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SITTING DAYS—2015

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FORTY-FOURTH PARLIAMENT
FIRST SESSION—SIXTH 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,
 Ms Anna Elizabeth Burke MP, Ms Sharon Catherine Claydon MP,
 Mr Patrick Martin Conroy MP, Mr Alexander George Hawke MP,
 Mr Ian Reginald Goodenough MP, Mrs Natasha Louise Griggs MP,
 Ms Sarah Moya Henderson MP, Mr Stephen James Irons MP, Mr Ewen Thomas Jones MP,
 Mr Craig Kelly MP, Ms Michelle Leanne Landry, Ms Clare Ellen O’Neil, 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 Griffiths Hall MP and Ms Joanne Catherine Ryan MP

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<td>Braddon, TAS</td>
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<tr>
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<td>Wood, Mr Jason Peter</td>
<td>La Trobe, VIC</td>
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<td>Wyatt, Mr Kenneth George AM</td>
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<tr>
<td>Zappia, Mr Antonio</td>
<td>Makin, SA</td>
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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

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Clerk of the House of Representatives—D Elder  
Acting Secretary, Department of Parliamentary Services—D Heriot  
Parliamentary Budget Officer—P Bowen
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<tr>
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<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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<tr>
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<tr>
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<td>Senator the Hon. Jacinta Collins</td>
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<tr>
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<tr>
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<tr>
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<td>Senator Claire Moore</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>
<td>Hon. Anthony Albanese MP</td>
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<td>Hon. Julie Collins MP</td>
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<tr>
<td>Shadow Parliamentary Secretary for Regional Development and Infrastructure</td>
<td>Hon. Alannah MacTiernan MP</td>
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<tr>
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<tr>
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<tr>
<td>Shadow Minister for Competition</td>
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<tr>
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The SPEAKER (Hon. Bronwyn Bishop) took the chair at 09:00, made an acknowledgement of country and read prayers.

COMMITTEES

Public Works Committee

Reference

Mr McCORMACK (Riverina—Parliamentary Secretary to the Minister for Finance) (09:01): I move:

That, in accordance with the provisions of the Public Works Committee Act 1969, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report:

Sir John Monash Centre, Australian National Memorial Villers-Bretonneux, France.

The Department of Veterans' Affairs proposes to construct the Sir John Monash Centre at the site of the Australian National Memorial at Villers-Bretonneux, France. Sir John, like so many gallant Great War soldiers, was a country boy, raised and educated at Jerilderie. He is rightly considered to be one of the best Allied generals of the First World War and his name lives on in his deeds and by his leadership—a truly great Australian. The Sir John Monash Centre, to bear his name, will provide a lasting legacy from Australia's Anzac Centenary commemorations and will help ensure the service and sacrifice of Australians on the Western Front is never forgotten.

The proposed centre will consist of a building of outstanding quality with an interpretive gallery comprising a range of high-quality interactive multimedia interpretive displays. The centre will be located at the rear of the existing Australian National Memorial at Villers-Bretonneux and will enhance the experience of visitors to this important commemorative site. The centre will provide a compelling story of Australia's service and sacrifice on the Western Front during the First World War, 1914 to 1918. The estimated total cost of the centre is $99.5 million, which includes $88.6 million for the capital cost of construction and $10.9 million in project and ongoing operational expenses. Subject to parliamentary approval, construction is expected to begin in early 2016 and be completed for the opening in April 2018. I commend the motion to the House.

Question agreed to.

Report

The SPEAKER (09:03): I understand we should have the member for Moreton here to present the Public Works Committee report. I note he is not present. I make the point that it is the responsibility of members to make sure they are available when they are supposed to be in the chamber and that it is the whip's job to make sure they are here. We will try to make provision in the agenda for this matter to be dealt with later today. He is just walking in. Consider yourself admonished, Member for Moreton.

Mr PERRETT (Moreton) (09:04): I am just awaiting some documents from my office. I was in the wrong spot. Am I able to wait a second and then table them?

The SPEAKER (09:04): In a word, no.
BILLS

Migration Amendment (Maintaining the Good Order of Immigration Detention Facilities) Bill 2015

Second Reading

Debate resumed on the motion:

That this bill be now read a second time.

Mr MARLES (Corio) (09:05): The Migration Amendment (Maintaining the Good Order of Immigration Detention Facilities) Bill 2015 seeks to define and regulate the use of force in detention facilities by amending the Migration Act 1958. The use of force in facilities such as Villawood and Maribyrnong is currently undefined and unregulated by any statute and therefore operates under the common law. Labor supports the general intent of this bill, however we have a number of concerns regarding the specific provisions of it. These concerns are shared by the Australian Human Rights Commission, which provided a comprehensive submission to the Senate inquiry into this bill which is currently underway.

The Human Rights Commission submission makes nine recommendations which seek to address its concerns with the bill and Labor is now proposing to move amendments to the bill to give effect to those recommendations. At the outset, let me say that, in the event these amendments do not pass, Labor will not be in a position to support the bill. I do say again, however, that Labor supports the underlying premise of this bill: to put in place a legislative framework for the use of reasonable force in detention facilities rather than allowing the use of force to continue to operate under the common law.

Operating under the common law means that the officers employed in detention centres, either as Commonwealth employees or as employees of detention service providers, have the same common law powers to deal with public order disturbances as do private citizens. It is considered undesirable, both by the government and by the staff working in the detention facilities, for reliance on the common law to continue. The fundamental problem with using the common law in this context is that it is very difficult to determine, at the time the decision on whether to use force or not has to be made, whether it is reasonable in the circumstances. Often the answer to that question only becomes apparent after the event. This obviously leaves employees in an uncertain and unsatisfactory position. Furthermore, the common law is problematic in the context of managing large public disturbances such as riots—nor does it cover common scenarios such as preventing the destruction of property or transporting detainees within the facilities.

This bill is intended to provide clarity around the circumstances in which reasonable force can be used in detention facilities and to provide a regulatory framework to support that—including mandatory staff qualifications and training to ensure the safety and protection of both the detainees and staff. Uncertainty as to when staff may act when confronted with public order disturbances was a subject that was considered in the independent review conducted in 2011 by Dr Allan Hawke AC and Ms Helen Williams AO into the incidents at the Christmas Island and Villawood detention centres. The Hawke-Williams report recommended that there be clear articulation of the responsibility for public order management between the department, the detention service provider, the Australian Federal Police and other police forces that may attend an immigration detention facility.
This bill is intended to clearly outline the circumstances in which an authorised officer may use reasonable force and also includes provisions to explicitly prevent the use of reasonable force in certain cases. However, Labor believes that, as currently defined in the bill, the fundamental power to use reasonable force is both too subjective and too broad. I will therefore later be moving amendments to include a clear, objective test of reasonableness of, and necessity for, the use of force. The Human Rights Commission has also recommended that the government provide the parliament with clarification of whether this bill is intended to authorise employees of contracted detention facility service providers to use lethal force and, if so, what controls and limits will be put in place to ensure that the right to life in this circumstance is adequately protected. I support this recommendation and Labor calls on the minister to provide this clarity before the bill is passed by the parliament.

The bill also refines the definition of an authorised officer within the Migration Act to ensure that a person working in a detention facility will not be allowed to be approved as an authorised officer who can utilise reasonable force unless they meet the training and qualifications requirements. I note, however, that the bill itself does not include any provisions which specify the level of training and qualifications that will be required. This has been the subject of a number of submissions to the Senate inquiry into this bill. Labor will keep a keen eye on the final Senate committee report. That report may inform further action by Labor when this bill is ultimately debated in the other place.

Another key element of this bill is the implementation of a statutory complaint mechanism in relation to the use of reasonable force. These complaints will be investigated by the Secretary of the Department of Immigration and Border Projection, who will also have the power to transfer such complaints to, for example, the Commonwealth Ombudsman or the Australian Federal Police Commissioner. Complainants will still have the ability to make a complaint elsewhere directly—to, for example, the Australian Human Rights Commission, the Red Cross, the Commonwealth Ombudsman, the Minister for Immigration and Border Projection or police commissioners. While Labor welcomes the introduction of a complaints mechanism, we remain concerned that under this mechanism the secretary will have the discretion to conduct the investigation in any way he or she considers appropriate and to decide not to investigate the complaint at all if certain conditions are met. Furthermore, the bill does not specify what the outcome of these investigations may be, either in terms of the practical remedies for complainants or the disciplinary consequences for authorised officers and service providers.

We note that there is no proposal for there to be any independent oversight of the use of force in detention facilities or of the complaints process itself. So Labor remains concerned that these provisions may deny fairness to complainants. This concern was shared by the Human Rights Commission and, accordingly, I will be moving amendments to address this aspect of the bill.

Finally, Labor has concerns regarding proposed section 197BF, which provides the Commonwealth and those acting on behalf of the Commonwealth—such as detention centre service providers—with immunity from legal action in cases where, apparently, the use of force was reasonable and exercised in good faith. It is worthy of note that, while police officers have protection from legal action, the Commonwealth itself does remain liable in respect of actions undertaken by an Australian Federal Police member or projective services...
officer. We make this observation: denying people their right to sue is no small matter. If a person believes they have a legitimate reason to seek damages, they should not be denied their day in court. The Human Rights Commission is also concerned about these aspects of the bill and noted that the existing provisions do not make it sufficiently clear that there are two criteria that must be satisfied in order for immunity to be obtained, nor has sufficient justification been provided for the Commonwealth itself to have a separate immunity from litigation over and above that provided to the authorised officer. Labor will therefore move amendments to this section of the bill as well.

In summary, Labor does support the overall intent of this bill but believes there are a number of areas which require amendment. Accordingly, in its current form, Labor cannot support the bill, but Labor will seek to have this bill considered in detail.

Mr SIMPKINS (Cowan) (09:14): I welcome this chance to speak on the Migration Amendment (Maintaining the Good Order of Immigration Detention Facilities) Bill 2015, because I remember back in 2011 receiving many emails relating to riots and wilful damage to the detention centres on Christmas Island and also at Villawood in Sydney. Following those incidents, the previous government implemented an independent review that reported on 31 August 2011. Then, the Department of Immigration and Citizenship reported on the implementation of the recommendations in September 2012. Since that time, it has been determined that there is cause enough for specific legislative action, and that is why we are here today for this debate.

I will go into the specifics later, but I would say that the riots and the damage done offended many of my constituents. Obviously, taxpayers are unhappy when they can see their tax dollars going up in smoke on the nightly news, and so I am not surprised there was such a reaction to the events in 2011. The excuse for this lawlessness, from the advocates and those who committed these crimes, was allegedly frustration. Those responsible were not the victims; it was the taxpayers who were the victims in this, and I have no sympathy for those who bypassed the system to arrive here illegally. As we know from any look at the UNHCR website, there are offices and representatives around the world. The UNHCR can assess the validity of a person's claim to be a refugee and acknowledge them as such. Then that person can be provided with some support and wait for the chance to be resettled. I have spoken about that being the experience of many refugees that I know, and that is the way the system works. It is an effective system that enables a fair means of processing people based on need.

Of course, since the previous government changed the policy in 2008, thousands of boats and many thousands of people have chosen not to use that UNHCR system. Instead, they have raised the money to bypass that effective and fair system, by buying airlines tickets to Indonesia, travelling to people smugglers and again paying them to get a place on a boat. That boat then sets out to Australia, rejoicing in being 'intercepted' by the Australian Navy, before being detained and processed. That was the way it was between 2008 and the change of government in 2013. While that false and broken system was taking place, the refugee intake in Australia became all about cash and resources, not about the needs of the most desperate in refugee camps.

In 2011, there were many people that had paid to come to Australia by airline and then boat. Some were being detained on Christmas Island and at Villawood. Obviously, they had expected to be released into the community and were frustrated because they had been led to
believe that would happen. Although they were detained, the conditions were infinitely better than in the refugee camps that those people chose to bypass because of their strong financial situation. It was, however, true that due to the policy approach by the then federal government, the numbers coming by boat continued to increase, and this led to overcrowding on Christmas Island and elsewhere.

I do reiterate that when you look at the density of the huts at refugee camps such as Mae La and Umpiem Mai on the Burma/Thailand border—these two are high density places—in those camps the differences are stark compared to immigration detention in Australia. Receiving your rations once a month in Mae La in the form of a bag of rice and other supplements is far more difficult than attending the detention centre mess tent at each mealtime to receive a meal already cooked for you. I would also say that the health centres in immigration detention centres actually have mattresses, rather than a piece of wood to lie on, as they do in the refugee camps I have been to and seen. The point that I am making, of course, is that conditions in Australian detention centres at Villawood or on Christmas Island are infinitely better than in a refugee camp elsewhere in the world.

That being said, I would imagine that if a person was led to believe that—they put out an expensive of some $12,000 per person in the form of a one-way airline ticket through Dubai, Doha or elsewhere to Indonesia, and then their fee to people smugglers—they would be quickly living in Australia, then they would feel aggrieved and even frustrated if they spent some time in immigration detention. I do, however, have no sympathy for them. They would have known that what they were doing was not official, and was therefore wrong. I think that, in spite of the overcrowding, the conditions were far better than for those who remained in refugee camps, who they, therefore, disadvantaged by their actions. I reserve my sympathy for the men, women and children that I have seen living in more desperate conditions in the refugee camps at Mae La and Umpiem Mai in Thailand.

For all those refugee advocates, human rights commissioners and others who wish to end immigration detention and again welcome those coming by boat, I suggest that they reassess their priorities with a trip to the real world of refugee camps. In that world, people do not have the money to go and buy an airline ticket, check out the duty-free options in Dubai and pay people smugglers. It is the people stuck in refugee camps that deserve our sympathy.

Obviously the boats have been stopped now and we do not have many of the types of problems that existed in 2011. Nevertheless, we need to address the problem of how agencies and contractors cope with incidents of disorder and criminality while protecting people and the property of the taxpayer.

I will turn now to the detail that is provided in this legislation. It is the case that, to provide the means to protect the life, health and safety of any person inside an immigration detention facility and to maintain order in the facility, this bill will allow an authorised person to use reasonable force to achieve this. The powers will apply in mainland Australia and on Christmas Island. The only persons who can be so authorised are those who have completed the training and qualification requirements as determined in writing by the minister. The need to use force is important because there is a wide range of persons that are held in the onshore immigration detention centres, and that can include known or alleged criminals capable of or suspected to be capable of violent acts. Such a capacity poses a threat to the staff and other persons in detention. The need is clear. This bill is therefore about providing a safe and
effective system of immigration detention in order to provide those working in our detention facilities with the ability to protect the life, health or safety of any person and to maintain the good order, peace or security within an immigration facility.

In many ways I was surprised to learn that, without this bill, staff of detention centres would be able to rely only on the common law to exercise reasonable force to defend themselves or to protect others from harm. That is quite a limitation. In such an important area of national administration, leaving things up to common law is not right. Specific legislative controls and determination is far more appropriate. There is no doubt that staff members will be faced with the threat of harm to themselves and to detainees and with the chance of self-harm as well. As the events of 2011 demonstrated, there is also the risk of escape and damage to or destruction of Commonwealth property. These powers are also required to facilitate the movement of detainees and to maintain good order in a detention facility, including where there may be other persons visiting or inside the facility.

The bill, however, does bring with it preclusions from reasonable force, such as barring the ability to give nourishment, causing greater indignity than is necessary or causing grievous bodily harm, unless it is necessary to protect the life of another person or to protect another person from serious injury. There will also be a statutory complaints mechanism allowing complaints about the exercise of force. That may be to the secretary, but also it may be to the police or the ombudsman.

In conclusion, I look upon this bill as the means to ensure that all those organisations or agencies have the tools to provide good order in an immigration detention facility, as well as knowing who is responsible and when a threat requires the intervention of the police. This bill provides clarity and good lines of demarcation.

I look upon immigration detention as an important part of an effective and fair immigration system. It will be better when the numbers to be detained have returned to the situation where small facilities are required in the capitals for the handful of people who have overstayed visas or are being deported for criminal reasons and that is all. I think we will get back to that in the future. We will get back to those circumstances because this coalition government has sent a very clear message that our humanitarian intake is for those who apply offshore. That message is being received and that is why the boats have stopped. It remains a great shame that the so-called refugee advocates, most of the opposition, I suspect, and even a Human Rights Commissioner want to restore a system where using the cash you have to fly to Indonesia and then get on a boat is the criteria for being accepted here. It is outrageous and a disgrace that the needs of those in refugee camps was put behind those with cash.

For those who remain in immigration detention, it is through such a bill that good order and safety will be maintained. I think Australians have had enough of their tax dollars being thrown away through riots, disorder and damage caused by people who should have come the right way. This bill will help stop these problems in the future, and I absolutely endorse it.

Mr GILES (Scullin) (09:24): I rise to make my contribution to the debate on the Migration Amendment (Maintaining the Good Order of Immigration Detention Facilities) Bill 2015. My contribution is in support of the amendments moved by the shadow minister. The large part of my contribution will touch on the four substantive matters that are the subject of those amendments. Unlike the previous speaker, I will concern my remarks largely with the
bills before us rather than making general reflections on the public policy issues said to be the subject of this legislation.

This is deeply concerning legislation. It is legislation that should not be enacted into law without very significant amendment. Indeed, the bill which is before us fails on its own terms. That is to say that it does not address, much less solve, the problem it purports to be concerned with. It carries very grave concerns for the human rights of vulnerable people in our care. As the Kaldor Centre said in their submission to the Senate inquiry which is presently underway, this bill creates significant risk that Australia's international obligations will be violated, including obligations under the International Covenant on Civil and Political Rights and the convention against torture. It confers very, very broad and discretionary powers on individual employees of contractors, with very limited legislative safeguards to ensure that such powers will be exercised responsibly. It does not contain clear criteria about when and how force may be used and it does not provide for effective accountability mechanisms. These are very grave concerns.

Real questions in this bill arise on matters of form and substance. Ultimately, when considering the legislation before us and the purpose it is intended to serve, my view is that, while it well may be appropriate and in the interests of detainees, workers and the broader community to provide for a statutory framework for the use of force within immigration detention facilities, the framework which is presently proposed here cannot be adopted. It does not adequately define or limit how force may be used. This is compounded by inadequate scrutiny mechanisms and extremely broad restrictions on liability, for which there is no warrant. There are also real concerns about the failure to effectively provide for the training of authorised officers—those employees of Serco or other contracting parties in the future—to be able to discharge their duties given the extent of the responsibilities, including the use of force.

I note that this bill has been referred to the Senate Legal and Constitutional Affairs Legislation Committee. While this inquiry is yet to be finalised, the submissions and evidence to it clearly demonstrate some fundamental deficiencies in this legislation. The justification for this legislation, in the view of the minister in his second reading speech, in any event rests on the Hawke-Williams review. This is flimsy at best. Indeed, it is a fig leaf. The major issues of relevance in that review's recommendations are not touched on by the legislation we debate today. That review, which was concerned with serious disturbances in two facilities in 2011, recommended that the department articulate more clearly the responsibility of public order management. That is not a recommendation that I would disagree with, but this is a long way from coercive powers, wide-ranging restrictions and a partial bar on litigation regarding the exercise of those powers.

Let us be clear. Other recommendations of the Hawke-Williams report went to these concerns and have been implemented. These matters were also the subject of detailed consideration in March 2012 by the Joint Select Committee on Australia's Immigration Detention Network. As I understand it, there remained a question as to whether a statutory change was warranted in respect of clarifying the powers of employees of Serco, and advice was to have been sought in this regard. It remains to me at this stage entirely unclear what advice, if any, has been received, but I do note that none is referred to in the minister's second reading speech.
Fundamentally, no justification can be found in support of the central proposition contained in this bill that greater powers should be granted for authorised officers to use force. The powers provided in the bill as it stands are novel. It is unclear what other role or function they have been modelled on. They are considerably wider, in my view, than those given to police. How can this be appropriate? Critically, given that the one compelling rationale for codification of powers would be to provide certainty for all parties, this is fundamentally undermined by the subjective elements provided for and which must be rejected. That is the matter dealt with by the amendments moved by the shadow minister for immigration. It is almost impossible to conceive of a public policy rationale consistent with the introduction of this subjective standard.

Recently there have been shocking revelations about abuse in offshore immigration detention facilities and there have been a number of serious incidents in those facilities—which are the subject of the bill we are debating now. Many of these incidents, as I understand it, have resulted in litigation. These are serious matters which go not only to rights in the abstract but to some of the most fundamental human rights—those rights covered by the ICCPR and the convention against torture. We have seen vulnerable human beings subjected to abuse that is quite shocking. As I said earlier, that is not an argument against codification of powers, but it is a clear warning to make sure we get any such codification right and to ensure we provide for appropriate scrutiny.

The bill as it stands does not do that. That is why the opposition has had regard to the submission of the Human Rights Commission, which touches upon four critical failings in the legislation as it stands. These are, firstly, how the bill deals with the question of reasonableness and necessity for the use of force, in particular the inclusion of a subjective element; secondly, limitations to be applied on the use of force; thirdly, the complaints provisions, which are inadequate and do not provide for sufficient independence; and, lastly, the issue of the imposition of a partial bar against litigation in the bill.

I will touch briefly on each of the AHRC’s four concerns in turn, but first I wanted to note briefly that I have also been assisted in my consideration of this legislation by the submission of United Voice, the union representing the authorised officers. Not only United Voice but a number of witnesses in the Senate process raised the issue of training for authorised officers. While the bill does propose to insert a provision that prevents an officer from being confirmed unless the officer satisfies training and qualification requirements determined by the minister, those qualifications are not presently of a very high standard, particularly having regard to the high level of powers or in comparison with people in other fields of endeavour—police officers and prison officers, for example—who have analogous powers. I am concerned that the present certification requirement, a Certificate II in Security Operations, represents inadequate training for officers who would be authorised to use force—particularly when, significantly, the use of force is to be assessed in respect of the subjective judgement of those officers rather than against objective criteria. In addition to those four substantive concerns picked up by the Human Rights Commission in their submission, these training issues are very significant.

I will now go through the AHRC’s concerns in the order I raised them earlier. Firstly, Labor believes there should be a fully objective test of reasonableness and necessity applied to determining when force may be used. The currently proposed threshold for determining
when force may be used is subjective and significantly lower than that which applies to the Australian Federal Police. It is proposed by the opposition that section 197BA(1) be amended to provide for an objective threshold test to deal with that concern. Our straightforward amendment is entirely consistent with the objective of codifying powers to provide certainty for officers, detainees and indeed the general community.

Our second substantive amendment goes to limitation of the use of force. The bill, as it is presently drafted, includes proposed provisions to prevent the use of force in specific circumstances. However, the Human Rights Commission has recommended, and Labor concurs, that the legislation be amended to add an objective test of reasonableness and necessity to the limitations on the use of force. The amendment to section 197BA(5) deals with this concern—moving from the standard of a 'reasonable belief' of the authorised officers to a test of 'necessary and reasonable in the circumstances'.

I note, as the Human Rights Commission has also noted, that some of the most significant limits on the use of force are referred to in the explanatory memorandum to the bill as matters the department would include in policies and procedures. It seems to me that these limits, particularly regarding the question of excessive force, should be included in the legislation, and so amendments are provided to give clarity in that regard and specifically to address the use of reasonable force against children. Obviously this is a deep concern in the community—the treatment of children in our care in detention facilities. This is a matter which has been touched upon, obviously, most recently in the Moss report in respect of offshore facilities, but of course we are concerned with some of the most vulnerable people who might be in our care and in our responsibility. So more prescription in the legislation around the use of excessive force would appear to be consistent with the purposes of codification and would, I would hope, be acceptable to the government.

Thirdly, there is the issue of the complaints mechanism. It is true that the bill as drafted puts in place a statutory complaints mechanism. Again, however, it is not much of a complaints mechanism, and a number of submitters to the Senate inquiry have raised concerns going to the fact that the secretary of the department would have discretion to conduct the investigation in an unfettered manner, in any way he or she considers appropriate, and indeed to decide not to investigate a complaint at all if certain conditions are met. Furthermore, in terms of certainty, the bill does not specify what the outcome of such investigations may be in terms of practical remedies for complainants and, indeed, disciplinary consequences for authorised officers and those employing them or engaging them. There is no proposal for there to be any independent oversight of the use of force or, indeed, of the complaints procedure itself.

So there is the amendment to proposed section 197BB(4)—or, rather, to introduce a new subsection following that to provide for the Commonwealth Ombudsman to be notified in writing when a complaint is received and to be given the power and resources to review the administration of the secretary's investigation of complaints and report to parliament on an annual basis about the comprehensiveness and adequacy of the processes used by the secretary. Again, this is the least we could expect given the nature of the powers we are talking about—powers to apply force to other human beings.

Lastly, I turn to the question of the bar on litigation. Proposed section 197BF of the bill would place a partial bar on the institution or, indeed, the continuation of proceedings in any
Australian court against the Commonwealth in relation to the use of reasonable force where the use of reasonable force was exercised in good faith. This is a very serious matter at a couple of levels. Firstly, the existing provision does not make it sufficiently clear that there are two criteria to be satisfied in order for this immunity to be obtained: firstly, that the use of force must not exceed what is authorised under the substantive provision and that use of force must have been exercised in good faith. More fundamentally than this, there is no real justification—there is no argument that has been advanced—for the proposition that the Commonwealth itself should have a separate immunity from litigation. I touched earlier upon the fact that there has been significant litigation in respect of matters which may be the subject of these powers. It would appear to me to be highly likely that such litigation is on foot and may be affected, and people's rights may be curtailed by the institution of this proceeding. So I am strongly of the view that an amendment must be put in place to deal with the clarification of the bar and to make clear that there be no distinct immunity for the Commonwealth from litigation in respect of the treatment of vulnerable people in our care.

The amendments going to these four substantive issues must be adopted if this bill is to be enacted into law.

Mr Randal (Canning) (09:39): I am very pleased to speak today on the Migration Amendment (Maintaining the Good Order of Immigration Detention Facilities) Bill 2015. This could be called another 'cleaning up the Labor mess' bill, because what we are doing is tidying up something that the Labor Party in office left in a shambolic state. Remember that 800 boats and 50,000 people arrived under their watch. Just to remind the House, when the Labor Party took over in 2007, there were four people in detention as a result of coming by boat. By the time Labor had left, there were tens of thousands of people. They are still being dealt with in the Australian community because Labor put them there and tried to forget about them.

I recall that before Kevin Rudd won the election in 2007 we were criticised for upgrading the Christmas Island detention facility. The Labor Party said, 'It won't be needed. It won't even get full.' They ended up with thousands of people there. What did they then have to do? They had to go and build detention centres all over Australia to deal with them. Let's try to remember a few of them. They opened up Curtin. They opened up Scherger. They opened up Inverbrackie. They even tried one down in Tasmania. In Perth, besides the one at the airport, they opened up one called Yongah Hill in Northam. They were putting people out in Leonora and Laverton. They were dropping them all over the country like confetti to house the massive numbers of people coming unlawfully to Australia by boat. Is there any wonder that their system got out of control?

What we are doing today and what this bill is doing today is tidying up Labor's mess. We are going to make sure that the workers in those facilities get some protection. The Labor Party used to be a party for the workers. Now they are a party that just uses the workers and does not care about their safety. Listening to the member opposite a moment ago—and I am sure, looking at the speakers list, that the rest of them will be the same—you can tell that they are more interested in the welfare of those who are detained than the welfare of the workers at the facilities. They are worrying about whether the law gives them enough protection and ability to report and that sort of thing. I will get onto Villawood shortly so that we can talk about the sort of people who have been housed in these facilities and what they did to those
facilities. The coalition on this side of the parliament is interested in looking after the workers who maintain law and order and the care of people in detention facilities.

We now have a situation where our onshore immigration detention facilities have a number of high-risk people coming into their care. Which was the first party to start a detention centre? It was the Labor Party under Gerry Hand. Gerry Hand, the immigration minister at the time, initiated the first detention facility in Australia at Port Hedland, which I have visited. We are meant to have a bipartisan approach on the detention of those who arrive unlawfully in this country. We saw that enhanced and increased at the last election to the extent that, when Kevin Rudd came back as Prime Minister, we ended up with our overseas Pacific solution being copied again in Nauru and Manus Island. So let's not be too shy about who has the moral high ground here. This is the policy that those opposite rejected and then reinstated because it works. By the way, we are now seeing a massive number of questions from those in Europe at the moment asking us, 'How did you stop the boats when we are seeing all these people arriving at Lampedusa in the Italian territory from Tunisia and Libya and drowning at sea?' They do not want to go through the same thing that the Labor Party did when they were in charge of this country with people drowning at sea.

Getting back to the detention facilities, there is a high number of high-risk people who are being housed in those. For the people who were coming through unlawfully by boat during the Labor Party's watch, it was pretty obvious. You could see that some of them had old bullet wounds. They did not look very deprived to me. They were wearing Rolex watches, gold chains and designer glasses. These people were not humanitarian entrants under the real definition of the term. If you recall, the character test was not even being instituted. We had a number of people on a boat off Darwin who lit the boat up. Our sailors had to go on board and try to rescue the people. Five of them were inquired into and found to have been behind setting the boat alight and yet they still got visas under the Labor Party's watch. What sort of character test was that?

So here we are looking after the workers in these detention centres and putting some rules around them, because at the moment it is just a very grey area.

It was a very chaotic approach—unparalleled in this country—in terms of the men and women and Customs and Border Protection officials that work in our onshore detention facilities. But you do not have to take my word for it; you only have to look at the Hawke-Williams report. For the benefit of the House, the Hawke-Williams report is the Independent review of the incidents at the Christmas Island Immigration Detention Centre and Villawood Immigration Detention Centre. It was commissioned by Labor and conducted by Dr Allan Hawke AC and Ms Helen Williams AO in 2011. So their own report is what I am quoting from. It is a damning chronicle of policy and administrative failures on the part of members opposite—who I am sure will sit there today shunning responsibility—which has become the Labor norm in this House when it comes to these immigration issues. We have cleaned it up, as you know. How long is it since we have had anyone arrive by boat? Since the last election, I think there has been about one boat—two if we try and stretch our imagination.

The Hawke-Williams report makes it clear that overcrowding, poor security and surges in asylum-seeker arrivals overwhelmed the detention centre network, and they were the main drivers behind the riots at Christmas Island and Villawood detention centres. Specifically, the report found that the constant expansion of the Christmas Island detention facility resulted in
a corresponding decline in security. In other words, it was overcrowded. So much for not using it! It was filled to the brim and overflowing. No wonder they were trying to get over the fence! Consequently, asylum seekers breached its perimeter and sparked days of rioting during which staff were assaulted. The detainees stole cars, torched buildings, smashed CCTV cameras and used cement blocks, mop handles and aerosol cans as weapons against those looking after them in these detention centres, trying to keep them inside the razor wire. I will correct that: it was not even razor wire. That was what those over there used to say. It was actually just a perimeter fence which was being guarded.

Mr Perrett: You can correct the Hansard!

Mr RANDALL: I have been to these facilities, unlike the interjector from Moreton. I have been there and had a look myself. Have you? I doubt it.

Mr Perrett: Yes, I have.

Mr RANDALL: Well, when you get up, tell us where you have been. I have visited a whole lot of them, including those overseas as well. So I know what I am talking about.

The violence in this circumstance became so serious that some of the facility staff had to be rescued by the Australian Federal Police, who were ultimately forced to take control of the situation in the detention centres, because the security was so inadequate inside because staff were not sure what they were entitled to do to maintain law and order.

One month later, asylum seekers took to the rooftops of Villawood in Sydney and triggered riots during which facilities were burnt to the ground and firefighters were pelted with tiles. The firefighters were going in to try and put out the fires. Those lovely people that were coming here for a better life because they were so deprived in the countries that they came from overseas decided to burn down their accommodation. They were standing up there with mobile phones. Mr Rintoul from the Refugee Action Coalition and all these people were on the other side of the fence egging them on and talking to them on their mobile phones. They were supposed to be able to come off the roof, but they were ducking down to the toilet and all this sort of stuff. It was an absolute farce. You had the spectre of people lighting up a wheelie bin full of flammable material and dragging it through building after building setting them on fire, and nobody could stop them.

No wonder the Australian people became appalled at the way we were conducting our detention centres and border security in general. No wonder the Labor Party were tossed out at the last election. This was one of the major reasons that the Australian public lost faith in the previous government. It was not just because of the Rudd-Gillard-Rudd stuff; the public lost faith in them because they could not keep us safe and they could not secure our borders. They sit over there today and want to talk about those housed in there rather than those working in there. Well, there are a lot fewer people working there now, because there are not many of them there. We are actually closing them down gradually. Scherger has closed down. Curtin has closed down. Scott Morrison, the former immigration minister, spent a whole lot of time going around the country closing down facilities, and we have found out in this budget that we will be saving over $1 billion by doing so. We were willing to spend $1 billion on people who turned up unlawfully, but we did not get any help from the other side. We just had block after block in terms of trying to deal with this issue.
We also know that the Hawke-Williams report highlights that no-one knew who was responsible for the management during these riots. State police and emergency services were prevented from taking immediate action. Immigration detention service providers were unclear as to when staff may act to protect themselves and the detainees that they were looking after—because some of them got hurt in the fracas as well. And members opposite seemed to be more confused than anyone, because they had no answer for it.

