, and national symbols matter a great deal. Our national symbols matter to the sense of connection that Australian citizens feel with other Australians, with their nation and with the government. It matters whether Australians feel like they share a common stake in the hopes and achievements of their fellow citizens and that we are all in the same boat. We on this side of the House believe in the potential for what we can achieve together and the power of collective action. Too often, progressives discount the important role that a sense of unified national identity can play as an enabler of collective action. Think of the things that we have built in this nation through this sense of shared endeavour. As Tim Soutphommasane has argued in his book *Reclaiming Patriotism*, progressives, people who believe in collective action, should readily embrace the label of patriot. Soutphommasane argues that a love of country also includes an obligation to improve your country in any way possible. To do so, we must engage in nation building. It is progressives who have been the instigators of the major nation-building initiatives that have made our country great. They have been the ones pushing the nation building reforms such as the Snowy Mountains Hydro-Electric Scheme, Medicare and Australia's superannuation savings schemes.

But we must also engage in the building of national identity on the symbolic level. Edmund Barton may have said that 'we have a nation for a continent and a continent for a nation', but we are not defined by our landmass. We define ourselves through the national culture, values and symbols that we build together as a people. National identity is politically constructed, and it is up to all of us, MPs and citizens alike, to build it. We do this every day.

Conservatives and reactionaries like our current Prime Minister like to suggest that Australian identity is somehow immutable and that the concept of what an Australian is is somehow set in stone. To see how this national identity is politically constructed, consider how just a few of our national symbols have evolved since Federation. Our flag is a powerful symbol of Australian identity. Its place in the Australian consciousness is now so strong that to many it feels like an unchangeable part of our national identity. But, if you look at Tom Roberts's iconic big-picture portrait of the opening of the first Australian parliament, in Melbourne in 1901, you will see three flags in use: the Union Jack, the red ensign and the blue ensign that we today recognise as the Australian flag. Through the early years of our nation, there was confusion over who was permitted to fly which flag and when they were able to do so. As a result, the Australian red ensign was commonly flown by Australians until 1953, when Prime Minister Menzies passed the Flags Act and made the blue ensign the national standard. It is notable that our conception of something as seemingly unchanging and
fundamental as Australia's flag has actually changed substantially over the last 100 years of our nation's history.

The concept of citizenship—the right to be a full participant in our community and our democracy—has also changed significantly over time. In 1901, down the road from the opening of the Federation parliament in Melbourne's Exhibition Building, in Little Bourke Street's Chinatown, there was a celebration to mark the presence of the Duke and Duchess of York in Australia for the opening of the Federation parliament. The Chinese traders of Little Bourke Street decorated Swanston Street with flags and lanterns and a Chinese arch with two pagoda-style towers adorned with a banner for the royal party that read, 'Welcome by the Chinese citizens.'

Unfortunately, despite their obvious civic pride, this banner was erected more in hope than in truth, as at the time the vast majority of Chinese Australians were not Australian citizens. Before Federation most Australian colonies passed laws banning Asians from being naturalised in Australia, and despite the presence of this civic-minded Australian community at the opening of parliament, just nine sitting days after the opening, the Immigration Restriction Act, better known as the White Australia policy, was introduced into the parliament. As Timothy Kendall has written in an excellent monograph on this period: Federation was a moment of self-determination which presented the new nation with a unique opportunity to reflect upon matters of identity, citizenship and nationhood. … the first Parliament of Australia drew upon this opportunity—this moment of sovereignty—to construct deliberately discriminatory and racially exclusive legislation.

No-one in this place today would deny that Chinese Australians deserve the right to be recognised as equal Australian citizens, yet it was not until 1949 that a legal mechanism to do so was introduced to this country.

The ethnically and culturally diverse Australia of today is very different from the official White Australia of the era of Federation. Is there anyone among us who would say this is not for the better—that the Australia of the start of the 21st century is not a far greater nation than the Australia of the start of the 20th century? Is there anyone among us who would not be proud of how far we have come as a country since the days of Edmund Barton? If we can recognise that our nation has changed and changed for the better, we should also recognise that the symbols of our nation that have become outdated as a result of this change should also change. It is time to reprise the words of Mr Kendall, reflect again upon 'matters of identity, citizenship and nationhood' and embrace a system of government that gives everyone in our nation a stake in the symbols of Australia.

The British monarch is no longer the single thread that unites us as a nation. It is at best an irrelevance and at worst a symbol of our inability as a nation to recognise who we really are and who we have become. This is why I welcome the leadership being shown by the Leader of the Opposition on this issue. His efforts to put an Australian republic back on the national political agenda are timely and will reinvigorate the campaign for an Australian republic within the community. Recent years have been difficult times for the republican movement. We have had a Prime Minister and a federal government who are slavishly devoted to the monarchy and anachronistic symbols of it like knights and dames. We have a media that are obsessed with the celebrity of Wills and Kate and baby George and baby No. 2, devoting almost 100 articles in Australian print media to it in the month leading up to the
announcement of the Duchess of Cambridge's pregnancy. Finally, we have a growing group of young Australians who are too young to remember the republican movement of the 1990s and so are not even aware of the possibility of change in our community. Support for the republic amongst this group of young Australians is at an all-time low.

In this context, it may seem an odd moment to argue that we must begin the republican debate anew, but it is important to remember that a similarly desolate situation faced young republicans back in the late 1980s. There was a similarly popular young prince, a princess and two little princes who were gaining huge media attention. There was also lukewarm support throughout Australia for the republic. Opinion polls found that support for a republic in the late 1980s hovered around 40 to 41 per cent. In fact, a commission established to review the Constitution in time for Australia's bicentenary in 1988 concluded that there was no republican movement in Australia. It argued that a referendum could not be held because:

... on the evidence available to it, and regardless of the merits of the arguments, there was no prospect ... of a change in public opinion in the near future which would result in there being majority support for a republic.

In fact, it believed that the Australian people favoured the monarchy so overwhelmingly it was not worth including a recommendation to hold a referendum, as it would detract from other elements of the report. Just 10 years later, we were heading into a referendum, with the majority of Australians supporting some sort of constitutional model removing the Queen as our head of state.

How did this happen? It was republican activists that put the question back on the agenda. In 1991, we saw the Constitutional Centenary Conference, convened by legal experts from around the country. The conference aimed for a full and frank discussion of the parts of Australia's constitution that needed to change and be updated. Its discussion of the constitutional mechanics needed to put a republic in place raised awareness of the republican cause. The conference also led to the creation of the Constitutional Centenary Foundation, an invaluable source of impartial legal advice on the republic as the debate gained momentum. Nineteen ninety one also saw the creation of the Australian Republican Movement. The activists of the ARM were able to work with the Keating government to further awareness of the need for a republic. By February 1993, Prime Minister Keating was ready to announce the formation of a committee to analyse potential forms that an Australian republic might take.

It was a long journey, however, from this moment to counting the votes on referendum day. The formal process to determine whether Australians wanted to become a republic at that time was complex. It started with the investigation and report of the Republican Advisory Committee into potential options for a republic in 1993. In 1995, we saw a commitment by the Keating government to a republic by the Centenary of Federation in 2001, but it took until 1997 to pass the legislation establishing the Constitutional Convention and another year to hold the convention. Finally, in November 1999 the referendum was held. Yet, throughout this period, republican activists were working hard to find grassroots support and they were succeeding. During this period, support for the republic shot up from the 40 per cent of the late 1980s to 60 per cent in 1994 and 66 per cent in 1996, where it remained until the referendum. Of course, this process was not perfect, to say the least, and there were many disappointed republicans on referendum night. I remember it well. It was also the night of the Holt by-election and the election of the current member for Holt, so there was some
consolation for Labor supporters in Victoria. Let's not forget, though, that support for a republic survived the referendum and, even in 2004, in the depths of the Howard years, it stood at a strong 57 per cent.

We can take away from this experience two important things. First, it was republican activists that spurred the debate. Activists needed to engage with Australians to convince them of the need for the republic, not the other way around. As I said earlier, national identity is politically constructed; it does not happen by accident. Second, the time frames for referenda of this significance are long. It took almost a decade to cover all the legal and political considerations of such an important constitutional change and to build support.

This brings me to my second point: why the time for the republic conversation to begin anew is now. We know that the movement will take years to result in any lasting change and we also know that it takes republican activists to drive support for the movement, and that sort of awareness does not happen overnight, considering significant constitutional and political change requires long-term planning, which should not be affected by transient political circumstances or moods. The weather at the bottom of the mountain should not stop you from starting your journey to the summit.

All of this being said, I will attempt to engage with the substance of the bill before the House. To begin, I will relay some of the embarrassing content of this bill. This bill abolishes the rule of succession under which a man precedes his sister in succession to the throne, even if she is the elder sibling. The bill removes the rule disqualifying a person from the succession if that person marries a Roman Catholic. The rule established in the Act of Settlement that the monarch must be an Anglican is, however, maintained. There are also a range of bizarre provisions about approval from the monarch of the marriages of junior royals in which I am frankly and utterly uninterested and will not engage with. The bill, as a total, is a nonsense. I commend the bill to the House, but I hope that MPs who follow me in this place do not have to engage with similar absurdities in the future.

Mr THISTLETHWAITE (Kingsford Smith) (17:22): I, as do my Labor colleagues, speak in support of the Succession to the Crown Bill 2015. This bill will ameliorate some of the worst elements of the rules of succession to the British royal Crown, including providing that men will no longer take priority over women in the line of succession—priority will simply be determined by the order of birth. Finally, some 30 to 40 years later, we have the British monarchy catching up with the antidiscrimination and equal employment opportunity laws that exist throughout the Commonwealth. The bill also removes the bar to succession for an heir of the king or queen who marries a Catholic—an outdated and archaic restriction that existed in respect of the operation of the British monarchy. The Labor Party support these reforms, which are consistent with our commitment to gender equality and religious freedom.

I am pleased to see that the British monarchy has finally brought their lineage practices into the 21st century. However, I despair that we are debating this bill in the Australian parliament at all in 2015. I look forward to the day when the parliament of Australia no longer needs to debate and determine issues such as this. I look forward to the day when an Australian is our head of state and when we as a nation finally have confidence in one of our own to hold the pinnacle position in our nation's Constitution—a constitution that truly reflects our identity and our independence as a people and our confidence and certainty about our future.
Comments that members on this side have made regarding our support for Australia becoming a republic are not monarchy bashing. I have no criticism of the British monarchy. The British monarchy has served Australia and been very generous to Australians over the last couple of centuries. But our future, our identity and our place in the world have very little to do with mother England these days. Our trading relationship, our economic relationship, our cultural and people-to-people links are very much linked with our region of the world—the Asia-Pacific. China is now our nation's largest and most important trading partner. Our security comes from the ANZUS Treaty, principally our relationship with the United States. It is time that our constitutional arrangements reflect that independence, our position in the world, those relationships and that confidence that Australians have about our future.

It is also time that we correct some of the inconsistencies that still exist in our Constitution relating to Australia having a head of state that is the British monarch. Section 116 of the Australian Constitution states that no religious test can be applied to positions of public service under the Commonwealth. That principle in our Constitution, which is represented in our antidiscrimination legislation that governs not only how employment in the public service is undertaken but also how it is undertaken in most private institutions throughout the country, is upheld as a modern aspect of Australia's democracy. It is enshrined in our Constitution, committed to in our laws and upheld in everyday Australian society, except in the operation of the most important position under our Constitution—our head of state. Only the King or Queen of England can be our nation's head of state, and only an Anglican can be the King or Queen of England. There is a massive inconsistency in the way we operate as Australians that still exists in our Constitution and relates back to our relationship with the monarchy.

I have two young daughters and, like every proud Australian father, I want the best for them. I despair that they cannot aspire to hold the position of head of state in our nation. In this modern day and age, a young Australian child cannot aspire to be our nation's head of state. There is only one question that Australians need to ask themselves in respect of the republic debate, and that is: is an Australian capable of performing the duties of our head of state? The answer to that question is, of course, yes. We have a Governor-General and have had several governors-general who have been very proud and performed capably in that position. If the answer to the question is that Australians are capable of performing the role of head of state, then why in 2015 can we not as a nation undertake the necessary mature debate and constitutional reform to bring about that ideal? It is incredible that in 2015 the Australian parliament is debating a bill relating to changes to the hereditary succession of the British monarch. How does this in any way relate to the lives of ordinary Australians?

Why on earth is this parliament devoting several hours to this issue? Surely, in 2015, we as a nation and as a people are mature and confident enough to appoint one of our own as our nation's head of state.

Curiously and interestingly, when we meet with representatives of other nations, particularly ambassadors and high commissioners in the Asia-Pacific region, those in our neighbourhood, they cannot believe and, quite frankly, bizarrely, do not understand why we do not have an Australian as our head of state. You notice it in the big functions that often occur in this parliament, in the Great Hall, when a foreign dignitary or a foreign head of state visits. The cringe that goes around the room when the head of state of a foreign nation gets up and proposes a toast to the Queen of Australia and its people, and the confusion shown by
foreign dignitaries around the room when that toast is given, is a great symbol of the complete misunderstanding and disbelief that exists amongst other nations in respect of our head of state. They often ask: why don't you Australians have the confidence to appoint one of your own as your head of state? Why doesn't your Constitution reflect your independence?

I want to congratulate the Leader of the Opposition, Bill Shorten, for putting this issue, again, on the agenda here in Australia. It is about time we had another mature debate about our constitutional arrangements and Australia becoming a republic. It is clear that it will not happen under this Prime Minister—we know that—but we need to begin the discussion. We need a champion for a republic in Australia and, in my view, we have not had that champion since Paul Keating was our nation's Prime Minister.

However, I do believe that we now have it in the Leader of the Opposition, Bill Shorten. I congratulate him for the role that he is playing in putting this issue back on the agenda and for prompting Australians to question where our identity lies, what our future is about and why we cannot recognise our independence by having an Australian as our head of state.

We need to have a mature debate about our future identity and our Constitution. That debate must include the significant role that Aboriginal and Torres Strait islanders have played in the development of our nation. I am thankful and grateful that we are having that debate in respect of constitutional recognition of Aboriginal Australians.

In conclusion, can I, again, say that I support this bill. It is a great pity that we have to debate these issues here in the parliament in 2015. It is about time that we got on with ensuring that we have a mature debate in Australia about our constitutional arrangements into the future and about Australia finally becoming a republic.

Mr CRAIG KELLY (Hughes) (17:33): I grew up during my childhood watching the great Australia-England Ashes test matches, watching Geoffrey Boycott bat. That gave me a distinct dislike of the English! I was originally in Germany when I first visited the UK. I flew across from Germany into London airport. That was the first time I, as a young man, was going to England where my heritage and roots were and where the British monarchy was.

I remember going through Customs and there was one line for EU residents. As I was on the plane from Germany I was about the only person who was a non-EU resident. All the Germans went straight through Customs there in London. I was in another queue that basically had the sign 'Aliens.' I was in a queue with South Americans, Africans and people who hardly spoke English, thinking, 'Hang on a minute, I'm actually going to where my Queen lives.'

It made me question and think about the legitimacy and whether we actually should have a constitutional monarchy in this country. After a lot of thought, I came to realise that we truly have the best system and that we are very lucky.

There is an old saying: 'If it ain't broke, don't try to fix it.' Our constitutional monarchy has served us well for well over a century. I remember a few years ago when the Queen visited our parliament here, in the Great Hall. We were there with our wives and friends. Many staffers were there and the Great Hall was full of people. Everyone was mingling in the middle of the hall. The Queen made her entrance and walked up through the middle where the official platform was. Everyone basically had to part way. I can remember at the time being pushed and shoved to the back by all those avid republicans. They were so keen to get to the
front of the line—elbowing, shoving and stamping on people's feet so they could get to the
front of the line to ensure they could see their Queen. In fact, it was the most avid republicans
who were pushing to the front.

I heard the member for Griffith speak in this debate. I hope I do not misquote her here and
I apologise if I do. I believe the words she used were: 'Labor have a clear platform for a
republic.' We know that the Labor Party have a great hang-up on this issue, going back to the
dismissal of their great hero Gough Whitlam. They see that his reign as Prime Minister was
somehow stolen by the Governor-General. But of course they forget our history, that the
Governor-General basically brought on an election. We know that, at that election, the people
of this country said that the Governor-General was right and voted out the Whitlam
government in one of the biggest landslides in this country's history.

The member for Griffith said that Labor have a clear platform for a republic. I say it is as
clear as mud. Firstly, what type of republic are you proposing? If you think that there is a
better system than we have here in our constitutional monarchy, stand up and tell us what type
of republic you would like. Whether we call them the President or the head of state, how
would that person be selected? Would it be a popular vote? If it is a popular vote, it simply
then becomes a political contest. If we have a political contest with popular vote, we simply
elect another politician. Do we want another elected politician in a popular contest to be the
President of this country? What powers would they have? To those that think it would be
better to have another elected politician, Margaret Thatcher said:

Those who imagine that a politician would make a better figurehead than a hereditary monarch might
perhaps make the acquaintance of more politicians.

As I said, if it simply ain't broke, you don't try and fix it. We should be looking for whether
there is a better system. If we look through our history, in fact, if we look around the world
today at all the countries in turmoil, we realise—

The DEPUTY SPEAKER (Mr Ewen Jones): Order! Will the member yield to a
question?

Mr CRAIG KELLY: Yes, I will yield to a question.

Ms MacTiernan: Do you appreciate that those that have been advancing republicanism
today have been proposing that we fundamentally keep the system that we have for the
Governor-General and we just elevate the Governor-General to the head of state?

Mr CRAIG KELLY: The member for Perth obviously has not been listening to this
debate. It is easy to stand up and say we should replace the system. How do we have a vote?
Should it be voted on? Should the people be denied a vote on who the head of state is? This is
the downfall of the republican movement. They simply fail to fully articulate what they
actually propose.

Getting back to our Westminster system, our constitutional monarchy has served this
country well for over 100 years. If I look throughout the world at the different types of
governments available, we are so fortunate here in this country. We are very lucky. If we look
at all those countries in the Middle East struggling to come to terms with some type of
democracy, what better system could they have than a Westminster constitutional system?

I will finish with a quote which I think sums up why there is simply no case for change. It
was in a letter from DGO Hughes to the Daily Telegraph on 1 September 1998. He said:
We should all bear carefully in mind the constitutional safeguards inherent in the monarchy:

While the Queen occupies the highest office of state, no one can take over the government. While she is head of the law, no politician can take over the courts. While she is ultimately in command of the Armed Forces, no would-be dictator can take over the Army.

The Queen’s only power, in short, is to deny power to anyone else.

That is why our current system is the best system for this country. Unless and until someone can come up with an alternative model, fully articulated and fully detailed, I will be supporting our constitutional monarchy.

Mr STEPHEN JONES (Throsby) (17:40): I would like to start by congratulating the Leader of the House and those responsible for organising the order of debate today, because today, being St Patrick’s Day, the Australian parliament joins with others to amend the act of succession. As a Catholic of Irish descent, it gives me enormous pleasure to be debating the Succession to the Crown Bill 2015 on this day. The bill is going to fix an anachronism that should have been addressed long ago. It will amend some of the worst parts of the rules of succession to the British royal crown, rules that were born of prejudice, of discrimination and of imperial intrigue and politics from a time long ago that have absolutely no place in modern Australia.

What it will mean is that men will no longer take priority over women in the line of succession. The heir born first will assume the Crown regardless of that child’s gender. Also, a king or queen who has the good fortune to marry a Catholic will not be barred from the line of succession by that act. I support the bill. However, I have to say that it is incredible that in the year 2015 these rules still stand at all. I mean absolutely no disrespect to the Queen, her heirs and successors, the governors of this fine country or the Governor-General or any of the predecessors to those roles when I say that I sincerely look forward to the day when Australia has no formal interest in the issue of who becomes queen or king. We can all read about it in the women’s weekly, we can watch about it on television, but it will not occupy time in this parliament because we will no longer be tied to the monarchy. We will be a nation that has, on that day, truly grown up, a nation that is proud of its past, certainly not dismissive of its history, but confident as a new republic.

I think it is time. I do not think this has to be a partisan issue, and I know that there are many women and men on both sides of the House who share this view. I think that there are many people on the other side of the House who believe it is also time for this to occur. On this, we might, as we do, parry around issues, as we have today on issues of higher education, on health care, on the budget and on fiscal matters. It is right and proper that we parry on these matters to thrash out where the best plan for the country is. But on the issue of the future of the country, constitutional arrangements and our future as a republic, I believe we can and should come together as one.

In 1890, 400 guests gathered in Melbourne for the Federation Conference, and they were addressed by Sir Henry Parkes. He uttered those famous words:

The crimson thread of kinship runs through us all. Even the native-born Australians are Britons, as much as the men born within cities of London and Glasgow. We know the value of their British origin. We know that we represent a race … for the purposes of settling new colonies, which never had its equal on the face of the earth.

He was greeted, according to the record of that debate, by loud cheers. He went on to say:
We know, too, that conquering wild territory, and planting civilised communities therein, is a far nobler, a far more immortalising achievement than conquest by arms.

It is true that this speech, and all of those which surrounded it, is a part of the foundation of our nation. But it is equally true that no sane person cognisant of all that had been before and all that came after could utter these words in this parliament or anywhere else today. When we sing our national anthem we sing the words 'Australians all let us rejoice, for we are young and free'. It is true that we are a young nation; but we are a very ancient country. Those boundless plains that we sing of in our national anthem were not empty when the forebears of Henry Parkes came ashore in 1770. They were occupied by a people who had lived in this country and practiced their customs and ceremonies for in excess of 40,000 years.

I argue that, just as our founding fathers were blind to any notion of nationhood other than one that gripped to the British Empire and all that went with it, they were blind to the 40,000 years of history that they had crashed into when the First Fleet sailed into Sydney Harbour. It is time that we changed this. It is time that we united our 200 years of European settlement and hundreds of years of European tradition with the 40,000 years of Aboriginal and Torres Strait Islander history and have that recognised in our Constitution. We should do this. There is a national appetite to do this, and I also believe there is a national appetite to look at our constitutional arrangements about the future structure of the monarchy and a yearning for an independent Australian republic. I look forward to the day when we have a prosperous, stable, outward-looking democracy that is a republic—a day when we are reconciled with our Aboriginal and Torres Strait Islander people. I fundamentally disagree with much of what the member for Hughes said in his contribution but I do agree that there is no contradiction between us being proud of our British heritage and confident in knowing that we can go forth as an independent Australian republic.

A lot has been said about the symbolic notion of Australia as a republic. Our national identity, values and vision inform the way we engage with the rest of the world. When it comes to discussing whether Australia should become a republic, I reflect on the words of the current leader of the Australian Republican Movement. He said: 'Our national reputation and relationships will become more important in selling high-value goods and services than was the case in selling coal and iron ore, which virtually sell themselves.' What he is saying is that it is in so many ways in our national interest that we modernise the way we govern ourselves in this country. We cannot view the country as merely a quarry and born of British ancestry; we must consider how the world views us. Anybody who has travelled overseas and engaged with a conversation with a friend from another country would have come away from that conversation feeling a little bit embarrassed about having to explain why the monarch of another country is Australia's head of state. It simply befuddles all of those who are not from this place. I argue that it is long overdue that we make this change.

The history of every movement shows that support and momentum sometimes come from the most unlikely sources—and so it was with the great Australia Day knighthood debacle. What we saw in that one event was the galvanising of opinion and the Australian people focusing on what is truly an anachronism. I have absolutely no problem when people, including our Prime Minister, cling to a fondness for life as it was in the 1950s, but what I do have a problem with is when they try to drag the whole country back there with them. When the Prime Minister decided on Australia Day, of all days, to grant as his captain's call a
knighthood to Prince Philip, most Australians stood around scratching their heads saying: 'What is this all about? Surely you cannot be serious!' At moments like this, people focus their attention and say: 'Is this really who we are today? Is handing out a knighthood, of all things, to the prince of a foreign country a true representation of what it is to be an Australian?' All right-thinking Australian say that that is not what Australia is in the 21st century and this is not how we want to be reflected to the rest of the world. I join with the rest of Australia in saying the Prime Minister was wrong on this. He was completely out of touch. To his credit, he has acknowledged this.

But I think we need to go further. There is some unfinished business—this succession bill. It must strike many in the United Kingdom as passing strange that the parliament of a foreign country has to pass a law such as this to give effect to an act of succession in their country. It must strike many in the United Kingdom as very strange indeed that we down here in Australia are debating this bill to give effect to a decision of their parliament—and they are right. Labor supports the bill but we wish it were not necessary. We say it is time to grasp this and all that goes with it and have a debate about the future of Australia—an independent Australia, a republican Australia, which is as proud of its British heritage as it is of its 40,000 years of Aboriginal and Torres Strait Islander heritage and confident of its future in this region and in the rest of the world.

Mr MARLES (Corio) (17:52): It is with pleasure that I rise to support the Succession to the Crown Bill 2015, and in the process take the opportunity to give my views to this House about our future constitutional arrangements. In respect of the bill itself, of course I echo the sentiments of others on this side of the House and indeed of those across the parliament: that we do support a change to royal succession so that it is determined by birth and not by gender. We also support removing the bar on succession of an heir of a sovereign who marries a Catholic. These are utterly anachronistic measures which date from a different time and should be changed, and so the substance of this bill of course should be supported.

But the bill does squarely raise the question of Australia's constitutional arrangements and our future identity, and in that, Mr Deputy Speaker, I stand before you as somebody who is passionately of the view that Australia ought to become a republic. In this day and age, it is utterly inconceivable that we see ourselves as anything other than a confident nation which can have its own institutions, and we should present to the world as a confident nation with our own head of state. That is obviously what a modern country should be about, and indeed the country from which our head of state currently comes would never put itself in a situation of imagining that it would have a head of state who was a citizen of anywhere else other than Great Britain.

None of that is to deny the importance of British heritage within our national story. It is obviously critically important, and many Australians trace their heritage back to Great Britain and indeed to the British Isles. But today, so many more Australians have heritage from parts all over world. Critically, we need to ensure that our first Australians, Aboriginal and Torres Strait Islanders, are given their place in our national story, and are given their special place and acknowledged in our constitutional arrangements.

For me though this is an incident, albeit perhaps the most important incident, of a bigger issue, and that is having a growth in the sense of our national identity: what we have been, where we have come from and how we stand in the community of nations today. From all of
that, most importantly, we learn where we are going in the future. There are obvious components to our national identity that we could state, and many have in the context of this debate: we are an optimistic, proud country; we are democratic; we are free.

But I believe that there are other aspects to our national identity that merit discussion, merit exploration and need to be thought through. In my first speech in this parliament, I spoke a fair bit about the question of Australia's national identity. I made an argument at that time, one that I would maintain, that there has been throughout Australian history, from the time of European settlement, a tension between two issues. One is a wonderful sense of mateship borne out by one of the most egalitarian societies in the world. That can be seen in the way Charles Bean described the way the Anzacs, the Diggers, related to each other in the First World War. It can be seen in so many other ways in which we go about supporting our passions in Australia. The idea that you can be on the shop floor at LinFox, or that you can be Lindsay Fox, and on Monday, after the weekend, the thing you are most concerned about is what happened in the footy the Saturday before. We are a remarkably classless society, and that sense of mateship is really very much at the heart of that.

But I also argued that you can trace through our history, in my view, a more negative trait, and one that we need to confront and deal with. That is essentially a trait borne of fear—a fear of having established a colony back in 1788 about as far away from what was then the motherland as it was possible to be. David Day, one of Australia's most eminent historians, describes this idea as well with a sense of what that first community must have been like—and it must have been utterly terrifying. Indeed, mateship must have been critical for that community to survive. Being so far away from England, being in a completely different part of the world and having a fear of the Indigenous population at the time was part of what defined Australians then.

That perhaps is an important point to think about now, because the reasons for our fear then—which I think does rear its head at times in debates now, when we see the worst of ourselves—have well and truly gone. We need to be reconciling with our Indigenous population. So much of the wonderful discussion that we have seen with the national apology has been about attempting to walk down that path, and that is predated by the 1967 referendum. Ultimately, finding an appropriate and proper constitutional recognition of our first peoples in our Constitution is a critical part of reconciling what has been a difficult part of our history, borne of the early fear of the very first settlement that was here. The reasons for that fear simply do not exist today. They are just my views on some of the traits that go to the make-up of the history of Australia's identity, but I think what is really important is that we have a discussion about it.

I will make one other point, in terms of an observation that I have made since my first speech and having had the opportunity of campaigning for Australia for a seat on the UN Security Council, which was an incredible privilege—to, in a sense, speak to the world about the kind of Australia that exists today and what role we might play on what is really the most powerful forum in the world. What became clear to me in that process was that for Australia, as a confident and as an activist middle power, playing an appropriate role of leadership—not beyond what is our ability but very much within our ability—is what we should be about, but it is absolutely welcomed by the rest of the world. All of these, I think, are traits of what Australia has been, part of what our make-up is and where we should go. But if there is a
point I really want to make in identifying all of that it is that we need to have a discussion about our national identity, because if you look back at our history we have never really had it.

That goes in part to the way in which Australia was founded. If we think about the day on which Australia first became Australia, we would imagine that as being 1 January 1901. But no-one on that day imagined that they were creating a new nation. People on that day imagined that they were amalgamating six colonies into one colony. People very much believed, at that moment in time, that we were still part of Britain. There were the constitutional conventions in the lead-up to 1901, which talked a lot about how we were going to frame the governance of this region. In terms of a national discussion about what our identity is—where we have come from and what we would be—those discussions did not happen. Yet you do find those discussions in the histories of other countries, and you only need to look at the kinds of debates that were occurring in the United States in the lead-up to 4 July 1776 to get a real sense that it was a country that was absolutely going about the business of trying to determine what they were about, why they wanted not to be a part of a greater British Empire, how they saw themselves going forward, the role they saw themselves playing in the world and what values they stood for. That was an utterly critical discussion that has set the US up, I think, in terms of the way in which it has played its role ever since, both domestically and going forward. It is a discussion that in my view we need to have, and it is something that I called for in my first speech and that I call for again today.

The reason for raising these thoughts in the context of this bill, in talking about the importance of the republic, is something that the Leader of the Opposition said this morning in his contribution to this. He said:

The Republic debate, and becoming a Republic would signal a constitutional renaissance, it would provide blood energy to the nation.

Hear, hear! The becoming of a republic is critically important in itself, in my view. It is critically important as an incident of a confident, optimistic nation going forward, but it provides the perfect opportunity to have the kind of national discussion, to have a growth in our national identity, to develop some kind of national consensus about who we are and where we are going in a way that we have not actually had. There is no independence day in Australia, when you think it through. We have never had that discussion that led to us being an independent nation, and this is the perfect opportunity to do it. So, I think the Leader of the Opposition was right this morning when he said that the time is right to reinvigorate the debate around the republic, and I think this is a very appropriate point to make in the context of supporting this bill.

So, I very much hope that what we see from this is the first step down a path of becoming an Australian republic and beginning the discussion around that and, I hope, beginning a really deep discussion about who we are as a nation. In saying that, obviously I reiterate that of course we support the specifics of this bill. They themselves are a step that Great Britain should be taking in relation to its monarchy, and that they remain our monarchy is a step that should be taken by us in respect of that monarchy as well. But really, now, in 2015, the time is absolutely right to move down a different path and take Australia towards a republic.

Mr PORTER (Pearce—Parliamentary Secretary to the Prime Minister) (18:04): In providing the closing address at this second reading stage of the Succession to the Crown Bill
2015 I should note formally that the bill will provide the Parliament of Australia's assent to modernise the law relating to royal succession. The reforms were enacted by the Parliament of the United Kingdom on 22 April 2013 and will come into force on the commencement of the United Kingdom legislation as soon as all 16 realms, as they are correctly known, including Australia, implement the reforms in their jurisdictions. I should formally thank the state premiers and territory chief ministers for their support for the Succession to the Crown Bill 2015, which implements the reforms in Australia. All state parliaments have enacted legislation requesting under section 51(xxxxviii) of the Constitution that the Commonwealth enact legislation for the whole of Australia. The territories did not need to enact such legislation. However, the Northern Territory parliament enacted symbolic legislation and the Chief Minister of the Australian Capital Territory wrote to support the reform.

It is at this point that it is traditional to thank the speakers who contributed during the second reading debate, which I shall do. But I might make some comment about the nature of some of those speeches. The member for Kingsford Smith raised a question—which I do not think was rhetorical—which was: why is this House spending so much time on this bill? And the trivial answer to that question is: because members opposite outnumbered speakers of the government, two or three to one, to talk about the republic. I guess the more complicated answer to that question is that the bill is, notwithstanding some of the contributions from members opposite, very, very significant.

If you consider that the bill's content and the reform that it achieves is insignificant, then you are simply mistaken. If you take a view that the bill is anachronistic because it engages in significant reforms of a British institution—that is, the monarchy—which is constitutionally inherited in Australia, then I think you make an even graver error of judgement, because if you do not wish in the future to see the continuation of the Australian inheritance of the British constitutional monarchy and thereby consider reforms to it to be anachronistic, then you misunderstand one of the fundamental and further Australian inheritances from the British constitutional system. And that is that Australians—like our British counterparts who toiled for hundreds of years to bring about democratic government in Great Britain—have inherited a great respect and an enormous preference, when it comes to matters of constitutional governance, for cautious, pragmatic, piecemeal and progressional reform.

To those members opposite who would prefer, at some point in time, a republic but who, in that preference, consider these reforms to the existing system anachronistic, you are—with respect—completely missing the point. Indeed, the level of surety by members opposite in expressing what they consider to be the perceptions of the Australian public—that this or that is cringe-worthy and that people much prefer this than that—near verges on arrogance as to what people's views about our constitutional arrangements and inheritances are.

I will say that all but one of the contributions were exceedingly civil. It is probably instructive at this point to speak about the Leader of the Opposition's recent contributions on the issue of an Australian republic. I certainly class his contribution this evening as one of those that was civil. He said the debate about something such as a republic should proceed 'somewhere in the middle of the road, not punctured by extremes, or by incivility or rudeness.' Obviously that was a memo that the member for Isaacs did not receive at any point about the republic debate. But all the contributions were civil, other than that of the member for Isaacs, and all of them pointed to a view that this legislation is somehow anachronistic because it
does not do what some people opposite think the Australian people want—and I would say
that is a very big 'if'—or what they themselves would prefer.

Let me address the issue of why this bill is important. Both sides of politics support this
bill. Procedurally, the bill had its genesis in the former Labor government. The procedure, and
the use of section 51(xxxviii), is somewhat tortuous, although it is worth noting here—again,
I think this speaks to the importance of the bill—that, other than the Australia Act 1986 and
perhaps the Coastal Water (State Powers) Act 1980, which was itself enacted as part of the
offshore constitutional settlement, I think, based on my limited research, that this bill is only
the third time in Australia's history that the section 51(xxxviii) power has been used. This is a
power in our Constitution which, as I understand it, is unique. It does not exist in the
constitutions of Canada or the United States. The way in which this has happened is a great
example of the merits of cooperative federalism.

The process has been somewhat laboured and tortuous, but it is a fair and good process.
Both sides of politics were committed to the process and forbore the process. In fact, the
process was started under the previous government. Why has there been complete
bipartisanship? Why did the previous government start this process, which some members
opposite now describe as anachronistic? The answer is: because what this bill achieves is
something very, very important. The end of male preference primogeniture, or the 'younger
brother' rule, as it has sometimes become known, is an incredibly important constitutional
reform and one that we inherit. The bill is far from insignificant. It is ends a 300-year old rule
of male preference primogeniture which prejudiced the interests of earlier born female
members of the Royal Family in favour of elevating the interests of their younger brothers.
That was a rule which was inequitable, unfair and deeply impractical. It is ironic when you
consider that the great English monarchs of the modern age have all been female—Elizabeth
I, Elizabeth II and Queen Victoria. And this is a change which would allow for a further great
English monarch who is a female.

The rule survived for far too long, and the importance of its final demise should not be
underestimated here. It is a little bit of a shame that that has not been the focus of this debate,
but rather it has drifted onto the issue of republicanism. But the long-awaited establishment of
a non-discriminatory rule of succession to the throne means that equal rights and non-
discriminatory treatment for women have been achieved in a field of great importance, and a
conservative field where those important principles have failed to penetrate for hundreds of
years. It is a very significant reform in that respect.

This reform was instituted at the time of the former Prime Minister Julia Gillard. I recall at
CHOGM—being the state Attorney-General at the time that it was held in Perth—these words
from the former Prime Minister:

These things seem straightforward, but just because they seem straightforward to our modern minds
doesn't mean that we should underestimate their historical significance, changing as they will for all
time the way in which the Monarchy works and changing its history. So I'm very glad this moment in
history has been made in Perth.

That gave due credence to the very significant changes that have been brought about in this
bill.

I will now make a short comment about the member for Isaac's contributions. How do you
manage to turn a speech about legislation that you support, that you commenced when you
were in government and that you entirely agree with, into a political point-scoring opportunity? It is an impressive effort, but of course the habits of barristers die very hard. How do you describe something that you support, that you commenced, that you agree with in every way, and that many of your own members agree is of some serious significance, as anachronistic?

The rhetorical question was put by the member for Isaacs: 'How will the member for Pearce explain this in his electorate?' Well, rather simply really. My electorate, like most Australian electorates, has a mix of people, some who are republicans and some who are monarchists and then a whole bunch who think there are probably more important issues facing the nation, given the strengths of our structural system as set out in our present Constitution. To the monarchists I will say that this ends an inequitable and gender discriminatory rule, the continuation of which would have weakened the institution itself which a monarchist might favour. To republicans I would point out that, even though you might prefer some other model of selection for the head of state, structurally this is a fundamental and critical improvement on the present system.

Given that both sides support it—it was commenced under Labor and finalised by this government—why is it that members on this side of the House can be characterised as anachronistic, or 'reactionary' was a word used, or conservative, or 'fuddy-diddy' might be the expression, but members opposite can support the bill but be bold and progressive? It seems to be because some members opposite who would prefer a republic support the bill in the context of preferring a republic. On this point, I might raise one observation. When you support progressive causes, as moving to a republic may well be, at what point—and I think the question arises fairly—is it that you have so little progress towards your stated goal that you are no longer progressive?

To restate it: how timid can a person's actions be towards a stated goal when they actually have the ability to move you towards the stated goal—that is, in government—before their progressive credentials can be called into fair scrutiny?

I asked this question because many members opposite seem to think that any progress from this point—very significant constitutional form that we adopt through these acts towards something else—is somehow a matter of simplicity or clarity and that there is not good debate to be had. The member for Perth, my old friend, in a matter of an intervention, simply said, 'We would just be moving from one system to another, where the Governor-General would just be called something different.' But that is not the case.

If you did not move to a system of a head of state appointed in a different fashion you must work out how you would point that head of state in a different fashion. That is a matter of enormous controversy. It then follows that you would have to think about whether or not you codify the reserve powers. But if you change an appointment for the head of state—that you would necessarily have to do under a republic—do you change the reserve powers to write them up, or do you write them down?

In any event, if you appoint a new head of state who has something that is either a direct or indirect mandate, do you create a situation that makes a 1975 constitutional crisis more or less likely? And if it is more likely, is that a good thing? If it is less likely, does that mean that the executive government loses many of the checks and balances that have existed over it by virtue of the operation of the Governor-General at the moment? These are constitutionally
complicated questions that lend themselves far more to sober detailed debate than they do to notions such as national identity, which is not to deny that those former notions are a part of this process.

I do not necessarily blame members opposite—or indeed the Leader of the Opposition—for, at times, appearing a lion in the republican cause in opposition and a lamb in government, because the reality of the situation is that any such progressive moves would be very complicated and very difficult. What I found very instructive was that after the Leader of the Opposition's very well written and delivered speech on 26 January, about moving towards a republic, he said afterwards at a press conference: 'Let's rally behind an Australian republic.' But in the same press conference Mr Shorten said that while he was not yet pushing for a second referendum on the proposal it was time for a debate about national identity.

It raises the question, when we hear so much fervent republican spirit here and so much confidence that this is a simple thing to do that everyone agrees with: why has there been such immense timidity by members opposite when for six years in government they had the opportunity to raise this issue? Looking at the Leader of the Opposition—just doing a quick search of Hansard—I could only find six occasions in his entire time in parliament, other than today—

**Dr Leigh:** Only six!

**Mr PORTER:** Only six, where the word 'republic' has been mentioned. In one of those it was a rather veiled criticism of the member for Wentworth. I do not count that one. It is an impressively more complicated issue than has been revealed today, by the level of debate—this assumption that somehow the next step is easy. What is absolutely clear about today, notwithstanding a bit of theatre, is that there is complete bipartisan support. This does strengthen the existing regime of governance. In a significant way, it modernises the monarchy. It is an institution that we have inherited and, whatever one's preferences, it is an institution whose inheritance—with all of its caution, with all of its great British virtues of pragmatism and thoughtful piecemeal change—has served Australia incredibly well in its governance arrangements.

My own view on these issues, if I might be indulgent—unlike the view of the Leader of the Opposition—is that you must argue about models if you are to rationally and soberly and truthfully argue about republics. That has definitely been missing this evening.

Question agreed to.

Bill read a second time.

**Third Reading**

**Mr PORTER** (Pearce—Parliamentary Secretary to the Prime Minister) (18:19): by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.
Public Governance and Resources Legislation Amendment Bill (No. 1) 2015
Second Reading

Debate resumed on the motion:
That this bill be now read a second time.

Dr LEIGH (Fraser) (18:20): I rise today to speak to the Public Governance and Resources Legislation Amendment Bill (No. 1) 2015. This bill is another stage in the financial framework reform process that Labor commenced when in government. We initiated a review process—the Commonwealth Financial Accountability Review—which involved two years of detailed consultation and consideration of issues, culminating in the development and passage of the Public Governance, Performance and Accountability Act 2013.

The new legislation, which replaced the old Financial Management and Accountability Act and the Commonwealth Authorities and Companies Act, established an integrated financial management framework for entities within the Commonwealth. The concept was to design an appropriate framework that would improve the performance, accountability and risk management across government. The 44th Parliament has dealt with a number of pieces of legislation relating to the implementation of the framework governed by the Public Governance, Performance and Accountability Act 2013, which Labor has supported.

The bill before the parliament today continues the reform process we put in place to ensure the continual effective operation of the financial framework. This bill may be the first in a series of bills that may be introduced and developed, in the future, that would continue to improve the financial framework arrangements. This would be similar to the series of financial framework legislation amendment bills that Labor put through the parliament when we were in government to deal with similar issues to the previous financial framework legislation.

The vast majority of the amendments that are contained in this bill are housekeeping items of a technical nature and are uncontroversial. Some of the proposed changes that are in this bill relate to amendments that were unable to be made at the time that the Public Governance, Performance and Accountability Act took effect on 1 July 2014, for various reasons. As a result of further consultation with relevant entities, these amendments can now be made to the relevant legislation to ensure that they interact properly with the new financial framework.

I will go briefly through the contents of the bill. Schedule 1 of the bill amends sections of the Public Governance, Performance and Accountability Act 2013 which relate to definitions, corporate plans, arrangements for GST and streamlining the administration of transfers of functions between non-corporate Commonwealth entities. These amendments ensure a continuation of the arrangements that were in place under the previous financial framework, as well as providing sufficient flexibility in relation to corporate plans. Schedule 2 of the bill amends sections of the Public Governance, Performance and Accountability (Consequential and Transitional Provisions) Act 2014 which relate to reporting periods, Commonwealth repayments and other items which ensure the improved operation of the financial framework legislation. I will return to schedule 3.

Schedule 4 of the bill ensures that the Clean Energy Regulator and the Climate Change Authority are listed entities for the purposes of the new financial framework. These are sensible and necessary amendments to make. Schedule 5 of the bill amends 22 acts, including
the Australian National Registry of Emissions Units Act 2011, the Financial Framework (Supplementary Powers) Act 1997 and the National Land Transport Act 2014 to align and harmonise them with the Public Governance, Performance and Accountability Act to ensure that there is consistency with the new financial framework. These amendments do not change any of the policies or statutory functions contained in the legislation that is sought to be amended.

Schedule 6 of the bill makes amendments to a series of acts, which are—in the main—minor, technical in nature and uncontroversial, such as amendments to the Reserve Bank Act, the Industrial Chemicals (Notification and Assessment) Act, the Future Fund Act and the Health Insurance Act. There are also amendments to the Air Services Act, which will provide Airservices Australia with an increased ability to manage foreign currency risk effectively. That is by managing foreign currency exposure on operating expenses including insurance premiums and technical support services worth around $5 million to $15 million per year. Similar statutory powers to manage foreign currency risk already reside with the Export Finance and Insurance Commission, the Reserve Bank and Australia Post.

Schedule 6 also includes amendments to the Australian Trade Commission Act, relating to the inclusion of domestic tourism as part of the Austrade chief executive officer's functions. I understand that the Shadow Minister for Tourism, the member for Grayndler, will have more to say in relation to this amendment. He is a passionate champion of tourism. Schedule 7 of the bill relates to transitional provisions relating to legislative instruments and transitional rules that the Minister for Finance can make. Again, these are uncontroversial.