In stark contrast we, as a coalition, were quite concerned. We were concerned that there was no agreement between the states and the Labor-led federal government about how to deal with detention centre riots, a sentiment that was echoed by the then Premier of New South Wales, Barry O'Farrell, because Villawood was on his watch. We were concerned when the then Minister for Immigration, the member for McMahon, had given no real indication to providers as to if and when they could act when confronted with situations like these. They just let it hang.

And most of all, we were concerned about the safety of the detainees, the staff and people in and around the detention centres—the people who had to live around the perimeter of these detention centres. Not all of them are remote. As we know, some people were very concerned.

I, for one, cannot help but wonder if situations like this, where innocent people were seriously assaulted and millions of dollars of taxpayer money were wasted, could have been mitigated by the member for McMahon and his succession of other migration ministers on the other side if they had in any way been competent in their jobs. Obviously, they were not.

We know that the Labor Party is totally divided on this. There are those who would shut down detention centres tomorrow, even though it is the bipartisan view that detention should happen for those arriving illegally. I also remind them that it was the Labor Party which put the first detention centre in this country—Gerry Hand, immigration minister from the left of the Labor Party. We are all on the same page on this side; over there, they are very divided.

We do not want to see another riot situation. There is a good chance that we will not, because there are fewer and fewer people. As we know, we are taking the children out of detention. When we took government there were 2,000 children in detention—I think there are fewer than 100 now. We are dealing with the situation in a competent way.

This bill will amend the Migration Act to put in strong border protection and establish a safe and effective system of immigration detention. We are doing this because we believe we have an overriding responsibility not only to the detainees but to other people in our immigration detention facilities to ensure that they are free from harm. Therefore we must provide those working in our detention facilities with the tools they need to protect the life, health or safety of any person, and to maintain the good order, peace and security of the facility.

Certainly, the amendments in this bill address these issues that I touched on earlier—the ones that, as I said, the Labor Party never decided to address. The Christmas Island and Villawood riots most definitely highlighted uncertainty on the part of immigration detention service providers as to when staff may act and be able to confront these sorts of disturbances. This sentiment again, as I said, is also echoed in the Hawke-Williams report. For the benefit of the House, the report recommended that the Department of Immigration and Border Protection clearly articulate the responsibility of public order management between the
department, the provider, the Australian Federal Police and other emergency services who may attend immigration detention facilities.

This means providing a legislative framework for the use of reasonable force within immigration detention facilities in Australia—quite reasonable, one would think, and yet we are getting prevarication from the other side. They say, 'Oh, we're a bit concerned about this; we're not happy with that.' Well, what is the matter with putting in place formal and legal parameters about how the workers—that the Labor Party thought about once—might be protected and what their rights and responsibilities are? This side of the House is interested in the welfare of the workers and their health and safety on the job. The other side are a bit ambivalent. They are not quite sure what they are going to do with this bill. The previous speaker wanted some amendments et cetera. I recommend this bill to the House. (Time expired)

Mr PERRETT (Moreton) (09:54): I rise to speak on the Migration Amendment (Maintaining the Good Order of Immigration Detention Facilities) Bill 2015, a piece of legislation designed to insert a statutory framework into the Migration Act for the use of force in specified circumstances within Australian immigration detention facilities. I do not know about you; but, if I am flying home to Brisbane at the end of a week in parliament, I would like to think that the balance of probabilities is not good enough for that plane getting me safely back to Brisbane. I would like to think it would be beyond reasonable doubt, but that is not the world we live in. It is a world of power and privilege, and those who have means sometimes deny access to those means to others. That is the reality of the world with six billion or so people.

There are many refugees who are starving to death, suffering from the impact of climate change or—heaven forbid!—want to give their children a better life, and they have been on the move. Last time I checked, there were about 43 million, but since Syria and ISIS we are probably nudging 50 million people dislocated throughout the world. Of those 50 million or so, the number that can actually meet the definition of refugee under the UN convention is probably only about 13, 14 or 15 million.

And then let's look at the countries of the world that actually will take refugees, not just have refugees turn up on their border and take them in because they either have no choice or are humanitarian countries. Let's look at the number of countries that actually settle refugees under a program where they offer them support and do not just let them run free at the docks or the airport; they provide them support and say this is the American way, the Canadian way, the Dutch way, the Australian way or whatever to make a harmonious society. There are not that many. The countries that do this are basically the US first and then, effectively, Australia and Canada second and third, although both Australia and Canada have decreased their intake lately. Then after that there was pretty much daylight fourth and then the Scandinavian countries and a few others that took a few but no significant numbers—not enough to make a dent in the production line of refugees that war, famine, ignorance and misguided ideologies are visiting upon the planet.

So, whilst we would like to think there is an orderly queue everywhere and we can just process those who are in the worst hellhole—because obviously the UN High Commission for Refugees wants to take those from the worst hellhole, put them at the front of the 'queue' and then settle them, effectively, in the countries that will take them on. But I needed to get that
moral equivalence out there first: remember, if you are starving to death, you are not classifiable as a refugee; you have to starve to death in the country of your choice unless wealthier countries give aid to you. A wealthy country like Australia gives at the moment, I think, about 22c for every $100 to the countries that are poorer than us. I think that is about go down to about 17c or 18c from last night with that latest $1 billion in cuts. So we are not giving a great deal of money as a nation to the worst countries in the world. As private individuals we are actually probably a little bit more generous. I would take an interjection from the member for Canberra. I think private individuals probably a bit more generous than the government in terms of making a contribution.

Dr Leigh: People do give a lot, yes.

Mr PERRETT: So Australia is a nation, apart from Aboriginal and Torres Strait Islander peoples, based on refugees. Whether it be the Makassans, the Chinese, the Dutch, the French or the English, we have that history of people coming from around the world and settling in Australia. We have had big waves, obviously, after World War II and then other waves of refugees, particularly the Vietnamese. I think about 5,000 came on boats, and then a significant number came through refugee processing plants in settlement locations in Hong Kong and arrived by planes. Then we had a surge of maritime arrivals under Labor. It is a figure that those opposite will hammer on about, but the majority of those that arrived, like under the Howard government, were found to be people who meet the definition of refugees. So we can harden our hearts. We do as politicians—or I have had to harden my heart in terms of the approach. Obviously, if you have the people who arrive being determined by the people smugglers rather than United Nations high commission employees making considered decisions about what the world's worst hellhole is, that is not a good set of circumstances. That is why my views on immigration changed particularly after being involved in the Christmas Island tragedy, where I had to see the footage of the refugees on the boat drowning. I realised we needed to do something rather than just having the status quo. On the recommendations of the Houston inquiry the Australian government changed its view, and we returned to offshore processing. It is not a perfect system, and obviously we need a set of circumstances where refugees are not being kicked to death, where refugees are being treated humanely, where refugees are being treated with respect rather than unfairly as a warning to other refugees. I know this of my circumstances: irrespective of the rules of the globe, if my children were in dire straits, if my children were being harmed, I would do anything, like any parent, to take my children to a better set of circumstances.

So this legislation before the chamber needs to be considered in light of the fact that the Commonwealth will always owe a non-delegable duty of care to immigration detainees. The Federal Court found this, and we need to make sure the Commonwealth always takes reasonable care of detainees because they cannot care for themselves, that there is medical care reasonably designed to meet their healthcare needs, including psychiatric care because obviously there is great stress associated with incarceration. The member for Canning said 'those sitting behind the razor wire', and it can be like that. I have friends in my electorate now, voters in my electorate now who had sat for four or five years behind razor wire. I know it was tough on them. They are now taxpaying Australians making a contribution, but it was a tough time for them.
Then we also need to remember that, irrespective of whether the Commonwealth contracts out its care or services to other companies, we are still obliged to see that care is taken via the contracts and the supervision of the contract and that there is still a requisite level of care provided by people with reasonable caring skill. This bill before the chamber gives authorised officers very wide powers. It provides that an authorised officer may use such reasonable force against any person or thing as the authorised officer reasonably believes is necessary to protect the life, health or safety of any person in an immigration detention facility.

We need to make sure there is a clear definition of reasonable force. This bill does not make a definition of reasonable force. The authorised officer is able to subjectively determine what the reasonable force might be. You might think that is okay but, like any good democracy, we need to look at the checks and balances because—whilst there are some circumstances in the legislation—we need to closely monitor what that reasonable force might be. What was the assessment that said reasonable force was necessary? I know that in the United States we have seen problems with police officers in circumstances where it would appear they have used their weapons unnecessarily, or used what they considered to be reasonable force in an unreasonable set of circumstances. Sworn officers of the AFP and our state police services are different to untrained law-enforcement officers. That might be the case in some of these facilities. The Parliamentary Joint Committee on Human Rights, when they looked at this, said that there are risks with empowering an authorised officer to use force against detainees in a way that may be incompatible with the prohibition on degrading treatment; they have already flagged some concerns. That is why the Labor Party, when looking at this legislation, have said we will keep our powder dry and look at what the Senate puts forward in a more detailed inquiry.

We will see what the Senate puts forward; basically, we will reserve our judgement and see what comes back from the Senate inquiry. I always have concerns when there are not checks and balances in the use of such power in immigration facilities. I might leave it there.

Ms PARKE (Fremantle) (10:09): I have deep concerns about this bill, the Migration Amendment (Maintaining the Good Order of Immigration Detention Facilities) Bill 2015, which is yet another instalment in the government's efforts to become less accountable and to make asylum seekers' lives even more difficult and more precarious. The bill is being promoted by the government as a simple codification of the powers to use force that officers working in detention centres already have under the common law, in order to provide certainty around the scope of the power. We are thereby encouraged to see these powers, and the bar to litigation relating to the exercise of these powers, as unremarkable—as akin to the powers and protections afforded to police and prison officers. But this is not true, as I will discuss shortly.

In his second reading speech, the minister referred to the Hawke-Williams report of August 2011 into incidents at the Christmas Island detention centre and Villawood detention centre in his justification for introducing the bill. Yet, as noted by the Human Rights Commission, the Hawke-Williams report did not say it was necessary that Serco be given greater powers to use force. As also observed by the Parliamentary Joint Committee on Human Rights, the Hawke-Williams report contains no reference to the deficiencies of the common law regarding the use of force and it does not recommend the creation of a statutory use-of-force power for security guards in detention facilities. The bill permits guards to use reasonable force in a range of
circumstances, including preventing action that disturbs the good order, peace or security of the facility. This provides an extremely broad authorisation and would seem to include the use of force as a pre-emptive measure and in situations of peaceful protest. The explanatory memorandum refers to the ‘deterrence of disturbances’. The joint human rights committee noted that analogous state and territory legislation governing the use of force in prisons generally limits the use of force to preventing or quelling a riot or disturbance. The committee further observed that the bill lacks a number of safeguards that apply to analogous state and territory legislation governing the use of force in prisons. For example, there is no requirement that: force be used only as a last resort; force should be used only if the purposes to be achieved cannot be achieved in a manner not requiring the use of force; the infliction of injuries is to be avoided if possible; the use of force to protect a person from threat of harm applies only to an imminent threat; the use of force to prevent a person from damaging, destroying or interfering with property is permissible only if a person is in the process of damaging the property and, if not, there must be a reasonable apprehension of an immediate attack; and the use of force be limited to situations where the officer cannot otherwise protect him- or herself, or others, from harm. The human rights committee was scathing regarding the fact that guidance as to what constitutes reasonable force under the bill is to be set out in policy rather than legislation, and it observed that ‘this is insufficient to provide a justification for limitations on human rights’.

The bill not only increases the power of guards to use force but also allows them to use such force as they subjectively believe is necessary, while police and correctional officers in prisons are generally held to an objective standard when assessing the reasonableness of their use of force. The Andrew and Renata Kaldor Centre for International Refugee Law and the Gilbert+Tobin Centre of Public Law at the University of New South Wales have stated:

The Explanatory Memorandum provides no compelling reason as to why a subjective, less well-defined test for when force may be used is appropriate in this context. Indeed, the broad range of instances to which the use of force applies provides a compelling reason as to why the test ought to be confined to cases where the use of force is objectively found to be reasonable and necessary in the circumstances.

The potential use of force on children was noted by the Human Rights Commission and other submitters to the Senate Legal and Constitutional Affairs Committee inquiry, including UNICEF Australia, which is particularly concerned that the bill does not provide guidance nor allow for consideration of the unique vulnerability of children in places of immigration detention. UNICEF observed that the forgotten children report of 2014, the UNHCR Beyond Detention 2014-19 strategy and a strong international evidence base indicate that locked detention settings cause serious harm to children at every stage of their development and maturation. In its submission, the Asylum Seeker Resource Centre very reasonably commented:

Given that there are numerous, very serious reported incidents where officers have abused their existing powers and used excessive force against children, women and men in detention, a broadening of powers with limited to no liability or oversight is greatly concerning and potentially very dangerous.

The bill not only provides immunity from current and future legal proceedings for guards who use excessive force in good faith but also removes any liability of the Commonwealth, which is not the case with police officers. This bar appears to place an unacceptable limit on what should be the right to an effective remedy by a person who is mistreated. I note that the Parliamentary Joint Committee on Human Rights, in its assessment of this aspect of the bill,
believed that it 'removes the opportunity for an affected person to seek compensation in a broad range of circumstances.' Thus we see detention centre guards being given greater powers and protection than even police officers yet there is less oversight and accountability.

Professor Gillian Triggs, of the Human Rights Commission, noted in her oral submission: Australia is of course bound by the International Covenant on Civil and Political Rights, which requires a remedy for those whose rights have been violated. If the use of force is excessive, the person responsible should be accountable before the courts. The bill's proposed section 197BF gives immunity to contract guards, even if the force used is excessive, so long as that force is used in good faith. I think we all understand that it is almost impossible to demonstrate bad faith.

I strongly urge that this proposal be revisited to ensure that immunity from prosecution be available only when the force used is within the statutory power and is not excessive based on an objective, not a hybrid or subjective, standard.

In its written submission the Human Rights Commission notes: Further, there does not appear to be any justification for providing a separate immunity to the Commonwealth. The justification given by the Government for providing an immunity to authorised officers is to remove any reluctance they may have to using reasonable force to the extent they are authorised to do so. There does not appear to be any justification for providing an immunity that extends beyond the authorised officers who are exercising the relevant power.

Under the bill, the minister is required to set out in writing the training and qualifications that a guard must have to be considered 'authorised', but there is no detail as to what this would entail. The statement of compatibility with human rights suggests that the required training may include a Certificate II in Security Operations, or equivalent, within six months of starting work. The Joint Human Rights Committee stated:

It is not clear to the committee that this level of training, which is the same as is required by crowd controllers and security guards, is sufficient to ensure that IDSP officers exercise the proposed use of force powers compatibly with the right to life.

Clearly, an adequate level of training should be mandated in the bill or regulations for persons being granted the wide discretionary powers to use force under this bill. During the hearings conducted into the bill by the Senate Legal and Constitutional Affairs Committee, the department indicated in answer to questions put by Senator Sue Lines that the minister's training requirements would probably be conveyed to private security contractors by letter and that these letters would be commercial-in-confidence and thus not be subject to public, parliamentary or independent expert scrutiny.

The Australian Churches Refugee Taskforce has called for the training and qualification requirements to be legislated and analogous to relevant state and territory guidelines for the training and qualifications of those employed in corrective services. It also recommends that private contractors 'be regularly subjected to external and independent monitoring and oversight to ensure that Australia's international human rights obligations are being met.' The taskforce also challenges the adequacy of the complaints mechanism in the bill whereby complaints can be made to the secretary of the department, who has the sole discretion to decide whether and how to investigate them. The secretary may refer complaints to the Ombudsman but cannot provide any other remedy.

I note the Commonwealth Ombudsman's submission in September 2011 to the Joint Select Committee on Australia's Immigration Detention Network stated that:
The Ombudsman is also concerned about the use of force in detention centres and suggests that better monitoring and governance is required to ensure consistency, competency and integrity of the reporting of incidents as well as ongoing training to build the capacity for de-escalation of situations which lead to unrest in detention centres.

UNICEF Australia in its submission also points to a 2013 monitoring report of the Ombudsman which noted the high level of vulnerability of detainees and the high degree of control exercised over detainees by the department, which creates a situation of 'special dependence' and therefore the department has both 'a comprehensive duty of care for detainees' and 'a positive duty to take action to prevent harm from occurring'. UNICEF Australia particularly recommends, among other measures, the mandatory referral of complaints regarding the use of force against children to the Commonwealth Ombudsman.

The lack of oversight and accountability in a bill conferring broad powers upon barely trained guards to use force is extraordinary and indefensible, and I agree with those who question whether this is compatible with Australia's international law obligations to investigate and prosecute acts of torture and cruel, inhuman or degrading treatment and to provide effective remedies for violations of human rights. I also agree with those who contend that rather than introducing further punitive measures against asylum seekers, the government should be addressing the real problems in Australia's immigration detention system: the length and arbitrariness of time people are being held, overcrowding, poor living conditions, a lack of information about cases and a lack of access to legal assistance through the refugee determination process.

The Australian government must also respond meaningfully to the recent The forgotten children report of the Human Rights Commission into the abuse of children at Manus Island and Nauru, the inquiry into the circumstances of the death of Reza Berati—which goes squarely to the question of how the use of force is regulated and constrained—and the Moss review into sexual abuse at the Nauru detention centre. I note the summary by the Australian Lawyers Alliance, which states:

The nature of allegations raised in the Moss Review of sexual harassment, rape, trading sexual favours for marijuana and cigarettes and children being touched inappropriately, if proven, show that the Commonwealth has failed in its duty to take reasonable care of asylum seekers.

It is hard to consider a bill that puts forward greater powers for security guards to use force with little accountability when it appears that nothing meaningful is being done to address the serious issues that have already been reported in onshore and offshore facilities in terms of rape, prostitution, the sexual abuse of children and violence towards asylum seekers.

As I have argued before, the best protection and guarantee against abuse, against unreasonable use of force, and against other human rights violations would be the provision of properly framed independent oversight, both in Australian immigration detention facilities and, as a matter of urgency, in the offshore detention centres. In the absence of such oversight and supervision, the centres should be closed.

Ms BUTLER (Griffith) (10:21): I rise to speak on the Migration Amendment (Maintaining the Good Order of Immigration Detention Facilities) Bill 2015. I would like to tell the House about an article that was in The Age on 14 February this year. It was entitled, 'Maribyrnong detention centre: growing "culture of excessive force"'. The journalists, Nick Toscano and Beau Donelly, reported as follows:
Government-contracted security officers have been investigated over a string of attacks on detainees inside Victoria's main immigration detention centre, with two guards recently sacked for serious misconduct.

They went on to report:
Officers say the violent clashes reflect a 'growing culture of excessive force' at the Maribyrnong Immigration Detention Centre in Melbourne's west, which is run on behalf of the federal government by private security firm Serco.

The report went on.

In talking about this bill it is really important to talk about what the real issues are in respect of detention centres and how private security firms that run those centres operate. Obviously, as a country, we have agreed to protect people who are fleeing persecution or perhaps fleeing torture or trauma back home. The question is, when people arrive here and ask for protection as refugees, what are we doing to keep them safe while they are waiting for us to assess whether or not their claim should be met? For example, once you set up a detention centre like the one that is referred to in that article, how are you actually going to make sure that people are kept safe?

The private sector companies that run those detention centres have a lot of responsibility. They have to care for people who have fled persecution, torture or trauma. A lot of people who are in that situation, obviously, are not in a particularly great state and have faced a lot of difficulty in their lives. We have to think really carefully about how you keep people safe while they are waiting for determination of their refugee status.

When looking at this bill, the question is really, 'What net effect will this bill have on the safety of people while they are waiting for the determination of their application for asylum?'
This is not a border protection bill—we all know that both sides of politics favour strong protection and control of Australia's borders. The question is, having agreed voluntarily to help people when they seek our assistance, have a genuine fear of persecution or are coming under complementary protection measures, how do we make sure that they are kept safe?

Obviously, private companies have a lot of different incentives. These are for-profit entities that have government contracts to provide the facilities' management and, effectively, to have private sector guards involved in running detention centres. As businesses, the profit incentive is a very strong motivating incentive which they have and properly should have—as companies, they have obligations to shareholders to act in the best interests of the business. They also have regulatory obligations. Those regulatory obligations are very important in respect of keeping people safe. But those incentives pull in different ways.

It is really important that as well as regulation—and regulation is important—there be financial incentives that pull in the right direction. A clear financial incentive to keep people safe while you are looking after them is posed when, if you do not keep people safe, you are at risk. In other words, if there is a risk of being sued for a failure to keep people safe, that provides a strong financial incentive towards safety, security, better training of the private sector employee guards and better management of detention centres. Regulation is important in and of itself; it does, of course, mean that there should be strong and robust oversight and regulation of detention centres. But, in the real world, regulators often do not have the resources that they need in order to be 100 per cent effective, so you are much better off if there are also economic and financial incentives for operators to do the right thing.
To me this bill is really a financial and economic bill. It is a question about where risk lies. Should the risk lie with individual asylum seekers who have fled persecution, torture and trauma? Should they bear the risk, which is a physical risk, in the event that the detention centres are not run well? Alternatively, should it be the private providers who bear a proportion of the risk? Should it be the government that bears a proportion of the risk? Should it be the insurers of the private providers and the government that bear a proportion of the risk? That is currently the case. Because people can be sued if there are assaults, negligence or battery, or if injuries are caused, it is the insurers and of course the premium payers that are bearing some of the risk in respect of making sure that detention centres are run appropriately. That is important because, without that additional incentive, you can see how incentives might pull you the other way.

So I am very concerned that this bill, in effectively removing the right to sue from people who are being accommodated in detention centres—because that is what this bill does—the clear effect of this bill would be to make life less safe for people while they are under our care in immigration detention centres.

In responding to this bill, I want to speak specifically about section 197BF, which is the proposed provision that would provide an out clause for government and private providers from being sued. It is almost a complete blanket prohibition. Everyone in this place would know just how difficult it is for a plaintiff to prove an absence of good faith. Really, that is what the immunity seeks to do, although I will get to that shortly.

The question is, why is this even an issue? As I have just said, I have read to you a report from The Age in respect of concerns about the use of force in detention centres. There was an FOI request in 2013, and the response from the Department of Finance and Deregulation at the time indicated that 18 claims had been made by people housed in immigration detention in respect of breach of duty of care, negligence or breach of statutory duty. Those 18 had yet to be resolved at the time that that FOI response was given. I do not know whether there were any claims in financial year 2013-14 and, if so, whether or not those claims had been resolved.

Of course the existence of the ability to make those claims provides that financial incentive to providers to take every reasonable step possible to ensure the safety of the people housed within detention centres. This is a real issue. This bill poses a risk to the right to sue because of that immunity provision that I mentioned, proposed section 197BF.

It is very clear from the explanatory memorandum and the terms of the bill itself that there is a great big hole in the government's explanation and rationale for this bill when it comes to this immunity. In fact the Bills Digest even mentions:

No further information is provided in the Bill’s accompanying materials to substantiate or elaborate upon this claim.

The claim is the claim that without some degree of protection the immigration detention services provider may be reluctant to use reasonable force to protect a person or to contain a disturbance.

There is no explanation given in the materials about why the power provision, proposed section 197BA, would not be sufficient to meet that aim; why you would then need to go to the extraordinary step—and it is an extraordinary step—of section 197BF which would, as I
have said, effectively deprive people of the right to sue. I say it is extraordinary because it is a similar sort of provision to that in section 75 of the Maritime Powers Act 2013. There was a somewhat similar provision in a now-repealed subsection—185(3AB)—of the Customs Act. But other than that, I have not had my attention drawn to any similar immunity provision of the kind that is now found in proposed section 197BF.

In fact, when you look at that repealed previous subsection that I mentioned it is actually slightly different in that it said that proceedings could not be instituted or continued where the person who had taken the action acted in good faith and used no more force than was authorised in subsection (3B). To be clear about the distinction: in that repealed example that I have given it was really clear that to rely on the immunity, the person who had exercised the force had to meet both requirements—the requirement of good faith and the requirement that the force used be no more than was authorised under the provision that was conferring the power to use the force in the first place.

But the proposed new section in this bill that we are talking about does not have that qualification. The question that is obvious to me is: why does the proposed section 197BF(1) explicitly require that for a person to rely on proposed section 197BF they must have used no more force than was authorised under proposed new section 197BA? That is such a blatant and obvious question to me, and it is quite surprising that the materials fail to deal with that question.

Obviously, it is not just me who has this concern; it is a concern that has been raised by the Australian Human Rights Commission in their submission and in the oral evidence by a Queen's Counsel who appeared at the Senate inquiry into the bill in his private capacity. It has also been raised by other people who were very concerned about the proposal, which is really about taking away the right to sue from asylum seekers.

I would be very strongly opposed to passing this bill in its current form because, to me, giving people the power to use reasonable force and then saying to asylum seekers and to people who are in detention centres, 'Even if the guard is negligent and you are injured; even if there is a breach of statutory duty; even if there is a breach of duty of care of any type; even if there is an assault; and even if there is a battery, you can't make a common-law claim because this provision effectively removes your right to do that.' That is terrible for the individual and it is also terrible for the broader economic and financial incentives around making sure that there is a financial reason—not just a moral and legal reason, which of course in and of themselves are both very strong reasons—for anyone who is a provider to ensure the safety of people under their care. I think that incentive is very important and so I would be very loathe to support any bill that took away that right to sue from these people.

To me, it is a question of human rights. It is a question of upholding the rule of law. In our democracy the rule of law is of great significance and importance. If we believe in the rule of law then we should certainly not be taking away rights to sue from people who have suffered assault, battery, breach of statutory duty or negligence leading to injury. That is the wrong approach. It is an inconsistent approach, in my view, with the way this country operates.

Of course it is not enough that people have a right to sue; there has to be access to justice as well. Access to justice is a very big question that has been grappled with in this place, in the Law Reform Commission and in the Productivity Commission most recently, with their report in respect of access to justice arrangements in this country. We do need to continue to
improve access to justice for everyone, including the most vulnerable people in our society. It is hard to think of someone who could be more vulnerable than a person who was tortured in their home country and who is waiting for our protection. It is hard to think of someone who could be more vulnerable than someone who has fled persecution at home—a situation where they might be deprived of their liberty, where they might be at risk of death, where they might be at risk of torture and where they might be at risk of kidnapping back home. It is actually really hard to think of someone more vulnerable than the people in those detention centres who have those valid claims.

If we are serious about the rule of law, if we are serious about discharging our obligations and if we are serious about making sure, if we are going to have private providers—and I am as uncomfortable as the next person with the idea of for-profit-run immigration detention centres, but the fact is that they exist at the moment and we have to come to terms with that and manage that as well as we can—then there should be every possible incentive and every possible approach in place to ensure that it is in the interests of those providers and the interests of government for great training to be provided and for skilled guards to be in place—for those guards to know exactly where they stand, of course, but also for them to make sure that they use no more force than is reasonably necessary in the circumstances in resolving any issues and maintaining order. Of course maintaining order is really important, but it is no more important than maintaining safety and security for the people under our protection.

So, for those reasons I support the approach of amending the bill consistent with the Human Rights Commission's recommendations. Obviously, I have not touched on all of the issues raised by the Human Rights Commission in this address, but I have read their submission and I have read the transcript of Professor Triggs's oral evidence before the Senate inquiry in respect of the bill. I think that all of the points raised are very important and ought to be the subject of serious consideration in this place before any steps are taken to alter the rights of people who are under our protection.

Mr THISTLETHWAITE (Kingsford Smith) (10:36): I wholeheartedly endorse the comments of the member for Griffith in respect of this bill, the Migration Amendment (Maintaining the Good Order of Immigration Detention Facilities) Bill 2015, and her very well-researched and informed opinion. I thank her for the work she has done in highlighting some of the inadequacies of this bill.

As the member for Griffith mentioned, Labor has concerns about this bill in its current form. The bill was referred to a Senate committee. That committee has gone through the process of taking evidence. The submissions to the inquiry have been made public and, although the Senate committee has not reported, it is due to report. They recently extended their reporting date to 5 June. The shadow minister, Richard Marles, will move amendments to this bill and those amendments will adopt the proposals that have been offered to the committee by the Human Rights Commission. Those amendments seek to get the balance right when it comes to the use of force within detention centres. The Human Rights Commission's amendments and their submission to the inquiry suggested that there be a limit put on force with the inclusion of objective tests of reasonableness and proposed amendments that more clearly define the role of authorised officers. It will not only strike a better balance but also give more clarity and certainty for the officers who are concerned. The changes will,
amongst other things, ensure that the use of force is for the shortest amount of time necessary and does not amount to cruel, inhumane or degrading treatment whilst prohibiting the use of any force when none is needed and the use of more force than is needed.

That is the position that I take in respect of this bill, but I do wish to make a few general comments regarding the matters contained within the bill. We all know that maintaining good order and safety within immigration detention facilities is of the highest priority and, of course, given the levels of stress that are experienced at times by those in detention, the task of protecting the staff and detainees can require certain actions in a relatively short amount of time. This bill ensures the safety and protection of those inside the detention facilities by clarifying the regulatory regime surrounding the use of reasonable force by authorised officers. That is a principle that I support: clarifying and providing certainly regarding the use of reasonable force on an issue that is currently left to the common law. The problem I have with the current amendments is that they do not strike the right balance. There are many legal complexities associated with that, particularly the bar on an individual who has been the subject of the use of reasonable force taking legal action in the wake of that. I think it is important to note that the bill does not expand on the powers of officers in terms of the nature and extent of their use of force within detention centres; it simply provides clearer authority than is currently contained in the common law to assist detention officers to conduct themselves with the benefit of a clearer understanding of the extent of the limits of the force that they may use.

The population of our detention centres is something that has been changing. If you look at the statistics regarding those who are detained, you see that two years ago just four per cent of those people who were held in Villawood and Maribyrnong were categorised as non-asylum seekers. Today, non-asylum seekers, people's whose claims for protection visas are unsuccessful, make up 25 per cent of those within facilities. As a result, these facilities now house a much larger proportion of at-risk detainees. This includes detainees who have had their visas cancelled due to having failed the character test or as a result of criminal convictions; outlaw motorcycle gang members convicted of firearm and drug related offences; those subject to adverse ASIO assessments; and others who have breached their visa conditions.

The shift in that dynamic within detention centres in terms of the make-up of the population has, unfortunately, necessitated, amongst other things, a greater degree of flexibility in respect of the work that officers can do in the rare circumstances where they do need to use force to detain people to stabilise goings on within the facilities. Currently that use of force is dealt with under the common law. That means that officers who work within these centres have the same obligations as any other Australian citizen who is authorised to take reasonable steps to prevent a disturbance of the peace, arrest suspected offenders or use reasonable force when the safety of another is being threatened. Obviously, there are some inadequacies that go with that particular common law definition of reasonable force applying to the work of officers within detention facilities. For one thing, they may be called upon to legally justify their use of reasonable force following an incident. That can result in officers approaching the situation with a high degree of doubt and uncertainty as to how they are to intervene. I know that people get appropriate training and they develop the skills to deal with these situations but, if in the back of their minds there is doubt about how their approach is
going to be dealt with under the common law, it can result in unnecessary injury and, in some rare cases, unnecessary loss of life, and that is inappropriate and is something that the parliament should be involved in rectifying and in providing greater certainty for.

The difficulty associated with these circumstances was considered in the *Independent review of the incidents at the Christmas Island Immigration Detention Centre and Villawood Immigration Detention Centre* report of the inquiry conducted by Dr Allan Hawke and Ms Helen Williams in 2011. The Hawke-Williams report recommended that there be clear articulation of the responsibility of public order management between the department, the detention service provider, the Australian Federal Police and other police forces who may attend an immigration detention facility. The good order bill provides clear and specific powers for the use of force in immigration detention facilities.

These powers can also be used: to remove a detainee from a room or to force entry to a room to prevent harm; to isolate detainees to contain an incident; to deter organised disruptions through separating detainees or cordonning off certain areas within a facility; to move a high-risk detainee within an immigration detention facility to a place where they can be more closely supervised; and to restrain a detainee to prevent escape.

The bill also includes provisions to prevent the use of force in specific circumstances. An authorised officer will be prohibited from doing any of the following: using reasonable force to administer nourishment or fluids to a detainee; subjecting a person to greater indignity than the authorised officer reasonably believes is necessary in the circumstances; and doing anything likely to cause grievous bodily harm, unless the authorised officer reasonably believes that doing that thing is necessary to protect the life of, or prevent serious injury to, another person. Those are the ways the bill clarifies the use of force within detention facilities.

But, as I mentioned earlier, the difficulty associated with this bill revolves around the importance of getting the balance right. Maintaining good order of immigration detention facilities is of importance, but it must not override other considerations with regard to the rights of those people within the facilities, particularly when those people are children. In this respect, Labor has listened to the experts and the advice of the Human Rights Commission through the Senate inquiry process. The Human Rights Commission, in its submission to the Senate Legal and Constitutional Committee inquiry, has made some very sensible and, we believe, beneficial changes to the bill.