Now we have referred this bill to the Senate Finance and Public Administration Legislation Committee to give us assurance that there are no issues with the legislation before us today. Particular sections of the bill that we are seeking assurance on include schedule 3, which relates to the removal of body corporate status from the Clean Energy Regulator and the Climate Change Authority. For amendments in Schedule 6 relating to the Auditor-General Act, the proposed amendments there would expand the current exemptions to disclosing information on proposed audit reports to drafts, extracts of proposed reports and any other reports, including drafts, which are created for the purpose of preparing a proposed audit report.

The current exemption means that unless the Auditor-General's permission is granted, people who have been provided with a proposed audit report for comment cannot provide it to others. There is a two-year imprisonment penalty attached to this unauthorised disclosure. The amendments in this bill would also extend the imprisonment penalty to the unauthorised disclosure of the drafts and other extracts that I described earlier. We just want to be sure that there are no issues with these provisions of the bill.

It is appropriate that this bill is being debated in the week when the next so-called repeal day is scheduled. I would remind the House of the situation the last time the parliament dealt with legislation relating to public governance: when Labor successfully moved amendments to save the Commonwealth Cleaning Services Guidelines, only to see them abolished in another way 24 hours later. The same government that gave $1.1 billion in new tax breaks back to multinationals cut the pay of the cleaners who clean their offices by $2 an hour. That is an amount that probably is not much to those of us who enjoy the jobs of representing our
constituents in this place, but I can assure honourable members that losing $2 an hour is a considerable pain felt by those who work as cleaners.

Labor understands the necessity of a well-functional financial framework. Pending the results of the Senate committee's inquiry, we will be providing our support for this bill as it is necessary for the continual improvement of the financial framework and a further aspect of the reform process that we put in place when we were in government.

Mr TAYLOR (Hume) (18:28): I rise to speak on the Public Governance and Resources Legislation Amendment Bill (No. 1) 2015. This bill, if passed, will amend approximately 33 different acts across the Commonwealth. It will make changes that are mostly technical in nature to address matters of governance and resource management within our public service. I have couple of examples, without going through all 33 acts. The bill seeks to amend the Clean Energy Regulator Act to remove the body corporate status of the Clean Energy Regulator and the Climate Change Authority, as this is not required for them to perform their statutory functions.

The bill seeks to amend the Australian Trade Commission Act 1985 by including the words 'domestic tourism' as part of the role of Austrade's CEO. It also seeks to make amendments to the Reserve Bank Act to ensure that disclosure requirements for members of the Reserve Bank boards are varied to allow for their responsibilities in relation to monetary policy decisions and the bank's role in the financial system's stability. These are all sensible amendments, all necessary improvements, to continue laying the foundation of a modern streamlined Commonwealth public sector.

The bill is part of a much broader program of reform which will shape the enhanced performance of our public service organisations, reform that comes under one key banner: delivering more with less through sensible innovation, or what economists call productivity. There has been a revolution underway in the private sector for nigh on 20 years which has delivered us better products, better services and better lives—a revolution that has changed the way people work, how they spend their time and the way they interact with each other; a revolution which until recently has largely passed over the public sector, particularly under the last federal government. At the heart of this is a very simple lesson I learnt from almost 20 years working as a management consultant across leading private and public sector organisations; that is, we can use simple management techniques to ask people to focus on what really matters and to deliver what really matters to customers and other stakeholders.

In my work before I came to this place, I saw the impact time and time and time again of doing this well, and I have given illustrations of this in the past. My first experience with this approach was in a major steel mill not far from where I live now, where we asked each part of the business to focus on stretching achievable targets to improve performance. Front-line employees were an integral part of the process, because they know better than anyone where to find the opportunities for improvement. They came up with many, many ideas, and each was quantified and tested with others across the business. Where the ideas cut across many different parts of the business, cross-functional teams were formed to test and refine the ideas, and then senior management was required to review the ideas and make sure they were going to reach aggregate targets.

Middle managers could not hide from fantastic ideas coming from the shop floor, as had been the case historically—that is, historically, they were able to hide. The ideas were
implemented and carefully tracked with complete transparency to everyone in the organisation. This approach is now familiar in the private sector. It has been used many, many times over. In this particular case, over 20 years ago, the results were absolutely extraordinary. The business delivered outcomes that no-one could ever have anticipated. Costs fell, output grew and profits went up. A business that was in real trouble became the jewel in the crown for the parent company. Most of the employees actually loved it, because most people love to deliver and love to contribute. The steel mill became a worldwide benchmark for outstanding performance.

The implications of this for public services are profound. But to understand why this is so important, it is critical to understand the challenge we face as a country. As we saw in the Intergenerational report, our current debt and deficit is a problem. But the longer-term challenge we face is the rising level of expenditure. The Parliamentary Budget Office tells us that we have expenditure locked in at somewhere close to four per cent year and income rising at closer to three per cent. The simple mathematics of that is that, in a relatively short period of time, the deficits become monstrous and the debts become even more monstrous. It is simply a fact of expenditure rising faster than income. In areas like health, education and welfare, what we saw from the last government was a strong inclination to lock in that growth in expenditure in a way which was totally unsustainable for the country. As I say, only a one per cent difference in growth in spending versus income is enough to deliver the extraordinary outcomes that you see in the Intergenerational report.

What we saw from the last Labor government in terms of performance of our government services was sobering. To look at a few examples, we saw mess after mess after mess. I will start with education. If we apply the simple techniques that I described earlier to look at the targets we should be seeking to achieve and what we actually achieved, the story really is appalling. In primary education, between 2007 and 2013 we moved from 12th to 22nd in the world. If we look at the quality of the education system, we moved from eighth in the world to 23rd in that same six-year time period; if we look at the quality of maths and science education, we moved from 24th to 37th; and if we look at the availability of research and training services in our education system, we moved from 16th to 23rd—all of this at a time when our expenditure was growing at almost unprecedented rates. It was an appalling outcome.

Then we move to the NBN—and we have all heard much in this place about the failure of the NBN strategy of the last government. In 2010 the business plan target for houses passed by fibre was 1.27 million. The result was less than 20 per cent of that—208,000. If we look at houses with fibre service, the target was 511,000, and the result was 34,000—an epic, epic failure in delivery. If we look at the immigration program, the target was to avoid illegal arrivals, but the results were similarly stunning. In 2008, based on the benefit from the very good policy of the previous Howard government, there were 161 arrivals, although they were climbing fast. In 2009 there were 2,700; in 2010 there were 6,500; by 2012 there were 17,000; and then, of course, in 2013 there were 20,587—an extraordinary and epic failure of delivery. And there were many other failures.

As a government we have set itself some very, very simple targets and delivered on them: no boat arrivals; three free trade agreements; and getting rid of unnecessary taxes—very, very simple targets that were delivered. There are great examples of many other governments who
have done what I am describing well—set yourself clear targets, chase them and deliver. Indeed, the Labor Party's hero in the UK, Tony Blair, focused a huge effort on government accountability and, despite the critics, the results were strong. I take the example of Her Majesty's Revenue and Customs, the equivalent of our Australian Taxation Office, our ATO. I can go onto a website in the UK and see, in very simple form, all the indicators that the equivalent of our tax office in the UK is pursuing, laid out quarter by quarter in a very clear fashion. I can see where they are improving and where they are not. It lays out customer service indicators, cost indicators and tax revenue indicators all on one page. I can see exactly how they are going on collecting tax; I can see what the tax gap is; and I can see exactly how much money is not being collected that should be. We see similar approaches being taken by the South Australian and New South Wales governments. This approach has been fundamental to the philosophy of this government.

Central to this is a desperate need for innovation and experimentation in how we deliver government services—health, education and welfare. We can only cap the spending growth that I have talked about if we innovate. Indeed, a one per cent additional productivity gain over the next 20 or 30 years, which is the sort of productivity gain that the private sector would eat for dinner, would ensure that our debt and deficit do not grow. A 1.5 per cent productivity gain would be enough to quickly reduce debt and deficit. This is well within reach of what we have seen achieved in the private sector, and it is exactly those innovations that we are putting forward constantly before this House and the other place. We are now pursuing many of these things in ways that do not require the legislation of this House and the other House, because of obstruction from those opposite.

We cannot afford for anyone to act as blockers to this innovation. It is incredibly tempting for interest groups, and particularly public sector unions, to obstruct innovation so as to protect their constituents from change. But such a strategy would be and will be disastrous for Australia, consigning our government services to drastic cuts further down the path. We need leadership from those organisations from across the community, and we have seen the sort of leadership we need in the past.

I want to stop for a moment and talk about one particular aspect of this which has come up in this House a number of times: the impact of this government's policies on Canberra and on the Public Service. This is of great interest to me because I have a significant number of constituents that work in Canberra and travel into Canberra from my electorate each day. From time to time you will hear Canberra based politicians arguing that this focus on public sector performance that I am describing is a huge problem for Canberra. I am here to say that I think that, done right—and I think we are doing it right—this will re-energise the Public Service here in Canberra. It will provide opportunity. But one of the things that we have to remember about this region is that the private sector has historically been a significant part of the activity here. Unfortunately, in the time of the last federal government, we saw private sector activity in Canberra drop from 60 per cent to around 50 per cent. To compare, across Australia the number is about 85 per cent. The extravagant spending of the last government moved Canberra away from where it needs to be, which is a city that has a vibrant private sector that is growing and moving under its own steam. It was moving in exactly the opposite direction to where it needs to go. There are extraordinary opportunities for this region, whether it is in food and agriculture, in education or even in tourism. These are sectors that
have not been leveraged to the extent that they can be. I am determined, certainly in my part of this region, to make sure that we capture the opportunities as they come along. Adding to the challenge of realising the full potential of this region has been a series of Labor ACT governments that only see jobs coming from the public sector. It is time for us to move beyond that.

Let me finish by coming back to the amendment bill before the House. Whilst it is focused on technical amendments, it is part of a broader public management reform agenda. It represents the next step in simplifying the resource management and governance arrangements of a number of Commonwealth bodies. Now, more than ever, we need governments that can deliver on their programs. Now, more than ever, we are driving that cultural change in managing Commonwealth resources that is so necessary. The performance standards that have been adopted by the private sector must be institutionalised across the federal Public Service. There must be gradual and staged reform that is sensitive to our starting point, but, if we are to move our country forward, to compete effectively on the global stage, the ultimate reform must be transformative.

I welcome the confirmation this morning that the Labor Party has agreed to key further amendments now being included in this amendment bill before the House, namely to allow parliamentarians to catch up with the rest of the Public Service and the broader community in reference to being able to make contributions into self-managed superannuation funds when they are in the accumulation scheme established by the Parliamentary Superannuation Act 2004. Amendments would also be made to the Remuneration and Allowances Act 1990 to remove the restriction on salary sacrificing to self-managed super funds. The amendments would allow parliamentarians to have the same opportunity to manage their retirement savings through a self-managed superannuation fund as is currently available to Commonwealth public servants and is available more broadly in the community. I commend this bill to the House.

Debate adjourned.

Telecommunications (Interception and Access) Amendment (Data Retention) Bill 2014
Second Reading

Debate resumed on the motion:
That this bill be now read a second time.

Mr DREYFUS (Isaacs—Deputy Manager of Opposition Business) (18:43): The federal opposition is determined to ensure that our national security and law enforcement agencies have the powers that are necessary to keep Australians safe. As well as defending our nation's security, Labor also strongly believes in the importance of upholding the rights and freedoms that define us as a democratic nation, living under the rule of law. It is essential that in passing laws designed to protect the Australian community we do not compromise the very freedoms our nation proudly seeks to defend. Keeping Australians safe is an objective that Labor shares with other Australian political parties, which means approaching questions of national security in a bipartisan spirit. But bipartisanship does not mean that Labor will simply agree with every measure the government proposes. Rather, bipartisanship means that Labor will
engage constructively on the proposals put forward by the government with a view to testing and, where possible, improving those measures.

It was in this spirit of constructive bipartisanship that, last year, we in Labor worked hard to improve the three national security bills that the Abbott government introduced. While Labor ultimately supported the National Security Legislation Amendment Bill (No. 1) 2014, the Counter-Terrorism Legislation Amendment (Foreign Fighters) Bill 2014 and the Counter-Terrorism Legislation Amendment Bill (No. 1) 2014, to meet what the government stated were pressing national security concerns, Labor also insisted that these bills be referred for scrutiny to the Parliamentary Joint Committee on Intelligence and Security. In the intelligence committee, Labor members argued for and obtained a number of significant improvements to these laws.

However, the bill that is now being debated, the Telecommunications (Interception and Access) Amendment (Data Retention) Bill 2014, differs in several important respects from the national security laws that were supported by Labor last year. To begin with, this bill is not primarily concerned with national security. I sat on the intelligence committee for the purposes of the inquiry into this bill, and evidence presented to that committee made clear that telecommunications data is used in law enforcement of all kinds and that counterespionage and counterterrorism makes up only a very small proportion of this data use in Australia. The majority of requests for access to telecommunications data are made by state and federal police for general law enforcement purposes. This means that the data retention regime set out in this bill is not specifically directed towards current national security concerns such as threats arising from Australians being radicalised by overseas terrorist organisations such as Daesh; rather, the proposed scheme provides for the retention of certain telecommunications data generated by all Australians who use the internet or a mobile phone.

It is also important to understand the context of this bill. As the committee heard in evidence, the retention of very large volumes of telecommunications data has been occurring in a largely unregulated manner by private companies in Australia for many years. This data has been accessed under the current legislation, the Telecommunications (Interception and Access) Act 1979, by a large number of agencies hundreds of thousands of times a year. The concern expressed to the committee by law enforcement and security agencies is that, while access to this data is often vital to their operations, technological change and changing business practices of telecommunications providers mean that less data will be retained by some companies in future. Given this context, Labor has approached this bill as an opportunity to regulate and improve the efficacy of data retention for law enforcement and counterterrorism purposes, while at the same time introducing safeguards that will greatly improve the transparency and accountability of both telecommunications data retention and access to that data.

Labor recognises that crime and threats to our national security are always evolving as global, regional and domestic circumstances change and as technologies rapidly advance. It is essential that our police and security agencies are also able to adapt their investigative capacities to keep pace with the changing threats that we face and, particularly, to the rapid changes in technology. Labor recognises that our laws must evolve to ensure that our law enforcement and national security agencies have the powers they need to keep Australians safe.
However, the fact that our enforcement and security laws must be regularly reviewed does not mean that these laws must constantly be expanded. It is my view that extraordinary powers introduced to meet an extraordinary threat should be periodically reviewed and repealed if it is clear that those powers are no longer needed. There is no doubt that Australians could always be made safer by stricter security and stricter laws, but Australia is a democracy and we value our freedoms as well as our security. It is Labor's view that finding the right balance between our security and our rights and freedoms is a critical ongoing task that all parliamentarians must engage in. Because new threats to our national security may suddenly arise or diminish as a consequence of events unfolding overseas, it is particularly important that our national security laws and capabilities are, to some extent at least, never taken for granted as a set-and-forget proposition.

It was in recognition of the need for ongoing review of our national security laws that Labor established the Office of the Independent National Security Legislation Monitor, and it was in recognition of the ongoing nature of this function that Labor fought hard for the retention of the monitor, even as the Abbott government announced last year that the office would be abolished, in the misguided belief that its purpose was somehow complete. I am pleased that the government backed down on its proposal to abolish the monitor.

To return to the data retention bill, Labor acknowledges that, while the proposed data retention scheme is a reform that will undoubtedly be useful to our police and security agencies, the scheme will also have significant implications for the rights and the privacy of all Australians. That is why Labor has been clear since the bill was introduced by the Minister for Communications last year that, if the government is to create a data retention regime, it needs to ensure that that regime is counterbalanced by appropriately strengthened safeguards and oversight mechanisms.

In examining the government's proposed scheme, Labor was well aware of the legitimate concerns expressed by many Australians that the scheme could unjustifiably compromise their privacy. In this regard, I want to emphasise that the data to be retained under the scheme is essentially information about communications. In particular, information is to be retained that identifies who a communication was made by and to, and when and where that communication was made. The scheme does not mandate the retention of the content of those communications. For example, under the scheme data will be retained that records the phone numbers of people talking to each other and the duration of the call but not what was said. In relation to email, information about email addresses and timing will be retained but not the subject line or content of those emails. To clear up any uncertainty that may have arisen following confused statements from the government late last year, while the scheme will record IP addresses allocated by internet service providers to devices because of the importance of that information to police in investigations of serious crime, the scheme will not require the retention of data that would reveal a person's web-browsing history.

Concerned about a number of aspects of the proposed data retention regime, which the government chose not to introduce with an exposure draft of legislation, Labor pressed the Prime Minister to allow time for proper consideration of the government's bill by the Parliamentary Joint Committee on Intelligence and Security. Labor was insistent that this inquiry include adequate time for the public, legal bodies and key stakeholders to make submissions, and for public hearings to be held.
In scrutinising the data retention bill, Labor members of the intelligence committee worked to improve the efficacy of the proposed regime, while at the same time introducing significant improvements to the data security oversight and accountability mechanisms under which the proposed regime would operate. I believe that these improved safeguards are essential to protecting the privacy of Australians and to giving the Australian community confidence that their personal data will not be compromised or misused. These measures will help to maintain and strengthen public confidence in our law enforcement and security agencies—a confidence that underpins the effectiveness of these agencies by ensuring a close working relationship with the community they protect.

The intelligence committee's report on the data retention bill, released on 27 February this year, vindicates Labor's view that this bill required careful consideration. The intelligence committee unanimously concluded that very substantial changes to the bill were required and made 38 recommendations for improvements to the bill. A number of general and specific concerns regarding the bill were raised with the intelligence committee through the hundreds of submissions received and at the public hearings of the committee. Labor carefully considered these concerns and worked through the committee to develop recommendations to respond to them. Labor members secured recommendations for a number of significant improvements to the way in which the proposed data retention scheme will operate, with a particular emphasis on improved oversight and accountability measures. I am pleased that the Abbott government has acknowledged the many shortcomings of the bill introduced by the Minister for Communications last year and has now accepted all of the intelligence committee's recommendations.

There were several key improvements to the bill that were supported by Labor and that were the subject of bipartisan recommendations of the intelligence committee. All of these recommendations to improve the bill have been accepted by the government. Labor argued for the data retention bill to be amended so that the dataset, which defines what data is to be retained under the new regime, is set out in the legislation. This is a substantial change from the Abbott government's proposal, which was for the dataset to be defined in regulations only and that therefore could be altered by the government without parliamentary scrutiny. In driving this change, Labor has made sure that the parliament and the Australian people are able to properly consider the scheme being proposed, and that any attempt by the government to change the scope of the scheme is made in a transparent and accountable manner. This means that no government will be able to expand the scheme without returning to the parliament. This change will also ensure that business has greater certainty and that Australians will know which parts of their private information are being retained. To provide for situations where changes to the dataset may be urgent, the bill will also be amended to give the Attorney-General the power to add items to the dataset by declaration. However, a declaration will cease to have effect within 40 sitting days, which means that permanent change to the dataset is controlled by parliament.

Retained data is presently available to any agency which enforces criminal or, in some cases, civil law. It means that, at present, many dozens of organisations are able to access retained telecommunications data, including local councils. The bill as introduced by the government would have limited access to a much smaller number of essentially law enforcement and national security agencies—ASIO, the Australian Federal Police, state and
territory police forces, the Australian Crime Commission, Australian Customs and Border Protection Service, the Australian Commission for Law Enforcement Integrity and state based anticorruption commissions. While reducing the number of agencies with access to telecommunications data is a positive step, the government's decision to exclude the Australian Competition and Consumer Commission and the Australian Securities and Investments Commission from the list of authorised agencies would have significantly reduced the capacity for those agencies to fight white-collar criminals. Labor argued for these agencies to be authorised to access telecommunications data, and the government has accepted this change.

The bill as introduced also gave the Attorney-General a very broad discretion to add further agencies to the list by regulation. Labor was concerned to ensure that new agencies only be added to the list through a transparent parliamentary process, and a recommendation to that effect was made by the intelligence committee. To provide for emergency situations, the intelligence committee also recommended that the bill be amended to give the Attorney-General the power to add agencies by declaration. However, as with changes to the dataset by declaration, the declaration to add agencies will cease to have effect within 40 sitting days, which means that any permanent change to the list must be made by legislation and referred to the intelligence committee for its consideration.

The bill as introduced by the government would have allowed access in ordinary civil proceedings to private information retained under the regime for the purpose of national security and criminal law enforcement. This could have led to serious intrusions into the privacy of individuals by civil litigants for purposes entirely unrelated to the reasons for which the data retention regime is being established. To respond to this problem, Labor argued for and the intelligence committee recommended amendments to ensure that retained telecommunications data cannot be used for civil litigation purposes, including enforcement of copyright claims. Exceptions to this prohibition will be able to be made by regulation. The government has proposed amendments to give effect to this recommendation.

The bill as introduced by the government did not expressly provide for individuals to seek access to their own retained data. Once again Labor argued for the bill to be amended to make it clear that individuals have a right to access their retained data. This right upholds an important principle of privacy law by ensuring that Australians are always able to access their personal data that is kept by companies. Indeed, just as the authorities should be able to access data needed for prosecutions and national security, individuals should be able to access data for any personal purpose. The intelligence committee recommended amending the bill to give effect to this right, and the government has agreed to introduce this amendment.

In its 2013 report to the parliament, the intelligence committee recommended that a system of mandatory data breach notifications accompany any data retention scheme. Labor agrees that Australians have a right to know when the security of their data has been compromised. Unfortunately, the data retention bill as introduced did not follow this recommendation and did not include such a scheme. Labor argued that a scheme imposing mandatory data breach notification—sometimes called privacy alerts—gives individuals peace of mind about the security of their data and, when there is a breach, allows them to protect against identity theft and take appropriate action such as changing passwords.
Labor has consistently supported mandatory data breach notification, but the government has until now refused to pass Labor's Privacy Amendment (Privacy Alerts) Bill 2014. Accepting Labor's arguments the intelligence committee recommended that a mandatory data breach notification scheme be legislated by the end of 2015. The government has accepted this recommendation.

The bill introduced by the government did not provide for mandatory encryption of retained data. This was recommended by the intelligence committee in its 2013 report and Labor was very concerned about this omission. Labor believes that encryption will help ensure that Australians' data is kept secure and private under the scheme and the intelligence committee accepted these arguments, recommending that the bill be amended to require encryption. The government has also accepted this important recommendation.

Under the current legislation through which telecommunications data is accessed, the Telecommunications (Interception and Access) Act 1979, an agency need only have regard to whether interference with privacy is justified in the light of the likely usefulness of data and the purpose for which it is sought. Labor believes that the rights of Australians to privacy should also be respected and that the powers conferred on agencies by the proposed data retention scheme should not be exercised other than for purposes related to national security and serious law enforcement.