Commissioner Gillian Triggs has sought to limit the use of force, with the inclusion of objective tests of reasonableness and proposed amendments that more clearly define the role of authorised officers. These changes will, amongst other things, ensure that any use of force is for the shortest amount of time necessary and that it does not amount to cruel, inhuman or degrading treatment. The changes also prohibit the use of any force when none is needed and prohibit the use of more force than is needed. I am of the view that the extremely sensitive nature of the subject matter to which this bill relates demands that every effort is made to get this balance right.

We believe that the amendments proposed by the Human Rights Commission strike the right balance. It would send a clear message about providing an objective test regarding the use of force in immigration detention facilities—not only for the officers concerned and the hierarchy of the department, but also, importantly, for a judge, who may be called upon to
adjudicate in a matter where it is alleged that force was unreasonable and over the top and resulted in injury to the person seeking to be detained.

The bill puts in place a statutory complaints mechanism which complements existing avenues for complaint over the use of perceived excessive force. The complaints would be investigated by the secretary of the department, who can then refer the matter on to the ombudsman, or the AFP or the state or territory police commissioner. The bill also provides for the secretary of the department to arrange for assistance to be provided to a complainant who requires help to formulate their complaint. The bill does require that the complaint is in writing and that it is signed by the complainant. The purpose of this requirement is to ensure that the complaint is genuine and that the complainant can be identified.

These additional amendments, which the shadow minister will move at the conclusion of this debate, provide better balance. They provide more certainty for officers involved in the use of force. They provide more certainty for the departmental executive but also, importantly for the judiciary, who may be called upon to adjudicate in a matter where there has been a complaint—where it has been through the ombudsman and the like—and a decision needs to be made on whether or not the force used was reasonable.

Providing that objective test will make it much easier for those concerned and will provide more certainly. It is on that basis that I am happy to support the amendments suggested by the Human Rights Commission and that will be moved by the shadow minister.

Mr ZAPPIA (Makin) (10:50): In speaking on the Migration Amendment (Maintaining the Good Order of Immigration Detention Facilities) Bill 2015, I strongly support the position as outlined by the member for Corio and the amendments that I understand he will be moving later on in this debate.

The purpose of the bill, as I understand it, is to put in place a framework to clarify the circumstances in which an authorised officer may use reasonable force in carrying out their duties within immigration detention centres. Whilst the intent of the bill has merit, I have very serious doubts as to whether this bill will achieve the intended purposes.

The bill is intended to clarify that reasonable force may only be used where it is considered necessary to 'protect the life, health or safety of any person in a detention facility, or to maintain the good order peace or security of any immigration detention facility'. The bill also specifies the types of circumstances in which reasonable force may be used and those circumstances where it would be prohibited.

The use of force in detention centres is currently undefined and unregulated by a statute, as other speakers have made clear. The use of force operates under common law. From this bill there is an inference that Australian common law is inadequate with respect to the use of force within immigration facilities, or conversely that a separate set of laws, or a different set of standards should apply when force is used within a detention centre. It is an inference I am not persuaded of.

I do not believe that the case has been made by the government as to why common law is not appropriate for adjudicating on the use of force within detention centres. Nor am I convinced that the bill, as currently worded, will provide a clearer understanding of what is considered reasonable force. The use of force will always be a matter that is subject to opinion and the circumstances relating to each case where force has been used. It is very
likely that what we will see is more uncertainty relating to the use of false and more legal proceedings being instituted, particularly until this law has been tested in the courts and some precedence has been established if the law, as it is currently proposed, gets through this parliament. Conversely, under the current long-standing common law rulings, there already exists considerable precedence and, therefore, some guidance for all.

I also understand that the bill seeks to address issues raised in the Hawke-Williams report into the incidents at Christmas Island and Villawood. The report recommended that there be a clear articulation of responsibility of public order management between the department, the detention service provider, the Australian Federal Police and other police forces who may attend an immigration detention facility. A clear articulation of responsibility is an entirely separate matter to the use of force, and I do not see how that recommendation, on which the government relies for this legislation, in any way recommends that the law should be changed with respect to the use of force. From my own perusal of the Hawke-Williams recommendations, I found no mention of the use of force or any need to clarify that matter.

Interestingly while the government, in its explanatory memorandum on the bill, claims that the bill is compatible with Australia's Human Rights obligations, the Parliamentary Joint Committee on Human Rights thought differently. The committee raised serious concerns about the compatibility of this bill with Australian human rights obligations. In his tabling statement on 18 March, in respect to the report on the Migration Amendment (Maintaining the Good Order of Immigration Detention Facilities) Bill 2015, the chair said:

This bill raises a number of questions about whether the powers in the bill, as currently drafted, are appropriately circumscribed. Reference is made in the statement of compatibility to a number of safeguards around the use of force which are to be included in policies and contracts with immigration detention service providers, but which are not included on the face of the legislation.

The committee make it absolutely clear that they too have concerns.

It is more likely that any uncertainty relating to the use of force rests more so with the training qualifications and experience of detention centre officers than with an inadequacy of Australian common law. In that respect, I agree with the provisions in the bill, which require authorised officers to have appropriate qualifications and ongoing training. The best way to support officers working in detention centres is indeed to provide them with the best possible training. However, my understanding is that the level of training required will be certificate II in security operations.

In his second reading speech, the minister noted that amongst the persons held in detention centres are likely to be: 'people subject to adverse security assessments; people convicted of violent crime, drug or other serious criminal offences; others deemed to be of a high security risk such as members of outlaw motorcycle gangs'. We also know that many refugees have themselves been subjected to horrific and traumatic situations before arriving in Australia and indeed may not be in a good mental state. So we have, in the minister's own admission, some of the most difficult people to manage, locked up in detention centres, and we entrust their supervision onto people with certificate II qualifications in security operations when perhaps their custodians should be the most experienced and best trained officers.

The minister's simplistic response in managing what are difficult situations is to change the law so that the use of force is more acceptable. The use of force should always be a matter of
last resort. The priority should be to raise the standard of accreditation so that the training adequately prepares officers for the difficult situations they are likely to face.

Which brings me to a secondary concern. Unlike with sworn police officers, where the training is carried out by government to government standards, the training for detention centre officers is likely to be provided by a private registered training organisation. I do not know which private registered training organisations will be providing the necessary training but I am conscious of the concerns raised about many private RTOs in recent times.

There are other matters about this bill which do not sit comfortably with me. The government's mantra has consistently been that it has stopped the boats and that it is closing down detention centres in Australia. Indeed, last night in his budget night address, the Treasurer made reference to savings that have been made as a result of that, and I understand that there have been a number of detention centres that have now been closed. There is also a policy of transferring refugees to Manus Island and Nauru, where this legislation simply will not apply and has no relevance. So if there is a diminishing number of people being held in Australian detention centres, why is there a need to change the law with this, what I consider to be, poorly thought-through legislation? One can only conclude that the government anticipates more difficult situations, more unrest and more protests within detention facilities.

In light of several reports about the terrible conditions under which detainees are kept, it seems inevitable that conflict and protests will occur. As was reported both by the President of the Australian Human Rights Commission, Gillian Triggs, in her report *The forgotten children* and by Philip Moss in his review of the processing centre in Nauru, detainees are allegedly subjected to a range of degrading, humiliating and abusive treatments. The findings of those reports cannot be dismissed, nor can they be dismissed on the basis that Nauru is an offshore processing centre outside Australia's jurisdiction—and likewise with Manus Island. Australia is responsible for the agreements in respect of those two facilities. It has signed agreements with the respective countries. I understand that Australia wears the costs of running those facilities and that indeed it is Australian based contractors that provide many of the services there. The Australian government simply cannot walk away from its obligations with respect to how the people in those facilities are treated, if that is the case—and it is.

This bill simply emphasises, in my view, the Abbott government's tough refugee strategy. It is a strategy that is very clear: if you treat refugees harshly, that will further deter them from coming to Australia. It would be useful to know the fate of those people who were on board the boats that were turned back by this government. We never did find out, and I assume that we never will know.

Adapting policies or strategies that prevent further refugees from reaching Australia is one matter, but the treatment of people who have reached Australia and who are within Australian government care is an entirely separate matter. Nor can the government wash its hands of that responsibility by transferring people to an offshore facility, as I said a moment ago. Not only has Australia been an initiator of and signatory to many human rights protocols and conventions, but the concept of a fair go has become entrenched in Australian values. Regrettably, under the Abbott government, those values do not extend to refugees.

I also note with some concern that the Secretary of the Department of Immigration and Border Protection has the power to not investigate a complaint if:
the complainant has made the same complaint or a substantially similar complaint to the Secretary and the Secretary believes that he or she:
— has dealt, or is dealing, adequately with the complaint; or
— has not yet had an adequate opportunity to deal with the complaint; or
the complaint is frivolous, vexatious, misconceived, lacking in substance or not made in good faith; or
the complainant does not have a sufficient interest in the subject matter of the complaint; or
investigation, or any further investigation, is not justified in all the circumstances.
All of the criteria which the secretary could rely on to dismiss a complaint are extremely subjective and therefore give the secretary considerable unaccountable authority under this current legislation.

It is not sufficient to argue that complaints can be made discreetly to the Ombudsman or to the relevant police, as many refugees, people in detention centres, including children, would not have the confidence to do so. They possibly would not even have the knowledge that those options are available to them. Even if they did, for a whole host of reasons they may choose not to pursue their complaint, particularly if they have already made a complaint to the secretary of the department and it has gone nowhere. That would certainly deter them from trying to do anything further.

It does not seem satisfactory to me to have the first point of complaint being the very person responsible for the administration of the very department against which the complaint is being made. That particular aspect of this legislation sits very uncomfortably with me. As I said a moment ago, I accept that there might be other opportunities, but in the real world I also believe that those opportunities would not be pursued, for the reasons which I outlined.

In summary, I believe that this legislation is not necessarily motivated by the need to change the law to make it clearer. I believe it is motivated by a government that wants to appear to be tough on refugees and therefore give the additional power that it wants to to the people who work within the centres. There are better ways of improving the difficult situations that arise within centres than simply changing one aspect of a law, which supposedly clarifies where and when force can be used, when indeed I doubt that it will even do that. The amendments to be moved by the opposition, by Labor, with respect to this bill I believe are worth supporting because they certainly make the bill a much better bill and improve it to the point where I believe I could support it.

Mr BANDT (Melbourne) (11:04): At the moment, if you come to Australia seeking help and seeking asylum or refugee status, perhaps because you are fleeing war or persecution in your own country and you fear for your life, if you make it to Australian shores or into Australian waters, perhaps with your family, perhaps with your kids, you get locked up. You get locked up in a prison, and you are in that prison indefinitely. In that prison, that detention centre, with you—with those hundreds of people who are coming here seeking our help—are convicted criminals.

In other words, this government is putting together in the one place people, families and children who are coming to Australia seeking a better life and, on the other hand, people the government knows are convicted criminals. They are all locked together in these prisons—prison islands or island prisons or detention centres. They are all locked there together, not
knowing if they are ever going to get out or when they will get out, because the detention is indefinite. In many instances, as we know, you might be told, 'We're not letting you out, because there's a black mark against your name,' but you do not even get told what the black mark is, or, 'You're just getting locked up indefinitely because that's this government's approach, and the government says that somehow that's going to stop people around the world taking to boats, seeking a better life.'

What happens—and what would you expect to happen—when you put people and young children, who just want to live a better life, behind bars and razor wire? What happens when you put them there indefinitely, you put them there together with convicted criminals, and you do it in environments where they are not getting proper health care, where there are questions about their schooling and where, sadly, as we know, there are reports of sexual abuse and self-harm? We know that one child every fortnight commits an act of self-harm in some of these places.

What happens when you put people in these hellholes and in these cauldrons together with convicted criminals? Well, from time to time there are disturbances. From the perspective of the people who are just here seeking a better life who may be looking at an indefinite life behind bars, especially young children who should be out playing at playgrounds but are instead forced to sit behind razor wire, when you have all of those people together and there are disturbances you have got a choice if you are the government. Obviously, the primary choice could be to stop mandatory detention. That is not on this government's radar, so let's take it for granted that that is this government's approach. You are managing these centres in this hothouse environment with kids and convicted criminals living side by side where none of them can get out and there are disturbances. What do you do? The simple thing to do, if you actually cared about protecting kids and protecting people's lives, would be to remove the convicted criminals.

The government are here saying these convicted criminals are, in part, behind some of the disturbances. That is what they are telling us. So the simple thing to do would be to take the convicted criminals out, so that there would be a marginally better quality of life for the people who are left inside. What does this government do? This government says, 'No, we are not going to do that. That would be far too sensible. We are going to keep convicted criminals locked up together with kids in an area where none of them can get out. Notwithstanding the fact that there have been lots of claims of abuse and involvement by some of the centre staff in those claims of abuse, we are going to keep them all locked up together and then we are going to give the guards in those centres, who employees of private firms, more power than Australian Federal Police officers. So we are going to give them even greater power to crack down on people and keep them in line rather than separate the criminals from the people who are just there seeking a better life.'

With this bill, the government wants to give broad powers to use force—powers which are greater than those enjoyed by prison guards or AFP officers—to private company employed officers with significantly less training than prison guards or police officers. In addition, the government wants to give them extremely broad immunities from legal action for all the force that they use—which again is greater than prison guards or AFP officers—and without the safeguards restricting the force that prison guards are subject to, without any limit to the extent of the force permissible and without any independent oversight or accountability. In
other words, the government wants to turn all of these camps into minidictatorships where the guards running them—employed by private sectors—have greater rights to use force against everyone in there, including the children in there, and far less accountability.

Instead of saying, 'Let's just separate the criminals out from the others,' what is the government doing with this bill? Firstly, in the full knowledge that there are up to 35 per cent of people within what are called the section 501 category, which includes the people who are convicted of a criminal offence, the government is keeping them there and is instead bringing in a broad bill that will apply to all of the others who have done nothing wrong. Not only is detention together with criminals cruel and unfair for asylum seekers and in contravention of clear United Nations guidelines but it is also the cause of the problem sought to be addressed by this bill.

We know that there are at least a couple of reasons that the government is doing this—leaving criminals in detention centres and giving Serco guards more powers. We know that there are criminals and abusive guards in the detention centres—and we know that there are abusive guards there because report after report has told us so—and they will just be heaping further misery on asylum seekers. I think one of the government's motivations is that it wants to make life for these asylum seekers in the detention centres almost as bad as the persecution they were fleeing. I did not think it was possible to turn Australia into a place that is as bad as the kind of place that people are fleeing, but that is what the government is attempting to do. The government is attempting to make life in these hellholes as bad, if not worse, as the place that they are fleeing, to put pressure on people to go back. Secondly, of course, for their own grubby domestic political purposes, by talking about asylum seekers in the same breath as serious criminals and lumping them all in together as the cause of any disturbances, they further dehumanise asylum seekers and refugees so that people end up—the government hope—thinking that their morally indefensible policies are somehow justified.

When you go into the detail of the bill it gets even worse. What is clear in sections 197BA (1) and (2) of this bill is that force can be used when the officers subjectively believe force is reasonably necessary. Prison guards and the AFP are held to a stricter test than this. You need more than just the guard believing it is necessary. The breadth of circumstances in which force can be used is too wide and wider than any other comparable area in this country. Force can be used to maintain good order in one of the detention centres. This can be interpreted very liberally and it can be used to move a detainee. In other words, to get a detainee from one place to another within a detention centre you can use force and you are immune from any review of how much force you have used—and I will come to that in a moment. This breaches the Attorney-General Department's principles on legislating coercive powers for non-police officers.

We also know that there are no safeguards in this legislation on restricting the use of force. One might expect, for example, legislation to say that force is only to be used as a last resort or that force is only to be used to avoid injury. It does not say that. Those kinds of safeguards are in departmental policy manuals, but there is nothing in the legislation. There is nothing in the legislation that says, 'Let's apply the same kind of safeguards that prison officers have before they use force.' If the purpose of this bill, as the government says, is to somehow clarify the use of force by Serco officers then this does the opposite. It gives them the right to use force almost unlimitedly in almost unlimited circumstances without any right of review.
So, as I said, not only are there no safeguards restricting when it can be used but there is no limit to the extent of it. That potentially sanctions lethal force if it is exercised in good faith.

At a very minimum, weapons and the use of lethal force have to be ruled out in this bill. The fact that the government is saying in this legislation that there is no prohibition on private sector guards using a weapon or potentially killing someone if they are doing it with the aim of maintaining good order ought to send a shiver down the spine of everyone who believes in the rule of law in this country.

We are creating these camps where we say the law does not apply. Not only do the normal principles of fairness not apply but now the basic principle to live safely does not even apply. The government is saying: 'If you come to this country seeking our help as a refugee or asylum seeker, we will put you in a place where someone is legally entitled to kill you and we will not put any safeguards around that. In fact, we will sanction it. We do not mind that that person is employed by a private company. They are now entitled to use lethal force against you and entitled to use weapons against you. They are not limited to doing that in a situation where you have been a disturbance yourself; they can just do that if they think it is necessary to maintain good order. They can do that in the course of moving you from one place to another and they can do that to you if you are a child, a mother or a father.' That is the kind of place Australia will become if we pass this bill.

The people who have these broad-ranging powers to now assault and potentially kill refugees and asylum seekers do not have to be properly trained. The minister gets to determine what qualifications these people need to have to use force. That is not in this legislation. It will be a certificate—probably a certificate level II, the kind of certificate that a security guard perhaps gets. All of a sudden, from having done nothing more than the most minimal of training, you have a licence to kill. You have a licence to kill under this legislation.

We do not let prison guards or AFP officers do this so why are we letting private security guards now have the right to use lethal force without any prospect of review or oversight? Not only is there no review and not only is there not any training but the oversight is critical because the secretary can choose whether to investigate any complaint made to them and is under no obligation to take any action following any investigations that are made. Yes, it is the case that complaints can be made to the Ombudsman but that body has only recommendatory powers. In other words, there is now a new category of people who have the right to use potentially lethal force and the right to hurt people, including children and asylum seekers, and if they exercise that right there is nowhere you can go to complain about them. You can complain about the operations of our security forces, the AFP and the police—there are independent oversight bodies for those—but there are none for this. They can do whatever they like and get away with it.

What about if the family of someone who has been killed or hurt wants to take them to court? There are immunity provisions in this bill that basically now make legal the kind of thing that would put any one of us in jail. If anyone else exercised this kind of force on someone who had come here seeking a better life, they could be sued or prosecuted but instead this government says, under section 197BF, you get a free pass, you get a get out of jail free card. This legislation is not only not necessary; it speaks volumes about the moral depravity of this government and its failure to commit to basic principles of the rule of law.
Mr DUTTON (Dickson—Minister for Immigration and Border Protection) (11:20): I want to thank members for their contributions to the second reading debate on the Migration Amendment (Maintaining the Good Order of Immigration Detention Facilities) Bill 2015. The government considers that safe and effective immigration detention policies and strong border security measures are not incompatible. The proposed amendments will confer powers on authorised officers to use such reasonable force against any person to protect the life, health or safety of any person in an immigration detention facility and maintain the peace, good order or security of that facility. The purpose of this bill is to strike a balance between maintaining the good order of the facility and the safety of the people within it and needing to ensure that any use of force within that facility is reasonable, proportionate and appropriate.

The amendments reflect the recommendations from an independent review of incidents at the Christmas Island and Villawood immigration detention centres in 2011. The review recommended that the Department of Immigration and Border Protection articulate more clearly the responsibility for public order management between the department, the detention service provider and any attending police. The presence of a number of high-risk detainees with behavioural challenges has the potential to jeopardise that safety, good order and security within the immigration detention facilities and the safety of all persons within those facilities. Recently some detainees have demonstrated a willingness to deliberately disrupt operations at a facility. Moreover, recent high-profile escapes, incidents of violence, allegations of abuse and disturbances have highlighted a noticeable shift in risks within the immigration detention environment.

To prevent any abuse of these powers, risk mitigation measures will be put in place ready for the implementation of this legislation. These measures include appropriate instructions and administrative arrangements to guide authorised officers in the use of reasonable force; the requirement for authorised officers to satisfy minimum training and qualification requirements in the use of reasonable force; establishment of agreed protocols in memoranda of understanding for the handover of responsibility between the parties dealing with disturbances in immigration detention facilities; and rigorous incident-reporting mechanisms to advise of all instances where force was used.

The proposed statutory complaints section of this bill is a procedural measure for complaints to the Secretary of the Department of Immigration and Border Protection about an authorised officer's exercise of power under this amendment. The bill provides for appropriate assistance to be given to a detainee who wishes to make a complaint should they require such assistance to formulate that complaint. A detainee may also choose to raise their concerns through other complaint mechanisms. For example, detainees may also complain directly to the Australian Human Rights Commission, the Red Cross, the Commonwealth Ombudsman, elected representatives, police, state welfare agencies, community groups and advocacy groups.

Turning now to some points that were raised in the debate on the bill, first, amendments have been suggested to provisions that provide for safeguards against subjecting a person to indignity and excessive force and the manner in which reasonable force should be used in immigration detention facilities. The bill as currently drafted provides an explicit safeguard against subjecting a person to greater indignity than the authorised officer reasonably believes is necessary in the circumstances. The bill as currently drafted provides that the force used
must be reasonable force. Excessive force will always be beyond what is reasonable and would not be sanctioned by the provisions in the bill as currently drafted. The bill as drafted prohibits an authorised officer from doing anything that is likely to cause grievous bodily harm unless the authorised officer reasonably believes it is necessary to protect life or prevent serious injury. Grievous bodily harm, as defined in the Crimes Act, does not include lethal force. Let me make it quite clear that the bill does not sanction the use of lethal force.

The manner in which reasonable force is to be used in an immigration detention facility must be within the legislative boundaries provided in the bill. To ensure that this occurs in immigration detention facilities, the department will have in place policies and procedures reflected in the immigration detention service provider contract on the use of reasonable force within an immigration detention facility. These safeguards will ensure that force will be used only as a measure of last resort, must only be used for the shortest amount of time possible, must not include cruel, inhumane or degrading treatment, and must not be used for the purposes of punishment. These policies and procedures will be reinforced with comprehensive ongoing training for authorised officers. The department will consult with the Australian Federal Police on these governance arrangements regarding the use of reasonable force. The bill also provides that authorised officers must meet minimum standards of training and qualifications. A person cannot be an authorised officer unless he or she satisfies the training and qualification requirements determined by the minister in writing.

Third, amendments have been suggested to provisions relating to the role of the Commonwealth Ombudsman in the complaints process provided under the bill. The Office of the Commonwealth Ombudsman was consulted on the provisions of the bill regarding its role in the complaints process. The bill as currently drafted provides that the secretary may elect to refer or transfer a complaint to the Commonwealth Ombudsman. The department will work with the Office of the Commonwealth Ombudsman to develop protocols for these arrangements. While the bill provides for a complaints process, it does not restrict a person from making a complaint directly to another body, including the Ombudsman or a police force.

Finally, amendments have been proposed to the bar on proceedings in proposed section 197BF of the bill. Proposed section 197BF as currently drafted places a partial bar on the institution or continuation of proceedings in any Australian court against the Commonwealth in relation to the exercise of power under proposed section 197BA where the power was exercised in good faith. This does not, and is not intended to, bar all possible proceedings against the Commonwealth. If the use of reasonable force was not an exercise of the power under proposed section 197BA then it is not captured by the partial bar in proposed section 197BF, and court proceedings may be instituted or, indeed, continued—that is to say, if the force used was excessive in a criminal force or was unreasonable force, or the authorised officer did not reasonably believe the use of force was necessary, then the conduct would not be captured by the bar in proposed section 197BF. The partial bar is necessary to provide assurance to authorised officers that they will not be the subject of legal proceedings for undertaking their duties in accordance with the law.

I trust that this bill will have the support of members, most particularly those with an interest in ensuring the safety of all people in immigration detention facilities, and on that basis I commend the bill to the House.
The DEPUTY SPEAKER (Mr Mitchell): The question is that the bill be now read a second time.

The House divided. [11:31]

(The Deputy Speaker—Mr Mitchell)

Ayes ................. 81
Noes .................. 52

Majority ............... 29

AYES

Alexander, JG
Andrews, KJ
Andrews, KL
Baldwin, RC
Briggs, JE
Broad, AJ
Broadbent, RE
Brough, MT
Buchholz, S
Chester, D
Christensen, GR
Ciobo, SM
Cobb, JK
Coleman, DB
Coulton, M (teller)
Dutton, PC
Entsch, WG
Fletcher, PW
Frydenberg, JA
Gambaro, T
Gillespie, DA
Goodenough, IR
Griggs, NL
Hawke, AG
Henderson, SM
Hendy, PW
Hogan, KJ
Howarth, LR
Hunt, GA
Hutchinson, ER
Irons, SJ
Jensen, DG
Jones, ET
Joyce, BT
Katter, RC
Keenan, M
Kelly, C
Laming, A
Landry, ML
Laundy, C
Ley, SP
Macfarlane, I
Marino, NB
Markus, LE
Matheson, RG
McCormack, MF
McNamara, KJ
Nikolic, AA (teller)
O’Dowd, KD
Pasin, A
Pitt, KJ
Porter, CC
Prentice, J
Price, ML
Pynne, CM
Ramsey, RE
Randall, DJ
Robert, SR
Roy, WB
Ruddock, PM
Scott, BC
Scott, FM
Simpkins, LXL
Smith, ADH
Stone, SN
Sudmalis, AE
Sukkar, MS
Taylor, AJ
Truss, WE
Tudge, AE
Turnbull, MB
Van Manen, AJ
Varvaris, N
Vasta, RX
Whiteley, BD
Wicks, LE
Williams, MP
Wilson, RJ
Wood, JP
Wyatt, KG
Question agreed to.
Bill read a second time.

Consideration in Detail

Mr MARLES (Corio) (11:38): by leave—I move opposition amendments (1) to (11), as circulated in my name, together:

(1) Schedule 1, item 5, page 4 (after line 1), after the heading to Division 7B, insert:

Subdivision A—Maintaining the good order etc. of immigration detention facilities

(2) Schedule 1, item 5, page 4 (lines 4 to 6), omit "such reasonable force against any person or thing, as the authorised officer reasonably believes is necessary, ", substitute "such force against any person or thing as is necessary and reasonable ".

(3) Schedule 1, item 5, page 4 (lines 11 to 13), omit "such reasonable force as the authorised officer reasonably believes is necessary under that subsection ", substitute "under that subsection such force as is necessary and reasonable ".

(4) Schedule 1, item 5, page 5 (lines 7 and 8), omit "the authorised officer reasonably believes is necessary ", substitute "is necessary and reasonable ".

(5) Schedule 1, item 5, page 5 (after line 14), after subsection (5), insert:

(5A) An authorised officer must not use force against a person under subsection (1) except:

(a) as a measure of last resort, taking into account other available alternatives such as negotiation and de-escalation; and

(b) for the shortest amount of time that is necessary.
(5B) An authorised officer must not use force against a person under subsection (1):
(a) in a way that amounts to:
   (i) cruel, inhuman or degrading treatment; or
   (ii) punishment; or
(b) if the force is beyond that which is necessary and reasonable in the circumstances, including:
   (i) force where none is needed;
   (ii) more force than is needed;
   (iii) force, or a level of force, that continues after the necessity for it has ended;
   (iv) a knowingly wrongful use of force.

(5C) An authorised officer must not exercise the power under subsection (1) to move a detainee within an immigration detention facility unless:
(a) an authorised officer has requested the detainee to move to another part of the facility; and
(b) the request is made, through an interpreter if necessary, in a language (including sign language or braille) in which the detainee is able to communicate with reasonable fluency; and
(c) the detainee has been given a reasonable opportunity to comply with the request; and
(d) all reasonable measures to move the detainee without the use of force have been attempted and have failed.

(5D) An authorised officer must not use force under subsection (1) against a minor unless:
(a) all reasonable alternatives to the use of force, including negotiation and de-escalation, have been attempted and have failed; and
(b) either subsection (5E) has been complied with or there is an unacceptable risk of the minor:
   (i) escaping from the immigration detention facility; or
   (ii) causing immediate self-harm or harm to another person (including the authorised officer).

(5E) This subsection is complied with in relation to a particular use of force if:
(a) an authorised officer has:
   (i) raised the proposed use of force with a parent or guardian of the minor; and
   (ii) given the parent or guardian a reasonable opportunity to speak with the minor, and to make submissions to the authorised officer, about the proposed use of force; and
(b) the person in control of the immigration detention facility (however described) has authorised the particular use of force.

(6) Schedule 1, item 5, page 5 (after line 28), after section 197BA, insert:

**Subdivision B—Accountability**

(7) Schedule 1, item 5, page 6 (after line 9), at the end of section 197BB, add:

(5) The Secretary must notify the Ombudsman in writing of the receipt of the complaint.

(8) Schedule 1, item 5, page 8 (after line 3), after section 197BE, insert:

197BEA Record-keeping

(1) The Secretary must ensure that appropriate records are kept of the following:
(a) complaints made under section 197BB;
(b) investigations of such complaints;
(c) decisions to refer, or not to refer, such complaints to the Ombudsman;
(d) decisions under section 197BD or 197BE to not investigate, or to not investigate further, such complaints.

(2) Without limiting section 197BED, the Ombudsman is entitled to have access to the records kept under this section for the purposes of performing the Ombudsman’s functions.

197BEB Annual reviews by Ombudsman

(1) For the purposes of this section, the review periods are:

(a) the period of 12 months commencing on the day on which Schedule 1 to the Migration Amendment (Maintaining the Good Order of Immigration Detention Facilities) Act 2015 commences; and

(b) each succeeding period of 12 months.

(2) At least once in each review period, the Ombudsman must, for the purposes of reviewing the administration of this Subdivision during that period, inspect the records kept under section 197BEB relating to complaints made under section 197BB that have been, or are being, dealt with under section 197BC, 197BD or 197BE during that period.

197BEC Ad hoc reviews by Ombudsman

The Ombudsman may, at any time, inspect records kept under section 197BEB for the purposes of reviewing the administration of this Subdivision.

197BED Secretary to provide information and access to documents

For the purposes of a review conducted under section 197BEB or 197BEC, the Ombudsman may require the Secretary to give the Ombudsman the information, and the access to documents, that the Ombudsman requests.

197BEE Annual reports by Ombudsman

(1) The Ombudsman must, as soon as practicable after 30 June each year, prepare a report of the Ombudsman’s work and activities under this Subdivision during the preceding 12 months and give copies of the report to the President of the Senate and the Speaker of the House of Representatives for presentation to the Senate and the House of Representatives, respectively.

(2) The report must include comments as to the comprehensiveness and adequacy of the administration of matters under this Subdivision.

197BEF Functions of Ombudsman

The Ombudsman’s functions include the functions conferred on the Ombudsman by this Subdivision.

Subdivision C—Other matters

(9) Schedule 1, item 5, page 8 (lines 6 to 8), omit subsection 197BF(1), substitute:

(1) No proceedings may be instituted or continued in any court against an authorised officer in relation to an exercise of power under section 197BA if the power was exercised:

(a) in good faith; and

(b) in accordance with that section.

(10) Schedule 1, item 5, page 8 (lines 13 to 16), omit subsection 197BF(4).

(11) Schedule 1, page 8 (after line 21), at the end of the Schedule, add:

Ombudsman Act 1976

6 At the end of section 6

Add:

(22) If the Ombudsman forms the opinion:
(a) that a complaint relates to an authorised officer's exercise of power under section 197BA of the Migration Act 1958; and

(b) that the complaint could be more conveniently or effectively dealt with under section 197BC of the Migration Act 1958 by the Secretary (the Immigration Secretary) of the Department responsible for administering that Act;

the Ombudsman may decide not to investigate the complaint, or not to investigate the complaint further, as the case may be, and to transfer the complaint to the Immigration Secretary.

(23) If the Ombudsman makes a decision under subsection (22):

(a) the Ombudsman must:

(i) transfer the complaint to the Immigration Secretary as soon as is reasonably practicable; and

(ii) give the Immigration Secretary any information or documents relating to the complaint that are in the possession, or under the control, of the Ombudsman; and

(iii) as soon as is reasonably practicable, give the complainant written notice that the complaint has been transferred to the Immigration Secretary; and

(b) the complaint is taken to be a complaint to the Immigration Secretary made under section 197BB of the Migration Act 1958.

7 Subsection 33(1)

Omit all the words after "power or authority", substitute:

conferred by:

(a) this Act; or

(b) Division 7 of Part V of the Australian Federal Police Act 1979; or

(c) Subdivision B of Division 7A of Part 2 of the Migration Act 1958.

8 At the end of subsection 34(1)

Add:

; and (d) all or any of his or her powers under Subdivision B of Division 7A of Part 2 of the Migration Act 1958.

9 Subsections 35(2) and (8)

After "Australian Federal Police Act 1979", insert "or Subdivision B of Division 7A of Part 2 of the Migration Act 1958".

In respect of amendments 2 and 3 as circulated—

The DEPUTY SPEAKER: Order! Could those leaving the chamber do so quietly, please.