Labor argued for and the intelligence committee has recommended amending the bill so that in order to authorise access an agency must be satisfied on reasonable grounds that any interference with the privacy of any person or persons that may result from the disclosure or use is justifiable and proportionate. The intelligence committee recommended that in making this determination the agency is to have regard to, firstly, the gravity of the conduct being investigated, including whether the investigation relates to a serious criminal offence, the enforcement of a serious pecuniary penalty, the protection of the public revenue at a sufficiently serious level or the location of missing persons. Secondly, the reason why the disclosure is proposed to be authorised and, thirdly, the likely relevance and usefulness of the information or documents to the investigation.

The government has proposed amendments to give effect to these significant restraints on the use of retained data. Labor also argued for oversight of the scheme by two independent Commonwealth agencies: the Inspector-General of Intelligence and Security; and the Commonwealth Ombudsman. Labor argued for the Ombudsman to be properly resourced to carry out his increased oversight role. Recommendations to give effect to these improved safeguards were recommended by the intelligence committee and have now been accepted by the government.

Labor further argued that the bill should provide for the intelligence committee to itself have operational oversight of security agencies under the data retention scheme. This is also the subject of a recommendation the government has accepted. This is a significant reform and a first step towards the implementation of a broader scheme of improved transparency and accountability measures proposed by recently retired Senator Faulkner. I will say more about Senator Faulkner's proposed measures shortly.

The data retention regime proposed by the bill will also impose significant regulatory burdens on over 600 telecommunications companies in Australia, at considerable cost to Australian taxpayers and consumers. The capital costs alone are estimated to be in the vicinity
of $300 million but the government has been inconsistent in its statements regarding who will bear the brunt of these very substantial costs.

Labor will continue to press the government for clarity on this issue and will oppose any attempt by the government to pass the substantial costs of the scheme on to telecommunications providers and their customers, as to do so would effectively impose a new internet tax on Australian consumers.

Labor also sought and the government has now agreed to a change to the bill to require the intelligence committee to conduct a review of the entire scheme two years after the implementation phase, a year earlier than the bill had proposed. This review will provide an important opportunity to consider matters including: the effectiveness of the scheme; the appropriateness of the dataset and retention period; costs; any potential improvements to oversight; regulations and determinations made; the number of complaints about the scheme to relevant bodies; and any other appropriate matters.

Importantly, this statutory review will be informed by statistical details collected by the agencies over two years of the operation of the scheme.

There are three other particular matters that I want to note. One very significant matter on which the government would not give way was the manner and extent to which journalists and, by extension, freedom of the press should be protected from the potentially adverse effects of the proposed data retention regime. It is a matter of regret to me that I and my Labor colleagues on the committee were unable to convince the government members of the need to address this by recommending the creation of a warrant regime to protect journalists and their sources.

While Labor members of the committee were willing to reach a compromise on some matters in the bill to achieve an acceptable, if not ideal, outcome, we in Labor believe that a free press is a cornerstone of all healthy democracies, including ours here in Australia. While freedom of the press is not an absolute right and is necessarily curtailed to some extent to uphold other rights, every effort should be made to ensure that freedom of the press is maintained and defended.

It is Labor's view that a warrant should be required for access to the telecommunications data of journalists. No compelling evidence was presented to the committee as to why a warrant should not be sought for access to the telecommunications data of journalists. Some witnesses argued that because journalists have only rarely been the subject of data access requests, such a measure is not needed to protect freedom of the press. However, Labor believes that the chilling effect on freedom of the press that could arise from the very existence of data retention laws is very difficult to measure.

In addition, Labor's view is that because requests for access to the telecommunications of journalists are rare, requiring police and security agencies to obtain warrants for access to journalists' data would not impose a significant administrative burden. Conversely, requiring a warrant in these circumstances would significantly strengthen freedom of the press by making clear that judicial oversight is mandatory where journalists are the subject of a telecommunications data access request.

Unable to reach agreement on this matter, the committee recommended that an additional and comprehensive inquiry be held into appropriate measures for the protection of journalists.
and their sources under the data retention regime. The additional inquiry by the committee is
to enable the important issues relating to press freedom to be thoroughly canvassed in a
transparent manner, with the committee to report within three months, well before the scheme
would come into effect late in 2016.

The committee recommended that, in undertaking this inquiry, the committee consult with
media representatives, law enforcement and security agencies and the Independent National
Security Legislation Monitor, while also considering international best practice, including
data retention regulation in the United Kingdom. The first hearing of this additional inquiry is
scheduled to be held this Friday, 20 March. The Leader of the Opposition has written to the
Prime Minister, again pressing the need for the proposed bill to include a warrant regime to
protect freedom of the press. Yesterday, the Prime Minister indicated that he had changed his
mind and would now support amendments to create such a regime. I certainly welcome the
Prime Minister's change of heart and look forward to the government's proposed amendments
to give effect to a warrant regime for journalists.

An important concern raised in evidence before the Intelligence and Security Committee
was how to maintain the security of retained data. It was suggested by some that this data
would be a honey pot for hackers and, potentially, for unfriendly governments. Labor agrees
that all practical steps must be taken to ensure that this data is never compromised. As I have
noted, Labor argued for the bill to be amended to impose stringent standards for data security.
These arguments were accepted by the committee, which recommended a requirement for
stored data to be encrypted. Labor members also pressed for a recommendation that
legislation imposing a mandatory data breach notification scheme be introduced so that
anyone who has had their data compromised is informed of this breach and can take
appropriate measures to respond.

However, one outstanding matter relating to data security relates to whether an obligation
will be imposed on companies to store telecommunications data within Australia. Former
Director-General of ASIO, David Irvine, said at a recent Defence and National Security round
table that he would be concerned about the security of retained data if it were stored overseas
because it would be:

… governed by someone else's sovereign legislative system.

This matter is currently being examined as part of the telecommunications sector security
reform, a process commenced by Labor while in government and which the Abbott
government has stated will be completed well before the end of the data retention scheme
implementation period. When completed, any TSSR legislation will come before the
Intelligence and Security Committee. Consistent with the comments of the former head of
ASIO, during the review of any TSSR legislation, Labor will insist on a requirement that
retained telecommunications data be stored onshore.

Finally, I come to the Faulkner reforms. Senator John Faulkner, who retired from the
parliament in February this year, was a fierce advocate for improved governmental
transparency and accountability in our nation. He argued that in recent years Australia has
benefited from professional and well-run intelligence and security agencies that have
respected the parliament, the government of the day and our laws. But Senator Faulkner also
argued that effective safeguards against the abuse of security powers cannot depend on the
personal integrity and quality of the leaders of our agencies. Rather, it is the responsibility of
the federal parliament to prescribe safeguards that keep pace with the expansion of security powers. I agree entirely. While I personally have great respect for the law enforcement and national security officers who are currently serving our nation, it is the laws of the nation that must safeguard our rights and freedoms, and it is these laws that we are now debating.

Members of the federal Labor Party recognise that, in Australia, as in many other similar democracies, the powers of intelligence and security agencies have been strengthened significantly in recent years as a consequence of the increasingly complex and unpredictable security environment. Labor agrees that the maintenance of public safety in the current security environment requires enhanced powers for the agencies charged with this critical responsibility. However, with legislative changes extending those powers, the requirement for reliable, effective external oversight and other safeguards becomes critical to maintaining an essential level of trust in the community about agency operations. It was Senator Faulkner's view that it is the parliament to which the agencies are accountable and it is the parliament's responsibility to oversee their priorities and effectiveness and to ensure agencies meet the requirements and standards it sets. I agree.

Senator Faulkner developed a set of reforms designed to ensure that the effectiveness of parliamentary oversight of intelligence and security agencies keeps pace with any enhanced powers being given to the agencies. Labor will bring forward legislation this year to give effect to these important reforms. One key reform proposed by Senator Faulkner was for the Intelligence and Security Committee to have oversight of some operational matters of the security agencies. Labor pressed for this significant change to the role of the Intelligence and Security Committee to occur with respect to oversight of the data retention regime. As I have noted, the government has accepted the recommendation of the Intelligence and Security Committee to give effect to this change and has drafted amendments to the bill for this important expansion of the Intelligence and Security Committee's role.

Labor will always work to keep Australians safe and, at the same time, to uphold the rights and freedoms enjoyed by all Australians. Getting this balance right can be a challenging task, but with the addition of the numerous amendments to the Telecommunications (Interception and Access) Amendment (Data Retention) Bill 2014 that Labor has fought for, and with the government's agreement to further amendments to protect freedom of the press, we believe that the Telecommunications (Interception and Access) Amendment (Data Retention) Bill 2014 strikes the right balance. I commend the bill to the House.

Mr NIKOLIC (Bass—Government Whip) (19:12): Listening to that speech, you would think that the Labor Party was the only party represented at the Parliamentary Joint Committee on Intelligence and Security. What we have heard from the member for Isaacs is: 'Labor did this. Labor did that.' My recollection, because I am a member of that committee, is that what we produced was a bipartisan report, a report that reflected a valued contribution from all members on that committee. There were certainly some tough discussions and, I would have to say, goodwill in most hearts. So it is disappointing to me to hear the criticisms and the partisan comments from the member for Isaacs because many of the things that he mentioned were, from my recollection, cooperatively concluded recommendations rather than in the way that they were portrayed.

The member for Isaacs also says that counterespionage and counter-terrorism make up only a very small amount of the requests for metadata. But I remind the honourable member that
this is not a quantitative but a qualitative issue. One person can have a strategic affect and, as we have seen in recent times, all too often, resurgent terrorism has thrown up far too many recent examples of that essential truth.

The other essential truth is that the first duty of government—and this is where I agree with the member for Isaacs—is to keep its people safe. As a member of the committee that the member for Isaacs also belongs to, I am pleased to contribute to that very important outcome. In light of the resurgent threat of transnational terrorism, in light of the adaptive nature of those who engage in terrorism, in serious crime and in the appalling sexual abuse of our children, the Telecommunications (Interception and Access) Amendment (Data Retention) Bill 2014 is important to Australia and to all Australians.

Terrorism concerns each and every rational government in the world today. It also concerns multilateral organisations like the United Nations, which has called for greater action in this area. The recently adopted UN Security Council resolution 2178, for example, requires states to criminalise the travel or attempted travel of foreign fighters.

As I wrote in an opinion piece in *The Australian* newspaper just a few weeks ago on 16 February, the United Kingdom is considering the introduction of a power to suspend citizenship for those found guilty of terrorism offences. Canada is being even tougher following the terrorist attacks at Ottawa's national war memorial and parliamentary precinct. After the atrocity in Paris in early January, France, like Canada, is revoking the citizenship rights of dual nationals. I think this British, French and Canadian determination signals a pragmatic way ahead for others, including Australia, to confront resurgent terrorism.

I spoke in that opinion piece in *The Australian* about my own encounter with captured terrorists while serving as team leader of a United Nations mobile team called Team Zulu in south Lebanon in September 1991. The terrorists we captured never achieved their mission after their small boat was seized by my United Nations colleagues. It was a boat crammed with AK47s, hand grenades, knives, explosives and rocket propelled grenades. Their intent was to land on the Israeli side of the border near a beautiful coastal town called Nahariya where my wife and then two very young daughters lived. Their mission was to kill as many Jews as possible before they themselves were killed. When I asked that three-man terrorist team through the French-Arabic interpreter how they would distinguish between Jews and overseas visitors, the terrorist leader confidently put that question in the hands of his god. I can recall thinking at the time how lucky we were in Australia not to have such insane, indiscriminate killers in our country. But, as we now realise, those days are long gone.

That is why this bill is so vital. It gives our police and security agencies the additional powers they need to keep us safe. We may not like it, but this is now the practical reality which will continue to increasingly inform and affects the lives of every one of us and those we represent. This climate is likely to continue to persist for at least the foreseeable mid-term future and perhaps even well beyond that. Indeed, informed pundits such as former Chief of the Army Lieutenant General Peter Leahy are predicting a century of commitment to confront and contain let alone defeat resurgent and spreading religious and social extremism, intolerance and barbarism. This bill is a common-sense approach to that serious threat.

I will turn now to the practical application of this bill. In essence, it requires telecommunications providers to keep a limited and defined subset of metadata for two years. It means that we can shore up consistent standards across industry for storing limited data so
that it remains available for criminal and security investigations. This is absolutely vital because the case studies that we heard on our committee demonstrated that metadata is the basic building block in nearly every successful counterterrorism, counterespionage, organised crime and paedophilia investigation. That is why Hetty Johnston from Bravehearts has called this legislation a 'no-brainer'.

Remember that metadata is information about a communication—the who, when and where—not the content, substance or 'what' of a communication, for which a warrant is still required to access. For phone calls, metadata is information such as the phone numbers of people talking to each other and how long they have talked to each other, not what they have said. For internet based services, metadata is information such as an email address and when it was sent, but not the subject line or body of an email. Metadata allows our police and security agencies to understand the links between people and networks. We are talking here about pattern-of-life analysis, understanding how people or networks of concern might link with each other to determine the need for more intrusive means to look perhaps at the content of what they are saying to each other.

In comprehensive briefings to our committee, we learned that metadata was used in 100 per cent of cybercrime investigations, nine out of ten counterterrorism and child protection investigations, and eight out of ten serious organised crime investigations. In a recent European paedophile investigation, the UK was able to prosecute 121 offenders. In contrast, the Germans, who have no data retention regime, could not convict a single perpetrator.

This legislation is particularly urgent because of fast-changing technology and the adaptive nature of our adversary. Telecommunications companies are retaining less data for shorter periods. We do not want our police and security agencies to become increasingly blind in pursuing terrorists and those involved in serious crimes. In 2013 a major internet service provider reduced its retention period for IP address allocation from many years down to three months. Remember that this data enables agencies to match suspect communications with actual people. In June 2014 the Australian Federal Police were unable to identify a suspect who stated online that they intended to sexually assault a baby because the carrier only retained data for a maximum of seven days. No responsible government can sit by while those who protect our community lose access to such vital information. The Australian Federal Police and organisations like ASIO are adamant that the decreasing availability of this data is hampering investigations and preventing perpetrators being brought to justice.

Contrary to the scare campaigns by the Greens party and their activist mates, this legislation gives no extra powers to our agencies, which have been accessing metadata for decades. In fact, we are strengthening privacy in this bill because we are cutting the agencies which can access metadata from around 80 to around 20 who have a clear and demonstrable need. Currently, even local councils and the RSPCA can access metadata. Under our new law, we will substantially reduce access to around 20 core criminal law enforcement and security agencies. This reflects public concern around the number of agencies permitted to access telecommunications data.

As a member of the Parliamentary Joint Committee on Intelligence and Security, I can also provide assurances on the privacy protections in this bill. The Commonwealth Ombudsman will be given powers to inspect access to and the use of telecommunications data by Commonwealth, state and territory enforcement agencies. The Privacy Commissioner will
continue to assess industry's compliance with the Australian Privacy Principles and monitor its nondisclosure obligations under the Telecommunications Act. The Inspector-General of Intelligence and Security will inspect and report on ASIO's access to data. The government has significantly increased the inspector-general's resources to enable it to effectively oversight the activities of intelligence agencies, and the Attorney-General will report on the scheme annually. It is important to make the point that the data retention proposal does not affect the immunities given to whistleblowers who qualify for protection under laws like the Commonwealth Public Interest Disclosure Act 2013.

It is clear that this legislation is urgent, but no-one can accuse us of rushing it through the parliament, given that we introduced the bill almost four months ago, on 30 October 2014. In relation to costs—an item raised by the member for Isaacs, again, in a critical way—the government has provided the Parliamentary Joint Committee on Intelligence and Security with a confidential briefing on the costs of the scheme. This briefing to our committee enables us to include in our report details of the range of estimated costs of the scheme and to ensure that these details are made public prior to debate of the bill. The government has said from the outset—not under pressure from the member for Isaacs or anyone else—that we are prepared to meet a reasonable share of the up-front capital costs to implement this legislation. We are confident that industry understands the importance of data retention and takes seriously its corporate responsibility to do the right thing by helping our police and security agencies to protect Australians. But even at the highest estimate, the cost is less than one per cent of the $40 billion plus sector, so the costs involved will be comparatively modest.

Importantly, this bill is fair to all law-abiding and decent Australians. It targets only those among us who would seek to do the very great majority harm and supports their detection at the very earliest opportunity. To do otherwise is neither sensible nor prudent. Perhaps, in the end, the best way to assess the validity of this bill is for all of us and, indeed, all those we represent to ask a simple question: who has most to gain or benefit by delaying these measures? The answer to this question is pretty clear: it is not any of us in this chamber nor the majority of Australian citizenry beyond, rather it is those who intend to harm their fellow Australians. While the subject of data retention is, itself, less dramatic than the use of aircraft armed with both kinetic and smart weapons against Daesh, it is nevertheless an important complementary measure, which may very well prevent others from joining their murderous ranks.

I heard the member for Isaacs talking about journalists, and the journalist issue has been topical in recent times. My view is that we must not exempt categories of people from the law. Let's face it, journalists are just as likely as to commit crimes as others—lawyers, priests and doctors—who also engage in privileged private communications. Despite what the member for Isaacs has said about there being no compelling evidence why a warrant regime for journalists should not be implemented, there was no evidence presented of abuse of the metadata scheme over the last 30 years that it has been used. There is no evidence whatsoever about abuse in relation to journalists or their sources. So the question I ask is: what problem are we solving? There are safeguards within the PJCIS recommendations to provide additional protections. Law enforcement agencies must notify the Ombudsman or in the case of ASIO the Inspector-General of Intelligence and Security each time an authorisation for
metadata relates to a journalist's source. The committee I am a member of—the PJCIS—must also be informed and can consider the operational imperatives relating to that authorisation.

Let me conclude by reinforcing the important effect of this bill in helping secure our current way of life in an otherwise difficult and testing security environment. This bill establishes a vital statutory obligation to retain metadata. It is vital because it is at the heart of keeping our community safe. It is the agencies that conduct those activities that are telling us exactly how vital it is. This government will not rest until our community is as safe as it possibly can be, and a vital part of that is getting this bill through the parliament. I commend the bipartisan nature of the committee’s consideration of this bill. I congratulate our chair, the member for Wannon, Dan Tehan, and the deputy chair, the member for Holt, Anthony Byrne. I commend this bill to the House.

Mr CLARE (Blaxland) (19:27): The Telecommunications (Interception and Access) Amendment (Data Retention) Bill 2014 is controversial legislation, and I can understand why some people are very concerned about it. Even senior members of the government have previously expressed concerns about the retention of telecommunications data for the purposes of law enforcement. The minister who introduced this bill, Malcolm Turnbull, said in 2012:

I must record my very grave misgivings about the proposal.

In 2012, he said that a data retention regime would have a:

… chilling effect on free speech …

The Deputy Leader of the Liberal Party, Julie Bishop, said in 2012:

The idea that the Government should collect and retain the online records of all Australians for a period of two years I think is disturbing. It appears to go too far and I would have to be persuaded that this was a reasonable request.

These concerns are not restricted to one side of politics. People in all political parties have concerns about the mandatory retention of telecommunications data. Legislation like this raises legitimate and serious privacy issues and it is important that they are addressed.

This is all so complex. It is not easy to get your head around. We saw a compelling example of that last year when the Attorney-General could not explain to David Speers on Sky News what metadata is or whether telecommunications companies would be forced to keep a record of the websites people visit. That is why, when the government introduced this legislation into parliament just before Christmas, we said that it should not be rushed through; it should be subject to a proper inquiry by the Parliamentary Joint Standing Committee on Intelligence and Security. And that is what has happened. I am privileged to have been a member of that committee as part of its work.

The work that this committee has done has made clear to me that this legislation in its current form—in its original form—is not good enough. The committee received more than 200 written submissions and held three days of public hearings. It also held a number of private hearings. The weight of evidence that we received made very clear that the legislation in its current form puts too much power in the hands of the Attorney-General.

It also does not sufficiently address legitimate concerns about privacy and the protection and security of the data that will be retained. It also does not have the oversight powers and resources that are really needed here to make sure that the use or misuse of people's
telecommunications data can be properly investigated. That is why as a committee we recommended a lot of changes to this bill—38 in all. I will go through some of those in a moment and why I think they are important. But first I want to explain what is happening now in Australia.

Right now telecommunications companies keep a lot of data about us—metadata. They do not all keep the same data and they do not all keep it for the same period of time. Some data is held by companies for a couple of weeks. Some data is held for up to seven years. Police and other law enforcement agencies access this data right now, and a lot of it. Last year there were more than half a million applications by law enforcement to telecommunications companies to access metadata. It is part of most investigations. It does not always solve crimes, but it is an important investigation tool. For example, police turn up to a crime scene. There is a dead body and there are no witnesses. One of the first things they do is seek the phone records of the person who has died to see who the last people were that they were speaking to. Sometimes it provides the evidence that is critical to a conviction. We saw evidence of that in the case in the murder of Jill Meagher in 2012. In that case it was telecommunications data that led to the conviction of Adrian Bayley. This data is being accessed now, not just by police but by 80 different organisations, including councils and the RSPCA. There are very few rules around it, there is very little oversight and, therefore, there is very little evidence about how it is used or misused.

The argument that the government has used is that this legislation is required because telecommunications companies are not holding our data for as long as they used to, that they are going to hold less and less in the future, and that, therefore, law enforcement agencies will not be able to do their job. This is sometimes called 'going dark'. The Prime Minister said recently that if this legislation is not passed there will be 'an explosion of unsolved crime'. This is not right. It is true that some telcos have reduced the amount of data they hold. But it is also true that the major telcos—Telstra, Optus and Vodafone—all told the committee in public hearings that they have no intention of reducing the amount of data they currently retain.

In my view the real purpose of this legislation is not to stop law enforcement going dark. It is more about consistency. It will require all telcos to keep the same type of data and hold it all for the same period of time. That will invariably mean that law enforcement agencies will have access to more data—data that is not currently being held by some telcos for two years. The real reason to support this legislation is this: law enforcement agencies access our telecommunications data right now, with very few rules and very little oversight. If the recommendations of the joint standing committee are adopted, tighter rules will be put in place, and for the first time there will be oversight of the agencies that access our data and their use or misuse of it.

I want to focus now on some of the committee's key recommendations: first, the controversial issue of what metadata is. The bill in its current form leaves it to regulations. In other words, it leaves it to the Attorney-General to decide. The committee rejected this approach. It puts too much power in the hands of the Attorney-General and creates too much uncertainty. We therefore recommended that the dataset that the telcos have to keep be embedded in legislation. Second, who can access this data? Again, the bill leaves that question to the Attorney-General to decide. And, again, the committee rejected that approach.
The committee recommended that the parliament, not the Attorney-General, should decide what data has to be kept and who can access it.