Mr MARLES: As I outlined earlier, Labor believes that the power to use reasonable force is too subjective and too broad as it is currently defined in this bill. Labor supports the view of the Human Rights Commission that the threshold for determining when force may be used is subjective and lower than that which currently applies to the Australian Federal Police. We believe it is inappropriate for the use-of-force power in a detention centre facility to be more readily applied than is possible in a police detention environment. I am therefore proposing to amend the bill to include an objective test of reasonableness and necessity for the use of force. In respect of amendment (4), the bill currently includes provisions to prevent the use of reasonable force in specific circumstances; however, similar to the amendments outlined above, Labor believes the legislation should include an objective test of reasonableness and necessity in regard to the limitations of the use of force.
In respect of amendment (5), Labor is also concerned that many of the most significant limits on the use of force are referred to in the explanatory memorandum as matters that the Department of Immigration and Border Protection will include in administrative policies and procedures and not in the legislation itself. Labor supports the recommendation of the Human Rights Commission that these limits on the use of force, particularly those in regard to excessive force, be included in the legislation. Labor is also seeking to amend the legislation to specifically address the use of reasonable force against children in detention. Specifically, a new provision should be added to provide that an authorised officer must not exercise the power to use force in relation to a minor unless: all alternatives to the use of force, including negotiation and de-escalation techniques, have been attempted and failed; where possible, the proposed use of force has been raised with the minor's parent or guardian and the parent or guardian has been given sufficient opportunity to both speak with the minor and to make submissions to the authorised officer about the use of force; authorisation for the particular use of force has been sought and obtained from the director of the facility; and, where it is not possible to discuss the proposed use of force with the minor's parent or guardian in advance, force is only then used where there is an unacceptable risk of escape or immediate harm to the child or others.

Labor also has concerns regarding the power to use force to move children and adults in immigration detention facilities. Therefore, I am moving an amendment to introduce a new subsection which clarifies that when an authorised officer intends to use force in order to move a detainee within an immigration detention facility, this must be preceded by: a request to the detainee to move, with the assistance of an interpreter if required; the detainee having been given a reasonable opportunity to move voluntarily; and all reasonable alternatives to the use of force being exhausted, prior to force being used to move a detainee.

In respect of amendments (1), (6) and (8), as noted earlier, this bill will put in place a statutory complaints mechanism. As I also noted, a number of stakeholders have raised concerns regarding the fact that the departmental secretary will have the discretion to conduct the investigation in any way that he or she considers appropriate, and to decide not to investigate the complaint at all if certain conditions are met.

Furthermore, the bill does not specify what the outcome of these investigations may be, either in terms of practical remedies for complainants or disciplinary consequences for authorised officers and service providers. There is also no proposal for there to be any independent oversight of the use of force in detention facilities or of the complaints process itself. I am therefore proposing amendments which specify that the secretary must notify the Commonwealth Ombudsman in writing of the receipt of the complaint. In addition, the amendments give the Commonwealth Ombudsman the power to review the administration of the secretary's investigation of complaints, and to report to parliament on an annual basis about the comprehensiveness and adequacy of the processes used by the secretary.

In respect of amendments (9) and (10), Labor has serious concerns regarding section 197BF of the bill, which will place a partial bar on legal proceedings against the Commonwealth in relation to the use of force. The Human Rights Commission shares these concerns and notes that the existing provision does not make it sufficiently clear that there are two criteria that must be satisfied in order for immunity to be obtained—namely, that the use
of force by an authorised officer must not exceed what is authorised by the bill and that the power to use force must be exercised in good faith.

The Human Rights Commission also noted there is no real justification for the Commonwealth to have a separate immunity from litigation over and above that provided to the authorised officer. The proposed amendment to subsection 197BF(1) and the deletion of subsection 197BF(4) give effect to these concerns.

The final amendment, amendment (11), will amend the Ombudsman Act to reflect the earlier changes which give the Commonwealth Ombudsman powers with respect to the complaints mechanism. With these comments, I commend these amendments to the House.

Mr DUTTON (Dickson—Minister for Immigration and Border Protection) (11:44): The government obviously opposes these amendments in toto, and the reason is quite simple. I think this is a Labor-Greens stunt which is not becoming of the shadow minister. The shadow minister tries to have a sensible approach to these matters but is completely and utterly deviated by the Left within his own party. They are in some sort of arms race with the Greens to try to be further to the left when it comes to these very serious matters.

This government made it very clear that we would stop boats and we have done that. During Labor's period in government, 52,000 people came on 821 boats. Labor completely lost control of border security in this country. There is no question about that at all. In 2011, we saw the result of the pressure of those people arriving within the detention centre network when serious riots took place at two centres in particular. People were flowing in across our borders with no control by the then government and it resulted in this sort of action taking place within the detention centre network.

This government have stopped the boats, we have closed down 13 detention centres, we have reduced the number of children in detention centres from a peak of 1,992 when Labor was in government down to 100—and we want to reduce that number even more. At the same time, we have made a very clear point to those people within detention centres that we will not tolerate the sort of behaviour that we saw in 2011. I will not tolerate people being assaulted within detention centres.

Ms Butler interjecting—

The DEPUTY SPEAKER (Mr Craig Kelly): Order! The member for Griffith should be in her seat.

Mr DUTTON: I will not tolerate the staff within those detention centres being assaulted, and I will not tolerate Commonwealth property being destroyed within those centres. Out of the 2011 riots, Labor commissioned a review into their own failings within the detention centre network. The review came back with recommendations which we have implemented in this bill. In this bill we codify what is reasonable force to be used by those officers within those facilities—not only for their own protection but also, most importantly, for the protection of the people within those centres. Labor commissioned the report into their own failings. The review came back with recommendations which have been accepted by us—and, I might say, accepted by Labor up until this point.

I received no notification of these amendments before coming into this chamber. I have received no notification from the shadow minister that he had any problem with this bill. I had no notification from the shadow minister that he was going to cosy up beside the Greens and
the member for Indi in relation to this matter. I had no prior notice whatsoever. Is this a
genuine attempt to try to improve the bill? Of course it is not, because the shadow minister
and the Labor Party had indicated their support for the bill. What has happened? The Labor
Party have been taken over internally by the left wing of their party. We hear a couple of
voices within this chamber but there are others out there. I feel for the shadow minister,
because he is trying, I think, in a genuine way to implement sensible policy. But he is just on
the eve of his greatest test. The Labor Party are going to have a very important discussion
about this, and let us see whether or not they are serious when it comes to these border
protection management issues. If you start the boats up again, the detention centres will re-
open, the kids will go back into detention and we will have the same
riots that we saw in 2011
when Labor lost control of the detention centre network. We are not going to go back to those
bad days. We will not allow the boats to restart—

Ms Butler interjecting—

The DEPUTY SPEAKER: Order, order! The member for Griffith should not continually
interject.

Mr DUTTON: We will not allow the riots to recommence within the detention centres,
and we are not going to give ground to the Labor, Greens and member for Indi movement.
We are not going to surrender to people smugglers, who are lurking in the shadows right now
waiting for the Labor Party to be successful at the next election so that boats can recommence
and the riots can recommence within detention centres. We will not allow the Left of the
Labor Party to dominate policy in this country. We will stop the boats into the future. If the
Labor Party are re-elected, they will allow the boats to recommence.

The DEPUTY SPEAKER (Mr Craig Kelly): The question is that opposition
amendments (1) to (11) be agreed to.

The House divided. [11:54]

(The Deputy Speaker—Mr Kelly)

Ayes ................... 50
Noes ................... 82
Majority ............... 32

AYES

Albanese, AN
Bowen, CE
Burke, AS
Byrne, AM
Champion, ND
Clare, JD
Collins, JM
Danby, M
Elliot, MJ
Ferguson, LDT
Giles, AJ
Griffin, AP
Hayes, CP
King, CF
Macklin, JL
Marles, RD

Bird, SL
Brodthman, G
Butler, TM
Chalmers, JE
Chasters, LM
Claydon, SC
Conroy, PM
Dreyfus, MA
Feeney, D
Fitzgibbon, JA
Gray, G
Hall, JG (teller)
Husic, EN
Leigh, AK
MacTiernan, AJGC
Mitchell, RG
AYES

Neumann, SK  
O'Neil, CE  
Parke, M  
Pilberserk, TJ  
Rowland, MA  
Snowdon, WE  
Thistlethwaite, MJ  
Vannakkinou, M  
Wilkie, AD  
O'Connor, BPJ  
Owens, J  
Perrett, GD  
Ripoll, BF  
Ryan, IC (teller)  
Swan, WM  
Thomson, KJ  
Watts, TG  
Zappia, A

NOES

Alexander, JG  
Andrews, KL  
Briggs, JE  
Broadbent, RE  
Buchholz, S  
Christensen, GR  
Cobb, JK  
Coulton, M (teller)  
Entsch, WG  
Frydenberg, JA  
Gillespie, DA  
Griggs, NL  
Hawke, AG  
Hendy, PW  
Howarth, LR  
Hutchinson, ER  
Jensen, DG  
Joyce, BT  
Keenan, M  
Landry, ML  
Ley, SP  
Marino, NB  
Matheson, RG  
McGowan, C  
Morrison, SJ  
O'Dowd, KD  
Pitt, KJ  
Prentice, J  
Pyne, CM  
Randall, DJ  
Roy, WB  
Scott, BC  
Simpkins, LXL  
Stone, SN  
Sukkar, MS  
Tehan, DT  
Turnbull, MB  
Varvaris, N  
Whiteley, BD  
Williams, MP  
Wood, JP  
Anders, KJ  
Baldwin, RC  
Broad, AJ  
Brough, MT  
Chester, D  
Ciobo, SM  
Coleman, DB  
Dutton, PC  
Fletcher, PW  
Gambaro, T  
Goodenough, IR  
Hartsuyker, L  
Henderson, SM  
Hogan, KJ  
Hunt, GA  
Irons, SJ  
Jones, ET  
Katter, RC  
Laming, A  
Laundy, C  
Macfarlane, IE  
Markus, LE  
McCormack, MF  
McNamara, KJ  
Nikolic, AA (teller)  
Pasin, A  
Porter, CC  
Price, ML  
Ramsey, RE  
Robert, SR  
Ruddock, PM  
Scott, FM  
Smith, ADH  
Sudmalis, AE  
Taylor, AJ  
Truss, WE  
Van Manen, AJ  
Vasta, RX  
Wicks, LE  
Wilson, RJ  
Wyatt, KG
Question negatived.

The DEPUTY SPEAKER (Mr Craig Kelly) (12:00): The question now is that the bill be agreed to.

The House divided. [12:02].

(The Deputy Speaker—Mr Craig Kelly)

Ayes ...................... 79
Noes ...................... 51
Majority ................ 28

AYES

Alexander, JG
Andrews, KJ
Andrews, KL
Briggs, JE
Broadhent, RE
Buchholz, S
Christensen, GR
Cobb, JK
Coulton, M (teller)
Entsch, WG
Frydenberg, JA
Gillespie, DA
Griggs, NL
Hawke, AG
Hendy, PW
Hunt, GA
Irons, SJ
Jones, ET
Keenan, M
Landry, ML
Ley, SP
Marino, NB
Matheson, RG
McNamara, KJ
Nikolic, AA (teller)
Pasin, A
Porter, CC
Price, ML
Ramsey, RE
Robert, SR
Ruddock, PM
Scott, FM
Smith, ADH
Sudmalis, AE
Taylor, AJ
Truss, WE
Van Manen, AJ
Vasta, RX
Wicks, LE
Wilson, RJ
Wyatt, KG

Andrews, BA
Baldwin, RC
Brough, MT
Chester, D
Ciobo, SM
Coleman, DB
Dutton, PC
Fletcher, PW
Gambaro, T
Goodenough, IR
Hartley, L
Henderson, SM
Howarth, LR
Hutchinson, ER
Jensen, DG
Joyce, BT
Laming, A
Laundy, C
Macfarlane, IE
Markus, LE
McCormack, MF
Morrison, SJ
O'Dowd, KD
Pitt, KJ
Prentice, J
Pyne, CM
Randall, DJ
Roy, WB
Scott, BC
Simpkins, LXL
Stone, SN
Sukkar, MS
Tehan, DT
Turnbull, MB
Varvaris, N
Whiteley, BD
Williams, MP
Wood, JP
Question agreed to.

Third Reading

Mr DUTTON (Dickson—Minister for Immigration and Border Protection) (12:07): by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

BUSINESS

Rearrangement

Mr DUTTON (Dickson—Minister for Immigration and Border Protection) (12:07): I move:

That business intervening before order of the day No. 7, government business, be postponed until a later hour this day.

Question agreed to.

BILLS

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

Consideration of Senate Message

Debate resumed.
Senate's amendments—

(1) Schedule 1, Part 7, page 20 (lines 1 to 13), omit the Part.
(2) Schedule 1, Part 11, page 25 (lines 1 to 11), omit the Part.
(3) Schedule 1, Part 15, page 38 (lines 1 to 4), omit the Part.

Mrs ANDREWS (McPherson—Parliamentary Secretary to the Minister for Industry and Science) (12:08): I move:

That the amendments be agreed to.

At the outset, I place on the record that the government accepts the amendments passed yesterday in the Senate in relation to both the Customs Amendment (Anti-dumping Measures) Bill (No. 1) 2015 and the Customs Tariff (Anti-Dumping) Amendment Bill 2015, specifically in relation to the International Trade Remedies Forum, the definition of 'subsidy' and clarifying the lesser duty rule subsidy provision.

The government's reforms will strengthen Australia's antidumping system, and I thank the parliament for agreeing to the vast majority of the government's reforms in these bills which will place a greater onus on overseas businesses to cooperate with investigations, ensure more stringent deadlines for submissions, crack down on uncooperative exporters, provide better assistance to Australian businesses, address circumvention of antidumping duties, reduce red tape, improve certainty and improve the antidumping merits review process. All of our reform measures will bring relief and certainty to Australian businesses being injured by dumped or subsidised imports.

Although the government did not oppose the amendments passed by the Senate yesterday, we will continue to consult with stakeholders on those important reforms and may bring them forward at a later date. I commend this bill as amended to the House.

Mr ZAPPIA (Makin) (12:10): Labor is pleased to see that the government has accepted these amendments. One of the amendments was put up by Labor and the other two were put up by Senator Xenophon. All three amendments in fact allow the law to remain as it currently is. This is legislation that was, indeed, introduced by Labor a couple of years ago.

I am also pleased to hear that the government is prepared to have those matters considered by the International Trade Remedies Forum. It was always our view that the forum served a very good purpose. My recollection is that it was supported by the government at the time it was introduced. It is for the very purpose of reflecting on the kinds of amendments that the government wanted to put through and which were yesterday rejected that the forum was established—and that was to consider some of those kinds of matters as they arose. By all means, if the matters are referred again to the forum once it is in place—and we would urge the government to convene a meeting of the forum as quickly as possible—and the forum has a different view to what has been determined by the parliament today then we would be open to considering that view.

It is interesting that, when the matter was referred to the Senate Economics Legislation Committee, all of those three matters that were the subject of amendments yesterday in the Senate were also matters that were discussed in the course of that review. Indeed, there was general consensus from all parties that made submissions that those three matters should be amended, as they properly were in the end. I believe that they will allow the legislation to proceed with much more certainty than would otherwise be the case. I accept that it was the
government's intention to try to provide more certainty with respect to a couple of the matters, but I think the opposite would have occurred and that was the considered view of those people who made submissions to the inquiry.

I also note that there were concerns with respect to the fact that the current legislation and the current processes may not be complying with World Trade Organization agreements that we might be a party to. My understanding is that that has not been proven to be the case. Again, I am certainly open to hearing the government's view on that in the future if it is true that we are not complying with our obligations under WTO agreements. But I have seen no evidence of that to date. So, therefore, I would suggest that, again, it is one of those matters where the Senate got it right when it suggested that we amend the bills accordingly and accept the bills with those amendments.

Having said all that, the opposition clearly support any intent of the government to strengthen the antidumping regime of this country. We accept that it is causing a great deal of harm to businesses and that that also flows through to people employed by those businesses throughout Australia. If we can close the loopholes which exist and which the importers who want to try to dump goods into Australia always seem to find then we should do that. It is one of those matters that I think is going to require ongoing review because every time you find a way of stopping something from happening there is going to be some smart operator somewhere who comes up with another way of circumventing the process we have in place. That is exactly why the International Trade Remedies Forum, the forum that is made up of all of the parties that have an interest in this issue, ought to continue. They are the people who have their ears to the ground. They are directly involved with the importation of goods. Therefore, they are in the best position to not only spot where flaws might arise in the legislation but also advise government as to how best legislate to overcome and stop that circumvention. With those comments, as I said from the outset, the opposition support the amended bill. I commend the Senate for having brought it back to this House with those amendments.

Question agreed to.

**Customs Tariff (Anti-Dumping) Amendment Bill 2015**

**Consideration of Senate Message**

Debate resumed.

_Senate Amendments—_

(1) Schedule 1, item 1, page 3 (lines 4 to 11), omit the item.
(2) Schedule 1, items 8 and 9, page 4 (lines 8 to 21), omit the items.
(3) Schedule 1, item 13, page 5 (lines 3 to 9), omit the item.
(4) Schedule 1, item 18, page 5 (line 26), omit "items 1, 2, 5, 8, 9, 10, 13 and 14", substitute "items 2, 5, 10 and 14".

_Mrs ANDREWS_ (McPherson—Parliamentary Secretary to the Minister for Industry and Science) (12:15): I move:

That the amendments be agreed to.

Question agreed to.
Mr MARLES (Corio) (12:16): With your indulgence, Mr Deputy Speaker Kelly, before I begin my contribution I might acknowledge Deborah Seccombe, who is sitting in the advisers box. Deborah is an intern with me from the Lachlan Macquarie Institute and is doing a great job this week. The Lachlan Macquarie Institute are fantastic in the work that they do and they have always provided me with wonderful interns.

Having taken that indulgence, I speak on the Migration Amendment (Strengthening Biometrics Integrity) Bill 2015. The purpose of the bill is to consolidate, simplify and enhance provisions within the Migration Act relating to the collection of biometrics at Australian border points and the processing of visa applications.

The collection of personal identifiers at the border is an important part of Australia’s national security framework. Of course it is important that we know precisely who is entering Australia and leaving Australia at any given time. Of course it is important that we know exactly who is applying for, and being provided, a visa to live and work in Australia. And of course preventing identity fraud is unambiguously a good thing. The collection of biometric information allows us to do all of this. However, this must be done in a way that is balanced with a person’s right to privacy. It must be done in a way which respects a person’s civil liberties. And we must ensure that people are treated with dignity in the process of providing personal information. This is particularly important when we are considering minors and vulnerable people.

Labor is concerned that the bill in its current form may not get this balance right. Questions raised by Labor during departmental briefings have not, in our view, been completely answered. I note that an inquiry into this bill by the Senate Legal and Constitutional Affairs Legislation Committee is currently underway and that a number of submissions to the inquiry have expressed concern that the bill does not currently provide adequate safeguards with respect to personal privacy and dignity. In addition, there appear to be inconsistencies between what has been presented to the Senate inquiry and what has been provided to us during departmental briefings. Accordingly, Labor will not oppose this bill in the House but will reserve our position in respect of this bill and any amendments that we may make in the other place following the outcome of the Senate inquiry, which is due to report on this bill on 5 June.

The majority of Australian citizens will not be impacted by this bill and will not be required to provide additional biometrics on entering or departing Australia. The foreign fighters act authorised the Department of Immigration and Border Protection to conduct security checks, not law enforcement checks, on Australian citizens. Customs officers at our airports may already use fingerprint checks to conduct a security check of an Australian citizen who ‘fails’ the automated clearance through passport SmartGate because their photo does not match the facial scan, their passport is listed as stolen or missing, they trigger an alert as a person of interest or they match a profile. Currently these triggers only lead to paper based verification of identity. The intent of this bill is to enhance the ability of Department of
Immigration and Border Protection to verify identity by allowing the use of biometrics to conduct a 'higher integrity identity and security check of citizens' than is currently possible with the paper based system.

The main change this bill seeks is to provide the legislative ability for Customs officers to use mobile hand-held fingerprint scanning devices in the collection of personal identifiers in the circumstances that I have just described. I reiterate that it is important to note that the foreign fighters act, passed last year, already provides the department with the authority to collect fingerprints. The information thus collected will enable the ability to check this information against that held in the databases of organisations such as the AFP, ASIO and ASIS and overseas organisations such as the FBI and the CIA.

A key question for Labor has been whether, as stipulated in this bill, the biometric information gathered in this way is or is not retained, and is only used for identity verification purposes. The legislation clearly states that the Department of Immigration and Border Protection will not retain Australian fingerprints and facial recognition scans when obtained in this way. I note that this issue has been raised in the current Senate inquiry. In the course of that inquiry, it seems to us that ambiguities have arisen in respect of this question. Labor obviously believes that this is a critical question and one that must be clarified.

In respect of noncitizens who apply for visas, the bill provides Customs with the flexibility to obtain all the legislated forms of biometric information, such as facial scans and fingerprints, in all circumstances relating to noncitizens and all visa applications. It obviously does not mandate that all of that information be obtained, but it provides the flexibility for that to occur. As I stated earlier, it is vital to our security that we do know exactly who is applying for, and being provided, a visa to live and work in Australia. Biometric information allows us to do this accurately and efficiently. It is important to note, however, that, in the case of the biometric information collected from visa applicants, this information will be retained by the appropriate authorities. So, again, I reiterate our concern that this be done in a way that safeguards personal privacy and civil liberties, and Labor will be keenly awaiting the advice of the Senate committee inquiry on this point.

The bill will allow all biometric information that can be taken from an adult to also be taken from a minor or incapable person without the requirement of consent or the presence of a parent or guardian. This is usually done to ensure the welfare of a minor, and often it may well be that the relationship between a child and the adult with whom they are travelling is sought to be tested by the gathering of this information. It is also worth noting that this can, in a limited way, already occur right now through the collection of a facial scan on presentation of a passport through SmartGate technology at airports. That does not require, obviously, the consent of a parent right now. The purpose of the changes in this bill is to enhance the ability of law enforcement to prevent the arrival or departure of known radicalised minors but also, importantly, to prevent children being taken from the country without the appropriate parental consent. There have also been cases of child trafficking where minors have been brought to Australia as part of a family unit of which they are not a member.

The Department of Immigration and Border Protection has advised that removing the age restriction on seeking consent in these circumstances is appropriate for a number of reasons, and we understand those. Firstly, the use of mobile hand-held fingerprint scanners has been put to us as a form of collecting fingerprints which is apparently not intrusive. Secondly, it
has been put to us that it will enhance the department's ability to tackle child-smuggling cases. Thirdly, the age limit that is being proposed is consistent with all the other Five Country Conference partners, namely New Zealand, the UK, the US and Canada. Finally, the current age limit has been used by people to avoid identity, security, law enforcement and immigration checks by claiming to be 15 years old or younger. I have been advised that people-smuggling boat crews have used this claim to avoid fingerprinting in the past. Removing the age restriction will prevent this from happening in the future. We understand the points being made by the department in giving us that advice.

In its submission to the Senate committee inquiry, the Law Council of Australia has recommended the bill should include safeguards 'to ensure adequate protection of all people affected by the legislation, including vulnerable groups', such as minors. If minors' identity and their relationship with the person they are travelling with is to be tested without the consent of their parents, then it is critical that appropriate measures be taken to ensure the dignity and the safety of these children in that process. For example, it would appear to me that it is appropriate that female officers be involved in undertaking these processes when we are talking about girls; it seems to me that it would be appropriate that people with appropriate skills in working with minors are those who are involved in performing this work; and it seems to me also appropriate that there be a rigorous system of oversight of how these processes would be undertaken. All of these issues are being dealt with and discussed in the current Senate committee inquiry into this bill. Again, Labor will await the outcome of that report with keen interest in terms of informing our approach to this legislation in the other place.

Finally, I take this opportunity to note that immigration detainees are expressly not affected by the substantive changes which are contained in this bill, and that is an important point to note.

In summary, Labor support the measures to enhance the ability of our Customs personnel to use biometric information as part of our robust national security system; but, as I indicated earlier, Labor have a number of questions and concerns about the bill in its current form. We will reserve our final position in terms of how we deal with this bill in the other place until we have heard the outcome of the Senate committee inquiry, but Labor will not be opposing this bill in the House.

Mr RANDALL (Canning) (12:27): I am pleased to be presented with the opportunity to speak in the parliament today on an important bill such as this one. The Migration Amendment (Strengthening Biometrics Integrity) Bill 2015 seeks to consolidate and to streamline this government's efforts to ensure that Australia's security and safety are not compromised whilst also maintaining our current levels of both temporary and permanent migration.

This bill further supports the changes introduced last year in the Counter-Terrorism Legislation Amendment (Foreign Fighters) Act 2014. It also reinforces the Prime Minister's statement on national security when he announced that legislation that would support the fight against terrorism as well as ensure the security of Australian citizens was a priority. Recent events have demonstrated the need to increase our ability to protect our borders, and obtaining biometric data, also known as personal identifiers, will be critical in doing this.
Since the advent of the biometric program, there have been more than 9,000 instances of fingerprint matches under either Australian Law Enforcement agencies or Five Country Conference partner countries. Those countries are Canada, New Zealand, the United Kingdom and the United States. There is no arguing that the threat level to Australia domestically has risen and that the technology used by those seeking to do harm to our citizens is improving. This bill seeks to counter their efforts.

Strengthening our ability to collect biometric information will assist on two fronts: the ongoing fight against terrorism and terrorist activities, and the government's efforts to disrupt human-trafficking activities in Australia. Since 2006, current legislation has been amended several times, leading to overlapping and occasionally inconsistent results. This new legislation seeks to streamline and build on our existing ability to protect our borders.

We know that those on this side of the House are very keen on protecting our borders. In addressing the migration bill that was before the House earlier today, I spoke about what had happened over the six years of the previous government: 800 boats and 50,000 people; we do not know exactly who many of them are, because they came in such a flood. Many of them are still sitting in the Australian community now, unprocessed, waiting for their status to be determined.

As I said, this legislation protects our borders. It does not do this by introducing universal biometric collections or by undermining any human rights of those who may be subject to checks. In fact, the implications of these changes have been heavily measured against Australia's obligations. These changes have been sparked by a series of events where photographic identification has not proven to be accurate enough. The amendments in this legislation further consolidate the coalition's efforts to reduce red tape and increase efficiency. The amendments are not expected to incur any additional costs that cannot be drawn from existing resources. Faster checks equal more checks, which increases the strength of our border protection practices.

The Department of Immigration and Border Protection's biometrics program has been almost 10 years in the making, and a step-by-step approach to its implementation has been taken. As a result, there are a large number of noncitizens still in the community that have managed to evade checks that would have been subject to stronger scrutiny, whether that be due to the time or the way that they arrived in Australia. Current legislation still requires citizens and noncitizens to identify themselves and provide biometric identifiers. However, limits are placed on the types of identifiers that may be used and the manner in which they are collected. The provisions for the collection of these identifiers have been made in several different sections through various amendments; this has resulted in loopholes, overlapping provisions and inconsistencies in legislation.

As it currently stands, all citizens and noncitizens are required to provide identification when entering and leaving Australia. As we all know, when we go through the airport or on a cruise, you have to identify yourself when you come and go. That usually takes the form of an Australian passport. Noncitizens have a far more expansive requirement to submit biometric information, as they should. This information is required when a visa is to be granted, when determining whether a valid visa is held and in any decisions surrounding the detention of noncitizens. In instances where checks are being done on travellers under the age of 18, parental consent is required in the context of visa applications. However, consent is not
required when arriving or departing at border control. It is inconsistencies such as these that often create unnecessary conflict between border protection officers and the travellers they are serving.

Some of the more common personal identifiers under the current legislation include fingerprints, hand prints, measurements of height and weight, image of an individual's head and shoulders, an iris scan and a signature. However, in 2013-14 less than two per cent of noncitizens who were allowed to come into Australia were required to submit biometric information. Since 2007, only a small number of those travelling into Australia were required to submit to biometric identifiers. Despite this, there have been significant successes in exposing fraudulent and illegal activities. There are also a number of safeguards that need to be applied when carrying out an identification test which afford a great deal of privacy to the individual. However, modern technology has allowed many of these safeguards to be rendered unnecessary. While current legislation has provided an excellent framework for establishing the collection and management of biometric identifiers, new technology is allowing improved checks without any additional compromises in privacy. It would be irresponsible for a government to not ensure legislation keeps pace with modern technology.

The proposed amendments build on an existing framework for biometric data collection. They also provide a way for this government to close the loopholes within the system and address any inconsistencies created by the multiple amendments to current legislation over the past number of years. They seek to strengthen the ability for border protection officers to collect biometric information under a single power, removing restrictions and providing greater flexibility in the opportunities to collect data. This will also allow officers to request information either in writing or verbally.

The amendments do not provide a carte blanche approach to the collection of data. They will allow for the collection of information from individuals who have not previously submitted data and who have been identified as a concern after their arrival in Australia, whether through intelligence agencies, law enforcement or immigration officials. They also allow for the collection of data for any reason where a link to the Migration Act or Migration Regulations can be appropriately demonstrated. The removal of current safeguards is not an indifference to the privacy of visitors but a reflection of new technology. Fingerprint scans can now occur on mobile devices then and there, without the removal of any articles of clothing or the need to obtain facial images.

Current processing procedures can take between 30 and 60 minutes; mobile fingerprint scanners take a matter of seconds. Removing the necessity for this to occur in private will ensure faster processing and an optimisation of staffing resources. Scans will be used to conduct checks against the existing data in order to verify a person's identity and detect individuals who may be a cause for concern in relation to security, law enforcement and/or immigration, as it applies under the Immigration Act. After scans have been completed, data will not be retained.

Another provision within this bill removes the necessity to seek a parent's or guardian's consent when obtaining personal identifiers from those under the age of 18 or those considered incapable. This is simply a child protection measure to assist in the prevention of human trafficking or child smuggling. The circumstance where data is collected from a child or incapable person is specifically limited to when the identity of a child or incapable person
needs to be verified to a higher level of integrity. At no point are there any provisions for the forcible collection of data or to compel individuals to provide it. So you would ask, ‘What happens?’ I will tell you what happens. Refusing to comply with a request may result in having a visa refused, detention, delayed departure from Australia or refused entry into Australia, which would result in having to return to their original departure location on the next available flight. That is not an unreasonable condition or request to make of someone who wishes to enjoy the security and safety of a country like ours, Australia.

Ensuring the correct identity of noncitizens has significant consequences beyond just entry into Australia. Many of those seeking to live here permanently eventually wish to access government services at local, state and federal levels. It is beyond essential that we are able to correctly identify those who seek to cross our borders and live in our communities, for the safety and security of all those who reside here now. There have been several instances where persons of interest or concern may have been prevented from travelling by the use of increased biometric information. In Western Australia, to take a local example, Mr Junaid Thorne, often called a radical Islamist and a hate preacher, has been charged with purchasing an airfare under a false name and using the ticket to travel. This individual has openly expressed support for ISIL, and has defended the actions of the perpetrator of the Charlie Hebdo massacre. Deputy Speaker, I refer you to an article by Grant Taylor in The West Australian newspaper on 16 January of this year where you can read more about Junaid Thorne’s activities.

It is not unreasonable for us to keep up with the technology of things like eye scans and other biometric identifiers. On a personal level, having gone through the US recently myself—no-one in any way even thinks twice about it, and it is every time you go through. It is not just your thumbprint; it is your whole handprint—and it is if you are just transiting, not even trying to enter the country. That is just taken as a matter of fact. Hollywood makes it much of, for example, fingers being cut off and used; all this sort of stuff. But when you cross-reference a number of identifiers, it is very difficult to defraud—when you have, for example, iris scans. I was fortunate enough to go on a parliamentary program to Afghanistan, and most of the people entering the base had to identify themselves with an iris scan. It is not a problem. The only people that have a problem with that sort of further identification are those who have something to hide, or those who have an issue. I was quite happy to have an iris scan; I am quite happy to be fingerprinted many times. It is for our wellbeing—and, unfortunately, it is due to the increased activity around the world in terms of fundamentalists and those who are involved in terrorist activities or those who would seek to defraud or harm others.

Another case in point well known to all of us here is the case of Khaled Sharrouf. He gained notoriety for being the father of the seven-year-old boy who was pictured holding a decapitated head, somewhere in the Middle East; around Iraq, I suspect. I have the ABC article here; ‘Khaled Sharrouf: the Australian radical fighting for Islamic State in Iraq and Syria’. It says: ‘With a single photo of his seven-year-old son holding a severed head, Khaled Sharrouf has shot to global infamy.’ This is the guy that went through Sydney Airport using his brother’s passport. The biometric identifiers did not kick in then, did they? He got through this country by just swapping passports with his brother. What we know about Khaled Sharrouf is that, aside from having a history of being mentally unstable, he is also the person
who had his passport—quite rightly—cancelled. But that is when he decided to use his brother's passport. The most recent reports indicate that his 14-year-old daughter has married his cohort and purported best friend, Mohamed Elomar—that is his 14-year-old daughter; he somehow got her overseas, too. This is why we are talking about these under-18s: the greatest tragedy is that these children could have been prevented from having their lives ruined by their misguided and mentally unstable parents. So Deputy Speaker, you can see it is in the interests of the mums and dads of Australia that we are collecting this information. But it is to identify those who pose a greater security threat by supporting terrorist activities, such as Khaled Sharrouf.

As I mentioned before, admittance is not the only concern when considering immigration fraud and the way that biometrics can assist. Having the gift of permanent residency, and subsequently citizenship, bestowed often means having access to world-class health and welfare systems, and simpler travel requirements. In October 2013, a Ghanian national was convicted in a court of law for falsifying documents in order to apply for citizenship, obtaining an Australian passport, and opening and operating an Australian bank account. On 10 October 2013, Senator Cash outlined this case in the other place.

That is why this bill to toughen our stance on biometrics is to be supported.

Mr THISTLETHWAITE (Kingsford Smith) (12:42): Having a system of collecting biometric information is a necessary element and an important part of the integrity of a strong border protection system. It is not something that is peculiar to Australia; in most nations throughout the world now, for new migrants, fingerprints and other biometric information are routinely collected at the borders. Australia is lucky to have some very well trained and professional staff who oversee our borders. Theirs is a difficult job, and it is incumbent upon the government to ensure that they have all the resources necessary to do that job well.

The reforms that are part of this bill today come about as a result of the inquiries that have been conducted by the Parliamentary Joint Committee On Intelligence And Security regarding the adequacy of our security and intelligence laws. We recently had an update to those laws that was a bipartisan commitment—from Labor and the coalition—to strengthen Australia's security and intelligence laws. And it has been helpful to see that those laws have been working, and that our police and intelligence organisations have had success in stopping potential terrorist activities here in Australia. This suite of reforms is part of that strengthening of those provisions.

Thousands of people cross Australia's borders every day, mainly via our eight international airports and the 60 seaports that people can access our island continent from. There are many things to consider in maintaining control of the flow of people into and out of Australia. Safety, of course, is one of the highest priorities. It is a difficult task, and one that is not getting any easier as the number of people who are coming to Australia continues to grow each year. In fact, movements are expected to grow from just over 33 million in 2012-13 to 50 million by 2020. This highlights the importance of managing the data associated with those movements. The purpose of this bill—the Migration Amendment (Strengthening Biometrics Integrity) Bill 2015—is to consolidate, simplify and enhance those provisions within the Migration Act relating to the collection of personal data and identifiers.

Facial recognition and fingerprint-matching biometric technology is not new. It has become a crucial part of the process of identifying persons and managing their migration
through our borders. The term 'biometrics' refers to measurable physical characteristics of personal behaviour traits that are unique to an individual. Examples include fingerprints, iris scans, the shape of a person's ear, the way a person walks or a person's voice. These physical characteristics can be referred to as personal identifiers.

Personal identifiers such as fingerprints and facial images can be converted into biometric templates which allow them to be searched against other templates very quickly. Biometric systems can be used to compare someone's personal identifiers against stored copy or to search against all data holdings to see if a person is already known. In that context the provisions of this bill are intended to enhance the capability of the Department of Immigration and Border Protection to identify persons seeking either to enter or to depart Australia and noncitizens who remain in Australia.

The majority of Australians will not be affected by this bill, and will not be required to provide fingerprints and iris scans on departing or entering Australia. The bill makes no change to the types of biometric information that can be collected. What the bill does is provide greater flexibility in respect of the collection of that information. For instance, at the airport mobile fingerprint scanners—if this legislation were to be passed—could now be used in the collection of fingerprints for newly-arrived migrants.

It is important to note that the department will not retain the biometric information of Australian citizens. It will only be used for identification verification purposes. However, there have been submissions, including by the Law Council of Australia, to the Senate inquiry which is currently looking into this bill, highlighting that this aspect should be strengthened in the legislation. I will make some comments regarding that in a moment. It is something that I think is important and something that should be given attention by the government.

The bill will also allow biometric information to be taken from a child or an incapable person without the consent or presence of a parent or guardian. The purpose behind this change is to put in place the same arrangements for the collection of fingerprints and iris scans for minors, the overriding aim of which is to provide better protection surrounding children. Child trafficking and smuggling, unfortunately, are on the increase. These are horrific crimes. Child trafficking may take the form of forced marriages, fraudulent adoptions or organised begging. These changes are designed to enhance the ability of law enforcement to break child-trafficking rings—to be able to identify children who may be part of such criminal activities.

In some cases, unfortunately, children are taken out of Australia by one parent who is involved in a custody dispute or battle that may still be before the courts, and without the consent of the other parent. Without the ability to identify that child it makes it all the more difficult for law enforcement agencies to prohibit those sorts of activities. These changes are designed to provide additional resources and additional powers to those enforcement agencies to combat those sorts of acts.

The provisions are also aimed at identifying radicalised minors who may seek to enter Australia, potentially with a mind to undertaking terrorist activities. Unfortunately, we are seeing all too frequently the threat that is posed with respect to people who would seek to harm other Australians in this manner. The department has advised that removing the age restriction on seeking consent is considered appropriate for the following reasons: the use of mobile, hand-held fingerprint scanners means that the collection of fingerprints will be less
intrusive; experience to date in tracking and tackling child smuggling and trafficking cases makes this an effective deterrent; recent terrorist related incidents involving minors in conflicts in the Middle East and Africa; and the current age limit is inconsistent with other Five Country Conference partners and other countries. The current age limit has been used by people to avoid the relevant checks. They are some of the reasons why the department is seeking these additional powers.

It is important to note that in the submission to the Senate inquiry, as I mentioned earlier, the Law Council of Australia has recommended that the bill should include safeguards to ensure adequate protection of all people affected by the legislation, including those vulnerable groups such as minors. Given the weight of that evidence and given the fact that the Senate inquiry is still proceeding it is my belief, and the belief of the Labor Party, that the inquiry should be able to run its course. The parliament should wait for the recommendations of that inquiry in respect of this bill.

We do hold some concerns regarding this bill and the extremely sensitive nature of this matter and the material which is being collected. Naturally, Australians have concerns when government departments are collecting personal identifiers and biometric information. It is incumbent upon this parliament to do all that it can to put in place the appropriate safeguards to provide protection of the privacy of Australian citizens and migrants visiting or coming to and departing from Australia. In that respect, we believe it is unwise to move forward with this bill until those recommendations of the Senate inquiry have been tabled. I understand that will occur in early June.

For that reason I and my colleagues will reserve our position on this bill until the outcome of the Senate inquiry is known.

Mr SIMPKINS (Cowan) (12:52): I am speaking today on the Migration Amendment (Strengthening Biometrics Integrity) Bill 2015, which seeks to expand biometric data gathering and checks at borders in order to tackle threats such as Australians seeking to travel overseas to fight with terrorist organisations like Islamic State or Daesh. There is no doubt that biometrics is a key tool in our ability to combat terrorism and fraud and I therefore wholeheartedly support the bill.

When we talk to people in our electorates and around this country, I think the vast majority of people are not concerned at all about this and that they welcome the moves to make this country a safer and more secure place. I am convinced that is exactly the position of the vast majority of Australians. But it is true that there is a long history of people who seek to conceal their identities from authorities and decision makers, particularly with regard to matters of migration. There are those who attempt to use false documents, there are those who destroy their own documents and there are also those who suggest that they, or children with them, are someone they are not.

I see measures like those in this bill will help to stop terrorists and criminals entering this country and will also help combat human trafficking. Recent events have clearly demonstrated that there is a domestic terrorist threat in this country and we must be able to properly identify those seeking to leave to join terrorist organisations as well as those returning. This bill takes further action to strengthen Australia's border protection measures by enhancing the capability of the department to identify persons seeking either to enter or depart Australia and noncitizens who remain in Australia.
I would make the point that I believe there are some in this country who absolutely do support terrorist organisations like Daesh, also known as Islamic State. Of course, most would be Sunni Muslims like Daesh, but the threat remains of this fundamentally quiet support becoming much more, such as has been seen in Melbourne or Sydney. I think the vulnerability of young Muslim Australians to the message of Daesh is often because their families do not feel comfortable talking about it. It is a hush moment or a shhhh moment rather than family members saying, 'Daesh is evil. Daesh is wrong, and this is why.' It is in that sort of environment where social media can fill gaps, and it is filled too often with the slick advertising from that evil and sub-human philosophy that is Daesh. But I divert from the bill, and the matters that I have talked about are covered elsewhere in the government's plans.

It is important to talk about how much better biometrics are in terms of being personal identifiers rather than biographical document information. Biometrics include individual physical characteristics such as facial image, fingerprints and iris, which are established into a biometric file for automated storage so that they can be accessed digitally for checking.

This is, of course, not an initiation. This is something that is not new as a principle, but rather is an enhancement of what can be collected. In terms of noncitizen, biometric collection started back in 2006 and in 2010 such information began being gathered for those applying for protection who were already in Australia and for higher-risk-country applicants offshore. The drive for this is based entirely on risk.

I will go to the specifics of the measures involved but, like others, I would like to highlight the very real and recent example of why biometrics are so important. Everyone will remember the case of Khaled Sharrouf, a known terrorist and sadly an Australian citizen. In December 2013 he was able to leave the country by using his brother's passport. This could have been prevented if the capability to use fingerprint checks had been provided in the past. This bill will enable that to happen in the future. It will be a great step forward to be able to have a person place their fingers on a mobile scanner and shortly afterwards receive biometric confirmation of their identity or who they really are. This is good for Australians and good for the safety and integrity of this nation. This is legitimate and appropriate. The passage of this bill will enable airports or ports to carry out manual fingerprint based checks using these mobile hand-held devices in order to detect persons of concern. It is important to state that they will be checked against databases of law enforcement or security agencies but not kept. So let us remember that it is checking and not collection.

It is a fact that some people decide not to advise the department's officials of all relevant information or their backgrounds. The ability to be aware of a person's relevant background is what we need to combat the proliferation of terrorism and attempts at human trafficking and to ensure that our humanitarian intake and immigration system as a whole has greater integrity.

When I was in the Australian Federal Police in the 1980s, people who were on the alert system would occasionally try to board flights at international airports and they would be stopped either at immigration control or, on occasion, we would even take them off aircraft before the aircraft departed. The technology has increased since those days as have the threats. Through these measures of additional checks the threats or problems can be acted upon quickly and people that are a risk to this country can be stopped leaving or entering.
There is nothing wrong but everything right with gathering the tools to help us combat identity crime and immigration fraud. As the minister said in his speech, some people have returned, or at least tried to return, using assumed identities to avoid being held to account for their activities that saw them deported in the past, or they have even tried to upgrade to Australia when they had already achieved protection in safe third countries.

I know that there are concerns that have been argued about the removal of the restrictions in the Migration Act surrounding the collection of biometric information on minors. We should remember, and critics should also remember, that there are no restrictions at our borders on collecting biometric data on minors or incapable people. What is proposed is that we should have the ability to collect that information at the time the visa is being applied for. I support this as being another tool for us to combat child trafficking and smuggling.

I do not see a problem in collecting information such as fingerprints, which are fairly consistent through life, as this will help us check international lists of missing or abducted children. It is also true that minors have been involved with terrorist activities; and if they return to or try to leave Australia they still represent a threat, and that threat can be addressed through these measures.

It is true that the government has asked the department and indeed federal agencies to achieve a great deal to support our national security. It is through this bill and others that we are helping them to achieve our plans. This bill, apart from facilitating checking of the data, also helps to streamline collection of biometric information from those that have acted in a manner which is of concern after their arrival and once they are living in the community. There is a real problem that many noncitizens have not had sufficient checks upon them—in particular, identity and criminal checks—because of when they arrived and how, so this bill will help there as well.

We should take note that in the last financial year not even two percent provided biometric information. It is therefore the case that very few arrivals have been checked since biometric technology has started being used. That being said, part of this enhanced collection process will apply to suspicion of activities such as identity fraud, breaches of visa conditions or failing to disclose adverse information when applying for visas.

To conclude, it is true that some people as individuals or with the support of sophisticated technology are attempting to beat our systems. It is therefore important that our biometric capabilities be continually assessed and upgraded to defeat the threats and keep this nation safer. I emphasise that this provides a better system for collection of fingerprints and other biometric data but it is not a policy that requires mass or total biometric collection.

Those that try to suggest that this is some sort of Orwellian threat to privacy are utterly wrong. This is legislative change to provide the best protection we as a government can for the people. The threat is real and we have seen it in terrorist related activities in Australia for years, and in the participation in terrorist activities by Australians overseas as well.

This is also not an over-18 issue only. Minors have been involved and pose a threat as well. That is not to say that minors are not being protected by measures such as the enhanced ability that we will achieve in helping to combat abduction and trafficking of minors as well.

I endorse this bill and will welcome its passage when the time comes.
Mr VARVARIS (Barton) (13:03): It gives me great pleasure to be able to speak on this important bill today. The Migration Amendment (Strengthening Biometrics Integrity) Bill 2015 is another important piece of legislation that is part and parcel of the coalition's immigration and border security reform. This important bill amends the Migration Act 1958 to implement an important set of reforms that will consolidate and simplify provisions in relation to the collection of personal identifiers, known as biometrics, that are no longer adequate in our current legislative framework.

Biometrics are unique identifiers based on individual physical characteristics—facial image, fingerprints and the iris of the eye. These identifiers are digitised into a biometric template to be used for checking in the customs process. This, along with other stored biographical data, such as name, age, nationality and date of birth, are used together to verify identity during security, law enforcement and immigration processes.

Whilst documented information such as name, location and nationality can change or be manipulated, biometric characters are not so easily changed. This is not without exception, given that facial images can shift over time due to age, facial reconstructions and so forth; however, fingerprints will always remain stable and reliable. Having personal identifiers which are dependable is essential to detecting fraud and illegal activities, and it will enable the proper security, law enforcement and immigration checks at customs points, prior to granting a visa, at various checkpoints and locations throughout Australia, and prior to arrival at Australian borders.

Given the number of travellers throughout Australia and the world and the means by which people now travel, we must not have antiquated systems that would hinder the security of our nation. Australia is an enviable place in the global community and, whilst the majority of travellers and residents arrive and depart legally and without need for further examination, there are those who flout the rules and seek to undermine Australian law and order. Global mobility is at a historical high, and documented details simply are not enough to ascertain true identity and purpose for being in this country. Similarly, recent domestic and international threats to our security only further highlight the need for our legislative framework to be agile in response to terror alerts and other criminal activities.

Whilst stored biographic details of an individual can be manipulated relatively easily, biometric characteristics are likely to remain stable over time, as they are more difficult to forge and are therefore a more reliable identity check. Having biometrics as part of our immigration and border security system has worked well to ensure Australia is a safe nation, because such identifiers are an important integrity measure which contributes to protecting Australia's border, and preventing the entry of those who threaten the Australian community. Furthermore, biometric allows the capacity to precisely verify a person's true identity against who they claim to be, and to discover any potential links to illegal activities.

As I touched on before, recent terrorism related events in Australia and globally serve to remind us that the threat of a domestic terrorist attack remains very real. This bill has come at a time when we need to strengthen our border protection measures. We must enable our border security agencies, backed by our departments, to identify persons seeking to enter or leave Australia, both citizens and noncitizens.

Although Australia's biometric program has expanded over time, recent developments domestically and internationally mean we must assess our existing framework to ensure it still
meets the objectives of our border security measures. Since 2006, the needs and demands of this system have transformed at a rapid scale from obtaining fingerprints of illegal foreign fishers through to offshore visa applicants in high-risk locations and non-citizens being refused entry at airports. Our broader protection immigration efforts have been effective but this bill today allows it to be updated and strengthened so we can continue to protect our country.

Unfortunately, changes in geopolitical security landscapes are at home and afar does mean that this bill needs to be implemented with urgency and, as such, given the scope and necessity of this bill, I would hope that all members of this House support this important piece of reform.

I have outlined broadly why this bill is so crucial. Aside from threats of terror and other security violations in Australia as previously mentioned, fluctuations in asylum seekers, refugees and cases of human trafficking and other illegal activities mean that we must remain vigilant with appropriate resources to determine true identities of individuals. It is important to note that with fewer visa applications done through face-to-face meetings, online transactions must require a reliable form of identity check to ascertain true identity. Whilst technology has enabled unprecedented flexibility and efficiency in the way in which we perform our national security checks, this must not come at the expense of due diligence. The security of our nation is always of paramount concern to our security agencies and law enforcement officers and, as such, this bill is another aspect of fortifying our existing security framework to achieve our national objectives.

We cannot let incidents of foreign fighters who have radicalised return to our shore without detection to further preach hatred and incite violence within our communities. To risk-manage this, an enhanced biometric system is needed. We can also not allow children or individuals to potentially be trafficked through our borders through due to a substandard biometric framework.

Whilst personal current personal identify measures have exposed fraudulent activities, unfortunately the level of sophistication and technology to allow illegal passage through our borders puts a strain on the resources of our border security agencies every day. As politicians and law-makers, it is rightfully our responsibility to ensure the task base for our front-line operators is backed by the appropriate resources.

In addition, looming war and civil crisis elsewhere in the world has created mass migrations of displaced groups of humans seeking refuge. In order to protect the most vulnerable while sustaining our border security, strengthening our biometric system will ensure that those applying for relevant visas have their real identities checked and that they do not have the protection under other identities in other nations. Fundamentally, we must take a risk based approach in the management of our borders. Ensuring our border and migration policies are implemented with integrity is in the best interests of Australia. The amendments made in this bill will further support changes already introduced last year under the Counter-Terrorism Legislation Amendment (Foreign Fighters Act), which I have also spoken on, which precisely examines the issues of radicalised individuals travelling to other nations in allegiance with terrorist organisations. We have been well aware of how this can happen as we noted in the case of terrorist Khaled Sharrouf, who left Australia using his brother's
passport. Australia has zero tolerance for this; certainly constituents in my electorate of Barton are appalled at the level of manipulation and deceit conducted by some individuals.

Today's bill also supports the Prime Minister's statement last month about the need for further legislation to combat terror threats to be expedited. Specifically, the bill allows for six distinct provisions; and streamlines seven existing personal identifier collection powers into a broad, discretionary power to collect one or more biometrics from both non-citizens and citizens at our borders. This bill will also provide flexibility on types of personal identifier required, and how and where they are to be collected. Personal identifiers will also be obtained orally, in writing or through an automated system, and allow collection from minors and incapable individuals without consent or need adults or guardians to be present.

Lastly, the bill will also ensure unnecessary and unused provisions will be omitted. The bill also allows for manual finger print based checks to be conducted using mobile, hand-held devices to detect individuals of concern. These will take place in airports and seaports for approximately 30 seconds. The aim is to have the identity of the traveller checked against immigration and security data of up to four finger images. These will not be held on file when the check is completed.

I want to take this opportunity to clarify that whilst this bill consists of large reforms, it is not designed to be a universal biometrics collection policy. As mentioned previously, it will serve to further underscore the coalition's efforts in strengthening our immigration and border securities and that the technology that has served the nation well continues to do this. The majority of the travellers are law abiding people so it is not about allocating further resources to those groups of people. However, considering a large number of non-citizens in the past have not had appropriate identity, security and criminal history checks due to how they arrived or when they arrived, this can pose potential threats to our community if this was to remain our protocol. In fact, less than two per cent of non-citizens granted a visa were checked via our biometrics system in 2013-14. In light of recent events at home and abroad, these statistics are worrying and quite low. Our agencies need to have the ability to cross-check any information presented to them to vet potential terror threats alighting from a vessel or aircraft, or departing from them. The safety of all constituents in our communities is top priority.

Today's bill allows for a streamlined approach to biometrics integrity to allow flexibility and efficiency whereas, previously, separate collections of personal identifiers had to be authorised and under particular circumstances. In order to respond to shifting security settings, a broad discretionary power is more appropriate. The potential spread of terrorism and human trafficking is too great a threat and risk to ignore.

The coalition has an outstanding record of achievement in immigration and border security. At the centre of all our legislative reform is the safety of this nation, its citizens and communities. This bill plays an integral role in achieving this through the prevention of at-risk individuals entering or leaving the country undetected. This bill expands the scope of the Department of Immigration and Border Protection's capabilities to distinguish the true identity of individuals through biometric checks, which are more stable and reliable than document based ones. The ability to create a new legislative framework for collecting personal identifiers contributes significantly to improved decision making and risk management of our border security. Recent events at home and abroad have deemed this bill essential to keeping
our nation safe, and I look forward to support from all members of parliament by commending this bill today.

Mr DUTTON (Dickson—Minister for Immigration and Border Protection) (13:15): The Migration Amendment (Strengthening Biometrics Integrity) Bill 2015 is an important part of the government's efforts to protect the safety of the Australian community. Current legislation in the Migration Act 1958 for the collection of personal identifiers was introduced more than 10 years ago. Technological innovation now allows the Department of Immigration and Border Protection to collect personal identifiers quickly using non-intrusive scanners and other devices, yet the department cannot utilise this new technology effectively because of limitations in the legislation. At the same time, our country faces a period of great threat from terrorism and those would seek to do us harm. We must know who is coming and going across our borders. This year, 33 million people will arrive at and depart from Australia's eight international airports, and by 2020 this figure will rise to 50 million people.

The bill will replace seven existing powers to collect biometrics with a single broad discretionary power to require one or more biometrics to be provided for the purposes of the Migration Act or the Migration Regulations. The department's handling of personal identifiers collected from citizens and noncitizens will remain subject to legislative rules and public scrutiny, as is currently the case. Thousands of cases of undisclosed adverse immigration and criminal history information and cases of identity fraud have been detected by the department using biometric based checks. These checks are not available using documents.

The reforms in the bill will strengthen border controls. The reforms support the department's capacity to verify identity by providing the flexibility to respond on a case-by-case basis to higher risk individuals. At Australia's borders, the power would apply to travellers, citizens and noncitizens, who arrive at and depart from Australia's airports and seaports and is available to be exercised where identity or security concerns are detected. Most people will not be impacted by the bill and will move seamlessly and efficiently across the border. The bill strengthens the department's powers to collect biometrics quickly and efficiently with minimal disruption and intrusion for the majority of individuals. The new broad discretionary power applies to all cohorts of noncitizens, including unauthorised maritime arrivals and those who apply for protection visas.

Question agreed to.

Bill read a second time.

Third Reading

Mr DUTTON (Dickson—Minister for Immigration and Border Protection) (13:18): by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

Construction Industry Amendment (Protecting Witnesses) Bill 2015

Mr HARTSUYSKER (Cowper—Deputy Leader of the House and Assistant Minister for Employment) (13:19): I present the explanatory memorandum to this bill, and I move:
That this bill be now read a second time.

Today, I introduce the Construction Industry Amendment (Protecting Witnesses) Bill 2015.

The bill maintains the existing examination powers used by the building industry regulator, Fair Work Building and Construction, to combat unlawful conduct.

The construction industry is a critical sector of the Australian economy. It is the nation's third largest employer, with more than one million workers, many employed in small businesses. It has, regrettably, been affected by unlawful conduct, thuggery and intimidation for far too long.

The government, and any objective observer, realise that Australia desperately needs a construction industry that is not plagued by lawlessness, intimidation and thuggery, and in which all participants respect the rule of law. It is what one would expect in the 21st century.

For this reason, one of this government's first tasks was to introduce a bill to re-establish the Australian Building and Construction Commission. That bill was passed by the House of Representatives in December 2013 and is currently before the Senate.

The case to re-establish an effective regulator to enforce appropriate laws, to provide sufficient penalties to deter unlawful conduct, and stop the thuggery and lawlessness in this important industry, is a powerful one.

Re-establishing the ABCC and bringing respect for the rule of law back to the building industry remains a priority for this government. I also reiterate the government's firm commitment to the advance release of the Building Code 2014, which will be administered by the ABCC.

However, the government appreciates that the Senate requires additional time to consider the ABCC bills.

Whilst this would ordinarily be a matter of scheduling, we need to stop a ticking time bomb from exploding. The compulsory powers in the current legislation to address the culture of silence and intimidation are subject to a sunset clause imposed by the former Labor government. These important powers will no longer be available to the regulator from 1 June 2015.

Accordingly, until the Building and Construction Industry (Improving Productivity) Bill 2013 and the Building and Construction Industry (Consequential and Transitional Provisions) Bill 2013 are dealt with by the Senate in the coming sitting period, this bill, the Construction Industry Amendment (Protecting Witnesses) Bill 2015, will extend the period during which the Director of the Fair Work Building Industry Inspectorate can exercise the agency's compulsory powers.

The bill will extend the powers for a further two years. All other aspects of the current legislation are unchanged, including the automatic immunity given to a witness over their evidence.

The ability to compel a person to provide information is vital to protecting workers and witnesses who dare to stand up to unlawfulness and intimidation and assist the regulator to clean up the industry. The powers also ensure Fair Work Building and Construction is able to carry out its investigations effectively and break down the 'culture of silence' and retribution that exists in the sector.
This bill simply extends the existing powers. These kinds of powers are not novel or new. A range of other Commonwealth regulatory bodies have compulsory powers, such as the Australian Competition and Consumer Commission, the Australian Prudential Regulation Authority, the Australian Securities and Investment Commission, the Australian Taxation Office, Centrelink and Medicare.

In 2009, the Hon. Murray Wilcox AO, QC conducted a review of the Australian Building and Construction Commission and its powers at the request of the former Labor government. He recommended that the compulsory powers be retained because he was satisfied there was still such a level of industrial unlawfulness in the industry that warranted the powers. He also said that, in reality, without such a power some types of contraventions would be almost impossible to prove.

We have recently seen the effectiveness of compulsory powers during the investigation by the Australian Competition and Consumer Commission of the alleged CFMEU secondary boycott against Boral. ACCC Chairman Sims and his agency were confronted by the culture of silence and fear of reprisal that is all too often a feature of the building and construction industry.

Mr Sims said that 'the ACCC has only been able to progress the investigation by compelling people to give evidence'. Without the ACCC's use of its compulsory powers, the serious wrongdoing alleged could not have been put before the court.

It remains the case today that law-abiding industry participants have nothing to fear from the continuation of these powers. In fact, as the name of the bill suggests, the powers will protect those people who do the right thing.

This bill provides for the continuation of arrangements already in place, which have been previously supported by both sides of parliament, and ensure individuals who are brave enough to take a stand against unlawfulness are not stood over and intimidated into silence.

The government is committed to re-establishing the ABCC and returning the rule of law to Australia's construction industry, and this bill will ensure that there is no break in the existing regulator's ability to investigate unlawfulness until the Senate has had an opportunity to consider the legislation to re-establish the ABCC.

Mr BRENDA O'CONNOR (Gorton) (13:25): I rise to speak on the Construction Industry Amendment (Protecting Witnesses) Bill 2015. This bill amends the Fair Work (Building Industry) Act to extend the period during which the director of the Fair Work Building Industry Inspectorate can apply to a nominated Administrative Appeals Tribunal presidential member for an examination notice by a period of two years. Under the current provisions of the Fair Work (Building Industry) Act the capacity for the director to make such an application will expire on the 31st of this month. These examination notices can of course compel a person to give certain information or documents to the director, or to attend in person before the director to answer questions relevant to an investigation. A failure to comply with these notices is a criminal offence. A common law privilege against self-incrimination which would otherwise apply is overridden by the Fair Work (Building Industry) Act.

The former Labor government abolished the draconian Australian Building and Construction Commission and established the Fair Work Building Inspectorate. In
establishing the new body we acted on our election commitment to consult widely on its operation and functions. To that end, as the minister just referred to, the former Labor government appointed the respected former Justice Murray Wilcox AO, QC to undertake consultation and prepare a report on matters related to the creation of a specialist division of the inspectorate of Fair Work Australia. Mr Wilcox provided a report to government in 2009, and the bill which gave effect to Mr Wilcox's principal recommendations was legislated in 2012.

It is true that one of Mr Wilcox's recommendations was to retain coercive powers. However, Mr Wilcox expressly recommended the powers be subject to a sunset clause and that the retention of those powers be the subject of a review and, furthermore, that the use of compulsory interrogation be subject to the following safeguards: (1) a notice to a person compulsorily to attend for interrogation be issued only by a presidential member of the Administrative Appeals Tribunal; (2) the director or deputy director of the building and construction division preside at all compulsory interrogations; (3) the Commonwealth Ombudsman monitor proceedings at all compulsory interrogations; and (4) the Commonwealth Ombudsman report to parliament annually, and otherwise as required, concerning the exercise of the power of compulsory interrogation.

A sunset clause, by its nature, is placed in legislation to require the government to justify with evidence the need to extend. The government has not conducted any such review. Until the government provides such evidence as to the merits or otherwise of extending the sunset clause we are not in a position to have an informed view on this matter, and thus cannot support this bill.

A further issue in relation to the failure of the government to review is the partisan manner in which the Fair Work Building Inspectorate has operated since the election of the Abbott government. It is also worth noting that the Fair Work Building and Construction's annual report details that coercive powers were used only four times in 2013-14. We therefore call on the government to conduct a review rather than using the sunsetting of this provision as a political stunt in their never-ending crusade against the union movement.

Additionally, the government is seeking through another bill—which seeks to reinstate the draconian Australian Building and Construction Commission and which removes the important safeguard Mr Wilcox identified and Labor enacted—that the ABC commissioner needs to apply to a presidential member of the AAT for an examination notice. The government also seeks to remove the privilege against self-incrimination—

**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 for will have leave to continue his remarks when the debate is resumed.

**STATEMENTS BY MEMBERS**

**Catholic College Wodonga**

Ms McGOWAN (Indi) (13:30): I am very pleased to welcome to the Australian parliament today students, staff and two foundation members of Catholic College Wodonga. They are visiting parliament today. I have a very close relationship with Catholic College Wodonga, having been chair of the council for five years immediately preceding being elected the member for Indi. I have watched Catholic College grow and seen the students,
with a great diversity of occupations and skills, making terrific contributions locally in Albury-Wodonga, nationally and now more and more frequently internationally. I would particularly like to acknowledge the role of the staff of Catholic College Wodonga who have organised the trip and the support the parents give to make such an important visit possible.

During lunch I was delighted to speak to a group of years 10 and 11 students doing history, economics and political studies. I thank them for their insightful and intelligent questions and the great interest they showed in the activities of Parliament House. My message is loud and clear to these young people. I hope your visit here today inspires you. I hope it inspires you to become active participants in the thriving democracy of Indi. I hope it encourages and inspires you to continue to make sure the voice of young people is heard in this House. I hope it inspires you as young people who are part of regional Australia to think about the contribution you can make in the long term to make Albury-Wodonga and Indi wonderful places.

Budget

Mr IRONS (Swan) (13:31): I rise today to congratulate the Treasurer on last night's budget announcements, which will support our Australian families, our most disadvantaged, our senior Australians and those who, like me in my former life, took a chance and invested their money and time into establishing a small business. It is these things that will ensure our country is best placed to ride the world economic downturn and drop in mining commodities we are currently faced with, while continuing to be on the front foot in designing and implementing policy measures that will generate growth and economic prosperity in our future.

One key way we are achieving this across Australia, particularly in my electorate of Swan, is through investments in 21st century infrastructure. That is why in last night's budget I was pleased to welcome more than $6 million in funding under this coalition government's recently established National Stronger Regions Fund for the Belmont Business Park transport infrastructure project in the city of Belmont in my electorate of Swan. This project will see transport infrastructure upgraded in and around the Belmont Business Park and will be utilised to help resolve traffic problems, allow for more sustainable public transport and create a more functional main thoroughfare.

I am pleased my federal colleagues heard my call to fund this important infrastructure initiative, which will complement the work of other government investments in the area, including the Gateway WA project, the Perth Freight Link and the Great Eastern Highway upgrade, which was completed a couple of years ago. Like these projects, this infrastructure investment will create new local employment opportunities and will ensure the area continues to develop as a vibrant hub for businesses to invest and operate in. My thanks to the Australian government.

Nepal Earthquake

Ms PARKE (Fremantle) (13:33): On 25 April, while Australia commemorated the Centenary of Anzac, Nepal was hit by a 7.8 magnitude earthquake, the worst natural disaster to strike Nepal since 1934. Casualties were also reported in India, China and Bangladesh. Yesterday a further quake struck Nepal—a 7.3 magnitude event. We are still waiting to hear the extent of the damage. We know at least 50 people have died and more than 1,000 were
injured. As a result of the widespread devastation caused by the initial disaster, more than 8,000 were killed and 18,000 were injured. The impact in terms of the destruction of homes and infrastructure has been immense.

Facing this catastrophe Nepal has showed great resilience and spirit. We have seen local Nepalese people, emergency personnel, aid workers and international visitors doing extraordinary things in their tireless work to rescue and care for those affected. The scale of this disaster, now exacerbated by a second quake, will put severe pressure on Nepal's already limited resources, making it essential that international efforts to assist continue and grow, with a special focus on vulnerable communities, women and children.