Third, at the moment it is doubtful whether individuals have access to their own telecommunications data. The legislation deals with law enforcement access to data but does not address individuals' rights to their own telecommunications data. The committee's recommendations will fix this problem. The committee recommended that telcos be required to provide their customers with access to their own telecommunications data upon request for a fee. And I am glad to see that, in the wake of this recommendation, Telstra recently announced that that will put this into place for their own customers effective from 1 April.

Fourth, the security of the data kept under this legislation is also a real issue. The last time the committee looked at this issue in 2013, it recommended that the data be encrypted. This legislation in its original form says nothing about this. In 2013 former Attorney-General Mark Dreyfus also introduced legislation to create a data breach notification scheme. In other words, if your data is hacked, you are notified. This legislation was introduced into this place but lapsed after the last election. The committee has recommended that this data be encrypted and that a data breach notification system be created.

The committee also looked at the important issue of where this data should be held. We made no recommendation about this, but this is an important issue. There are good arguments to say that it should be held in Australia. The former head of ASIO, David Irvine, made that argument as recently as yesterday in Australian newspapers. The committee looked at this issue and will look at this further when it examines the forthcoming telecommunications security sector reforms.

Fifth, how will this data be used by other people and other organisations in civil litigation? This was the subject of a lot of confusion when this legislation was introduced. The AFP Commissioner said that it could be used to track down people who illegally download movies and TV series like *Game of Thrones*. On *Q&A* in November, George Brandis said that was not right:

TONY JONES: Okay. Well, can I put something to you and that is that I think that a lot of Australians are probably quite surprised to hear Commission Colvin suggest that these metadata or the metadata gathered could be used in a whole range, beyond terrorism, of different prosecutions, possibly even against Internet pirates …

GEORGE BRANDIS: Well, they can't be and they won't be …

But that is not right either. There is nothing in the bill that prevents the use of this data to pursue in a civil court people illegally downloading movies. The recommendations by the committee help fix this problem. We have recommended a prohibition on the use of data retained under this legislation from civil litigation.

Sixth is the issue of costs. This is very expensive: the capital cost of setting up this system has been estimated by PWC as between $188 million and $319 million. We all pay for that in one way or another. A substantial proportion will be paid for through our taxes, and the rest through our telco bills. It is a capital cost, not an annual operational cost, but it is still expensive. I am particularly concerned about the impact that this might have on small telcos. Competition in this sector is extremely important, and I am worried about the risk of this pushing small telcos out of the market. The committee recommended that the government ensure that the funding they provide to telcos to set up this scheme is tailored in a way to help
particularly small providers who may not have the capital budgets or operating cash flow to implement this legislation without upfront assistance. The government has committed to do this. I thank them for it; it is important that this happens.

Seventh, the sort of powers that law enforcement agencies already have to access our data should be subject to real oversight. As I said, at the moment they are not. The original bill gets one thing right: it gives the Commonwealth Ombudsman oversight and investigative powers over the use or misuse of telecommunications data. This includes full investigative powers, the power to compel officers to answer questions and access to all records and premises. This applies to federal and state law enforcement agencies. But what is not done and what we do not see in the original legislation is the necessary resources that the Ombudsman needs to do this job. In evidence to the committee, the Ombudsman, Mr Colin Neave, said he lacked the resources to do this and that he would need an additional 12 staff and $2.3 million in the first year and $1.65 million per annum thereafter. The committee, in our report, recommended that these resources be provided, and it is important this happens.

It also recommends, for the first time, real parliamentary oversight. At the moment the Parliamentary Joint Standing Committee on Intelligence and Security is not allowed to examine operational matters. This will also now change: the committee will have the power to examine the use of this legislation by the AFP and ASIO. This is important, because it will give the parliament, for the first time, the power to examine the operational activities of law enforcement and security agencies. This is the first step for this parliament—it gives the parliament the power to oversee the operational use or misuse of this legislation. But it is just the first step. The next step is to do what John Faulkner proposed in a private member's, or senator's, bill last year—and that is to give the Parliamentary Joint Standing Committee on Intelligence and Security a general power to review the operational activities of our law enforcement and security agencies. This will give the parliament the same sort of oversight powers that the US Congress and the UK parliament have.

There are a lot of other important recommendations that I do not have time to mention in this debate, but I do want to say something about the issue of press freedom and how this legislation should apply to journalists. This is an area where agreement was not reached in the committee. In my view, though, if law enforcement agencies want to get access to a journalist's telecommunications data to get their sources, they should have to get a warrant from a court. There is a simple reason for this: journalists are different. The privacy of their sources is integral to freedom of the press; it is why journalist shield laws exist. It is also important because sometimes it is journalists who are investigating law enforcement. The UK parliament has recognised this, and two weeks ago it passed initial legislation that requires law enforcement agencies to get a warrant to access a journalist's metadata. I am glad the Prime Minister has finally backed down and agreed to amend this bill to require law enforcement agencies to get a warrant. The government now needs to work with us, the crossbench and Australian media organisations to get that amendment right.

Deputy Speaker, let me go back to where I started. This is complex and controversial legislation. I understand why many people are concerned about it. The government has not explained why these laws are needed very well. No-one should be under the illusion that this legislation will somehow stop terrorism—it will not. It would not have stopped what happened at the Lindt cafe in Sydney. ASIO and the New South Wales Police both admitted
that in the public hearings, but metadata was useful during the siege and after. The fact is less than two per cent of current requests for metadata are about terrorism or paedophile cases. The rest is about a whole range of other criminal offences, big and small. But remember this: there are half a million applications a year by 80 different organisations with very few rules and very little oversight. The committee's recommendations to this parliament will help fix that. They will mean tighter rules and, for the first time ever, real oversight of the use and misuse of this data.

Mr RUDDOCK (Berowra) (19:42): I rise to support the Telecommunications (Interception and Access) Amendment (Data Retention) Bill 2014 and I will support the amendments necessary to secure its passage. My view, as a former Attorney-General of this country and as a person who has taken very considerable interest in these matters, is that this legislation is absolutely essential. There was an urgent need for it some time ago, and that need remains very precipitant now. It has been said by the previous speaker, the member for Blaxland, that there are half a million requests for access to metadata now. He suggests that that means the scheme is working perfectly well and is adequate for the purpose, but nothing could be further from the truth.

I do not think we have been given accurate evidence, because that would undermine public confidence in the nature of our legal system, were it to be put in the public arena. I suspect we have seen a very significant degrading in our capability and capacity to be able to deal with terrorist threats and organised criminal activity, because those people who pose a threat to us know that there are some communications that can be accessed through the existing metadata regime and there are other communications that are not the subject of scrutiny because there is no legislation requiring people to keep the data. It is very clear. If you were a terrorist and you wanted to ensure that nobody was aware that you were engaged in those activities and whom you might be talking to, you would simply identify those agencies who supplied a service but did not keep the information because they were not required to keep the information.

It is certainly the case that information has been kept by Telstra and by Optus, because that has been part of their commercial models over a long time. It is the case that there are others who have said: 'Aren't we smart? We've found a way of providing a cheaper service and undercutting their model by not doing all the things that they do. If we don't keep the data, we can be more competitive. Aren't we smart?' To my way of thinking, that commercial model is not in the national interest. The legislation that we are dealing with will require those organisations to keep that data now, and we are going to pay for it. We may not pay for it directly, in its entirety, but we will pay for it through subsidy and through the increased costs of services. It may mean that some of those organisations who thought they had a very good commercial model are going to lose it.

We need to understand, when a lot of the media coverage on these issues raises all sorts of fears—and they do—that there are commercial reasons why certain organisations are putting that into the public arena. I open the Media section of The Australian on 9 March. Under the headline 'Rivals unite against data retention', an article dealing with metadata says:

JOURNALISTS and their sources could be tracked down in witch-hunts reminiscent of the Stalin era under the new metadata legislation, Australia's most powerful media bosses have warned.
I go to another article. Under the headline 'Poll highlights business fears over metadata', it says:

Australians don't trust government departments to correctly handle their personal information once controversial new data retention legislation is implemented.

An article headed 'Phone, internet spying "violates human rights"', quotes somebody who wants to get into the business:

Wikipedia co-founder and influential technology entrepreneur Jimmy Wales has slammed the … plan to make telco store the metadata of every phone and internet use as a 'human rights violation' …

If these 'human rights violations' have been there over the last 30 years, why wasn't this an issue in this parliament every day as it was brought to our notice, as people who were concerned about it were identifying the abuse? You would think you would have heard about it. I have been here all that time and I have never heard about it. It was not raised by the opposition, not raised by the newspapers, until there was a commercial reason why some people needed to undermine putting in place a comprehensive regime.

If you think I am strongly convinced that this is necessary: you bet. I am concerned about people's right to privacy; of course I am. I recognise the arguments about the protection of privacy needing to be proportional. I want to weigh it up against other rights that I have, and one of those rights that I believe I have is the right to life. If I were going to have to give up a little bit of privacy to continue living, I would be very prepared to accept that. Where I do get concerned about privacy issues— but I never hear this raised—is with those commercial organisations who think they can make a profit out of selling information they get about my use of particular products or where I might shop. They sell it on to somebody else to make money. I do not hear anybody complaining about that.

I would like to think that members want to inform themselves. I cannot inform them of what I might know from agencies who have to be careful about identifying potential weaknesses in their own operations, where they might not be able to adequately fulfil the role that we are expecting of them. I do not think that data is going to be out there in the public arena or given in evidence before parliamentary committees. It is very difficult to get the arguments about the threats that we face. But I would encourage members to read The Economist of 17 January. I found quite a fascinating article. For copyright reasons, I had better say it is published in The Economist but there is no by-line. I do not know who wrote it but I regard The Economist as very authoritative. Under 'Getting harder', it deals with counter-terrorism. With the introduction 'Western security agencies are losing capabilities they used to count on', it says:

ONCE the shock that a terrorist outrage generates begins to fade, questions start to be asked about whether the security services could have done better in preventing it. Nearly all the perpetrators of recent attacks in the West were people the security services of their various countries already knew about.

It speaks about the recent attacks in France, saying of the terrorists:

… France's internal security agency, and the police knew them to be radicalised and potentially dangerous. Yet their … plots, which probably involved more people and may have been triggered either by al-Qaeda in Yemen or the so-called Islamic State (IS) in Syria, went undiscovered.

There … may have been a blunder, and there will undoubtedly be lessons to be learned, just as there were in Britain after the 2013 murder of Fusilier Lee Rigby …
The parties involved there, the article says, were known to MI5. It goes on:

But it is worth reflecting on the extent to which Western security agencies have succeeded in keeping their countries safe in the 13 years since September 2001. And it is worth noting that their job looks set to get harder.

Europe has suffered many Islamist terrorist attacks in recent years, but before the assault on Charlie Hebdo, only two of them caused more than ten deaths: the Madrid train attack in May 2004 and the London tube and bus bombings 14 months later. This was not for want of trying; intelligence sources say they have been thwarting several big plots a year. Sometimes this has meant arresting the people involved: more than 140 people have been convicted of terrorism-related offences in Britain since 2010. But often plots have been disrupted in order to protect the public before the authorities have enough evidence to bring charges.

Three factors threaten this broadly reassuring success.

The article goes on to talk about these factors and the second problem that we are facing now:

A second problem for the security forces is that the nature of terrorist attacks has changed. Al-Qaeda, and in particular its Yemeni offshoot al-Qaeda in the Arabian Peninsula, is still keen on complex plots involving explosions and airliners. But others prefer to use fewer people, as in commando-style raids such as the one on Charlie Hebdo and "lone-wolf" attacks that are not linked to any organisation. IS has called for attacks on soft targets in the West by any means available—one method is to drive a car at pedestrians, as in Dijon on December 21st last year.

At any one time MI5 and DGSI will each be keeping an eye on around 3,000 people who range from fairly low-priority targets—people who hold extremist views that they may or may not one day want to put into practice—through those who have attended training camps or been involved in terrorist activity in the past to those who are thought likely to be actively plotting an attack. But only a small number at the top are subjected to "intensive resource" surveillance.

These are pretty simple issues. We have an agency that is meant to be protecting us which has around 1,500 people. Could they put 3,000 people thought to be posing a risk under scrutiny? It is obvious that they cannot. They have to have other ways of finding out how they should target their activities more appropriately. This is why, as the article goes on:

Even when there are identified co-conspirators, though, it is getting harder to tell what they might be up to. This is because of the third factor that is worrying the heads of Western security agencies; the increasing difficulty they say they have in monitoring the communications within terrorist networks. The explosion of often-encrypted new means of communication, from Skype to gaming forums to WhatsApp, has made surveillance far more technically demanding and in some instances close to impossible.

The article continues:

The tech firms are very different from the once-publicly owned telephone companies that spooks used to work with, which were always happy to help with a wire tap when asked. Some, especially some of the smaller ones, have a strong libertarian distrust of government. And technology tends to move faster than legislation. Although the security agencies may have ways into some of the new systems, others will stymie them from the modern equivalent of steaming open envelopes.

It is an article worth reading to give you an idea of the difficulty in which the agencies who have a responsibility to protect us are working. This legislation is important because it is about giving these agencies the tools that they once had.

I think that the legislation is absolutely prudent, appropriate, measured and responsible. I know that we are amending it. I suspect that those amendments, which are going to be agreed
to ensure the passage of the legislation, are not necessarily required and are going to impose significant and additional costs upon the Australian taxpayer. I hope that people will look at these issues in the context of where the problems of the past have been, because I can assure you that there is no need for the sort of scrutiny that people are demanding.

**Mr PERRETT** (Moreton) (19:57): I rise to speak on the Telecommunications (Interception and Access) Amendment (Data Retention) Bill 2014. I am going to begin with a quote from 2012. The speaker talks about proposed data retention legislation, and he makes the point:

Nor has there been an explanation of what costs and benefits have been estimated for this sweeping and intrusive new power, how these were arrived at, what (if any) cost was ascribed to its chilling effect on free speech, and whether any gains in national security or law enforcement asserted as justification for the changes will be monitored and verified should they be enacted.

The speaker makes the point that he has very grave misgivings about the proposed legislation, and he says that the data retention proposal is basically designed to:

… restrain freedom of speech.

That quote is from the Hon. Malcolm Turnbull in his 2012 Alfred Deakin Lecture on 8 October 2012— the same speaker who came into this house on 30 October last year and introduced this bill, the Minister for Communications, the Hon. Malcolm Turnbull. It is interesting to see the contrast between when he was in opposition and the immediate flip when in government. He obviously has a very flexible spine when it comes to taking a stance on something like restraining freedom of speech.

The Hon. Malcolm Turnbull's piece of legislation, which is before the chamber and which he introduced last year, was referred to the Parliamentary Joint Committee on Intelligence and Security for it to report on its provisions. The Labor representatives on the committee for this inquiry were Mark Dreyfus; Jason Clare, the shadow minister for communications; Anthony Byrne; and Senator Stephen Conroy.

The Parliamentary Joint Committee on Intelligence and Security had previously reported on a proposal for mandatory data retention in 2013. That was in the mind of the Minister for Communications when as shadow minister in opposition he made the comments that I have just referred to. That report, handed down by Anthony Byrne, contained many recommendations which, surprisingly, were not included in the original provisions of the bill. This is even more surprising given the Minister for Communication's publicly stated concerns about metadata retention when he was in opposition. Normally you would think the minister would work with the Attorney-General to explain this quite significant piece of legislation that has many people concerned in this digitally connected world. Obviously anyone who has seen the video footage of Attorney-General Brandis trying to explain metadata on Sky Television would understand why so many people in my electorate are confused. The Attorney-General has basically been in hiding since that train wreck of an interview about this legislation. Combine the need for this legislation and the pressing need for the Prime Minister to wedge the Labor Party when it comes to national security, which is political manoeuvring not necessarily in the national interest but obviously in the Prime Minister's interests. With 39 backbenchers prepared to support a spill motion against him, he was desperate to have something that would attract a bit more popular support.
The report of the Parliamentary Joint Committee on Intelligence and Security inquiry into this bill made 38 unanimously supported recommendations for changes to the provisions of the bill—despite the comments from speakers on the other side, these were unanimous recommendations. At the strong insistence of Labor, these recommendations have all been incorporated into the bill in its current form. Especially since Minister Turnbull's comments when in opposition and Attorney-General Brandis's train wreck interview, there is no doubt that the term 'data retention' provokes extreme emotion in many sectors of the community. I have seen the reaction of many of my constituents over this issue. People are very passionate about this topic and they have made many very valid and rational arguments. Labor had serious concerns about the bill which was introduced quite hastily last year by Minister Turnbull. Some of my concerns, which I expressed to a journalist, were reported in The Sydney Morning Herald. They reflected the worries that were put to me by many people in my electorate.

By way of example of Labor improvements, the specification of what data set is to be retained was originally to be added by regulation and not included in the bill itself, not put before the parliament. The core purpose of this legislation is to retain data. It is crucial that all stakeholders know with certainty what data there is an obligation on telecommunications companies to retain. The PJCIS recommended in its report that the data set be included within the legislation and not by regulation. The committee noted that the data set is central to the operation of the proposed data retention scheme and it is critical that the proposed data set comprises that which is necessary and proportionate.

Minister Turnbull's bill has been amended to incorporate the definition of the data set within the legislation—so good work that committee. But just who would have access to our data was also a concern raised by Moreton constituents. Simon from Eight Mile Plains said: 'My main concern is misuse/abuse of the data which will most certainly happen. Any person with a valid criticism against government, police, the judiciary will fear this system. Imagine a stalker with access to the data, possibly a police officer going off the rails, blackmailing a subject into pseudo-consensual activities. Commercial abuse, political abuse. Imagine a foreign government gaining access, a terrorist organisation. Imagine a paedophile getting access. These things are exceptionally likely to happen.'

The PJCIS also had concerns, saying in its report that access to the stored data should be limited to agencies with appropriate functions and which are subject to appropriate safeguards. The committee recommended that law enforcement agencies that can obtain a stored communications warrant be specifically listed in the Telecommunications (Interception and Access) Act 1979—ASIO, the Australian Federal Police, the state police forces, the Australian Crime Commission, the Australian Customs and Border Protection Service, the Australian Commission for Law Enforcement Integrity and state based anti-corruption commissions. The committee noted that only agencies involved in investigating serious contraventions of the law should be designated as 'criminal law enforcement agencies' for the purpose of accessing stored data. White collar crime can of course be a serious contravention of the law. Accordingly, the committee recommended that the Australian Securities and Investment Commission and the Australian Competition and Consumer Commission be listed as criminal enforcement agencies under the legislation. Those recommendations addressing the concerns about access have been implemented in the current form of the bill.
Another major concern shared by the PJCIS and many ordinary citizens is the use to which this data may be put. Lyall from Tarragindi said: 'Clearly a large repository of data of this kind would be useful for all sorts of purposes, not just law enforcement, and its existence will be a temptation to criminals and the maintainers of the data alike.' Telecommunications data that is currently kept by companies for business use is being accessed under existing laws for purposes not related to law enforcement or national security. Jacqueline from Annerley said: 'This is about being given the right to decide what information you're happy to share and what information you'd prefer to keep private.'

You do not have to stretch your imagination far to imagine what an Aladdin's cave or honey pot this data would be for civil litigants. To prevent the greatly increased store of data under this regime from being accessed for the purposes of civil litigation, the committee recommended that the bill prohibit access to data stored solely for the purposes of the mandatory data retention scheme from being accessed for the purposes of civil litigation. However, the committee did recommend that individuals be able to access their own data that is stored under the mandatory data retention scheme. Both of those recommendations have also been implemented.

Many of my constituents also raised concerns about the security of the data retained. Amazingly, the original bill was completely silent on the issue of data security. Concerns raised with the committee included that the data would be a honey pot for those with criminal or malicious intent; that the bill did not prohibit offshore storage, a point I will return to later if I have time; that the data was not required to be destroyed at the end of the retention period; and that the vast amounts of data required to be stored would increase the security risk. To address these concerns, the PJCIS recommended that all service providers be required to be compliant with either the Australian Privacy Principles or binding rules developed by the Australian Privacy Commission. It also recommended that the government enact telecommunications sector security reforms prior to the end of the implementation phase for the bill, and the bill before the House now reflects those recommendations.

The telecommunications sector security reform was first addressed in chapter 3 of the PJCIS's 2013 report in the 43rd Parliament, but it was not included in the bill introduced to the House in October last year by Minister Turnbull. Importantly, the PJCIS also recommended that the data retained by the mandatory data retention regime be encrypted. The question, of course, is: to what standard of encryption should the data be protected? It is recommended that a data retention implementation working group develop an appropriate standard of encryption, and that it be incorporated into the regulations. Again, those recommendations have been accepted.

Sadly, as night follows day, a breach of security relating to the data is probably inevitable. When that happens it is crucial that there is a notification scheme in place. Again, it is interesting to note that the committee's 2013 report recommended that any legislation for mandatory data retention include a 'robust, mandatory data breach notification scheme'. However, this recommendation was not included in the bill introduced to the House last year by the Hon. Malcolm Turnbull. The PJCIS has, in its most recent report, recommended the introduction of a mandatory data breach notification scheme by the end of 2015, and that recommendation is now in the final form of this bill.

Mr Danby: Another Labor success!
Mr PERRETT: I will take that interjection! Duncan from Salisbury expressed his concerns that 'there seems to be no concrete proposals for impartial oversight of access to this data'. However, the bill did include in its original form an increased role for the Commonwealth Ombudsman. That role is to include oversight of 'the preservation notices issued by criminal law enforcement agencies; and the access to and dealing with the stored data by the agencies'. Although the Ombudsman's office has the necessary expertise for this expanded role, it told the committee during the inquiry that it did not have the resources necessary to implement the tasks required of this expanded role. A sheriff starved of resources cannot cast a long shadow in the Badlands.

The PJCIS recommends that the government ensure that the office of the Commonwealth Ombudsman has the additional resources necessary to undertake these expanded oversight responsibilities. Additionally, the PJCIS recommended that the Ombudsman and the Inspector-General of Intelligence and Security notify the committee if they hold serious concerns about the operation of the scheme. Once notified, the committee should inquire into any matter raised in the reporting. This would be a substantial expansion of the oversight role of the intelligence committee—and this is a good thing.

The PJCIS's 2013 report included a review by the Parliamentary Joint Committee on Intelligence and Security no later than three years after its commencement. The bill introduced last year by Minister Turnbull did include a review, but in real terms the review would have been five years after the bill received royal assent. Obviously, with the implementation of such a radical mandatory scheme, a review within a shorter time frame is critical for appropriate oversight.

Another concern voiced by many of my constituents and shared by Labor is the potential impact on the freedom of the press. Tamara of Annerley says, 'I strongly oppose the use of metadata to track journalistic sources.' Elizabeth from Acacia Ridge says she believes the metadata regime is 'unfair and an infringement on citizen's freedoms and rights to privacy; not to mention the dire consequences for freedom of the press'. Labor believes that a warrant should be required for access to the telecommunications data of journalists.