At the same time I am heartened to see people in my community respond. For example, the 'Restoring Nepal' collaborative will hold a clothes swap at the University of Notre Dame next Friday, operate an ongoing crowd-funding campaign and host a concert in June at the Fremantle Sailing Club. Proceeds will be delivered to Nepal via Oxfam and the Gyuto monks of Tibet. I thank the Australian government for committing $20 million in immediate emergency assistance but also urge the foreign minister and government to reconsider the further devastating aid cuts that were delivered in the budget overnight.

Environment: Bull Creek Reserve

Dr JENSEN (Tangney) (13:35): I recently visited the Bull Creek Reserve in my electorate of Tangney where the National Landcare Program is making a significant difference. The $2 billion program aims to enhance the environment, with $5 million funding local environmental projects initiated by groups like Friends of Bull Creek Catchment, which received a $20,000 grant. The grant will purchase 7,000 plants and control weeds along the footpath. When I visited I saw the transformation they had already made along the catchment. I was shown the before pictures and compared them to how the area looks now. The transformation is impressive.

I met with officers from the South East Regional Centre for Urban Landcare and a group of Bush Rangers from Rossmoyne Senior High School. I was impressed with how these three groups, along with others, have worked together to revive this area. They contributed 1,300 hours last year. I am proud of their hard work and the positive difference they have made to the community and to Tangney more generally.

Infrastructure

Ms RYAN (Lalor—Opposition Whip) (13:36): I rise today to congratulate the Victorian Labor Andrews government for their infrastructure programs—for the Melbourne metro project, demonstrating that they are serious about public transport, and for the Western Distributor proposal currently under assessment—and to condemn the Abbott government for its failure to commit a fair share of the infrastructure pie to Victoria.

The Western Distributor is an outstanding proposal. It is expected to be ready to go by the end of the year. It will connect the West Gate Freeway to CityLink via a tunnel and an elevated freeway. It will relieve pressure on the West Gate Bridge. It is the alternative crossing that we have all waited so long for. It will improve truck access to the port of Melbourne, thereby reducing truck numbers on the West Gate and in the inner west. It will create 3,500 new construction jobs and have a cost-benefit ratio of $1.60 for every dollar spent. It could start this year and be finished by 2020. It would greatly improve driver safety
for commuters from Melbourne's west, who drive into the sun every morning and evening. It would enhance their safety.

We all know that Victoria has already been dudged; the budget papers proved it. I call on this government to stop the childish games and give Victoria its fair share of the infrastructure pie.

**Budget**

**Mr EWEN JONES** (Herbert) (13:38): Just a couple of weeks ago, just before Anzac Day, a group from my region spent a week in southern China, in Guangdong Province. It was organised on the back of Trade and Investment Queensland. We had representatives there from local government, Townsville City Council and Charters Towers Regional Council. We had the Townsville Port Authority, Townsville Enterprise and me. The minister for primary industries in the state government was also in attendance.

This is what the budget is about. A $5 billion concessional loan facility for regional Australia and the north of the country is exactly what we are talking about here. This is what my region is doing: getting on with the job. What this says to me is that we are in that part of the world where we have to really be aggressive in the marketplace to look for those jobs. What we will be doing is backing small business to accelerate their movement into here with infrastructure, getting those things that need to be done to facilitate trade, because government does not create new jobs; business creates jobs. What government does is set the circumstances around which business can operate, and from there employment is created.

We have a real problem with youth unemployment in this country, and we need real solutions. We have to have a very serious talk about this, and it is the same with senior unemployment, among over-50s, and underemployment. The things we are doing in this space, with the help of this budget, will see this country develop brilliantly. I thank the House.

**Newcastle Electorate: Sport**

**Ms CLAYDON** (Newcastle) (13:39): I was delighted to recently host an awards ceremony for local sporting champions in Newcastle. It was such a pleasure to meet with these young athletes and their parents, coaches and supporters. These grants, under the auspices of the Australian Sports Commission, go a long way to help families ensure their child can continue to play the sport they love.

I would like to acknowledge the extraordinary efforts of these young athletes, like Joseph Lyons, Jacob Haywood and Jack Matheson, who all played water polo for the Hunter Hurricanes and represented the region at the national championships; Chloe Blake, who played PSSA basketball and hopes one day to play for Australia; netballer Cassidy Fleming, who represented Newcastle at the state age championships; Hunter Ellen, who plays ice hockey and represented Australia at the Pee wee championships in Canada; Jamie Byrne, who competed in the New South Wales athletics championships; Isaac Hayes, who represented Australia at the world junior and cadet fencing championships; swimmer Evelynne New, who competed in the Georgina Hope Swimmers Foundation Australia and the MC Age championships; and Kaman Bol and Makoi Makuer, who both represented St Francis Xavier's College in Hamilton in basketball at the Australian Schools Championships. These young athletes have all excelled at the sport they love, and I wish them all the very best for their future.
Mr CRAIG KELLY (Hughes) (13:41): In the last fortnight, we saw a lot of controversy surrounding SBS with its program Struggle Street, and we saw a lot of garbage trucks go across to the SBS headquarters to protest against it. But, without getting into the merits of the program, one question remains which needs to be settled. The question is: why does a publicly funded broadcaster with—a quote directly from SBS's website—a special mandate to reflect the multicultural nature of Australian society—have its offices and headquarters located on Sydney's leafy North Shore at Artarmon? I think Artarmon is a wonderful suburb, but surely SBS would benefit, including from a cost-benefit analysis point of view, by relocating to Western Sydney.

I know there are calls for SBS to be privatised, but rather than that why couldn't we move its headquarters out to Liverpool in Western Sydney, in the electorate of Hughes? We have one of the most multicultural areas in all Australia. We have people born in 150 different places, speaking over 140 different languages. Among our main streets of Liverpool, we have a Bollywood street. It would be an excellent move for SBS to be relocated to Western Sydney, to Liverpool. I hope the communications minister will take that on notice.

Mr DREYFUS (Isaacs—Deputy Manager of Opposition Business) (13:42): This budget is an unfair attack on the independence and integrity of the Australia Council. Arts funding decisions at arm's length from government and free of political interference have been fundamental to arts policy since the establishment of the Australia Council 40 years ago. Senator Brandis has now trashed that important principle. Following last year's savage cuts to the arts, Senator Brandis has now cut another $104.7 million from the independent Australia Council and transferred it to his own department. Senator Brandis has long wanted to exercise greater control over arts funding, and he has now achieved that aim.

Senator Brandis has also launched an outrageous attack on the judgement and integrity of the Australia Council. He says that transferring funds from the council to his department, effectively to his personal control, will ensure:

... that government support is available for a broader range of arts and cultural activities.

He says:

Arts funding has until now been limited almost exclusively to projects favoured by the Australia Council.

That is his word. Apparently, in George Brandis's opinion, the Australia Council exercising its proper function of peer review and merit based assessment is merely a matter of favours.

There is a pattern here. Last year Tony Abbott took $6 million from the Australia Council to fund a new National Book Council, duplicating the Australia Council's functions. There is another pattern here as well. George Brandis spends taxpayers' money on his private library. Now he will spend taxpayers' money building his own personal arts empire.

Ms LANDRY (Capricornia) (13:44): Last night's federal budget was measured, responsible and fair. In a vast place like Capricornia, one important factor is roads. Capricornia, Isaac, Rockhampton, Livingstone, Whitsunday and Mackay regional councils
will share in nearly $10 million for the task under our Roads to Recovery program. As an example, Rockhampton Regional Council will get over $2.1 million in 2015-16 to help fix potholes and fix up roads like Quay Street or any streets of their choosing.

In Capricornia we are also spending money to make our larger roads and highways safer. This includes $35 million to replace four bridges on the notorious Peak Downs Highway; $166 million to fix the Eton Range section of the Peak Downs Highway, with the first instalment of $30 million paid in 2015-16; and a further $500 million on works to fix up the Bruce Highway in regional Queensland, including Rockhampton to St Lawrence, Sarina and Mackay. This is all part of the federal government’s record $50 billion investment in road and transport infrastructure nationwide.

**Working Holiday Visas**

Ms CHESTERS (Bendigo) (13:45): Over the parliamentary break a number of issues were raised in the media, including on the *Four Corners* program, about the exploitation of temporary workers, people who come here in good faith, young people who are here on backpacker visas to work here on 417 visas. I am sure many people in this House were very concerned about some of the allegations that were being made and some of the heartbreaking stories they heard about exploitation and in some cases slave labour conditions. It is important that as a parliament and as parliamentarians we speak out on this issue when people are being exploited in the workplace, regardless of whether they are an Australian worker or a foreign worker here on a temporary work visa.

In my own electorate of Bendigo there is similar concern in the poultry industry and in the meatworks industry. There are constantly locals coming and saying to me that they have missed out on work and job opportunities and they believe it is because these particular employers are employing people on temporary work visas. In some cases some of the allegations are quite alarming, and I am looking forward to meeting with the companies to put those allegations directly to them, but in other cases it is purely and simply using the temporary workers, who are on award conditions, to undercut the wages of their own employees working directly for them. It is an area we need to address.

**Australian Defence Force**

Mr LAMING (Bowman) (13:47): Today I rise to commend Army, Navy and Air Force, the three services that now finally remember those who made the supreme sacrifice by presenting their next of kin with a remembrance or bereavement pin. Army was the most recent to announce this—last week when Lieutenant General David Morrison announced the pin during a visit with Army personnel in Afghanistan last week. In speaking at the Australian War Memorial, he highlighted the need to remember those contributions forever. We acknowledge the valued and dedicated service of Army men and women,’ he said, ‘who have given their life in the service of our country.’ That remembrance pin pays tribute to the sacrifice that is also made by their families. It continues the tradition of the mothers medal, ceased very wrongly in 1945; that injustice has been corrected.

I want to commend the people who continued the dream of these pins being reinstated. That was the shadow parliamentary secretary at the time, Peter Lindsay, now Deputy Speaker Bruce Scott and, of course, Stuart Robert, who took it to shadow cabinet as a coalition policy in 2010. Senior RSM Kerry Danes initially indicated to me in 2008-09 that this policy should
be revisited. Air Force did it in 2006. Navy has done it also, presenting these small but highly significant pins. I am grateful that this afternoon Cameron Baird's parents will receive from the Prime Minister this very valued recognition of his service.

Australia Council

Shop Local

Ms BRODTMANN (Canberra) (13:48): I join with the shadow arts minister in condemning the Abbott government's cuts to the Australia Council and the creation of what appears to be a cultural fiefdom.

I rise today to speak about the importance of shopping local, the importance of supporting local jobs, innovation and creativity and the importance of reducing your carbon footprint. Fashfest opens in Canberra tonight. It is a four-day fashion event that shines the light on Canberra's thriving local fashion industry. I am very drawn to Fashfest and came across many of the designers who are engaged in Fashfest over the next four days when a group of us here set up the Parliamentary Friends of Aussie Fashion late last year. During that week late last year a number of members from both sides of the chamber went out to their local communities, sourced local designers and came in over the course of that week wearing those local designers. I had the great opportunity of sourcing some fantastic Canberra designers—Zilpah Tart, Adelina La Vita—as well as making a number of other purchases from the Handmade Canberra store in Civic. Since then I have continued to discover the breadth of talent on Canberra's fashion scene—Karen Lee, Rockstars and Royalty, Corr Blimey and The Prodigal Daughter—who will be showcased at this year's Fashfest. I encourage everyone in this chamber to get behind shopping locally.

Reid Electorate: Concord Briars Cricket Club

Mr LAUNDY (Reid) (13:50): I rise today to talk about a great local sporting club in my electorate: the Concord Briars Cricket Club. Founded ten years ago, the club is an excellent example of a community focused sports club that provides a huge benefit to local cricket fans both young and not so young. When the club was founded, they started with three teams and have now grown to 27 teams, including 18 competitive teams. In a great result for this last season, eight of those teams made it to the grand final and four brought home their premierships. The Briars Cricket Club also runs a juniors MILO Have-A-Go program for kids between four and six, no doubt nurturing sporting champions of the future. With 260 local kids playing from under 8s to under 16s and three men's teams, and run on the good will and hard work of volunteers, the club holds a special role in many local households.

All of this could not be possible without the sponsors, including Briars Club, Crust Pizza North Strathfield, Jim and Kate Spevis, TLE Electrical and, of course, the leadership of Chris and Anne Burt, Leanne Hewgill, Matina Moffitt, Roland Stanmore and the rest of the team. Well done to Briars. It was a pleasure to join them at their presentation night two Sunday nights ago to see the future of Australian sporting talent on display. I was so proud. The parents were sitting at the back of the room; to have a beer with them afterwards is always good fun. To Burtie and all the team at Briars: a hearty congratulations.

Budget

Ms MacTIERNAN (Perth) (13:51): In last night's budget the Abbott government continued its refusal to invest in public transport. The misallocation of $925 million in the
budget for the Perth Freight Link is proof that the refusal to contribute to urban rail projects does not free up money for rail but results in the state government walking away from rail projects as they chase the federal dollars. The Perth Freight Link is a highly contentious $1.6 billion project, building roads to a port which will reach capacity in the next five years and which will have to be replaced with a relocated facility—for which this project is suboptimal. Needless to say, it has not been submitted to Infrastructure Australia for assessment.

It was not a project committed to by either the state or federal government during the 2013 election campaign, but MAX Light Rail in Perth was a key promise of the Barnett government. It was a project aimed at reshaping the inner city, allowing for more urban density. Mr Barnett says he now cannot afford it—but they found $650 million to fund their share of the Perth Freight Link when federal road dollars beckoned.

There is a serious appetite for more rail in Perth. Congestion is growing, and the public agrees with planners that road projects alone are not working to solve this problem. The Abbott government is proposing—(Time expired)

Youth Allowance

Ms MARINO (Forrest—Government Whip) (13:53): Changes announced in the federal 2015-16 budget last night have improved access to youth allowance under the independent criteria for more regional students. This is something I have fought for ever since coming into this place, particularly following Labor's changes during their early time in government; we saw numbers of additional students unable to access youth allowance. So I welcome the announcement.

I have been fighting for regional students and families to have similar access to tertiary education and study as do city students and residents, so that those who meet the criteria for independent youth allowance will no longer have their access limited by their parents' assets or income. It was always contradictory to classify students as independent but still link their access to the independent youth allowance to their parents' income and assets. Fixing this anomaly is a logical step. They are either independent or they are not. For young students to be able to come in to a city to further their educational dreams and ambitions—and then, potentially, to come back to our regional areas—is a key part of what this government is about.

My battle for regional students is not over. This is not all I want to achieve for them in having better equity of access to higher education, and I will continue my work in this space. We have made a great start, and I thank the Minister for Social Services.

Community Pharmacies

Ms BUTLER (Griffith) (13:54): Last week, it was a real pleasure to catch up for a cup of coffee with one of my local community pharmacists, Russell Harding. Russell runs Harding's Pharmacy in Annerley, in my electorate of Griffith in Queensland. It is a great community pharmacy—it is open late hours and is relied on by a lot of people in the community. The provide some really great services. There is a wonderful young woman by the name of Amy who is always involved in community outreach and liaison, and who helps to make the pharmacy the best community service that it can be. They do things like fill medical dosage packs for elderly customers and have low-cost seniors access to diabetes assistance. All of those things they see as part of their business in being part of the community. They, like most

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small businesses, want to be really great community citizens as well as to make a decent living from their small business.

Like everyone, they would like to have some certainty around what is in the future for their business. They would like to know what prices are going to be like. A lot of that is affected by the sort of government assistance that people receive in respect of their medication. So many community pharmacists have contacted me to say that this government is really dragging the chain in getting back to them around Community Pharmacy Agreement negotiations. I know we have all had those communications from pharmacists in our electorates. It really worries me that this government seems to be unable to understand that businesses need certainty and that means that contracts need to be renewed well in advance so that staff and customers do not have to be uncertain.

Budget

Mrs MARKUS (Macquarie) (13:56): I rise to speak on the government's budget announced last night—in particular, on the Growing Jobs and Small Business package which will assist employers to grow and to employ young job seekers, mature workers, parents and the long-term unemployed. This morning I received an email from Mr Ian Palmer, CEO of the Schools Industry Partnership of the Blue Mountains, Hawkesbury and Penrith regions, who is passionate about ensuring that our young people have access to employment. It reads:

Hi Louise,

Just a quick note to say I was impressed by last night's budget and the small business and jobs measures.

Well done.

I am also very pleased to see the federal government renews support for young people caught in the transition and service gap between leaving school and join in the world of work. His email concludes as he adds, 'Congratulations on a good budget in difficult circumstances.'

As the Treasurer said last night: 'This is a budget for small business people who want to innovate and grow. This is a budget for young people wanting to get a foot in the door.' From October 2015, job active and disability employment service organisations can place young job seekers into work experience. Job seekers over 18 will be able to volunteer for work experience placements for up to 25 hours a week and continue to receive their income support payments, a supplement of $20.80 per fortnight to assist with the costs of participating.

Asylum Seekers

Mr WATTS (Gellibrand) (13:58): Residents in my electorate are outraged over the Minister for Immigration and Border Protection's decision to deny a boat full of Vietnamese asylum seekers due process. About three weeks ago, news leaked that the minister colluded with the Vietnamese government to return a boat to Vietnam without due process. We know little about this incident—only that people fleeing persecution and seeking our assistance were forcibly returned to the very place they were fleeing. Weeks after the incident, news leaked and the minister was forced to respond. The minister, instead of hanging his head in shame, hailed the mission, saying that:

The governments of Australia and Vietnam worked together to disrupt a people smuggling venture carrying 46 Vietnamese nationals … The 46 people were able to be safely returned to Vietnam after we
were assured that they did not have a claim to protection and that we had met our international obligations.

This was a joint operation with a government that we know is repressing political dissidents. What happened to the people on this boat? Do we know? Does anyone in the government know? I have not heard.

In the year of the 40th anniversary of the fall of Saigon, we owe the Australian Vietnamese community better than this shabby treatment. We are not content with this government's willingness to treat these people as objects. The Australian Vietnamese community and the community at large demand to know more about this incident.

**Budget**

Mr MATHESON (Macarthur) (13:59): I rise today to pay tribute to the success of this year's budget and highlight a few measures that will be of great benefit to those living in my electorate of Macarthur. As the Treasurer outlined in his budget speech last night, next year the Abbott government will spend $38 billion to support families. That includes $7 billion on child care. The 2015 budget commits $695 million to the NDIS in the next financial year, in line with the government's commitment to continue the trial sites and to prepare for the full rollout of the scheme from July 2016.

This year's budget is also focused on growing jobs and helping small business innovate and grow. From July this year, small business in Macarthur and, indeed, throughout the nation, with an annual turnover of less than $2 million will have their tax lowered from 30 per cent to 28 per cent. Small business will also be able to immediately deduct new assets up to $20,000— *(Time expired)*

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

**CONDOLENCES**

Walsh, Hon. Peter Alexander, AO

Report from Federation Chamber

The SPEAKER (14:00): I report that the order of the day relating to the Prime Minister's motion of condolence in connection with the death of the Hon. Peter Alexander Walsh AO has been debated in the Federation Chamber and is returned to the House. I present a certified copy of the motion. I understand it is the wish of the House to consider the matter immediately. The question is that the motion moved by the honourable the Prime Minister be agreed to. As a mark of respect, I ask all present to signify their approval by rising in their places.

Question agreed to, honourable members standing in their places.

The SPEAKER: I thank the House.

MacKellar, Hon. Michael John Randal, AM

Report from Federation Chamber

The SPEAKER (14:01): I report that the order of the day relating to the Prime Minister's motion of condolence in connection with the death of the Hon. Michael John Randal MacKellar AM has been debated in the Federation Chamber and is returned to the House. I
present a certified copy of the motion. I understand it is the wish of the House to consider the matter immediately. The question is that the motion moved by the honourable the Prime Minister be agreed to. As a mark of respect, I ask all present to signify their approval by rising in their places.

Question agreed to, honourable members standing in their places.

The SPEAKER: I thank the House.

QUESTIONS WITHOUT NOTICE

Budget

Mr SHORTEN (Maribyrnong—Leader of the Opposition) (14:02): My question is to the Prime Minister. The Prime Minister said in May of 2014, 'Every day in the lead up to the last election, I said to people that we were going to get debt and deficit under control.' But on page 317 of his own Budget Paper No. 1, the deficit has doubled from $17 billion to $35 billion in the last 12 months.

Opposition members interjecting—

The SPEAKER: There will be no props and we will have silence.

Mr SHORTEN: I will start the question again.

Honourable members interjecting—

The SPEAKER: We will have silence on both sides of the House for the purposes of the question being asked. The honourable the Leader of the Opposition with no props will ask his question.

Mr SHORTEN: The Prime Minister said in May of 2014, 'Every day in the lead up to the last election, I said to people that we were going to get deficit under control. But on page 317 of the Prime Minister's Budget Paper No. 1, the deficit has doubled from $17 billion to $35 billion in the last 12 months. Prime Minister, is this page correct? Has the deficit doubled under your watch in the last 12 months?

Mr Whiteley interjecting—

The SPEAKER: I call the honourable the Prime Minister, and the member for Braddon will desist.

Mr ABBOTT (Warringah—Prime Minister) (14:04): The Leader of the Opposition might have forgotten about Labor's debt and deficit disaster, but no-one else has. The facts, as revealed in last night's budget, are that peak debt is $110 billion lower under this government than it was under members opposite. And cumulative deficits are $40 billion lower under this government than under members opposite.

The Leader of the Opposition had another one of those train wreck interviews today. He had another horror interview.

Ms Owens interjecting—

The SPEAKER: The member for Parramatta will desist.

Mr Burke: Madam Speaker, I rise on a point of order on direct relevance. The question went to last budget and this budget. The Prime Minister knows he is straying from it.
The SPEAKER: There is no point of order. The member will resume his seat. The Prime Minister has the call.

Mr ABBOTT: Madam Speaker, I was asked about debt and deficit and that is what I am talking about. The Leader of the Opposition did another horror interview this morning. It was with Neil Mitchell. Thirteen times Neil Mitchell asked the Leader of the Opposition, 'Do you, as Labor leader, accept any responsibility for the problems with the deficit?' Thirteen times he slid around, he evaded, he obfuscated and then, on the 13th time, he finally said, 'no'. Nothing to see here!

Mr Truss interjecting—

The SPEAKER: The Deputy Prime Minister will desist.

Mr ABBOTT: He must have believed the member for Lilley when the member for Lilley said in 2012, 'the four years of surpluses I announce tonight'. The Leader of the Opposition might have selective amnesia but the Australian people do not. They know that members opposite created an absolute mountain of debt and deficit.

Ms MacTiernan interjecting—

The SPEAKER: The member for Perth will desist!

Mr ABBOTT: They know that members opposite created the debt and deficit disaster, and they know that only this government will fix it.

Budget

Mr CRAIG KELLY (Hughes) (14:06): My question is to the Prime Minister. Will the Prime Minister inform the House how last night's budget will build a stronger Australia, particularly supporting the tradies and small businesses in my electorate of Hughes?

Mr ABBOTT (Warringah—Prime Minister) (14:06): I thank the member for Hughes for his question. I can inform him that last night's budget is the latest step in the coalition’s plan to build a strong, safe and prosperous future for everyone. Last night's budget is measured, responsible and fair. It is good for jobs; it is good for growth; it is good for opportunity. It builds on last year's budget, which scrapped the carbon tax and actually delivered $30 billion worth of savings. It draws on the consultations that we have been having right around the country over the last few months, including the advocacy and insights of the indefatigable Minister for Small Business.

Many governments over the years have talked about small business. This government is delivering. We are delivering for small business because, when you deliver for small business, you deliver for everyone. Small business is the most creative and dynamic part of our economy. It is the engine room of growth. It is the engine room of jobs, because small business people typically mortgage their own homes to invest in their business and to employ their staff. Small business deserves a fair go, and that is exactly what this government is determined to give them.

Incorporated small business will get a tax cut of 1.5 percentage points. Unincorporated small business will get a five per cent tax discount up to $1,000. Most importantly, all small businesses will get an instant asset write-off of up to $20,000 on every asset.

Lonsdale Auto Electrical, that I visited today, could invest in a car hoist or a diagnostic computer, and they would be able to write it off instantly against their income. A landscaper
could invest in a ride-on mower, a trailer, or an excavator and write it off instantly. A cafe owner could invest in a cappuccino machine, a fridge or an air conditioner.

Ms Owens interjecting—

The SPEAKER: The member for Parramatta is warned!

Mr ABBOTT: An office business could invest in a fit-out, and for farmers there are extra write-offs, including for fencing and water infrastructure. The budget is about encouraging people to have a fair go. The heart and soul of this budget is encouraging people to go for it, encouraging them to have a go. That is our best instinct. The more people who have a go, the more we will be able to deliver a fair go for every Australian.

Budget

Mr BOWEN (McMahon) (14:10): My question is to the Treasurer. Why has the Treasurer blown gross debt out by $50 billion in 2017-18 since his last budget?

Mr HOCKEY (North Sydney—The Treasurer) (14:10): I thank the honourable member for that question. Debt is too high—there is no doubt about that. We want to get it down. The best way to get it down is to get the budget back to surplus. The best way to get the budget back to surplus is for Labor, as a start, to support their own savings proposals from the last election.

Labor went to the last election promising $5 billion of savings and, when they came back in opposition, they voted against their own savings. The Labor Party wants us to have increased debt and they are claiming to be concerned about debt. Labor wants us to have increased spending and they claim to be concerned about spending. It does not work for you, because it smacks of hypocrisy.

I would say to the honourable member, as the Prime Minister said, that we inherited a trajectory of $667 billion of gross debt. We are down $110 billion on that. We got it down. We still have work to do. We inherited $123 billion of deficits: We have got that down to $82 billion over a four-year period but we still have more work to do, there is no doubt about that. So I would say to the honourable member, come up to the plate and actually do something to reduce the legacy of debt and deficit left behind by Labor. It was an ugly legacy. I know it is not your fault in particular—I know it is the member for Lilley: He was the one who was doing it, but it gives me no confidence that the Labor Party has now appointed the member for Lilley as the person to frame the policies for the next election.

Honourable members interjecting—

Mr HOCKEY: Silence—I read it in the papers. It is true. I cannot believe it: 'Swannie' is in charge of the re-election policies of the Labor Party. His talents have been missed.

The SPEAKER: The member for Parramatta, on a point of order?

Ms Owens: Madam Speaker, I rise on a point of order. I would ask you to remind the member to refer to members by their correct titles.

The SPEAKER: The honourable Treasurer has completed his answer.
Budget

Ms HENDERSON (Corangamite) (14:12): My question is to the Treasurer. Will the Treasurer inform the House how the government is helping Australians who want to have a go? How will the budget help—

Opposition members interjecting—
The SPEAKER: There will be silence on my left!
Ms HENDERSON: Would you like me to start the question again, Madam Speaker?

Dr Chalmers interjecting—
The SPEAKER: There will be silence. The member for Rankin will leave under 94(a) for one hour.

The member for Rankin then left the chamber.
The SPEAKER: The member for Corangamite may begin her question again.
Ms HENDERSON: My question is to the Treasurer. Will the Treasurer inform the House how the government is helping Australians who want to have a go? How will the budget help small businesses create jobs, growth and opportunity in my electorate of Corangamite?

Mr HOCKEY (North Sydney—The Treasurer) (14:14): I thank the honourable member for Corangamite for that outstanding question.

Honourable members interjecting—
The SPEAKER: I can see people are anxious to join the member for Rankin.

Mr HOCKEY: She knows, as all members of the coalition know, that small business is the engine room of the Australian economy. Many of us have actually worked in small businesses. We know how hard they work.

They get up early in the morning, small business people—like others. They get up early in the morning and they go into work and have a go. They try to build better businesses. They invest and they take risks. And those businesses are often family businesses; they have cousins, they have aunts and they have uncles. They have parents and children, and they all work damn hard to try to eke out a living to give themselves and their children a better life.

We want to back those people. We want to back those Australians who are putting all that effort in. They are innovative, they are employing and increasingly they are exporting as a result of the good work of the Minister for Trade and Investment. And they are going to have huge opportunities as we go forward.

I say to the member for Corangamite: there are 11,300 small businesses in her electorate that now qualify for a 1½ per cent tax cut or a significant reduction in their tax if they are not incorporated, and in particular they will have the opportunity to deduct immediately up to 100 per cent of anything they buy for under $20,000 that is going to help to grow their businesses. This is a terrific initiative and it is fully funded in the budget. It is fully funded in the budget, because we want small business to go out there to invest and grow.

For example, for a coffee shop: if you want to buy heaters, or if you want to buy some new ovens or if you want to buy new refrigeration you can go out now and buy that item and write it off against your tax liability on 1 July. I say to tradies—of which there are quite a few in the member for Corangamite’s electorate: go out and buy a car if that suit your needs—a second-
hand car, even—because you can have accelerated depreciation applied to that. Buy new tools; upgrade your equipment that helps you to be more productive—it might be a home computer that is able to be used to help to do the paperwork associated with your business. Go out and have a go; improve your productivity.

If you invest and if you make more money, that is good for all Australians. If you are successful you can employ more Australians. We see that as a very, very good start. And I welcome the fact that the opposition has now given support to the proposal, as did the shadow Treasurer earlier today on the Jon Faine program. That means Australians can go out now and invest to grow their businesses.

**Budget**

**Mr SHORTEN** (Maribyrnong—Leader of the Opposition) (14:17): My question is to the Prime Minister. Why is the Prime Minister taxing Australians at a higher level than at any time since the Howard government?

**Mr ABBOTT** (Warringah—Prime Minister) (14:17): What planet is this guy living on? Members opposite live on Planet Tax! It is members opposite who live on Planet Tax—the carbon tax, the mining tax—they have never sought an area of activity that they did not want to tax. That is the problem with members opposite.

This is a government and this is a political movement which in the marrow of its bones wants to cut tax. And we have delivered. We do not just talk about cutting tax, we actually deliver the tax cuts that the Australian people want and deserve. In last year’s budget we abolished the carbon tax and the mining tax—two rightly-hated taxes. In this year’s budget I am so pleased that we did not just talk about doing the right thing by small business; we have delivered for the small businesses of Australia, with $5.5 billion worth of tax cuts.

Those tax cuts mean that the most creative people in our country are liberated to have a go. Those tax cuts mean that at a time when mining investment is slowing down small business investment is speeding up. The great thing about that small business investment is that it is directed by the entrepreneurs of our country. It is not chosen by the officials in Canberra; it is directed by the entrepreneurs of our country, because they are the people who deserve a fair go. They are the people who want to have a go, and when they have a go every Australian is more likely to get the fair go that they all yearn for.

So this is a government which is delivering tax cuts. We delivered them in last year’s budget and we have delivered them in this year’s budget. And as far as I am concerned every budget that this government delivers will be a tax cut-cutting budget, because that is what we want to give to the people of Australia.

**The SPEAKER:** I call the member for Indi.

**Mr Shorten:** Madam Speaker, I want to table—

**The SPEAKER:** I have already called the member for Indi. And under the standing orders published documents are not available for tabling.

**Budget**

**Ms McGOWAN** (Indi) (14:20): My question is to the Deputy Prime Minister and Minister for Infrastructure and Regional Development. I would like to say how good it was to see the Partnership for Regional Growth report included in the budget documents—thank you
for that—and the announcement of projects in Round One of the National Stronger Regions Fund. Could he please outline to the House the details of the project in my wonderful electorate of Indi?

Mr TRUSS (Wide Bay—Deputy Prime Minister and Minister for Infrastructure and Regional Development) (14:20): I thank the honourable member for Indi for her question. It gives me an opportunity to talk about some of the wonderful initiatives in last night’s budget for regional Australia which benefit the electorate of Indi, along with other electorates right around the country.

They are outlined in detail, as the honourable member said, in this Partnership for Regional Growth document, which delivers a comprehensive statement across all portfolios of the sorts of things that are going to be of particular benefit to regional Australia. Things such as the matters just referred to by the Prime Minister—reductions in tax for small businesses across the nation. Many of those are in electorates like Indi and, indeed, other regional electorates across the nation. There is $3.25 billion for income tax cuts for small business and $1.75 billion in accelerated depreciation measures. We all know that small business is so important in driving our national economy. This will help them on the way to keep more of their own money and therefore enable them to be able to invest with confidence in the future of our country. It will be the lowest company tax rate small businesses have paid since 1967. So that is going to be a huge benefit to the people of Indi and indeed in other places.

In my own portfolio, the $50 billion investment in roads and transport infrastructure will also be a huge benefit for people who live in regional Australia. The Melbourne to Brisbane railway line receives $100 million in this budget, and it will pass through the electorate of Indi. Councils around Australia, instead of getting $350 million for Roads to Recovery will get $700 million, and that includes $14.6 million for the nine councils in the electorate of Indi—real money for them to spend on their local roads and streets as required. And, of course, the Black Spot Program, the Bridges Renewal Program and the Heavy Vehicle Safety and Productivity Program are all reinvested in in this budget.