The committee has recommended that it review the issue of how to deal with the authorisation of the use of data for the purposes of determining the identity of a journalist's source, and there is bipartisan agreement to conduct this comprehensive inquiry to sort it out. I am still wary of the warrant process, but it is better than what Minister Turnbull initially put forward. Legislation to ensure our security always requires a careful balancing of protecting our citizens and maintaining our freedoms, and upholding the rule of law is important. Daniel from Moorooka said, 'Limiting freedom to keep us safe from people wanting to limit our freedom is a slope I am genuinely fearful of.'

Labor is committed to national security. Labor is also conscious that extended powers of security agencies should be coupled with crucial external oversight. Senator Faulkner was the architect of a set of reforms which were designed to provide effective parliamentary oversight of intelligence and security agencies, and we will try to advance that. Labor has carefully scrutinised the recommendations of the committee and the consequential amendments the government has made to the bill. They have agreed to all 39 recommendations of that committee and hopefully will implement all of them.
Obviously, offshore storage is still something that I have a concern about, and it was mentioned in Malcolm Turnbull's speech back in 2012. I am concerned that we cannot, by contract, enforce Australian law overseas. It is important that we have debate about that and about a few other things in terms of the oversight and also the journalists being protected, and it is important that these concerns are addressed.

Labor has worked hard to ensure that this bill gets the balance between national security and personal freedoms right. I put forward this bill with the amendments that have been made, with my concerns noted about funding for the oversight, and with the subsequent changes and protections that will follow.

Mrs PRENTICE (Ryan) (20:12): Previously when I spoke on the Counter-Terrorism Legislation Amendment Bill, I began by noting that in an ideal world nobody wanted the bill. It was a difficult but, regrettably, a necessary bill to strengthen Australia's ability to intercept and respond to the threat of global terrorism reaching Australian soil.

The Telecommunications (Interception and Access) Amendment (Data Retention) Bill 2014 is another bill that would not be necessary in an ideal world, but unfortunately we do not live in an ideal world. We live in a world in which paedophile rings use the internet to share images of child exploitation and abuse, a world in which traffickers use anonymously obtained SIM cards to coordinate international drug smuggling networks and a world in which terrorists use the internet and mobile networks to attract and indoctrinate potential recruits and to command them to carry out acts of indiscriminate mass murder. This is an unfortunate reality of today's world, to which Australia is not immune.

It is the job of law enforcement agencies to intercept and disrupt these operations to the best of their ability using the tools at their disposal. And it is the job of parliamentarians, as representatives of law-abiding residents, to provide them with these tools in a manner which best maintains the safety and security, but also the privacy, of the innocent.

It is this concept of privacy that I wish to now address, as it has dominated much of the public debate surrounding this bill. Colleagues in this place will know already of my strong commitment to individual rights. In my maiden speech, I spoke of my core belief that government must provide the environment to give individuals the opportunities to create and succeed but not unreasonably interfere or restrict the freedoms and rights of individuals.

Critics of this bill may argue that it is unreasonably restrictive on these individual rights and freedoms. To them I make this simple point: in a free society, freedoms and rights do not extend to infringing the freedoms and rights of others. They do not extend to misusing the internet to defraud the elderly, to abuse children or to orchestrate terrorist attacks in public places. Most reasonable people accept that there need to be limits on freedoms. We therefore do not object to law enforcement agencies obtaining warrants to conduct surveillance, access email accounts and obtain phone records of individuals reasonably suspected of engaging in criminal activity.

What many people do not understand, and what the public debate about data retention has largely ignored, is that changing technology has made data retention, for the purposes of criminal investigation, more difficult, not easier. It may seem counterintuitive for this to be the case, but I will explain with two examples. In decades past, phone calls were point to point, from fixed phone lines with fixed phone numbers, for which extensive records were
kept for billing purposes. In criminal investigations, authorities were able to easily access these records with a warrant in order to pursue suspected criminality. Now, with the widespread use of mobile phones, and increasingly the use of disposable prepaid SIM cards purchased anonymously and changed frequently, authorities are finding it more difficult to use phone records to identify and track suspected criminals. There is evidence that organised crime networks are routinely using this tactic to avoid detection. Similarly, in recent years, the growth in the number of internet users and the range of devices with which the internet can be accessed has accelerated the use of static rather than fixed IP addresses. What this means is that IP addresses are constantly changing user, and it is increasingly difficult to identify a user purely by their IP address. Law enforcement agencies must therefore rely on the records of internet service providers to know who was using a particular IP address at the particular time it was associated with a suspected criminal act.

There are many real-life examples of instances in which data retained by service providers has been used to disrupt networks of individuals engaging in serious sexual, financial, drug related or violent crime. However, there is perhaps no more compelling case for mandating data retention than that identified in a recent Europol investigation into child exploitation. The investigation uncovered a vast network of online information shared by hundreds of users across several countries. Investigators uncovered evidence of up to 371 suspects believed to be in the UK and 377 suspects in Germany. Of the 371 suspects in the UK, authorities were able to positively identify 240, leading to 121 arrests and convictions. In Germany, however, only seven of the 377 suspects were able to be identified, and none were able to be arrested or convicted—not one. The difference? In the UK, investigators were able to use metadata to identify many of the suspects, whereas in Germany there is no data retention scheme in place. Dozens if not hundreds of perpetrators in Germany were able to evade arrest and conviction for child exploitation due to a lack of retained data.

This is where the need for this bill arises. In the past, records of phone and internet connections were kept for many years. Now, due to changes in billing practices and advancing technology, telecommunication companies are no longer seeing a business need to retain the information. Many are making a rational and legitimate business decision to no longer retain this information or to do so for a shorter period of time. At the same time, there remains compelling law enforcement reasons for the information to be retained. This bill strikes a balance between these competing business and law enforcement imperatives to require the retention of data for a period of two years. Residents in my electorate of Ryan have taken a keen interest in this bill. That is understandable, as many residents of Ryan work in professional or 'knowledge' jobs for which use of the internet and mobile technology is a daily part of their work as well as their social lives. They have followed the public debate on data retention closely. Unfortunately, it has been a debate in which a genuine discussion about the evolving challenges of modern law enforcement has been obscured by a misunderstanding of the scope of the bill. In a sense, that is understandable, as until recently the concept of metadata would have been foreign to many.

It is perhaps best to define metadata not by what it is but by what it is not. Metadata is not the substance of a communication. So, it is not the subject line or indeed content of an email. Nor is it what has been said in a telephone conversation. It is not web browsing history. It is not private social media posts. Metadata is merely information about a communication. In the
case of phone calls, it may include the time of the call, the length of the call and the phone number called. For an email, it may include the recipient email address and the time the email was sent. It is the conflation of metadata and content that has led to confusion about the scope of the bill. So I want to be absolutely clear: access to the content of communications by law enforcement agencies has previously and will continue to require a warrant.

What this bill will ensure is that records of minimal details of time, length and recipient of communications are kept by providers for a two-year period in case they are required for the purposes of a criminal investigation. Nevertheless, it is prudent for legislation that broaches issues of privacy to be subject to thorough public scrutiny. I note that this bill has been subject to an inquiry by the Parliamentary Joint Committee on Intelligence and Security. The committee has released a unanimous, bipartisan report that makes 39 recommendations. Most importantly, the committee recommends that this bill be supported. And all 39 recommendations are supported by the government.

I will now speak to several of the recommendations as they address many of the contentions that have been raised about the scope of the bill. I will start with recommendation 2, which recommends that the proposed dataset be included in the primary legislation. This will ensure that it is absolutely clear in the legislation as to the data that is required to be retained by service providers.

Recommendation 5 is that the bill be amended to make clear that service providers are not required to collect and retain customer passwords, PINs or other like information. It is sensible and appropriate that retention of this information be specifically excluded, and the government has agreed to amend the explanatory memorandum accordingly.

Similarly, recommendation 7 is that the bill be amended to make clear that service providers are not required to keep web-browsing histories, or other destination information, for either incoming or outgoing traffic. The government will amend the explanatory memorandum to make this clear.

In recognition that there will be some cost to service providers in implementing data retention obligations, recommendation 16 is that the government make a substantial contribution to the up-front capital costs of implementation. It also recommends—and I paraphrase—that, in doing so, government appropriately balances the varying services, business models, sizes and financial positions of industry participants. In response, the government has reiterated its commitment to make a reasonable contribution to up-front capital expenditure required to implement data retention obligations. It will do so in a considered way, taking into account the wide range of participants in the telecommunications industry.

Importantly, recommendations 17 and 21 suggest clarification and specific listing of agencies that can obtain warrants and access telecommunications data in the Telecommunications (Interception and Access) Act 1979. They also recommend that the Attorney-General retain the power to list additional agencies for a time limited period in emergency circumstances. These recommendations have set clear boundaries around who can seek access to retained data and are supported by government. It is worth noting at this point that the effect of the bill will be to substantially reduce the number of agencies who are able to access telecommunications data from around 80 to 20.
Recommendation 24 is that the bill be amended to make clear that individuals have the right to access their personal telecommunications data retained by a service provider under the data retention scheme, under a provision similar to that already existing under the Privacy Act 1988. Access by individuals to their own information is an important safeguard in a free and fair society, and the government has amended the bill to cross-reference existing mechanisms under the Privacy Act 1988.

Recommendation 26 addresses the issue of press freedom and protection of journalists' sources. The committee considers that this matter requires further consideration in a separate review to report back in three months. This has been agreed to by the government.

Recommendation 27 proposes further committee and Commonwealth Ombudsman oversight of instances in which authorisations are made for the purpose of determining the identity of a journalist's source. This is also supported, and the office of the Commonwealth Ombudsman will be resourced accordingly.

In the time left, I want to touch on a few of the committee's recommendations. As a whole, they are considered, sensible and appropriate. I commend all committee members, and particularly the member for Wannon as chairman and the member for Holt as deputy chair, for their bipartisan and constructive contributions in what is a very sensitive area of policy. The full set of recommendations and government responses are publicly available. I encourage all members in this place, and indeed any listeners or followers of this debate, to read them in their entirety.

The end product of this process is a bill that is a fair and proportionate legislative response to a worrying and growing gap in the knowledge available to law enforcement agencies—a gap in knowledge that we know is currently, and will increasingly be, exploited by a small minority in our society to commit serious crimes to the detriment of the rest of us. I am confident that this bill returns to law enforcement agencies some of the tools they need to continue to protect the safety and wellbeing of all Australians. I commend this bill to the House.

Ms MacTIERNAN (Perth) (20:26): I think the great tragedy with this legislation, the Telecommunications (Interception and Access) Amendment (Data Retention) Bill 2014, has been the way it has been introduced into this place. We were promised by Tony Abbott that we would have grown-up government, but we have had anything other than grown-up government here. We have had a Prime Minister who has, on his own admission, had a series of 'near-death experiences', who has been unable to fulfil the promises that he made to the community and who has been unable to pass a budget.

The one area that he was perceived as having some slight advantage in was the area of national security. What we have had happen here is that a very important debate that needed to happen in our community—about how we regulate data and metadata, how we control access to that data—has been suborned to the need for this Prime Minister to try to ramp himself out of the doldrums of negative territory in popularity and wrap himself in the flag of national security. In that process, he has come into this place trying to wedge the Labor Party with a completely and utterly inadequate bill and has forced everyone to work around it to try to come up with a solution. That is not the way you do grown-up government in an important area like this.
What we needed to have happen was a process of community engagement where we went out and we spoke to the community about the very real needs that we have, both in law enforcement and in national security, to access data and we engaged the community in a complex and sophisticated way about how we were going to do that. But we had the exact opposite. We had the Prime Minister looking after his own political fortunes, thinking that he could get national security to get him over the line in a challenge by Malcolm Turnbull. So he went for it, and we as a community are all the poorer for it.

I want to compliment the Labor Party. The Labor Party has sought, in this highly imperfect setting, to work out a way that we could introduce some decent community engagement with it. We insisted that this matter go to the Parliamentary Joint Committee on Intelligence and Security, and I want to compliment the people that were involved in that process. I think they have done an incredible job in trying to turn a sow's ear into a silk purse.

We had a hideous process. If you wanted to be a grown-up and consensus-driven government how would you ever just lob a piece of legislation like this onto the parliament? Why would you not have established a green-paper process beforehand—and got the industry, ISPs, telcos, the community and people involved in civil liberties and law enforcement, and tried to work out some consensus? We did not have that. That is why I see this bill as one of those unfortunate legacies of Tony Abbott as Prime Minister. This is a bill that has been driven by this guy's need to try to ramp up his credentials, to try to get national security on the agenda.

We know—and the evidence presented to the joint standing committee tells us, quite clearly—that the intelligence agencies do access this data. To a much greater extent, the evidence tells us that law-enforcement agencies access this data. The intelligence and law-enforcement services see the existence of metadata and the current arrangements as absolutely critical to their ability to solve crime. There will be some dispute about the degree to which that evidence can be contested, but in a range of crimes it is pretty clear that this data has been significant.

It is also clear that we have an unregulated regime, which I do not believe is acceptable. In 2013 we had something in the order of 350,000 requests for data from over 80 agencies, so we have a lot of people out there. We have a lot of people enforcing the dog act. We have people looking at parking fines. We have a whole lot of people going in there and looking at that data. We needed to have a mature conversation with the community about this. We needed to get people to say, 'Guys, this is what we have to deal with. What do you think is the best way?' We did not get that. What we got was this piece of legislation, this shell, that enabled a media release, enabled the Prime Minister—who loves to wrap himself up in all the apparatchiks of national security—to come out and try to play that game. We as a community are poorer for it and this piece of legislation has been compromised because of it.

It is quite clear that there is a case—and a good case—for data retention. I respect the fact that our team has been able to put some boundaries around this thing—this steaming thing that was lobbed into the parliament without any warning—and that we have been able to put some serious constraints around it. We have specified that the datasets involved will have to be embedded in the legislation, not subsequently prescribed by regulation. We have limited the agencies that can have access to this. We have taken the number of more than 80 down to 20. We have required telecommunications companies to provide customers with access to
their own metadata, on request. We have implemented restraints to accessing metadata for the purposes of civil proceedings. We have implemented mandatory data-breach notifications, so you get to know if there has been a breach of your metadata; a privacy alert.

**Mr Danby:** And not just for national security.

**Ms MacTIERNAN:** Not just for national security. We have required the stored data to be encrypted to ensure security and integrity of personal information. We have required, most latterly, protection of journalists' sources, and we have introduced into this legislation a role for the Ombudsman—whatever that is going to be worth, I am not sure—to give some oversights. We have worked very hard and diligently to try to put some boundaries around this thing, to retrofit a very flawed document.

There are still issues around the storage of data. There is an argument that all of this data should be stored in Australia. We know that rack space is much cheaper overseas and that there will be a major desire, if this is not fully funded by government, by telcos and ISPs to—as they do now—access that rack space overseas. That creates, for many people, a real problem. There is another argument to that, wherever we store it: whether we store it in China or Australia, the same sorts of people are going to be able to hack into it. These are complex pictures.

The joint standing committee has done what it can to allow the community some input, but there is no doubt that the community is not satisfied that they have had sufficient input into this process. There is a lot of concern. A standard critique we hear is about VPNs and other over-the-top services. If you have two clues, if you are really seriously organised crime or you are really seriously al-Qaeda or ISIS, you will be able to utilise technology to make yourself—

**Mr Danby:** So what you conclude is that they are dumb?

**Ms MacTIERNAN:** They are not that dumb, actually. The people who run the organisations actually have a lot of technological smarts. There is no doubt that that is true. I acknowledge that some of my colleagues, including the member for Gellibrand, have the view—I think it is probably right and it is certainly a view supported by the law enforcement agencies that presented to the committee at the public hearings—that many of their targets are not actually sophisticated, shall we say. Therefore, it is quite a useful and productive area for them to pursue people who might be engaged in terrorist activities or engaged in criminal activities, albeit that you might not get the Mr Bigs through this process. Again, this is complex stuff. This is stuff that affects virtually every adult Australian.

**Mr Tudge:** Where is your amendment, then?
Ms MacTIERNAN: I tell you what, mate: do not worry. We have 38 amendments. There are 38 amendments in this bill that would not have been here unless the Labor Party had stood you up and went through the joint standing committee process. I can tell you that I believe that over time this will be yet another nail in the Abbott coffin. This has been a very, very unfortunate experience. This is an important debate that we need to have in this country. We need to have a regulated system of data retention. We need the oversight that is included in this bill, but this has been done very badly because we have a Prime Minister who is simply not up to the job.

Mr WATTS (Gellibrand) (20:40): I am pleased to speak on the Telecommunications (Interception and Access) Amendment (Data Retention) Bill 2014. As someone who has previously in the Australian ICT sector, I have some experience with the issues in contention in this bill. I have also received a significant amount of correspondence on this bill from constituents and members of the Australian technology sector.

Given this, I should say from the outset that there are legitimate and serious issues that have been raised by both proponents and opponents of this bill. That being said, the overstatements and generalisations from some advocates on both sides of this issue have not helped the consideration of the issues in contention in this bill. If you believed everything that you read in the papers about data retention over the past few months you would be very confused indeed, as these overstatements on both sides have raised a series of contradictory propositions in the public sphere. On one hand, the Prime Minister has said that the bill will change very little and that:

…we want telecommunications companies to keep their data. We don't want to collect new data, but to ensure the limited data already collected can be accessed by authorities.

On the other hand we have had Senator Ludlam from the Greens in the other place describe the bill as a 'fascist, Orwellian mass surveillance scheme'. So what is really going on here?

At present, Australian telecommunications companies collect a range of data about their customers' communications; some of it collected deliberately for business purposes, like billing or network monitoring and maintenance, and some of it collected incidentally because of the way their systems are set up. Different telcos collect different types of data and amounts of data and retain it for different periods of time. A wide range of law enforcement agencies have made extensive use of this data for many years. In fact, there were 312,929 authorisations allowing law enforcement agencies to access this metadata in 2012-13 alone. The majority of the requests for access to telecommunications data are made by state and federal police for general law enforcement purposes. But there are a weird and non-so-wonderful range of other entities who currently undertake enforcement actions who have also been accessing and using this data, including local councils, the RSPCA, Centrelink and the Victorian Taxi Directorate to name but a few examples.

In this context, the bill before the House today is largely the result of concerns from law enforcement and security agencies that the current ad hoc arrangements for the collection and retention of this data by Australian telcos about the communications of their customers may mean that less data is collected by these telcos in the future. The fear is that technology changes or just changing business practices would reduce the effectiveness of an investigatory tool that is now fundamental to law enforcement and national security. Law enforcement and
national security agencies have essentially sought a mandatory standard for what data is collected by telcos and how long it is to be retained for.

So it is not correct to say that these proposals would not result in more information being collected; plainly, standardisation means that telcos who are collecting less than this standard or retaining it for a shorter period of time will need to start collecting more or retaining it for longer. The bill provides for this. But neither is this an utterly new and unprecedented mass surveillance scheme. The proposition before us is not whether metadata should be collected by telcos or not. Rather, the proposition is whether we want to see metadata used in an ad hoc and largely unregulated environment, as it currently is, or within a standardised environment with safeguards and oversights.

As I indicated earlier, this proposition does raise important and serious issues. The Labor party is committed to ensuring our law enforcement and national security agencies are given the tools they need to keep us safe. At the same time, Labor will never sacrifice the rights and freedoms that define us and our democratic society. What is needed is a sober and balanced consideration of these two legitimate public policy aims. Despite the claims of some proponents of these measures, it should also be recognised that the majority of metadata is currently accessed for criminal investigations and law enforcement, not national security.

I have heard some argue in this context that this somehow undermines the utility of these provisions and that the fact that metadata has not been used to investigate or could not have been used to prevent all recent terrorist incidents means that there is no point to the bill. Similarly, I have heard some argue that the existence of a range of technologies that allow communications to occur without metadata being collected—technologies ranging from Skype to VPNs to Tor and the onion-router—would result in the bill only catching the dumb and, as a result, is futile. To this we must say that the fact that a proposal does not do everything does not mean that it does not do some things of value.

Clearly, the number of requests for metadata from law enforcement and security agencies is a testament to the metadata's current utility for these purposes. Similarly, the fact that this bill would only provide for the collection of data about the communications of the dumb is no reason to think the proposals are not valuable. The vast majority of criminals are dumb. This is no coincidence. Metadata has been used by our law enforcement bodies to catch dumb murderers and serial rapists in a range of recent high-profile cases. The fact that they are dumb does not mean they are not dangerous and there is not value in facilitating their identification. I'm personally convinced of the value of these measures for law enforcement and national security. However, this is not the end of the argument.

As I said earlier, we are not interested in simply giving law enforcement and security agencies more power without ensuring that Australians' liberties are also protected. I am disappointed to say that this balance was not right in the original bill introduced into this place by the Minister for Communications. This is especially disappointing given the primacy that the consideration of these liberties was given in the minister's 2012 Alfred Deakin lecture—a speech that does not seem to have been retained on the minister's website. In this speech the minister railed against the proposals for data retention canvased by my predecessor in this place as the member for Gellibrand with the Parliamentary Joint Committee on Intelligence and Security. The Minister for Communications at that time expressed his quite 'grave
misgivings' about data retention and indicated that these measures were 'heading in precisely the wrong direction' and was 'a profound weakening of online liberty in Australia'.

If these are the Minister's views, you might have thought that he would think it important to ensure metadata retention provisions were clearly and narrowly described and that appropriate safeguards were in place. Sadly, these provisions were absent from the bill that the minister introduced to this parliament last year and sought to have rammed through the parliament in mere days. It has been for Labor, through the PJCIS, to strengthen the regulatory framework around data retention, building in transparency safeguards and oversight.

While Labor has offered bipartisan support for the government's efforts to keep Australians safe, no-one should be under any illusions about the diligence and robustness that Labor members have employed through the PJCIS to ensure that a proper balance was struck in this bill. The bill has been carefully scrutinised by the Parliamentary Joint Committee on Intelligence and Security in the advisory report released two weeks ago. The 38 recommendations made by the PJCIS are a welcome and necessary addition to this bill.

In the more than a decade that I have closely followed these committee processes in one role or another, I cannot think of a bill that has been improved more by a committee process than the one before us today. The final product is a bill that, while certainly not perfect and certainly not developed in a way that Labor would have chosen had it been in government, addresses both the security priorities of Australia's law enforcement and intelligence agencies while also substantively increasing the safeguards and oversight of the use of metadata currently in place. We should be very clear: this bill provides better protections of liberties of Australians in the collection and accessing of metadata than the status quo.