The honourable member also referred to the fact that 51 projects in round one of the National Stronger Regions Fund were announced last night and that three of those are in her electorate: one in Bright, one in Wahgunyah and one in Wodonga. The city heart will be redeveloped in Wodonga and there will be an alpine events centre built in Bright—important projects to help boost the economies of depressed areas in regional Australia. These are significant projects. We are also funding the Bonegilla boardwalk and bike track, which was a commitment that we made at the last election and which we are honouring even though the seat was not won by a coalition member. We are honouring the commitment which we made in sincerity. This is a budget that delivers for regional Australia; that delivers great results and—(Time expired)

Budget

Mr TEHAN (Wannon) (14:24): My question is to the Treasurer. Would the Treasurer inform the House how the government is encouraging jobs growth in the nation and, in particular, in my electorate of Wannon?

Mr HOCKEY (North Sydney—The Treasurer) (14:24): I thank the honourable member for Wannon for his question. He has a huge electorate—32,000 square kilometres in south-
western Victoria. It is a beautiful part of the world. There are a lot of great farmers in that part of the country.

As the Minister for Small Business, who has done an excellent job in helping with this budget, and as the Minister for Agriculture, who has been an enormous help and done a great job in this budget, know we have also focused on the farmers of Australia in helping to lay down a plan that is going to deliver greater growth for agriculture. We have focused on them not only as farmers but also as small business people—because a lot of them have a turnover of less than $2 million. In fact, the member for Wannon has 13,800 small businesses in his electorate that are going to benefit from the accelerated depreciation and the tax cuts. But he also has 4,000 farmers.

In the path of developing the budget we have made a proper appropriation for the upcoming agriculture white paper, which is going to lay down a plan for the future of agricultural production in Australia. There are a number of initiatives that I announced last night which are going to be of enduring benefit for farmers—for example, instant asset write-off in relation to fencing. At the moment, farmers have to depreciate fencing over a long period of time. There are not many farmers who suddenly have new fencing; everything seems to be fencing repairs for tax purposes which they can write-off immediately. Well, we are dealing with that. If they put up a new fence, it can make a real difference particularly in relation to things like cell farming, which means you have more intensive farming, better management of the land and also in terms of the environment, as the Minister for the Environment would be aware.

When farmers fence off new plantings to prevent cattle from going into that area it is expensive for a farmer. Now there is an opportunity for them to instantly get a tax write-off associated with that new fencing, which does make it a hugely beneficial environmental matter. Also, wild dogs and a range of other pests are a big problem for farmers and fencing can help in that regard. So this is common sense, as are our initiatives to improve the accelerated depreciation for drought preparations associated with water management and also with fodder storage, which is hugely important.

I say to the member for Wannon that no-one summarises it better than Geoff Cain, a farmer in Strathdownie, who wrote to him this morning. He said, 'Agriculture—excellent. Three-year deductibility for fodder conservation infrastructure, accelerated depreciation for water facilities and for fencing—good, good, good. I'll make use of them all.' (Time expired)

Budget

Mr BOWEN (McMahon) (14:27): My question is to the Prime Minister. I refer to the Prime Minister's promise, and I quote: 'There will be no overall increase in the tax burden whatsoever.' Why is the government increasing tax as a percentage of the economy every year under this budget?

Mr Champion interjecting—

The SPEAKER: The member for Wakefield is warned!

Mr ABBOTT (Warringah—Prime Minister) (14:27): We are reducing tax by some $5.4 billion. But it is interesting, is it not, that members opposite are obsessed by the tax burden—because they live on 'planet tax'. That is where they live; they all live on 'planet tax'. There is their carbon tax; there is their mining tax; there are all the superannuation taxes that they
inflicted in government and that they want to inflict again on the retirees of Australia; and then there is the Leader of the Opposition's own special tax—the piggy bank tax. Do you remember that? Do you remember the piggy bank tax? This was about all the retirees and all the kids who did not have very active bank accounts, and the Leader of the Opposition's clammy hand went into their pockets and he trousered the money. The Leader of the Opposition's stealthy fingers reached for the hammer and he smashed open the piggy bank and he trousered the money. This man is the taxing expert of our county.

Ms Owens interjecting—

The SPEAKER: The member for Parramatta will leave under 94(a) for one hour.

The member for Parramatta then left the chamber.

Mr ABBOTT: By contrast, last year we scrapped the carbon tax and we scrapped the mining tax. This year, there is a 1.5 per cent tax cut for incorporated small business, there is a five per cent tax discount for unincorporated small business and there is instant asset write-off for all small business. As far as I am concerned, every coalition budget should be a tax-cutting budget.

We think that the more money we save for the people of Australia—the more of your money that stays in your pockets—the better for everyone. No-one knows how to spend money more wisely than the people who made it. No-one knows better how to spend money wisely than the people who earned it in the first place by the sweat of their brow and by the ingenuity of their minds. It belongs to the people who made it; it does not belong to the stealthy tax-grabbers opposite—the sneaks who will come in in the middle of the night and take money from inactive bank accounts.

The pensioners, the kids and the small business people of Australia deserve more money in their pockets and they deserve less tax, and that is what they have under this government. That is in contrast to members opposite. If the Leader of the Opposition ever became Prime Minister, the carbon tax would be back, the mining tax would be back, there would be more raids on your superannuation accounts—and of course Swannie would be back, because he is now running the election policies.

Budget

Mr EWEN JONES (Herbert) (14:30): My question is to the Treasurer. Will the Treasurer inform the House how the budget will better manage the economy and our taxpayers' money? How will the budget unlock the immense potential of our future, including Northern Australia?

Mr HOCKEY (North Sydney—The Treasurer) (14:31): I thank the honourable member for Herbert for the question. He knows—as I know and as every Australian knows—that you have to live within your means. You have to do everything you can to ensure that you are not passing a debt burden on to the next generation.

I am intrigued with the questioning of the Prime Minister from the Labor Party today. They are basically saying they want to have less tax, they want to have more spending, they want to have smaller deficits and they want to have less debt. They want a magic pudding. Imagine what a magic pudding that would be—if you could tax less, spend more, have smaller deficits and have less debt. That is a magical formula, but it is not real. That is why we are dealing
with the legacy from the other mob. That is why, when we make commitments, we ensure that we do it within a framework consistent with our economic plan.

The member for Herbert knows that Northern Australia has enormous potential. The member for Leichhardt, the member for Solomon, the member for Durack in particular, and even the member for Lingiari—I will give him credit here—and other members know that Northern Australia has enormous potential. It is a growth region for Australia. Darwin is closer to cities in Asia than it is to Sydney or Melbourne. Northern Australia receives 60 per cent of Australia’s rainfall.

There is huge opportunity for us to develop the north. So we have announced as an interim step, as part of the Northern Australia white paper, that we are making available a $5 billion major loan facility for infrastructure in Northern Australia. There is vast opportunity in the north; it needs ports, railways, transport corridors and pipelines. These are the things that are going to build opportunity in Northern Australia, and they in turn are going to give us better access to those resources and better access to export markets. And, importantly, they are going to be key drivers of the north.

I want to take this opportunity to pay credit to Warren Entsch, the member for Leichhardt, who chaired the Northern Australia working group and travelled with a number of others around Northern Australia to identify how we could specifically deal with some of the issues and some of the challenges, but also some of the vast opportunities, associated with the development of the north. This is something Australians have talked about for a very long period of time, and it is only the Abbott government that is getting on with it.

Distinguished Visitors

The SPEAKER (14:34): Before I call the honourable member for Jagajaga, I would like to advise the House that we have with us today in the Speaker’s gallery Mr Steve Georganas, the former member for Hindmarsh.

Honourable members: Hear, hear!

Questions Without Notice

Budget

Ms MACKLIN (Jagajaga) (14:34): My question is to the Prime Minister. Does the Prime Minister agree with the Minister for Social Services that mums who get more than 18 weeks paid leave at home with their new babies are ‘rorters’? Or does he agree with his Treasurer, who believes they are committing fraud?

Mr ABBOTT (Warringah—Prime Minister) (14:35): The premise of the question is simply false. I have seen too many members of the Labor Party verbal members of the coalition to accept that.

Honourable members interjecting—

The SPEAKER: There will be silence on both sides. The member for Jagajaga on a point of order?

Ms Macklin: I seek leave to table two documents: one is Minister Morrison saying that they are rorters; the other is the Treasurer saying they are fraudsters.

Mr Pyne: No, leave is not granted.
The SPEAKER: The answer is no. Has the Prime Minister—

Mr Albanese interjecting—

The SPEAKER: The member for Grayndler is warned. The Prime Minister has the call.

Mr Abbott: Thank you, Madam Speaker. This is a government which wants to ensure that the parents of Australia, in particular the women of Australia, have maximum choice. That is what we want to ensure. And that is why we want to support a paid parental leave scheme. We also want to ensure that there is a better childcare system, a system which is more flexible, more accessible, more affordable and, above all else, simpler. That is what we want to do. And it has to be fair, because the hallmark of this budget is fairness. It is a budget that is measured and responsible but above all else it is fair.

I am sure the member who asked the question is very committed to a good paid parental leave scheme, because, with my support, she helped to introduce a paid parental leave scheme.

But what the member who asked the question supports now is double-dipping—that is what she supports.

Ms King interjecting—

Ms Collins interjecting—

The SPEAKER: The member for Ballarat and the member for Franklin!

Mr Abbott: Public servants in this town, public servants right around the country have access to generous taxpayer supported paid parental leave through their employers, and the member who asked the question wants them to double dip on the taxpayer. I want to see a decent and fair paid parental leave system and I want to know why members opposite think that there should be double-dipping on the taxpayer. It is not right, it should not happen and it will not happen under this government.

Budget

Mr Coulton (Parkes—The Nationals Chief Whip) (14:38): My question is to the Deputy Prime Minister and the Minister for Infrastructure and Regional Development. Will the Deputy Prime Minister outline how the 2015 budget will deliver the infrastructure Australia needs for the future.

Mr Truss (Wide Bay—Deputy Prime Minister and Minister for Infrastructure and Regional Development) (14:38): In last year's budget, the government announced a $50-billion plan to build the infrastructure that Australia needs for the next century, and this budget delivers the second instalment in that program with funding for road projects right across the nation already creating tens of thousand of jobs, building the kinds of projects we will need to move traffic around our cities, increasing the economic capacity of our freight routes and building safer roads. Projects like WestConnex, NorthConnex, Gateway North, South Road, the Perth Freight Link project are all major projects that are making a real difference in our capital cities—all of our capital cities except Melbourne, where the Victorian government have decided they do not want to build the biggest road project in this state. They ripped up the contract and have got nothing to put in its place. But in other states, we are getting on with the job of building the roads for the 21st century. One of the most exciting announcements—
Mr Albanese: Madam Speaker, I rise on a point of order.
Mr TRUSS: This will not be a genuine point of order, Madam Speaker. Sit him down.
Mr ALBANESE: The member asked a question about the 2015 budget.
The SPEAKER: What is the point of order?
Mr Albanese: In order to be relevant, the minister has to refer to something new that was in the—
The SPEAKER: There is no point of order. The member will resume his seat. The Deputy Prime Minister has the call.
Mr TRUSS: It is all about the 2015 budget. The exciting thing about the 2015 budget is that it provides all of the funding that is going to be necessary to complete the four-laning of the Pacific Highway between Brisbane and Sydney. All of the money is provided in this budget. That is a project that would not have been completed for another decade if Labor had been in office. Because they were not providing the funding that was necessary, the project would have stalled. The Pacific Highway is now on schedule for completion by 2019 to deliver the kind of standard of highway that Northern New South Wales needs.

And there are a number of other significant projects that get a great boost in this budget. For the Toowoomba Range second crossing, over $300 million is provided in this budget to get that project, at long last, underway. It was a project that Labor always opposed and never provided any support for that is at last getting underway and that will make a huge difference to the people of Southern Queensland.

On the Bruce Highway, there is another $500 million to start section C on the Cooroy to Curra section, a project that Labor never provided any funding towards. So we are getting on with the job. Also the Roads to Recovery program, the work on the regional highways and getting rid of the black spots will all make a difference to regional Australia and to our nation as a whole. (Time expired)

Paid Parental Leave

Ms PLIBERSEK (Sydney—Deputy Leader of the Opposition) (14:41): My question is to the Prime Minister. Is the Prime Minister aware that Woolworths workers have negotiated an extra eight weeks parental leave? Why does the Prime Minister want to take this extra bonding time away from mothers and their babies? Does he agree with his ministers—

Government members interjecting—
The SPEAKER: There will be silence on my right!
Ms PLIBERSEK: that these mothers are rorters and fraudsters?

Mr ABBOTT (Warringah—Prime Minister) (14:42): Members opposite should stop telling lies about ministers in this government. They really should stop telling lies about ministers in this government.
The SPEAKER: I would remind the Prime Minister that the term 'lies' is unparliamentary and I would ask him to withdraw.

Mr ABBOTT: I was not accusing any particular member opposite of telling lies. But, Madam Speaker, to assist you, of course, I will withdraw. The claims that have been made by
members opposite about statements by ministers in this government are simply false. The assertion that was made by the minister who asked the question again is simply false.

Mr Burke: Madam Speaker, I rise on a point of order.

The SPEAKER: I am not sure who is asking it. It is not the questioner. Is it the Manager of Opposition business?

Mr Burke: Under standing order 100(d)(i), the question referred to information which has not been authenticated. I would ask you to ask the questioner to authenticate those claims.

The SPEAKER: Standing order 100 relates to questions, not to answers.

Mr Burke: That is exactly right.

The SPEAKER: The Prime Minister has the call because the question was completed. The Prime Minister has the call and he is answering. Standing order 100 does not apply to answers. The Prime Minister has the call.

Mr Burke: Madam Speaker, I rise on a point of order.

The SPEAKER: The member will resume his seat.

Mr Burke interjecting—

The SPEAKER: The member will resume his seat or leave the chamber! If the Manager of Opposition Business has an altercation or a disagreement with the member for Sydney, he can settle it outside the chamber, not here.

Mr Burke interjecting—

The SPEAKER: The choice is yours. You can take a 94(a) one-hour suspension, leaving the chamber, or you can resume your seat. The choice is yours.

Mr ABBOTT: Madam Speaker, let me make this point very clearly.

The SPEAKER: The Prime Minister has the call.

Mr ABBOTT: This government welcomes businesses that choose to provide paid parental leave to their staff. We welcome that. We absolutely welcome that, and we know that many businesses choose to provide paid parental leave to their staff because they know it is in the best interests of their shareholders. They know it is in the best interests of their business.

The SPEAKER: The Prime Minister will resume his seat. The member for Sydney on a point of order?

Ms Plibersek: I seek leave to table these statements from Minister Morrison and from the Treasurer—

The SPEAKER: You can do that at the end of question time, not in the middle of an answer. The member will resume her seat.

Ms Plibersek: that show—

The SPEAKER: The member for Sydney will resume her seat or leave under 94(a); the choice is hers.

Mr ABBOTT: Madam Speaker, let us be very clear.

An honourable member interjecting—

The SPEAKER: For goodness sake, you ought to know it by now!

CHAMBER
Mr ABBOTT: Over the years many businesses, including Woolworths, have chosen to give paid parental leave to their staff because they know that it makes good sense for their business. It does make good sense for their business, and it will continue to make good sense for their business, but, where a business chooses to provide less paid parental leave than is given by the government's scheme, the government will make it up. That is what will happen. But what we are not going to allow is double-dipping, because, when it comes to Commonwealth public servants and when it comes to state public servants—

Ms Claydon interjecting—

The SPEAKER: The member for Newcastle is not in her seat. She may not speak.

Mr ABBOTT: They are already getting generous paid parental leave from the taxpayer through their employers. They do not deserve it from taxpayers twice, and that is what members opposite are saying.

Ms Ryan interjecting—

The SPEAKER: The member for Lalor will leave unless she desists from speaking while not in her seat!

Mr ABBOTT: They are saying that public servants in particular should get paid for paid parental leave twice by the taxpayers of Australia. What I really want to hear from members opposite is how they are going to pay for it.

Honourable members interjecting—

The SPEAKER: The Prime Minister will resume his seat. I will not have this wall of noise. There are standing orders by which we operate in this chamber, and we will abide by them.

Budget

Dr HENDY (Eden-Monaro) (14:47): My question is for the Minister for Small Business. Will the minister inform the House how the budget will strengthen the economy, encourage investment and grow jobs in the small business sector?

The SPEAKER: I call the honourable Minister for Small Business, and I remind the chamber that he is entitled to be heard in silence.

Mr BILLSON (Dunkley—Minister for Small Business) (14:47): Thanks, Madam Speaker. Wasn't last night a splendid evening for small business! What a special night! What a splendid night! What a night of positivity and optimism for the enterprising men and women of Australia—

Mr Champion interjecting—

The SPEAKER: The member for Wakefield will leave under 94(a) for one hour.

The member for Wakefield then left the chamber.

Mr BILLSON: who create so much opportunity and jobs for our economy and for our citizens! You cannot help but be energised by those enterprising men and women, like in the electorate of the member for Eden-Monaro. When we visited the Yellow Belly Cafe at Googong, you could not help it. It was infectious to see the optimism, the energy, the entrepreneurship, of the proprietors there. We saw it again this morning at the Lonsdale Auto Electrical business: Gordon seizing an opportunity to relocate and grow his business, and
excited about the possibility of being able to purchase a hoist or some new diagnostics equipment to help him grow his business and recruit more.

That is what this budget is about. This is our next step in building a strong and safe economy that provides jobs and opportunity, which secures our economic future, and that is why people are so positive and optimistic about this budget. It hits the right spot. It hits the right spot because here on this side of the parliament are men and women of enterprise, small business running through their veins, knowing the real issues of those taking a risk, mortgaging their house and creating opportunities for themselves and others. That knowledge has helped ensure that, hand in glove with the small business community, we have crafted a program that hits the right spot, that puts fuel in the engine of the economy and revs it up so that it can create more jobs and more growth into the future.

So it is not surprising when you see the endorsements of this budget. Let us have a look at the positivity and the optimism. The Institute of Public Accountants said, 'As a result of this budget, small businesses right across Australia will have greater confidence to employ, to invest, to grow, which will boost our productivity and our prosperity.' The New South Wales Business Chamber said:

These measures will be particularly well received in regional Australia where unemployment is at its highest and job opportunities are limited.

The CPA organisation, referring to the tax cuts on income for small business referred to by the Prime Minister, said they will help drive the small business sector and allow these businesses to create jobs and invest in our nation's future.

Last night was a great night for small business. It shows our faith and our belief in those enterprising men and women that create opportunities for themselves and their communities. That is why we want to get behind those people. They can invest in new equipment, take advantage of growth. They might even buy a pie warmer, Opposition Leader! And they can do that to delight their customers, to grow their business and to secure our economic future. What a great night for small business! Let you all be reassured: we think about small business every day, Bill. (Time expired)

Paid Parental Leave

Mr SHORTEN (Maribyrnong—Leader of the Opposition) (14:50): My question is to the Prime Minister. Is the Prime Minister aware that the Victorian nurses have negotiated, in return for forgone wages, an additional 10 weeks of parental leave on top of the minimum paid parental leave? In the light of that, why are the Prime Minister and his ministers describing nurses, and indeed Woolies workers and 80,000 other new mums, as rorters?

Mr ABBOTT (Warringah—Prime Minister) (14:51): I say again that members opposite should tell the truth. They should tell the truth. They should not tell lies, Madam Speaker. They should not do that. A moment ago, we just heard the phraseology of the Leader of the Opposition. We heard the phraseology from the member for Sydney. We heard the phraseology in particular of the member for Jagajaga. The member for Jagajaga said that the Treasurer was calling people taking paid parental leave from their employer and from the government fraudsters. That is what she said. This is dead wrong. I have the transcript. I defy the member for Sydney or any other member opposite to point to any time where the Treasurer used that word 'fraud'. You know who used the word 'fraud'? It was Laurie Oakes.
That is who used the word 'fraud'. He said, This is basically fraud, isn't it?' And the Treasurer made it very clear that he supports people on paid parental leave.

Ms Plibersek interjecting—

The SPEAKER: The member for Sydney will resume her seat. It is about the time the member for Sydney learns some forms of the House.

Budget

Mr WILLIAMS (Hindmarsh) (14:53): My question is to the Minister for Social Services. Will the minister inform the House how the budget is supporting Australians making the choice to support themselves rather than rely on welfare, especially in relation to child care?

Mr MORRISON (Cook—Minister for Social Services) (14:53): I thank the member for Hindmarsh for his question. I commend him on being a great listener in his electorate and for the contribution that he has made to the Jobs for Families package and our package for fair access to a sustainable pension as well—listening to both those families in his electorate and those older Australians.

This budget is for those who got up early this morning and went to work to give their family the greatest choice they could have and hope for for their family. If you want to earn more from working rather than take more in welfare then this budget is for you. If you are running a business that is creating jobs for someone, especially someone who has not had a job for a long time and really needs one, then this budget is for them. If you save for your retirement, so you can have strong and viable support through your own investments to live off and stay off the pension and not be taxed on that income, then this is a budget for you. This is a budget for you, because this is a budget that gives a fair go to those who have a go and it does it in so many areas.

Ms Ryan interjecting—

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

The member for Lalor then left the chamber.

Mr MORRISON: But it particularly does it for families who are having a go—families who know they need to be in work and they have to stay in work to ensure that they can pay the bills and support their families in the way they want to. That is why we have invested $3.5 billion—that is what we are seeking to do—to make child care simpler, to make it more affordable, to make it more accessible and to make it more flexible. That is what we are doing for families who know they need to be in work to pay those bills and give their families the choices they want for them.

We are especially doing that for families on low to middle incomes. That is where this money is going—to low- to middle-income earners. It is especially going to families that are at disadvantage and are vulnerable, particularly those families who have children with disabilities and particularly families in rural and remote areas who cannot access the services that they need to access—families who are dairy farmers, and others who need to have access to that level of services that the system currently does not provide.

Ms Plibersek interjecting—

The SPEAKER: The member for Sydney will desist or leave the chamber. The choice is hers.
Mr MORRISON: It also provides flexible support for nurses, for police officers, for firies, for those who are working shift work who cannot get access to child care now because their work hours do not give them that access. Under our program, that will be provided—something that was missing for years and years. Those opposite drove up the cost of child care year in year out. What this government is doing with this package of measures is giving those families choice. And we are going to support early childhood education by continuing universal access for preschool education—funding that those opposite left short.

Paid Parental Leave

Ms MACKLIN (Jagajaga) (14:56): My question is to the Minister for Social Services. Does the minister stand by the statement that he made on television where he said, 'In many cases I think it is a rort', where parents take paid parental leave that they have got from their employer and from the government. Do you still think it is a rort?

Mr MORRISON (Cook—Minister for Social Services) (14:57): This government does not support double dipping. We do not support double dipping. What those opposite have made very clear is that they do and they designed the system for double dipping.

Ms Macklin interjecting—

The SPEAKER: The minister will resume his seat. The member for Jagajaga has a point of order—which had better be a good one.

Ms MACKLIN: My point of order is on relevance. Do you still think it is a rort?

The SPEAKER: The member will resume her seat. There is no point of order and she knows it.

Mr MORRISON: What we have confirmed by those opposite is they designed the scheme—

Ms Plibersek interjecting—

The SPEAKER: The member from Sydney will leave under 94(a).

The member for Sydney then left the chamber.

Mr MORRISON: They designed a scheme that is producing the following results. In 60 per cent of cases, those who are currently getting a paid parental leave payment from their employer are in the public sector, working in the public sector offices particularly in this town, and those who are getting all of their paid parental leave—

Mr Dreyfus interjecting—

The SPEAKER: The member for Isaacs can join the member for Sydney if he wishes.

Mr MORRISON: Then, on top of that, they are going to the taxpayer. They are actually earning 50 per cent more than those who are just getting the 18-weeks payment. What we are saying is very clear: if you are getting a paid parental leave payment over the course of when you have been in work and you have gone to have a child, then you will get that 18 weeks, which is just over about $11,500. But if you are drawing down $20,000 from a public sector employer—and that is 60 per cent of these cases—then you do not get to go back to the well and say, 'Can I have another $11,000, please, from the taxpayer?' If those opposite think that it is a fair thing that you can put one hand in the taxpayers' pocket for 20 grand and then put
another hand in the taxpayers' pocket for 11 grand then you would not know fairness if it fell over you.

Budget

Dr STONE (Murray) (14:59): My question is to the Minister for Education and Training. Will the minister inform the House how the government's universal access reforms will deliver certainty and consistency for parents and preschools? Why are certainty and consistency important in public policy?

Mr PYNE (Sturt—Leader of the House and Minister for Education and Training) (14:59): I thank the member for Murray for her question. I am very pleased to be able to confirm that the budget last night delivered $840 million to ensure that four-year-olds around Australia will be able to obtain 15 hours minimum a week of preschool education. This is a great commitment from the Abbott government. I thank the Treasurer, and I am sure the families of Australia do. It is another demonstration of the government's commitment to putting students first. It is part of our consistent approach to policy over the last 18 months in education.

Consistency of policy approach is very important. It is very important for the public, for the business community, for the education sector, for families and for small businesses to know that the government will deliver consistent approaches to policy.

Ms Macklin interjecting—

The SPEAKER: The member for Jagajaga will desist or leave.

Mr PYNE: Unfortunately, the opposition seem to have utterly abandoned that consistent approach to policy over the budget and the last 18 months of being in opposition. I had the misfortune of listening to the radio this morning and hearing the member for McMahon on Fran Kelly. In the same interview he managed to criticise the government for not delivering a lower deficit figure and managed to confirm that Labor will vote against every savings measure in the budget and will vote in favour of every spending measure in the budget. So they are going to vote in favour of all of the spending measures and they are going to vote against all of the savings measures but apparently the government has failed not to deliver a lower deficit. He does not know whether he is Ebenezer Scrooge or Jay Gatsby. He does not know if he is Toad of Toad Hall, spending money and giving it away to everybody, or the Grinch. He does not know if he is a debt fighter or he is a big spender. This has been the problem with the opposition ever since the last election.

Yesterday they criticised the government for not going ahead with the Paid Parental Leave scheme that they opposed last year. Root and branch they opposed the Paid Parental Leave scheme that they now say they demand the government introduce. In the Senate they are opposing savings measures they themselves introduced in government. They are opposing in the Senate $5 billion of savings measures.

This morning the Leader of the Opposition had a horror interview on Neil Mitchell. He has reached the nadir. He cannot remember that Labor delivered any deficit budgets. Neil Mitchell said to him:

Do you, as Labor leader, accept any responsibility for the problems with the deficit?

To which the opposition leader replied:

No, the government is in charge.
The government is in charge—there is nothing to see here; move along, everyone. He did not leave us $660 billion of rising debt and $130 billion of accumulated deficit! No wonder the public do not take you seriously, Bill.

Paid Parental Leave

Mr SHORTEN (Maribyrnong—Leader of the Opposition) (15:02): My question is to the Prime Minister. Thousands of private sector employees at Myer have negotiated an additional six weeks parental leave on top of the government's paid maternity leave. Will the Prime Minister apologise to these new mums for his minister calling them rorters?

Mr ABBOTT (Warringah—Prime Minister) (15:03): Let us get this absolutely crystal clear. The Treasurer never called anyone on paid parental leave a fraudster and the Minister for Social Services never called anyone on paid parental leave a rorter—never, ever, never. I want to say to members opposite: verballing ministers is no substitute for sound policy and verballing ministers is no substitute for hard work. Verballing ministers is their stock in trade.

Mr Shorten: Madam Speaker—

The SPEAKER: The Leader of the Opposition will resume his seat.

Mr Shorten: Madam Speaker, I have a point of order.

The SPEAKER: Resume your seat!

Mr Shorten: Madam Speaker—

The SPEAKER: Resume your seat or leave!

Mr ABBOTT: People can tell all the lies in the world but it does not make up for the complete failure to do the hard work that every political party and any alternative government ought to do. This is an opposition that have absolutely and utterly abdicated their responsibility to come up with alternative policies. They say that the deficit should be lower and they oppose every saving.

The SPEAKER: The Prime Minister will resume his seat. The member for Isaacs on a point of order.

Mr Dreyfus: Thank you, Madam Speaker. I take a point of order under standing order 86, which says:

Subject to standing order 104, a Member may raise a point of order with the Speaker at any time.

You have persistently—

The SPEAKER: The member will resume his seat!

Mr Dreyfus: Madam Speaker—

The SPEAKER: The member will resume his seat! If he had bothered to read the House of Representatives Practice he would find that if it is intended by the person trying to move the point of order to merely interrupt then they are not entitled to so move. So I call the Prime Minister.

Mr ABBOTT: The guts of this question and the guts of the previous three or four questions is the claim that the Treasurer called people on PPL fraudsters and the Minister for Social Services called people on PPL rorters. That is false. Anyone who makes those claims is lying. I say to members opposite that verballing ministers is no substitute for hard work and verballing ministers is no substitute for coming up with serious alternative policies. I ask the
Leader of the Opposition: whatever happened to the year of ideas? All we ever get from members opposite is smear. All we ever get from members opposite is smear based on lies.

Last night this government rose above all that nonsense—this government rose above all that muck from the Leader of the Opposition and his minions—and we delivered a budget that appeals to the best instincts of the Australian people. We delivered a budget that encourages people to be their best selves. We delivered a budget that challenges the people of Australia to grasp the opportunities that are there before us. I know that this country has it. We have it in us to be better than we are and, under the policies of this government, that is exactly what will happen.

Budget

Mr BUCHHOLZ (Wright—Chief Government Whip) (15:07): My question is to the Assistant Treasurer. Will the Assistant Treasurer update the House on how the government's budget is bringing certainty to Australians with superannuation, and are there any alternatives to this approach?

Mr FRYDENBERG (Kooyong—Assistant Treasurer) (15:07): I thank the member for Wright for his question and acknowledge his strong commitment to protecting the savings of all Australians in super. Australia's pool of superannuation savings is the fourth largest in the world. In 1997, it was $300 billion, today it is $1.9 trillion and it will grow to $9 trillion by 2040. David Murray's financial systems inquiry has called superannuation a substitute or a supplement to the age pension. That is why we on this side of the House have made a commitment to no adverse or unexpected changes to super.

I am asked: am I aware of any alternatives? I am aware of an alternative, and it is taxes on super coming from those opposite. Who could forget that famous quote in 2007 by Kevin Rudd on the eve of the election when he said he would not make one change—not one jot, one tittle—to superannuation? What we saw was 12 adverse changes to superannuation—$9 billion of additional taxes on super. So ashamed and so embarrassed was the member for McMahon about the Labor Party's performance on super that he rushed out, as Treasurer, a press release on 31 July 2013 titled 'Five year freeze on superannuation changes'.

Mr Hockey: Five years?

Mr FRYDENBERG: Five years, Treasurer:

The Rudd Labor Government will make no major changes to superannuation tax policy for five-year periods…It is less than two years, and now Labor is proposing two additional taxes to super, including on earnings above $75,000, which has been described by the Self-Managed Super Fund Owners Alliance as 'knee-jerk fiddling' and has been editorialised by our leading newspapers as 'piecemeal' and 'opportunistic'. As the Prime Minister has said, the Leader of the Opposition cannot be trusted with bank accounts, cannot be trusted to deliver a surplus—because he promises and it never eventuates—and cannot be trusted with people's superannuation savings.

But, if all of those taxes on people's super are not enough, he adds insult to injury, because just the other day the Leader of the Opposition described the superannuation of the 14 million Australians with superannuation accounts as a 'legalised tax haven'. The former Prime Minister—
Government members interjecting—

Mr FRYDENBERG: The rorters! The former Prime Minister Paul Keating described superannuation as an appropriate vehicle for retirement planning by ordinary Australians.

Mr Brendan O'Connor interjecting—

The SPEAKER: The member for Gorton has had a good run. One more and he's out.

Mr FRYDENBERG: Paul Keating, when he looks at the Leader of the Opposition's position on super, would be rolling in his Zegna suit.

Mr Abbott: Madam Speaker, I ask that further question be placed on the Notice Paper.

COMMITTEES
Selection Committee

Report

The SPEAKER (15:10): I present report No. 23 of the Selection Committee, relating to the consideration of committee and delegation business and private members' business on Monday, 25 May 2015. The report will be printed in the Hansard for today, and the committee's determinations will appear on tomorrow's Notice Paper. Copies of the report have been placed on the table.

The report read as follows—

Report relating to the consideration of private Members' business.
1. The committee met in private session on Tuesday, 12 May 2015.
2. The committee determined the order of precedence and times to be allotted for consideration of private Members' business on Monday, 25 May 2015, as follows:

PRIVATE MEMBERS' BUSINESS

Notices

1 MR PALMER: To present a Bill for an Act to prevent the disclosure of information by public officials in circumstances that may lead to the imposition of the death penalty in foreign countries, and for related purposes

(Notice given 12 May 2015.)

Time allotted—10 minutes.

Speech time limits—

Mr Palmer—10 minutes.

[Minimum number of proposed Members speaking = 1 x 10 mins]

Presenter may speak to the second reading for a period not exceeding 10 minutes—pursuant to standing order 41.