Let's look at how the committee's recommendations have improved this bill. In its original form, the bill left the definition of metadata to regulation and at risk of scope creep in future. Labor argued that this definition needed to be fixed in primary legislation to provide the public with certainty about what would be collected and to prevent its expansion without returning to parliament. The data to be retained will identify who a communication was made by and to and when and where it took place. The scheme will not require the content of that communication to be retained. This means that information about a phone call will be recorded but not what was said. Similarly, email interaction between people will be recorded but not the content of that email. People's browsing history will also not be recorded; only the IP addresses allocated by service providers.

In a similar way, Labor demanded that only agencies specifically listed in the bill should be able to access this data. Our view was that getting the balance right required that access to this metadata be limited to agencies dealing with national security and serious law enforcement. As such, the bill now limits access to ASIO, the Australian Federal Police, state police forces, the Australian Crime Commission, Australian Customs and Border Protection Service, the Australian Commission for Law Enforcement Integrity and state-based anti-corruption commissions—a marked improvement on the more than 80 agencies who currently have access to this kind of metadata. Labor also insisted on safeguards to limit the use of metadata retained under this bill to serious security or law enforcement investigations. As a result, the bill now prevents retained data being used in ordinary civil litigation. So the conspiracy theory that this was all about copyright enforcement hits the fence.
Labor also recognised that requiring the centralised retention of metadata significantly increases the security threat to this data relative to the status quo where this data is often retained across a range of locations. I must say that, in this respect, I found the blase attitudes of some members of the PJCIS to this increased security risk, as expressed in their questioning during committee’s hearings, somewhat baffling. Given this, the committee has recommended that service providers be required to encrypt retained metadata. This would mean that, even if a telco experienced a data breach, it would be harder for those accessing it to read the recorded data. These safeguards on the storage of this metadata are further supplemented by the committee’s recommendation to implement mandatory data breach notifications, forcing providers to inform customers if their data has been accessed without authorisation. This is a welcome improvement in Australia’s overall data security arrangements and, as pointed out by the member for Melbourne Ports, will have general benefits for all Australians.

The government’s original bill provided for the oversight of this regime by the Commonwealth Ombudsman—in itself a gain over the status quo—but the government failed to recognise how under resourced and over stretched the Ombudsman currently is. In this context, Labor insisted on increased funding for the Ombudsman to ensure this oversight occurs in substance and not just form. Further, Labor pushed for additional oversight mechanisms and, as a result, as recommended in the past by Senator Faulkner, the PJCIS will not have oversight of operational matters relating to access to metadata—a new and important oversight gain.

Finally, the PJCIS insisted on scheduled reviews of metadata retention policy, including its implementation and ongoing use. To enable these reviews, agencies will be required to keep records on their use of people’s metadata to allow the PJCIS to assess the effectiveness and scope of the use of metadata.

The cost to internet service providers has also been carefully considered by the committee. Originally the government planned to force providers to finance their own data retention schemes entirely. The recommendation that the government make a substantial contribution to ensure service providers are able to implement their data retention requirements is welcome news. This will include extra support for small providers and account for differentiated impact across the industry.

The recommendations in the advisory report by the PJCIS have vastly improved this bill, and I wish to publicly acknowledge the members that I have worked with in this process—the member for Isaacs, the member for Blaxland, the member for Holt and Senator Conroy in the other place—for their efforts.

However, there are still other areas of contestation in this bill. Despite the PJCIS consideration of issues of journalistic freedom, there is a fear that there are not enough safeguards for journalists in the bill. I am pleased that the Prime Minister has chosen to listen to the Leader of the Opposition, the community and media stakeholders and include stronger safeguards around journalist and press freedom. Freedom of the press underpins our democratic system, and a strong fourth estate is essential both to keep citizens informed as well as to hold politicians and government to account. To ensure the press are able to conduct their work free of this threat of censorship and oversight, we need to implement strong barriers against the arbitrary investigation of journalists and their sources. It is not enough to
trust any government of the day to respect press freedom; we need to articulate limits in law. The amendment requiring agencies to obtain a warrant to access journalists' metadata is the minimum level of protection journalists should have.

Debate on this bill has been robust in this parliament, in the PJCIS and in the broader community, but I am pleased with where the bill has finished up. The concerns of security and law enforcement agencies about the durability of one of their central investigatory tools have been addressed, while at the same time we have dramatically increased both the safeguards and oversight of the collection and accessing of metadata beyond what is currently the case. We have also seen a very good working example of the benefits that an active committee process can have in the development of legislation before the House. I support the government in accepting the recommendations of the PJCIS in full and I commend the bill to the House.

The DEPUTY SPEAKER (Mrs Griggs): Thank you very much, Member for Gellibrand. I also had a background in ICT before I joined this place.

Ms HENDERSON (Corangamite) (20:54): I rise to speak on the Telecommunications (Interception and Access) Amendment (Data Retention) Bill 2014. This bill represents another key element of the government's comprehensive plan to combat terrorism and fight crime. More than 25 countries around the world have implemented data retention laws similar to those proposed in this bill.

Before I go to some of the elements of this bill, I want to take particular issue with the contribution by the member for Perth in this debate. Anyone listening to the member for Perth would think that Labor was opposing this bill, with her inflammatory language and her hysterical claims. Anyone would think that the bill was introduced into the House yesterday. Well, I am very pleased to reiterate that those members opposite, the Labor Party, are supporting this bill. The member for Perth's contribution largely has attempted, at least, to undermine the bipartisan efforts that we have seen, to a large degree, by the opposition in improving various national security measures.

Let us go to the facts. The facts are that the bill was first introduced by the Minister for Communications into this House last October. It was referred to the Parliamentary Joint Committee on Intelligence and Security, chaired by Dan Tehan, who, I have to say, has done a wonderful job. They ran an inquiry for a number of months in relation to this bill. They made 39 recommendations. All of them were unanimous. A unanimous report was handed down on 27 February 2015. There were some unanimous recommendations in relation to improving a range of elements in the bill, with examples like: the dataset and the agencies nominated should be in the legislation rather than in the regulatory instruments.

Importantly—and I want to emphasise this—this has largely been a very successful example of how the government and the opposition have worked together to come up with a bill to combat terrorism and to keep Australians safe and secure. As I have spoken about previously in this place, Australia currently faces some extremely significant national security challenges. Recent attacks in Australia and elsewhere around the world show that no country is immune from the threat of terrorism. Even in the past number of months we have seen some truly horrific acts of terrorism in Australia and abroad. There was of course the Martin Place siege in Sydney in December 2014, which rocked the nation to its very soul. There was the terrible attack on the magazine Charlie Hebdo in Paris in January this year. There were
the Copenhagen shootings in February this year and, going back, the terrible attack in September last year by the teenager in Endeavour Hills who stabbed two counter-terrorism officers and, as we know now, was shot and died in that attack.

The rise of ISIL, or Daesh, has no doubt caused an increase in terrorist activity. Australia's national terrorism public alert level was raised to high in September 2014. At that point, again we saw a very unfortunate demonstration by the member for Perth. There was a report in *The Sydney Morning Herald* on 13 September, 'Labor MP breaks ranks on bipartisan terror stance', about how she was undermining the opposition's strong bipartisan efforts to work with the government to introduce the legislation that we need to keep Australians safe and secure. The member for Perth made some frankly disgraceful comments referring to the Prime Minister as a 'terror'—appalling inferences. I just want to reiterate that the Leader of the Opposition said:

The Prime Minister and I are partners when it comes to matters of national security and protecting Australians. We are in this together.

As I say, we have seen a very unfortunate contribution from the member for Perth across the range of this debate.

In February 2015 Prime Minister Tony Abbott announced that the number of serious investigations continues to rise. As the Prime Minister outlined, ASIO is currently investigating several thousand leads and persons of concern. Roughly 400 of these are high-priority cases, which is more than double a year ago.

Debate interrupted.

**ADJOURNMENT**

**The SPEAKER** (20:59): It being 9 pm, I propose the question:

That the House do now adjourn.

**International Development Assistance**

**Mr Giles** (Scullin) (21:00): When Ben Chifley spoke of the 'light on the hill', he was very clear that Labor's aspirations for better lives cannot end at Australia's borders. He said then that our task was to work 'anywhere we may give a helping hand'. But all too often what is—and, indeed, who are—out of sight can become very easily out of mind. While Australians have, rightly, rebelled against this government's budget, I am concerned that too little attention has been focused on its largest saving, our foreign aid budget. Recent events and our response to them in Vanuatu show the importance of our aid budget to our region. However, this government seems to regard this budget allocation as something like an ATM—readily enabling cash withdrawals for other purposes. This carries major consequences to Australia and to our neighbours and a heavy human cost. We are now a long way from Chifley's vision at a time when there is so much to be done in our region most especially.

The majority of Australia's foreign aid focus is in the Indo-Pacific, where 22 of 24 countries are still developing and face significant poverty levels. As my friend the member for Gellibrand has previously noted in this place, in November he and I were fortunate to visit one of these countries, Cambodia, as part of a joint US and Australian delegation organised by Care to see firsthand the impact programs supported by Australians make to the lives of Cambodian women and girls. Our visit had a particular focus on programs aimed at ensuring
that young women and girls are afforded equal opportunities. Despite remarkable progress being made in Cambodia in terms of health and development indicators, Cambodia remains one of the world's poorest nations. This situation is particularly acute for women and girls. For example, a mother in Cambodia is 28 times more likely to die during childbirth than a mother giving birth in Australia and more than 3.1 million newborn babies die every year from causes that are typically linked to the mothers' health. A lot of this comes down to a lack of access to healthcare services as well as education about and supplies for basic hygiene. These are all readily preventable and they are situations where Australia can play a meaningful role.

I believe that community support for this role is underestimated, at least by some. The Lowy Institute 2014 poll found that 75 per cent of Australians said that 'helping reduce poverty in poor countries' was the most important objective of Australia's foreign aid program. It is clear to me that Australians want their government to play an active role in creating a more prosperous and equal region. Indeed, yesterday I was heartened after my brief conversation with Emily Wrethman, Camilla Ryberg and Tom Evans from RESULTS Australia, a grassroots international advocacy organisation that aims to create the political will to end extreme poverty. I think also of the representatives who visited parliament last year from the Oaktree foundation, young Australians committed to eradicating extreme poverty. The political will is here on this side of the chamber; I wish I could say the same for all of those opposite.

A key part of ending regional disadvantage is empowering women. Women's financial empowerment and sexual and reproductive rights are fundamental to building equality in our region. The Australian government currently supports a range of programs which seek to protect marginalised urban women in garment factories and entertainment venues, educate rural women in economic leadership in their communities and provide education for ethnic minorities in Cambodia, where educational opportunities are often limited.

Of course, there are broader challenges in Cambodia, and beyond, that go beyond the scope of our aid budget and can reduce poverty like a minimum wage and supporting unions and other civil society organisations. Australia is well placed to provide government-to-government guidance on this and to continue to support the development of democratic civil society. Whilst I support the government's aspiration for 80 per cent of aid investments to effectively address gender issues, savage cuts presently being made to the aid budget reduce the chance of this worthy aspiration being realised. Our aid budget has been slashed by this government, yet it is the world's most vulnerable who are paying the price. Australia's relatively small but extremely worthwhile contribution to the betterment of people in countries such as Cambodia shows us all what is possible when we work together with our neighbours.

Chifley actually spoke of 'mankind' in 1949. In 2015 we cannot do likewise in our words or our deeds. In addressing the great challenge of lending a helping hand for those in need in our region, we must address gender equality at every step, recognising as we do the wonderful work people—Australian volunteers, aid workers and locals—having been doing and the great changes that their work, properly supported, makes possible.
Illicit Drugs

Ms SCOTT (Lindsay) (21:04): Tonight, I rise to bring a troubling issue before the House, one that is destroying so many lives and families right across our region, right across our nation and in my electorate of Lindsay. Western Sydney is on the brink of an ice epidemic. In fact, according to the Bureau of Crime Statistics and Research on the amphetamine intake, Penrith is now listed as one of the fastest-growing regions. Needless to say, this drug is linked to a growing number of crimes in the region. The ABS reported that amphetamine related crimes were up 16.1 per cent across New South Wales, but the increase for Penrith was 24.2 per cent annually.

Recently, one of our local newspapers went as far as labelling Saint Marys a hotspot, having reported 48 ice related crime incidents in the past 12 months. Hospitals are also seeing the impact of this deadly drug. Dr Ni Fung, a drug specialist at the Nepean private specialist centre and the drug health director at the Western Sydney Local Health District, said: 'This data suggests increases are phenomenal, with ice administrations up sevenfold in just the past five years.' Speaking with a senior policeman at the Penrith local area command drug unit, I was told: 'It's cheap, it's nasty, it's handy and it's highly addictive. It's become one of those "in" drugs because it's relatively cheap and easy to make and easy to get.'

This drug does not discriminate either. We are seeing people from all types of religious backgrounds and family structures take up the drug. For instance, Trent Elliott from St Marys, a local bricklayer who had earned $1,500 per week from his trade, spent it on Friday nights on ice. That saw him shot, stabbed, bashed—all as a result of using the deadly drug. It ruined his teeth, his health, his job and his relationships. Another case was that of a Penrith resident, Carla, who started using ice at just 16. She told the *Sydney Morning Herald*:

I was with friends the first time. My mum left her bank card with me so I … withdrew money. We had just planned on drinking. This guy with a car came around. He was a dealer. My mate was getting … ice … so I gave him some money … too. That was it.

Even though the come downs were awful, I wanted it more and more. And I kept committing crime so I could get it.

I ended up in lock up … That's when I decided I had to try and get my life back on track.

It is distressing this drug is so popular, because you never know if you are going to be the one that is going to be so highly addicted. You will never know if you are the one that loses a decade of your life or, even worse, you never know if you are going to be the one that ends up dead. This is a drug that has dire consequences.

We have all seen the horrific images of people's physicality transformed by this drug. But that is nothing compared to what happens to the insides. It has nothing to do with what happens to the rest of your body, or the destruction to your families—the destruction to our whole community. Ice really is one of the most addictive substances ever created. It is often manufactured in backyards. You never know what you are going to get. You never know how many times it has been cut—let alone what it has been cut with. Playing with drugs is playing Russian roulette with your life.

What I am proposing to do as a local member—because I am not going to stand here with my community being called a hot spot—is on Tuesday, 14 April I and all of my community
organisations and concerned residents will be holding a drug forum in Penrith to discuss the issues of ice in our local community, and how together we can find a solution and claim our community back for ourselves.

**Indi Electorate: Emergency Services**

*Ms McGOWAN (Indi) (21:09):* Tonight I would like to read to the House a letter I received last week from Karen Purss from Cudgewa in North East Victoria. Her message is that mobile phone coverage is not an optional extra in regional Australia. Sadly, it is a matter of life and death. Karen writes:

I thank the Lord for watching over us on our trip from Cudgewa to Wodonga on Thursday 12th March 2015. As we travelled through Berringama, we missed, by mere seconds, being hit by a truck and a vehicle towing a caravan as they careered off the road into trees. They had collided as they drove towards Corryong.

The people in the crash by some miracle survived but how, I don't know as their car and caravan was completely crushed by the truck.

Both the driver and his wife were trapped within the rubble of what had been their vehicle. My husband is a retired, experienced policeman but he was astounded to hear a moan coming from the vehicle. He had not believed anyone inside could still be alive.

The occupants had to be rescued using the 'jaws of life' and flown to hospital by helicopter.

It is totally unacceptable that this occurred on the Murray Valley Highway within ½ km of dwellings and we were not even able to dial 000 using our mobile telephones.

When you are out of mobile telephone range and your mobile says, "SOS only", don't automatically expect any response. We received none as we attempted to contact the emergency services. This is not good enough! There were three injured people with two trapped in the car. It was twisted out of recognisable form and lying on its side.

It was thought that there was danger of fuel leakage and a severe risk of fire. If the car had started to burn then the lives of both of its trapped occupants would have been lost.

In this age, there should be no excuse in having no emergency contact service.

I had to use a land line in order to ring 000 but wasted valuable time in attempting to access a mobile telephone network.

It was an amazing inter-agency effort in attending to the many difficulties posed by this incident. VicPol, Ambulance Victoria and the many volunteers from SES and CFA worked for several hours to stabilise and extract these two people.

Thank God we live in a community containing emergency service volunteers who give everything to help and protect others without hesitation. Once they were notified, the emergency service workers came in numbers.

Community spirit is not unique to the Upper Murray but it is particularly strong up here, however, for personal safety and for asset management purposes, something needs to be done about this region's limited mobile telephone network accessibility.

Many of the problems with telephone communication up here could be solved by the addition of several small transmission towers along the highway but of course, this will cost the telcos money which they will probably not be able to redeem by the normal telephone usage of its subscribers; I suggest however, that their failure to improve communication facilities is not acceptable, no matter the cost.

Do we have to wait until it is the lives of our children under threat in similar instances before they are prepared to make a move? We need to bring pressure to bear on our Federal politicians to resolve this.
Next time it may be your life that is under threat. Is your reception good enough to call for an ambulance? If not, then perhaps you could give some consideration to talking to your politician and telling him/her, that while our physical lives are unacceptably under threat, they might consider that their political life may also come to an abrupt end.

On this occasion, although communications were almost non-existent, we were fortunate that after about 20 minutes an ambulance that was being delivered to Corryong by their regional mechanical service staff arrived on the scene and they were able to radio ahead to prepare the approaching emergency service personnel of the situation.

No lives were lost as a consequence of these communications failing, however, next time we may not be so fortunate.

We need to act.

In talking to Karen today to gain her permission to read this letter in parliament tonight, she told me that, sadly, one of the occupants of the vehicle is now dead. In this case, it was a matter of life and death. We need much better mobile phone access.

**Macedonia**

Mr SIMPKINS (Cowan) (21:14): Tonight I wish to raise a matter of great importance to many of my constituents and in fact many people around the country. It is rare that I take exception to our government's foreign policy because I think that on all the big issues the foreign minister and the executive as a whole have gotten the calls right.

The issue I speak of is that of the failure of successive federal governments to call the Republic of Macedonia by its constitutional name. On every occasion when the name issue comes up for those Australians of Macedonian heritage—and there are more than 100,000—they feel insulted by this country's continued use of the term 'Former Yugoslav Republic of Macedonia.' Yugoslavia itself ceased to exist some 20 years ago and our country continues to be locked in the past.

Why? There is no doubt that both sides of politics are ultimately fearful that this one issue will somehow galvanise the Australian Greek community into a block vote against whoever makes this change to recognise the Republic of Macedonia. Both sides are wrong. Those of Greek heritage are pretty much like every other ethnic community of second generation or more heritage in this country. They are not locked into some false and paranoid belief that Australia officially uttering the words 'Republic of Macedonia' will somehow lose territory of the Hellenic Republic. Australians of Greek heritage have bigger issues in their lives than this and they vote like any other Australians on issues that really affect them, such as the economy and opportunities for them and their families. There are a handful of Australians of Greek heritage who do contact members of parliament and talk about how many votes would be lost by whoever made such a change. But it remains a handful and, despite the talking, there are not enough people who would vote only on this issue to affect the result in a single electorate. It is tragic that literally a handful of nationalists can exert such power as to control the foreign policy of this nation.

Of course, that is not the reason given as to why Australia is against doing the right thing on the name issue. Officially, our biased position is to stand with a very small group of nations, a group that does not include our traditional allies of the United States, the United Kingdom or Canada. This small group excuses their biased pro-Greek position by talking about the need to remain committed to the UN-sponsored process that aims to achieve a
mutually accepted agreement over the name issue. This is of course a smokescreen that is good for hiding behind for a perceived domestic political advantage.

Our position is wrong on many counts. Firstly, that stated objective can be achieved by maintaining the reference to the Former Yugoslav Republic of Macedonia at the UN and in multilateral fora. Secondly, it does not take any notice of the outcomes over the last almost 20 years. Those outcomes have been minimal and, despite very big concessions on the Macedonian side regarding borders and even changing their flag, the Greek side insists that the name 'Macedonia' cannot be in the name of the country at all. Former Greek Prime Minister Samaras said in the past that all they have to do is to ensure there is no agreement at these UN sponsored talks and Albanian nationalism and other economic instability resulting from economic problems will see Macedonia fall apart.

I would remind the parliament that in vetoing Macedonia's entry to the EU and NATO, the International Court of Justice found against Greece in 2011. The ICJ said that Greece, in vetoing Macedonia, had broken the original agreement to not bar the way for their neighbour. I find it disappointing that DFAT does not acknowledge this and, overall, provides advice that is biased.

As I have said before in my report, following a visit to Greece and the Republic of Macedonia in 2011, I believe that there is a real reason why Greece bars the economic future of the Republic of Macedonia by locking them out of the EU and NATO. That reason is that if they were allowed into the EU, then EU laws would allow those who lost houses and land, after the civil war in the 1940s, to claim restitution and the cost would be highly challenging for Greece to bear.

Our Prime Minister said late last year that the Macedonia request for bilateral name recognition was 'fair enough'. Yes, it is fair enough that Australia should do the right thing and recognise the Republic of Macedonia by its constitutional name. This would actually help the UN-sponsored process by increasing pressure to end the intransigence and get real negotiation happening. Our duty should be to change to an unbiased position by providing bilateral recognition and increasing pressure to end the economic siege provided by the vetoing of entry to the EU. Bureaucrats who excuse our biased position by talking about freedom of the press and independence of the judiciary should know that Macedonia has already met the standards for entry to the EU.

Australia has so far taken a biased position and, through our unwillingness to seek progress, we are helping to hurt the economy of a small nation in Europe. The Greek government wants instability in the region and our support of one side aids them. Over the terms of successive governments Australia has held back the homeland of some 100,000 immigrants to our country and it is no surprise that they are not happy about it. The time to do the right thing has come.

International Women's Day

Mr HAYES (Fowler—Chief Opposition Whip) (21:19): Last week communities came together to celebrate International Women's Day—a day to reflect on the achievements of women and, more importantly, to reaffirm our advocacy and commitment to equality and respect for all women.
I have a personal interest in this as I have always encouraged my daughter, Elizabeth, to pursue her dreams. I know how much I would resent obstacles being placed in her way through prejudice or stereotyping. Now I hold the same view with respect to each of my four granddaughters.

While much has been achieved since the first Australian rally for International Women's Day, which took place in 1928, in The Domain, Sydney, progress should never be taken for granted. Along with all the other advances women have made in a vast range of fields, their achievements in many instances occur while they juggle the more traditional roles of being a wife, a mother, a caregiver and, in many cases, a community volunteer. It is quite extraordinary but, as my wife, Bernadette, often reminds me, having ovaries helps.

Today I would like to acknowledge the outstanding contribution of a woman in south-west Sydney. She is a lady who has made a phenomenal difference to many lives, particularly families which live with disabilities. Her name is Grace Fava and she is the co-founder and the CEO of the Autism Advisory and Support Service.

Grace dedicates much of her time to assisting families with the challenges of looking after children with autism. Her organisation, which is a not-for-profit organisation, is staffed solely by volunteers who provide invaluable assistance to hundreds of families on a case-by-case basis. They provide individual advocacy for families with no respite or families with children suspended or expelled from school due to behaviour attributed to their autism; a therapy play area and a sensory garden as well as a toy library for children with autism; social groups for young adults; and also parental support groups, which cater for the linguistic diversity of my area.

Originally, AASS services were confined to families living in the Liverpool and Fairfield LGAs. However, their services have now rapidly expanded to encompass families living in Bankstown, Campbelltown and Camden. Apart from the face-to-face assistance, AASS also operates a 24-hour autism telephone hotline, which is run by volunteers who often provide guidance and support to families with recently diagnosed children or families battled the transition between services. I understand the centre receives, on average, 200 calls per month.

As Grace is the president of this organisation, I know she spends in excess of 50 unpaid hours each week with AASS, including weekends, helping families who find themselves in desperate need. Personally, Grace has been a source of strength for my own family. My grandson Nathaniel is on the autism spectrum. Grace has offered invaluable advice and certainly has pointed us in the right direction in terms of appropriate services, particularly at times of immense need. Having had the pleasure of knowing Grace now for more than ten years, I have seen firsthand her commitment, her passion and her sheer determination to stand up for families that live with autism. Not only does Grace give freely of her time to others, she also manages her own family. But the fact is that Grace and her husband Frank have two autistic sons, Pasquale and Gianni. While her boys receive an enormous amount of love and care, not to mention the personal attention of school engagement, Grace somehow manages to balance all this while looking after the interests of others.

Recently, the University of Western Sydney recognised Grace's achievements and contribution to our community by awarding her the prestigious Women of the West award. Grace is a most deserving recipient. However, I know she has only recently donated her prize of $5,000, donated by the university, to assist other families in dire need, particularly children.
on the autism spectrum who require additional support. She understands that this money will not go far, but it is a good start. Once again, I congratulate Grace on receiving the Women of the West award. Moreover, on behalf of her very grateful community, I thank her for her determination, passion and commitment.

SPC Ardmona

Dr STONE (Murray) (21:24): I want to place my heartfelt, personal thanks on the parliamentary record for the courage, the commitment and the sheer hard work of Peter Kelly. Peter Kelly has been in the role of managing director of SPC Ardmona since April 2013. He will be retiring at the end of March 2015 after a stellar career. He has been with Coca Cola Amatil for 25 years. Peter Kelly came into the role at SPC Ardmona at a time of crisis. The surrounding orchards were in a haze of dust as bulldozers pushed through what often were prime orchards—the pears, the peaches, the apricots. He had to share the agony of the growers as they understood that 50 per cent of them would no longer have any market for their preserving variety fruit that would be typically used by SPC Ardmona, and, of course, there were no other alternatives. SPC Ardmona was the last fruit manufacturer in Australia.

So we had to do something urgently because the City of Greater Shepparton's economic analysis showed that the impact of the closure of SPC Ardmona would be some $165 million per annum, and that is in a small, regional economy. There were three factories at the time servicing SPC Ardmona, between them employing over 800 effective full-time employees, with more than 4,000 others directly associated with the operations of the factories. Peter Kelly was, in fact, an acquisitions and mergers specialist, and that put fear and terror into the hearts of those who heard what his specialisations were. They imagined he had come to sell the whole business up. After all, they had write-downs of $48 million in goodwill and $98 million in inventory and other assets marked down by the owner company, Coca Cola Amatil. But Peter Kelly and others were able to negotiate a $100 million innovation investment deal with the Victorian state government and the parent company, Coca Cola Amatil itself. They were talked into hanging on, giving the company a chance. They wanted to transform the business from a cannery into an innovative snack food company to take it away from dependence on just the supermarkets in Australia, which, as we all know, with 80 per cent share of the market, make it very difficult for suppliers to make a decent margin.

Peter Kelly also led SPC Ardmona through successful antidumping cases. He brought the case of the Italian dumped tomatoes to the antidumping authority, and we won. Ninety per cent of all the importers of processed tomatoes from Italy were found to be illegally dumping their products, and that put the Australian canned tomato business back on the map. Today our tomato industry is once again thriving, and we have a second industry in Echuca, where Kagome is producing superb tomato based products as well.

Peter was able to negotiate a significant five-year, $70 million partnership with Woolworths that would see an extra 24,000 tonnes of fruit, tomatoes and locally sourced navy beans back into products. He advocated and advanced the need for consumers and government departments to buy local. He led a social media campaign which had ordinary Australians put more than 22 million hits on those social media pages showing that, yes, we want to buy local, we want to buy Australian product and we will. Peter Kelly led SPC on a project to join forces with other prominent members and supporters of the industry, including AUSVEG, Australian Made, the Australian Food and Grocery Council and the Victorian
Farmers Federation. Together they developed the Full Value for Victorian Food Procurement Policy, a proposal that urges a government to put locally sourced food first on the procurement agenda for the state. Peter has led Ardmona through a rebranding exercise that sees the real, live orchardist shown on the product itself. You can see the man and the woman who grew your fruit. He has led the campaign to make Australians proud of their product.

Without Peter Kelly I do not think we would have made it. So, I am going to miss him hugely as a personal friend and as someone I work with most weeks month after month. I commend Peter for his spirit and his courage. I know it was a huge family sacrifice for him to put in the time that he did away from family who were based in Sydney. Peter Kelly, I congratulate you. I trust the rest of your life is as productive as your time has been in the great Goulburn Valley.

House adjourned at 21:30

NOTICES

The following notices were given:

Mr Porter: to present a Bill for an Act to repeal certain Acts and provisions of Acts and to make various amendments of the statute law of the Commonwealth, and for related purposes.

Mr Porter: to present a Bill for an Act to repeal certain Acts, and for related purposes.

Mr Porter: to present a Bill for an Act to make various amendments of the statute law of the Commonwealth, to repeal certain obsolete Acts, and for related purposes.

Mr Billson: to present a Bill for an Act to amend the Competition and Consumer Act 2010, and for related purposes.

Ms Ley: to present a Bill for an Act to amend the Food Standards Australia New Zealand Act 1991, and for related purposes.

Ms McGowan: to present a Bill for an Act to amend the Charter of Budget Honesty Act 1998, and for related purposes.

Ms Parke: to move:
That this House:

(1) notes that:

(a) the Australian Government is presently negotiating the text of the Trans-Pacific Partnership Agreement (TPP) with the United States, Japan, Peru, Malaysia, Vietnam, New Zealand, Chile, Singapore, Canada, Mexico and Brunei Darussalam;

(b) the TPP negotiations are shrouded in secrecy, with the media and public interest groups locked out of the process, while ‘cleared advisors’ from industry have had access to the drafts; and

(c) leaked published drafts of the TPP text indicate that the agreement may contain:

(i) Investor-State Dispute Settlement (ISDS) provisions, thereby allowing foreign corporations to sue the Australian Government in secretive international pseudo-tribunals made up of corporate lawyers regarding laws, regulations, public policies and court decisions they find inconvenient or which may cause a loss in future profits; and

(ii) an intellectual property chapter with proposals on copyright law, trademark law, patent law and data protection that would have extensive ramifications for users’ freedom of speech, right to privacy and due process; greater liability on internet intermediaries; further restrictions on fair use; criminal sanctions; and would expand copyright terms and reduce access to affordable medicines;
(2) recognises that the ISDS provisions potentially impact negatively upon the ability of Australian governments to pass laws and regulations for the public good, including environmental, labour and health standards, for instance, Australia is presently being sued by Phillip Morris for its plain packing legislation pursuant to an ISDS clause contained in a 1993 Free Trade Agreement with Hong Kong, notwithstanding the fact that the High Court of Australia has upheld the plain packaging laws;

(3) acknowledges that the international non-government organisation Médecins Sans Frontières is campaigning against the TPP due to its concerns about the impact of the TPP on the price and availability of medicines; and

(4) calls on the Government to ensure full transparency of the TPP negotiations and the opportunity for public consultation and input into the process prior to the Government signing off on the agreement.

Mrs Prentice: to move:

That this House:

(1) notes that:

(a) 24 March is World Tuberculosis Day (WTD);

(b) WTD is a designated WHO global public health campaign and is an annual event that marks the anniversary of the 1882 discovery by German Nobel Laureate, Dr Robert Koch, of the bacterium that causes tuberculosis;

(c) tuberculosis is contagious and airborne—it ranks as the world's second leading cause of death from a single infectious agent and left untreated, each person with active tuberculosis disease will infect on average 10 to 15 people every year;

(d) the theme for WTD in 2015 is 'Reach, Treat, Cure Everyone';

(e) in 2013, 1.5 million people died from tuberculosis worldwide with 40 per cent of deaths occurring in countries in the Indo Pacific region;

(f) Papua New Guinea has the highest rate of tuberculosis infection in the Pacific, with an estimated 39,000 total cases and 25,000 infections each year;

(g) the prevalence of multidrug-resistant tuberculosis continues to increase worldwide—rising from 450,000 cases in 2012 to 480,000 cases in 2013, with more than half of multidrug-resistant tuberculosis cases found in our region; and

(h) tuberculosis is:

(i) the leading cause of death among HIV positive people—HIV weakens the immune system and is lethal in combination with tuberculosis, each contributing to the other's progress; and

(ii) considered to be a preventable and treatable disease, however current treatment tools, drugs, diagnostics and vaccines are outdated and ineffective; and

(2) recognises:

(a) Australia's resolve to continue to work towards combatting the challenge of tuberculosis in the region and the need for discovery, development and rapid uptake of new tools, interventions and strategies as recognised in the WHO End TB Strategy;

(b) the WHO End TB Strategy was endorsed by all member states at the 2014 World Health Assembly and aims to end the tuberculosis epidemic by 2035;

(c) the Australian Government funding of health and medical research is helping to bring new medicines, diagnostic tests and vaccines to market for tuberculosis and other neglected diseases; and

(d) the ongoing support for research and development of new simple and affordable treatment tools for tuberculosis and multidrug-resistant tuberculosis is essential if the WHO End TB Strategy goal is to be met.
Mr Williams: to move:
That this House:
(1) condemns the South Australian Government for being the only state in Australia to cut pensioner concessions on local government rates;
(2) notes that:
(a) the Australian Government has increased funding to South Australia by 23 per cent or $1.8 billion over the forward estimates; and
(b) the South Australian Government is pocketing $98 million by cutting pensioner concessions;
(3) calls on the South Australian Government to reinstate the full pensioner concession; and
(4) recognises the difficulty pensioners face in having to find an extra $190 each year to pay for their local government rates, on top of the huge cost increases that pensioners in South Australia have incurred for electricity, water and other state Government fees and charges.

Mrs Prentice: to move:
That this House:
(1) recognises that shingles and postherpetic neuralgia (PHN) can cause significant and debilitating pain for hundreds of thousands of Australians;
(2) acknowledges that senior Australians unfortunately bear the brunt of the disease burden, as the frequency and severity of complications increase with age;
(3) notes that approximately 1 in 3 adults will develop shingles in their lifetime and that the risk of shingles increases with age, particularly after the age of 60;
(4) recognises there is no cure for shingles and PHN;
(5) understands that prevention through vaccination represents the most effective opportunity to help reduce the number of Australians suffering from shingles and PHN; and
(6) acknowledges that preventative health measures such as vaccination will help protect the health of older Australians and safeguard their ability to work, care and volunteer.

Mrs Prentice: to move:
That this House:
(1) affirms the right of working Australians to a safe working environment;
(2) recognises the scourge of illegal drugs in our society is impacting on the right to a safe working environment; and
(3) supports:
(a) an employer's right to test workers for the effects of illegal drugs in the workplace particularly in construction, mining, transport, forestry and other industries where the use of dangerous machinery is required;
(b) the right of employers to dismiss workers who fail testing or refuse to change their behaviour to the detriment of their workmates; and
(c) the continued education campaigns by state workplace health and safety organisations, state and federal government programs and concerned private organisations to reduce the impact of dangerous drugs in the workplace.

Mr Laming: to move:
That this House:
(1) acknowledges that:
(a) the cruise liner industry makes a significant contribution to the regional economies of Sydney, Fremantle, Brisbane and Melbourne;

(b) sulphur dioxide emissions are a significant source of air pollution from cruise liners docked at ports in Australia and are harmful to human health; and

(c) by 2020 the cruise liner industry will implement new measures to reduce sulphur dioxide emissions from cruise ships docked at ports under the International Convention for the Prevention of Pollution from Ships; and

(2) calls on the cruise liner industry to introduce measures ahead of 2020 to reduce sulphur dioxide emissions from cruise liners docked at ports near residential areas including through the use of low sulphur diesel fuels.
QUESTIONS IN WRITING

Education: Graduates

(Question No. 629)

Mr Kelvin Thomson asked the Minister for Education, in writing, on 14 November 2014:

(1) In respect of the Deakin University’s Centre for Research in Educational Futures and Innovation’s report Australian international graduates and the transition to employment (September 2014), is he aware that the findings illustrate that (a) the overseas student program needs to be reviewed by the Australian Government to provide greater opportunity for Australian graduates to find work domestically, (b) the graduate labour market in Australia in the three disciplines of nursing, engineering and accounting is very competitive, (c) the proportion of bachelor degree graduates employed within four months of completing their courses has fallen to 71.3 per cent, the lowest figure in over 20 years, and what action will the Minister take to address this issue, (d) shortages for engineers eased significantly in 2012-13 and are now limited to petroleum and mining engineers, and (e) a slowdown in the mining industry, as well as manufacturing, and subdued activity in construction, are contributing to a weak labour market.

(2) Does the Minister accept the report’s findings that employment outcomes for graduate engineers have weakened in recent years with softer market conditions, resulting in graduates competing for work with experienced engineers, with BHP, Rio Tinto and AECOM cutting their graduate intakes.

Mr Pyne: The answer to the honourable member’s question is as follows:

(1) Regarding international education and recent domestic graduate outcomes:

(a) International education is a major priority for the Government and has been the subject of a number of reviews in recent years. A discussion paper ‘Reform of the ESOS framework’ was released on 1 October 2014 to seek views from interested stakeholders on opportunities to improve the Education Services for Overseas Students Act 2000 and associated legislative arrangements. Data from the Graduate Careers Australia’s Graduate Destinations Survey shows that from 2008 to 2013 Australian domestic graduates consistently gain employment after graduation at higher rates than international students who graduate and choose to stay on in Australia. Deakin University’s research has provided advice on strategies that may enhance employment opportunities for overseas students and graduates in Australia.

(b) Nursing, engineering and accounting graduates experience above average employment outcomes. The Graduate Careers Australia’s Graduate Destinations Survey shows that in 2013 the proportion of domestic bachelor degree graduates in full-time employment four months after graduation was 83.1 per cent for nursing graduates, 81.7 per cent for engineering graduates and 77.4 per cent for accounting graduates. By way of comparison, the national average full-time employment rate for all domestic bachelor degree graduates was 71.3 per cent.

(c) The Graduate Careers Australia’s Graduate Destinations Survey shows that in 2013 the national average full-time employment rate for domestic bachelor degree graduates was 71.3 per cent. As noted in the report of the Review of the Demand Driven System (page 26)

*Holding a bachelor degree continues to provide significant insurance against unemployment. In 2013, 3.4 per cent of people with bachelor degrees were unemployed, compared to 6.6 per cent of people with lower or no post school qualifications.*

(d) This is a matter for the Minister for Employment.

(e) This is a matter for the Minister for Employment.

(2) The Graduate Careers Australia’s Graduate Destinations Survey shows that engineering graduates continue to experience strong employment outcomes. In 2013, 81.7 per cent of engineering graduates...
were working full-time four months after graduation, the second highest full-time employment outcome by field of education and over ten percentage points higher than the overall full-time employment rate of 71.3 per cent for all graduates.

**Education: Graduates**

(Question No. 633)

Mr Kelvin Thomson asked the Minister for Education, in writing, on 14 November 2014:

(1) Will the Minister review the 2012-13 Australian Government Review of labour market demand, which found that there was no shortage of graduate accountants and that graduate employment outcomes for accounting bachelor degrees have fallen over the past five years.

(2) Is the Minister aware that in 2012, 7,200 domestic students completed a bachelor or higher degree in accounting, with the Department of Employment declaring that ‘a more than adequate supply of accountants existed in Australia’.

(3) Is the Minister aware:

(a) of reports that overall employment of accountants increased by just 1.3 per cent over the five years to May 2014, which was well below the ‘all occupations’ average of 7.4 per cent, and

(b) that advertised vacancies for accountancy positions have also fallen since 2008.

(4) Is the Minister aware of the recent media report by Edmund Tadros ‘Accounting bodies do about-face on jobs for foreign students’ (Australian Financial Review, 29 October 2014), claiming that the Australian Government says it will review the Skilled Occupations List early next year, and that based on the Australian Workforce and Productivity Agency’s recommendation, a reduced ceiling of approximately 5,000 places or 3 per cent of the domestic workforce, has been set for accountants in 2014-15.

(5) Is it a fact that the Department of Employment has recommended that accountants be removed from the Skilled Occupations List, having concluded there is a surplus of accountants and ‘deteriorating outcomes for graduates relatively low pay rates for bachelor graduates and weak employment outcomes for masters graduates’; if so, and in light of the evidence from the academic research, media reporting and professional views, will the Minister consider removing accountants from the Skilled Occupations List.

(6) In respect of a media report by Edmund Tadros and Agnes King ‘Accounting Bodies do about-face on jobs for foreign students’ (Australian Financial Review, 12 February 2014), is he aware

(a) that in the past five years, 40,000 migrants have entered the country through accounting skilled stream, which is significantly higher than the numbers entering with other priority areas,

(b) of data provided in this report that Graduate Careers Australia shows that 80 per cent of domestic accounting graduates were working full-time four months after finishing their courses in 2012, compared with 93 per cent in 2001,

(c) that the University of New South Wales (UNSW) had an almost record enrolment in first year accounting in 2014 with over 1,700 currently enrolled, and

(d) that the UNSW’s record for accounting enrolments was 1,800 in 2010.

(7) Will the Minister acknowledge the suggestions in the Deakin University’s Centre for Research in Educational Futures and Innovation’s report Australian international students and the transition to employment (September 2014) and media report in part 6), that overseas accounting students are being lured to study accounting in Australia on the misleading impression that it is easy to find work experience, work opportunities and permanent residency in Australia.

(8) Is the Minister aware of the findings in Deakin University’s report in part 7), which showed that international accounting students were a major source of income for Australian Universities, making up
a record 79 per cent of the 17,600 enrolled postgraduate students in 2013, and 55 per cent of the more than 24,500 enrolled undergraduate students.

Mr Pyne: The answer to the honourable member’s question is as follows:

(1) This is a matter for the Minister for Employment.

(2) According the Department of Education and Training’s Higher Education Information Management System (HEIMS) in 2012 there were only 3509 domestic students who completed a bachelor degree or higher in the field of education of accounting.

(3) (a) This is a matter for the Minister for Employment.

(b) This is a matter for the Minister for Employment.

(4) This is a matter for the Minister for Immigration and Border Protection.

(5) This is a matter for the Minister for Immigration and Border Protection.

(6) (a) This is a matter for the Minister for Immigration and Border Protection.

(b) The Graduate Careers Australia’s Graduate Destinations Survey shows that in 2001, 91.9 per cent of accounting graduates were in full-time employment, which has declined to 77.4 per cent in 2013.

(c) According the Department of Education and Training’s Higher Education Information Management System (HEIMS) the latest available data for 2013 shows that the University of NSW has 341 commencing domestic and international student enrolments in both undergraduate and postgraduate accounting courses.

(d) According the Department of Education and Training’s Higher Education Information Management System (HEIMS) in 2010 there were only 433 commencing domestic and international students enrolled in both undergraduate and postgraduate accounting at the University of NSW.

(7) International students choose to study in Australia to gain a high quality education and a reputable qualification from one of the most popular study destinations in the world. There are demonstrable opportunities for all international students, including accounting students, to find work experience in Australia. Information is available to students on such opportunities, for example through the government’s Study in Australia website. Students are made aware these are opportunities, not guarantees. Some graduates (who were former international students) may be sponsored for permanent migration or found eligible under other arrangements.

In March 2013, the previous government introduced new post-study work visas for eligible higher education graduates. The current government also supports this arrangement, which allows international students who have recently completed an Australian Bachelors, Masters or PhD qualification to remain in Australia after graduation to gain further work experience in any field they choose. Bachelor and Masters by coursework graduates are eligible for a visa that allows them 2 years of post-study work in Australia, while Masters by research graduates can work for 3 years and PhD graduates for 4 years. More information is available from the Department of Immigration and Border Protection here:


(8) According to the Department of Education and Training’s Higher Education Information Management System (HEIMS), in 2013 there was a total of 17 599 postgraduate accounting students, of which 79 per cent (or 13 833 persons) were international students. While this appears to be the highest proportion on record, the number of international students has declined from the peak of 15 356 in 2009. In 2013, there were 25 423 enrolled undergraduate accounting students, of which 55 per cent (or 13 972 persons) were international students, which is the lowest proportion since 2008. International undergraduate accounting students have been declining as a proportion of total undergraduate accounting students in each year since the peak of 64 per cent in 2011, and declining in number from the peak of 21 951 in 2010.
Ms McGowan asked the Minister for Social Services, in writing, on 9 February 2015:

In (a) 2008-09, (b) 2009-10, (c) 2010-11, (d) 2011-12, (e) 2012-13, (f) 2013-14, and (g) 1 July 2014 to 1 January 2015, What total (i) number of age pensions were paid to Australian residents living overseas on a permanent or semi-permanent ongoing basis; and of these, how many were paid to persons aged 80 or over on 1 January, and (ii) amount was paid.

Mr Morrison: The answer to the honourable member's question is as follows:

(i) The total number of Australian Age Pension recipients living overseas on a permanent or semi-permanent ongoing basis for the years requested (a-g) are available in the table below.

<table>
<thead>
<tr>
<th>As at June unless stated (point in time figures)</th>
<th>Age Pension</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) 2009</td>
<td>58,012</td>
</tr>
<tr>
<td>(b) 2010</td>
<td>62,148</td>
</tr>
<tr>
<td>(c) 2011</td>
<td>68,947</td>
</tr>
<tr>
<td>(d) 2012</td>
<td>73,158</td>
</tr>
<tr>
<td>(e) 2013</td>
<td>76,865</td>
</tr>
<tr>
<td>(f) 2014</td>
<td>80,279</td>
</tr>
<tr>
<td>(g) 2015 (as at 2 January 2015)</td>
<td>82,093</td>
</tr>
</tbody>
</table>

Those that were living overseas on a permanent or semi-permanent ongoing basis who were 80 years or older as at 2 January 2015 is 22,441; (ii) The average fortnightly payment for those recipients over 80 as at 2 January 2015 was $377.60.