2 MS T.M. BUTLER: To move:

That this House:

(1) acknowledges that:

(a) 11 to 17 May is National Volunteer Week (NVW);

(b) the theme for NVW this year is 'Give Happy Live Happy'; and

(c) the six million plus Australian volunteers give happiness to others each year; and

CHAMBER
(2) thanks volunteers for their tireless effort and dedication to our community and the enormous contribution they make to our economy and others in the community.

(Notice given 12 May 2015.)

Time allotted—20 minutes.

Speech time limits—
Ms T.M. Butler—5 minutes.
Other Members—5 minutes each.

[Minimum number of proposed Members speaking = 4 x 5 mins]

The Committee determined that consideration of this should continue on a future day.

3 MR SUKKAR: To move:

That this House:
(1) recognises the demonstrable benefit that the East West Link will provide to commuters and the Victorian economy, by saving up to three hours of travelling time per week, creating around 7,000 new jobs during the construction phase of the project and enhancing the productivity of Victoria for decades to come;
(2) notes that the:
   (a) Victorian Government's position not to proceed with the East West Link:
      (i) will deny Victorians the benefit of this critical infrastructure in a growing city with worsening traffic congestion;
      (ii) will deny Victorians immediate economic benefits, including almost 7,000 construction jobs;
      (iii) will risk Victorian taxpayers paying up to $1.2 billion in compensation; and
      (iv) has the potential to threaten Victoria's credit rating;
   (b) Victorian Government's threat of legislating to avoid paying compensation owed to investors who entered into a contract in good faith with the State of Victoria will:
      (i) according to Infrastructure Investor, risk Australia losing its status as the 'world's most attractive infrastructure destination'; and
      (ii) make it more difficult for Governments across Australia to attract investment in crucial nation building infrastructure in the future;
   (c) East West Link is currently the only major shovel-ready project in Victoria which has funding in place from the Commonwealth, the State of Victoria and the private sector; and
   (d) Leader of the Opposition supported a new east west road corridor for Melbourne when it was first proposed in the 2008 Sir Rod Eddington East West Link Needs Assessment report; and
(3) calls on:
   (a) the Victorian Premier to stop his campaign of economic destabilisation and build the East West Link; and
   (b) all Members to oppose the Victorian Government's threat of legislation to void any liabilities as a result of not proceeding with this vital infrastructure project.

(Notice given 16 March 2015.)

Time allotted—40 minutes.

Speech time limits—
Mr Sukkar—5 minutes.
**House of Representatives**

**Wednesday, 13 May 2015**

**Chamber**

*Other Members—5 minutes each.*

[Minimum number of proposed Members speaking = 8 x 5 mins]

*The Committee determined that consideration of this should continue on a future day.*

**4 Ms Parke:** To move:

That this House:

(1) notes:

(a) the execution in Indonesia by firing squad on 29 April 2015 of Andrew Chan and Myuran Sukumaran, along with their fellow prisoners, Rodrigo Gularte, Silvester Nwolise, Okwuduli Oyatanze, Raheem Salami, Martin Anderson and Zainal Abidin, and expresses condolences to their families;

(b) the bipartisan commitment in Australia to see an end to the death penalty worldwide;

(c) that the evidence overwhelmingly shows that the death penalty is not a more effective deterrent than long term imprisonment;

(d) that the international trend is clearly away from the practice of the death penalty—in 1977 only 16 countries had abolished the death penalty, now 140 nations have banned the practice; and

(e) that Australia has the opportunity to influence further progress towards the worldwide abolition of the death penalty in its relationship with key regional and global partners; and

(2) calls on the Government to:

(a) strengthen its efforts to advocate for an end to the death penalty wherever it still occurs; and

(b) ensure that Australia's international cooperation is structured to avoid to the extent possible, the potential that such cooperation could lead to a person receiving the death penalty.

*(Notice given 12 May 2015.)*

*Time allotted—remaining private Members’ business time prior to 12 noon.*

**Speech time limits—**

*Ms Parke—5 minutes.*

*Other Members—5 minutes each.*

[Minimum number of proposed Members speaking = 8 x 5 mins]

*The Committee determined that consideration of this should continue on a future day.*

**Items for Federation Chamber (11 am to 1.30 pm)**

**Private Members’ Business**

**Notices**

**1 Mr Champion:** To move:

That this House:

(1) notes that National Palliative Care Week (NPCW) runs from 24 to 30 May 2015; and

(2) encourages all Australians to use NPCW as a conversation starter, to get together with those close to them, celebrate life and talk about death, in particular the end of life decisions such as:

(a) how they want to be cared for;

(b) what values are important to them;

(c) what types of medical assistance they want to receive;

(d) whether they wish to be buried or cremated;

(e) where they want to pass away;

(f) whether they have appointed a power of attorney; and
(g) writing an advanced care plan.

(Notice given 12 May 2015.)

Time allotted—30 minutes.

Mr Champion—5 minutes.

Other Members—5 minutes each.

[Minimum number of proposed Members speaking = 6 x 5 mins]

The Committee determined that consideration of this should continue on a future day.

2 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.

(Notice given 17 March 2015.)

Time allotted—30 minutes.

Mr Williams—5 minutes.

Other Members—5 minutes each.

[Minimum number of proposed Members speaking = 6 x 5 mins]

The Committee determined that consideration of this should continue on a future day.

Orders of the day

MS T.M. BUTLER: Debate to be resumed on the motion of Ms T.M. Butler—That this House:

(1) acknowledges that:

(a) 11 to 17 May is National Volunteer Week (NVW);

(b) the theme for NVW this year is 'Give Happy Live Happy'; and

(c) the six million plus Australian volunteers give happiness to others each year; and

(2) thanks volunteers for their tireless effort and dedication to our community and the enormous contribution they make to our economy and others in the community.

(Notice given 12 May 2015.)

(See private Members' business item No. 2, in the House of Representatives Chamber)

Time allotted—20 minutes.

All Members—5 minutes each.

[Minimum number of proposed Members speaking = 4 x 5 mins]

The Committee determined that consideration of this should continue on a future day.
Notices—continued

3 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.

(Notice given 17 March 2015.)

Time allotted—40 minutes.

Mrs Prentice—5 minutes.
Other Members—5 minutes each.

[Minimum number of proposed Members speaking = 8 x 5 mins]

The Committee determined that consideration of this should continue on a future day.

4 MR ZAPPIA: To move:

That this House:

(1) notes that both Commonwealth and state governments have historically shared responsibility for the delivery of services to remote Indigenous communities;
(2) condemns the Government for cutting $500 million from Indigenous programs in the 2014-15 budget;
(3) notes that contrary to previous assurances by the Minister for Indigenous Affairs, there has been an impact on frontline services;
(4) acknowledges the disastrous effect these cuts will have on people living in remote Indigenous communities; and
(5) calls on the Government to restore the funding, and prevent the loss of frontline services.

(Notice given 12 May 2015.)

Time allotted—remaining private Members' business time prior to 1.30 pm.

Mr Zappia—5 minutes.
Other Members—5 minutes each.

[Minimum number of proposed Members speaking = 6 x 5 mins]

The Committee determined that consideration of this should continue on a future day.
**DOCUMENTS**

**Presentation**

Mr PYNE (Sturt—Leader of the House and Minister for Education and Training) (15:11): Documents are presented in accordance with the list circulated to honourable members earlier today. Full details of the documents will be recorded in the *Votes and Proceedings*.

**BUSINESS**

**Leave of Absence**

Mr BURKE (Watson—Manager of Opposition Business) (15:11): I move:

That leave of absence for the remainder of the current period of sittings be given to the honourable Member for Wills on the ground of ill health.

Question agreed to.

The SPEAKER: We wish him a speedy recovery.

**MATTERS OF PUBLIC IMPORTANCE**

**Budget**

The SPEAKER (15:11): I have received a letter from the honourable member for McMahon proposing that a definite matter of public importance be submitted to the House for discussion, namely:

The failure of the Government to produce a Budget for Australia's future.

I call upon those honourable 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 BOWEN (McMahon) (15:12): There are times when a government has to consider that so much damage has been done to an economy, that so much is at risk in an economy and that there are such forces at play in an economy that the government has to step in and spend money. There are times when the international economy has turned so badly that a government has to spend and stimulate the economy. It happened during the period of the previous Labor government—the worst financial and economic crisis in 60 years. Labor stepped in and Labor took action. And didn't they rail against it? Didn't they complain that too much was being spent? Well, another Treasurer has decided that so much damage has been done to the economy, that confidence is so low and that the economy is so bad that they have had to increase spending to GFC levels. We see spending outlined in last night's budget at 25.9 per cent of the economy. It was 26 per cent during the depths of the global financial crisis, and it is 25.9 per cent now as they strive desperately to improve the economy after the smashing of confidence that they have perpetrated over the last 12 months.

This says, along with all the other backflips and all the other problems in its budget preparation, that this government stands for nothing. This government stands for absolutely nothing. We see the government walking away from its formal and solemn commitments about budget surpluses. The Treasurer used to tell us, 'There's no revenue problem in Australia, only a spending problem.' He has told us that time and time again, and we find spending on his watch the same as during the depths of the global financial crisis. That tells us
just how lacking in substance this Treasurer is, and we see spending as a percentage of the economy 1.3 percentage points higher than it was left under the Labor government.

We see the budget's own documents outlining the impact of government decisions. There is a very important table in the budget papers, and it outlines the impact of government decisions. It shows that the impact of government decisions has blown out the budget deficit by $9 billion. They say: 'Oh, we paid for everything. Everything we've done is offset by other savings.' It is just not right. I saw the Minister for Finance on Lateline last night. This was put to him, and he said, 'You're forgetting one point: the savings from our paid parental leave'—a cunning plan. So they are suggesting that the savings come from a program they never implemented.

I am on good terms with the shadow finance minister—the member for Watson is a good friend of mine—but, if I went to him and said, 'I've got a cunning plan: why don't we come up with a bigger plan that raises expenses, and then we don't proceed with it, and then we can claim it as a saving?' I think he would suggest I take some time out to reflect on my grip on reality! As good terms as I am on with the member for Watson, he would tell me I had lost my grip on reality if I suggested abolishing a program that we had never implemented and claiming it as a saving as part of a cunning fiscal plan. That is what this government has done. It is what the member for Kooyong has done and the Minister for Finance has done.

We see the debt and deficit disaster that we heard so much about.

An opposition member interjecting—

Mr Bowen: As the parliamentary secretary points out, we have had the fire truck analogy: the Prime Minister telling us that the fire truck pulled up on the day of the last election and started putting out the fire of the deficit. It turns out the fire truck pulled up and the fireman got out, had a look around and kicked the tires, popped back in the fire truck and drove back to the station. That is what happened with the fire truck, because you see the deficit doubled from just last year when the Treasurer stood at the dispatch box. The budget deficits doubled over four years in just one year. This is their impact. Apparently their way of dealing with a debt and deficit disaster is to double it. That'll fix it! 'That's our cunning plan,' says the Treasurer.

People are asking, 'What is the point of the Abbott government?' Australians said in 2013: 'I'm not sure about this. I don't really trust that Leader of the Opposition. I'm not sure that I trust Tony Abbott's judgement, but he's got a plan to get us back into surplus. He'll get the deficit down, so we'll give him a go.' Many Australians said they were not sure about it and not sure they trusted him, but they gave him a go. And so what has he done to those voters who put their trust in him? He has doubled the deficit as his plan to deal with a debt and deficit disaster.

Despite all this, the prejudice remains in the budget and in fact has got worse. We know that many of the measures in the budget of last year remain. The $100,000 university degrees? Still there. The $80 billion worth of cuts to health and education? Still there. The cuts to family tax benefit? Still there and linked to childcare reforms, turning the budget document into one long ransom note to Australian families, saying, 'We won't give you more money, more assistance for your child care unless we get to take even more money than that away from you in your family tax benefit.' This is the prejudice at the heart of the Abbott
government. We saw that prejudice on display very clearly at question time today because it has got worse. Not even in the last budget—the worst budget in 60 years—did they try to take money and time with their newborn babies away from Australian mothers in an ambush of Australian families.

They claim Abbott's ambush of Australian families was an election commitment to remove the entitlement to the government paid parental leave scheme if your employer provides it as well. I do not recall it being a central feature of the election campaign of the opposition. I do recall paid parental leave being mentioned by the now Prime Minister but in a very different way from what he is now alleging he said to the Australian people. But the prejudice is clear. We saw the Minister for Social Services. I note that at the end of question time there is an opportunity for members who claim to have been misrepresented. I did not hear the Minister for Social Services jumping to his feet to deny calling it a rort.

Ms Macklin: Or the Treasurer.

Mr BOWEN: Or the Treasurer. The Treasurer could have denied calling it a fraud. I did not hear a personal explanation taken to deny this claim. No, because—perhaps in a moment of weakness—they showed their true agenda. They showed their true prejudice.

The Minister for Social Services is on quite a campaign—the new Minister for Social Services, the soft and cuddly Minister for Social Services! He could start by apologising to Australian mothers. He could start by apologising and admitting he got it wrong, admitting that he should never have said that. But he will not do that, because he still believes it. They stand by the policy. It is an outrageous policy that they have. It is an insult to the Australian people for the Treasurer, the Minister for Social Services, the Prime Minister and the Assistant Treasurer to say to those people who negotiated things in good faith, those people who negotiated with their employers and gave up wage increases and other conditions so they could spend more time with newborn children that they are rorters and take this condition away in a clear breach of an election commitment. They were promised a rolled gold parental leave scheme and instead they got Abbott's ambush from this Prime Minister who stands for nothing except prejudice.

This is the sort of treatment of Australian families we see from this government. It runs through the last budget and this budget, and I predict it will run until we see the defeat of the Abbott government. Until we see the defeat of this government, we will see this prejudice exhibited time and time again. It is prejudice which results in the budget deficit doubling as their impact on improving the budget bottom line.

We know that the Treasurer has told us there are no alternatives but his way. We also know that is not true. The Assistant Treasurer might in his remarks talk about some of the alternatives. He might in his remarks talk about Labor's plan to make sure multinationals pay a fair share of tax. He might talk about superannuation. The Assistant Treasurer is here. I had a feeling he might be here. I have a soft spot for the Assistant Treasurer. He's not the best Assistant Treasurer we've ever had, but he's in the top 10! There have been 11! But in a press release last night he said: 'And Bill Shorten and Chris Bowen need to get their stories straight. One says the budget is too soft and the other says it's not tough enough.' Maybe in his remarks he could explain what the difference is between being too soft on the one hand and not tough enough on the other. We'd love to hear it! You could start with it. There is an introduction for
the Assistant Treasurer: we would love to hear him explain the difference between too soft and not tough enough. *(Time expired)*

**Mr FRYDENBERG** (Kooyong—Assistant Treasurer) *(15:22)*: It is very hard to take the member for McMahon, and Labor, seriously when the member for McMahon said on ABC Radio on 13 May 2010:

... the government has returned the budget to surplus three years ahead of schedule and ahead of any other major advanced economy …

I do not know what he was drinking that night but it was not ouzo, I can tell you. He was a professor of ouzo economics. We have produced a budget which will set up Australia for the future—a budget that capitalises on the green shoots in the Australian economy. It is a budget which sees us seize the opportunities afforded by the free trade agreements we have signed in the region with Japan, South Korea and China; the opportunities afforded by the more than $2 billion of red-tape we have cut; and the opportunities afforded by the abolition of the carbon tax and the mining tax.

The key themes running through this budget are three. The first is focused on small business and jobs. When it comes to jobs, we want to target those young people who are neither in education nor in employment. We want to work with groups like the Brotherhood of St Laurence to help them get a job and start working for an income. We also want to give them work experience. One of the programs we have will subsidise employers to take on young people for up to 25 hours a week for four weeks, while those young people retain their income support. Another job program in this budget is about accelerating payments to employers through a $1.2 billion wage subsidy pool—for example, there is the Restart program, which will see people aged over the age of 50 get into the workforce after they have been on income support. We will provide up to $10,000 to an employer who does that. What about the package for small business? Small business will now get its greatest tax cut in over 50 years. It will see the company tax rate for incorporated companies with revenue under $2 million cut to 28½ per cent. And unincorporated companies with revenue under $2 million will get a tax discount of up to 5 per cent, up to $1,000 a year. Both incorporated and unincorporated companies will also get the benefit of a massively accelerated depreciation of up to $20,000 for two years. This is extremely significant and allows small businesses to innovate and invest. Did you know that eight out of every 10 jobs in agriculture in this country are in small business, and that nine out of every 10 businesses that are investing in innovation and high technology are small businesses? We on this side of the House understand that small business is the engine room of the Australian economy. Those on the other side of the House had a rotisserie of ministers in the small business portfolio. They had five in just six years, rotating and rotating on the hot burner, as 517,000 jobs were lost in small business under Labor's watch. Shame on them!

There is also red-tape abolition—for example, getting rid of the fringe benefits tax on portable electronic devices and no longer requiring companies to have an ABN, a tax file number and an Australian company number. They now only need one number. There are also our initiatives around crowdsourced funding.

The second big package of initiatives in this budget relates to families and, in particular, to child care. There is $3.5 billion worth of new funding—taking the Productivity Commission as our guide, with a sliding scale of 85 per cent down to 50 per cent, with a real focus on low-
and middle-income earners. We have tightened the activity test to ensure that the government is now only providing child care to those families who are actually in work, because we understand that if we can boost workforce participation we can strengthen the Australian economy. By our estimates, and the department's estimates, some 240,000 families will now either enter the workforce or will stay in the workforce longer as a result of our measures. There is also a $240 million-plus initiative for nannies, which will provide 10,000 children with 4,000 nannies—focusing, again, on some of the less advantaged areas in our country as well as regional areas. There is our $840 million commitment to 15 hours a week of universal access for preschool children. That is a signature set of policies around child care and families.

The third leg of the budget we are so proud of relates to multinational tax and to ensuring that multinationals pay their fair share of tax. The way we have done that is to strengthen part IVA of the anti-avoidance provisions to ensure that around 30 companies with artificial and contrived tax arrangements that the ATO has been looking at are paying their fair share; to ensure that the taxpayers in Australia—the mums and dads, the nurses and the doctors—are not short-changed by these multinationals not paying their fair share. We have doubled the penalties for breaches, and have also ensured that the GST is applied consistently to the importation of intangibles by companies like Netflix, to ensure that domestic providers of those services are now on a level playing field. I am very proud of those three sets of big initiatives around jobs and small business, families and child care, and the strengthening of our tax system and its integrity.

On top of that, there will be a record investment of $1.2 billion in national security, on top of the $1 billion we have already announced for ASIO, the Australian Federal Police and the Defence Force. We know ASIO has 400 high-priority terrorism-related investigations right now. We know that our intelligence agencies and our law enforcement agencies are very focused on the fact that more than 20 Australians have gone to Iraq and Syria where they are being killed—including a number of suicide bombers.

What about health? We on this side of the House, rather than the opposition, have also put up an additional $1.3 billion worth of drugs onto the PBS, including important drugs for melanoma and for cancer sufferers, because we know we have a moral obligation to assist those who are less fortunate than ourselves. What about our changes to the pension? Again, we are ensuring a more fair and sustainable pension, because the pension—

Ms Macklin interjecting—

Mr Frydenberg: You are in denial, the member for Jagajaga, who sits opposite. That is complete denial about the sustainability of the pension. It is the single largest budgetary item we have, at $42 billion, and it is growing at six per cent per year. It is currently 10 per cent of the Australian budget and, with the number of people over the age of 65 doubling in the next 40 years, we know we have to make the budget more sustainable. Not only will our changes to the taper rates and the asset-free areas ensure that people who may have been on a part pension but are low on assets are now going on the full pension; we have also saved $2.4 billion over the forward estimates through these measures. I am very proud of that.

As the Treasurer and the Prime Minister said today in the parliament, our budget also contains support for Northern Australia, support for farmers, $5 billion worth of concessional loans, the ability for farmers to instantly write off fencing costs, more money for mental
health counsellors in drought-affected areas and $330-odd million worth of support for the drought-affected parts of our country. I am very proud of all that.

In my last minute and a half, I want to focus on one very important part of this budget and that is continuing the path of budget repair, continuing to pay back the debt and deficit that the Leader of the Opposition was completely ignorant about today. Thirteen times on Neil Mitchell's program today, he avoided a simple question and did not take responsibility for Labor's debt. When they came into government in 2007 there was zero government debt, there was $50 billion in the bank and $20 billion worth of budget surpluses. Labor created this mess and now they are refusing to support us as we fix it up. We were borrowing $130 million a day just to pay their bills; now we have brought it down to $96 million a day. This is despite writing own $90 billion worth of revenue as a result of falling commodity prices. We have brought spending growth down from 3.6 per cent per annum—that those on the other side of the House created—to just 1.5 per cent per annum over the forward estimates. That is even taking into account our major obligations and our rightful obligations to fund the NDIS going further.

From a budget deficit of $48 billion that we inherited, it will be $35 billion next year. In three years time it will be $7 billion and we will get to surplus over time. We have been left to fix up Labor's mess. We are very proud of this budget. It sets up Australia for a very bright future.

Ms MACKLIN (Jagajaga) (15:32): Last year the Treasurer was full of insults about 'lifters' and 'leaners'. Remember how often we heard the Australian public divided into lifters and leaners? This year the Treasurer's insults go to 'fraudsters' and 'double dippers'. Last year it was lifters and leaners and now it is fraudsters and double dippers. You just have to wonder: how low can this Liberal government go, announcing on Mothers Day that this government would cut paid parental leave to around 80,000 new mothers. That is what the Treasurer announced just a few days ago. How do they justify it? The Treasurer basically accused thousands of new mums of committing fraud. But I suppose, coming from the Treasurer, who thinks that poor people do not drive cars, none of us should be surprised. But I was surprised that the new Minister for Social Services called mothers 'rorters'. We know that the new Minister for Social Services is a wannabe Treasurer. Maybe this is the criteria for being the Treasurer in this Liberal government: you go about insulting a whole range of people to justify a budget measure. That is exactly what the Minister for Social Services has done. How insulting, to call new mothers who want to spend a few extra weeks with their newborn babies 'rorters'. That is exactly what the Minister for Social Services has done.

I find the conduct of the Prime Minister the worst. This is the Prime Minister who originally said that his policy on paid parental leave would be that any policy on paid parental leave would be introduced 'over his dead body'. Actually, today in question time the Prime Minister said how important it was to have policy consistency. He said it was very, very important to have policy consistency. Some of us have got a good memory, and we remember him saying that paid parental leave should be introduced over his dead body. Then, over two elections, he took his gold-plated paid parental leave scheme to the electorate. He said that we really should be paying very wealthy mothers $75,000 to have a baby. Then he decided to scrap that signature policy, despite saying that it was a 'fundamental conviction'. Now, in the mother of all insults, this Prime Minister is saying to around 80,000 mothers that they will be
denied their paid parental leave. Eighty thousand new mothers will lose—every single year if this government gets its way—up to $11,500 from paid parental leave because of this government's cuts. What this means in real life, for mothers and their babies, is that those new mums will have less time to spend with their newborn babies. That is what this government's new policy is. That is exactly what this Prime Minister has done, in the most extraordinary of political and policy backflips that I have ever seen.

How can this Prime Minister ever be believed by any family in this country ever again? He has not a shred of credibility when it comes to supporting Australian families. Just have a look at the cuts to family payments that are still in this budget, that are going to see an average family on $65,000 a year with a couple of kids at school lose $6,000 a year. How many of you have had the honesty to actually say to families in your electorates that each and every one of them have already voted for those cuts to family payments and they are in the budget again? (Time expired)

Mr TUDGE (Aston—Parliamentary Secretary to the Prime Minister) (15:37): The member for Jagajaga talked about policy consistency. I can tell you one area where the Labor Party has been consistent every time they have been in government: that is, they destroy the budget and they destroy the economy. That is where they are completely consistent. You go back to the Whitlam era: they destroyed the budget and they destroyed the economy. You go into the Hawke and Keating era: what happened to the budget? They left a $96 billion black hole. Then you come back to the Rudd-Gillard era; what happened once again? They do it again—they completely and utterly destroy the public finances of Australia. The Liberal and National parties have to, again, do the hard work to repair the task.

Everybody knows the situation that we inherited when we came to government. There were debt and deficits as far as the eye could see. There was rising unemployment, business confidence was low and consumer confidence was low. Having inherited an economy in absolute tiptop shape, they destroyed it. They absolutely destroyed the public finances of this place. What is worse is that not only did they destroy the current finances of those current years with, I believe, the five biggest budget deficits in Australian political history but they set in place real expenditure of 3.7 per cent ongoing into the future—3.7 per cent real growth, which meant that we were locked into a Greek-debt trajectory going all the way to debt being 122 per cent of GDP.

That is what the Labor Party did: they set us on a course to follow the Greek-debt trajectory. We know what is going on in Greece right now. They have 26 per cent unemployment. They are struggling to pay the pensions and they have absolute social unrest as a result of the debt and deficit problems, which they never got on top of throughout their course.

This is what our government is doing: we are repairing the mess that we inherited. We did that from day one and we are continuing to do this with this budget. Already we have reduced the net debt by $110 billion. Labor does not like to hear this, because they have opposed every single one. Peak debt now will be $110 billion less. We have also reduced the deficits so, when you go forward and look at the projections, we are now going down to a deficit in four years time of only a few billion dollars. Therefore we are getting very close to a surplus thereafter.
When you look at the economic green shoots that are starting to appear because of the work—and again, they do not like to hear this—when you look at jobs growth, jobs growth has been 250,000 new jobs created in the last 18 months. That is 70 per cent higher than in the last 18 months of the Labor government. We have had record residential housing approvals, record business start-ups and have had retail sales increase by over four per cent in the last year. We have had economic growth go to 2.5 per cent now, when it was below two per cent under the Labor government. Exports are up. All of these are great economic green shoots.

What we are doing in this budget is turbocharging the small business sector, because they are the engine room of our economy. We are reducing taxes for them. We are absolutely going to make it easier for them to register new businesses. We are going to make it easier for entrepreneurs to get started. Most importantly, we are going to give them a go through accelerated depreciation so, if they purchase items up to $20,000, they can write those off immediately in that year. That is the approach that we are taking. We want to turbocharge the small businesses of this world, because we know that, when small businesses do well, we all do well: jobs start flowing, infrastructure starts going and investment starts occurring. This is what occurs when small businesses go well.

It is such a contrast to Labor's approach. Labor thought you would get the economy going by sending $900 cheques to dead people. They thought they would get the economy going by putting pink batts in people's roofs and then removing pink batts from people's roofs. They thought they would get the economy going through set-top boxes for $350 that you could buy at Harvey Norman for $70. That was Labor's approach. Our approach is to back small business, and we want to get on with it. (Time expired)

Mr BURKE (Watson—Manager of Opposition Business) (15:42): It is extraordinary when you hear those opposite trying to run away from the fact that in one year this government has doubled the deficit. If there was a single test that they wanted to put to the Australian people in their period in opposition, it was that from day one they would be able to start reducing debt and deficit. What do we have now? In one year—and they cannot quibble with the figures; they are their figures—from last year's budget to this year's budget they have doubled the deficit.

Mr Conroy: They have doubled the deficit!

Mr BURKE: That is right. We are hearing, 'That's wrong!'

A government member interjecting—

Mr BURKE: I presume you are about as loyal a supporter as Joe Hockey gets in that party room. But it is not only that. When you look at what has happened with debt, what they have done with debt, they said they were going to pay down debt. Net debt for Australia today is the highest it has been in the history of the nation. It has never been as high as it is right now. So they should not for one minute think that they can walk into this chamber or walk through any Australian community group claiming that for debt and deficit they are in any way the answer.

I disagree with the shadow Treasurer, I have to say. When they turned up with the fire truck, they did not kick the tyre and drive away—they threw a Molotov cocktail before they went. They made sure that the deficit continued to blow out and then gave the absolute reverse of a magic pudding. They made sure they delivered a budget that was bad for the
economy; a budget that crashed confidence; a budget that then saw a lack of business confidence and a lack of consumer confidence, and, consequently, continue to spiral with deficits growing year on year.

The Prime Minister, in budget reply, back in 2011 was at this despatch box. He gave three tests. He said:

People can be confident that spending, debt and taxes will always be lower under a coalition government …

We will take each of those in turn. We have seen what has happened with debt: it is higher under this government. After the global financial crisis, with Labor, spending growth continued at an average of 1.3 per cent; in this budget, spending growth over the same period of time grows by 1.8 per cent. This government is a higher spending government than the previous government, post the GFC. In terms of taxes, average taxes when Labor was in office were 20.8 per cent across the forwards; under this budget, 22.6 per cent in receipts. I know they find it hard even dealing with a double number being a bigger one, but with 20 to 22, it is the second number that is the bigger one. This is the opposite, again, of what the Prime Minister promised.

There is nothing in any of the global budget numbers that competes with the lack of integrity and extraordinary hypocritical approach to policy from this Prime Minister than what he has done on paid parental leave. For years, he would look at existing paid parental schemes and say, 'These schemes are terrible because they are woefully inadequate'. All of a sudden, in the last we discover, yes, he still hates those schemes because they are unnecessarily generous and anyone who is receiving benefits from them is somebody who the Treasurer will agree is tantamount to fraud or who the social services minister will describe as being in a rort. Those opposite have failed under every test that they have put forward. Are they a government that would allegedly be involved in bringing down debt? No. Reducing the deficit? No, they have doubled it. Reducing tax? No, they have increased it. Reducing spending? No, they have increased it. On what was meant to be the signature policy by which we were to know who this Prime Minister was—we thought it was extraordinary enough when he abandoned that policy; now he is advocating the diametrically opposed position, arguing the exact opposite. We know what this Prime Minister stands for. He stands for one job: his own. That is all the budget is about. That is all the conversations with the party room that he engaged in are about. Not one of his arguments from before the election— (Time expired)

Mr Taylor (Hume) (15:47): We have been hearing a lot of numbers from those opposite, but it seems to me that the only time that they get their numbers right is when they are putting the knife into the back of one of their leaders. So I thought we would go right back to basics and I would read straight from the budget papers as to what has happened to the budget deficit. So what was the budget deficit that we inherited? I go to table 5. The numbers are pretty clear: minus $48.5 billion. That is what we inherited from those opposite. What was it 2014-15? $41.1 billion. I think the second one is smaller than the first one. The deficit is going down. Let us see what goes on from then: then we go to a $35.1 billion deficit. I am not always as good at maths as those opposite when it comes to leadership spills, but it seems to that $35.1 billion is lower. Then we go to $25.8 billion; then $14.4 billion, then $6.9 billion; each of those is smaller than the last. I think it is straightforward. If we look a little bit
deeper—and I do not want to get too much more complicated—spending growth under those opposite was 3.6 per cent a year, and now it is one. It is simple. These are the numbers. Please get them right in future.

What I want to focus on is small business, because here on this side of the House we know that what drives the economy more than anything else is the job creation, investment and prosperity that are created by the small business people across our electorates: farmers, tradespeople, accountants, lawyers, entrepreneurs—you name it. They are the ones that create prosperity for our economy and our country. I was lucky enough to have a group of small business people and farmers from my electorate at the budget dinner last night. When the Treasurer announced the package of small business support measures in the budget, they were straight on their phones, texting, talking and planning how to invest in their businesses. That is what we want. That is what this budget will deliver. They were having a go within minutes of the announcements, and that is what we want: immediate impact.

This is exciting for me, because I know that the entrepreneurs, the innovators, are not here; they are out there. They are not in the public service; they are in the private sector. We want these people investing and creating jobs for Australia's future. Nowhere is that more true than in regional Australia. We have heard a lot about the tax deductions and the accelerated depreciation that will have huge impacts on the investments that are being made in regional Australia, which do not just impact those businesses themselves but all their suppliers and all their service providers who will also benefit from those investments.

There is also much in this budget about infrastructure investment. In my electorate, I am absolutely delighted that we have $16 million of investment under the National Stronger Regions Fund: a water treatment plant in Goulburn and a pipeline from Yass to Murrumbateman, which will support the growth of an extraordinary region which has been stimulated not just by this budget but by what this government has been doing since it has been in power.

I just want to spend a moment on the Labor contrast, because Labor's idea of stimulating the economy is through unwanted school halls, through dangerous home insulation, through GP superclinics and through an NBN that never delivered.

Opposition members interjecting—

Mr TAYLOR: Just ask my constituents about how the interim satellite service is going. Those opposite loved centrally driven big programs. I thought that I would have a look at how the 'year of big ideas' is going, and I found this wonderful document by the member for Fraser, called, 'Sharing the future'. It is about how we support digital businesses like Airbnb and Uber—those wonderful businesses that are creating great opportunities for us to reduce our costs of moving from a to b, accommodation and so on.

I expected this paper to look at things like how we grow businesses like this in Australia and how we help them to succeed, but all I found was red tape. The only thing there was red tape—what key standards should be enforced, what licensing and inspection teams there should be, what public rating systems there should be and what role government should play in monitoring and enforcing access standards.

Those opposite will never understand the economy. Here, on this side of the House, we understand that small businesses create jobs and—(Time expired)
Mr ALBANESE (Grayndler) (15:52): The key challenge for the economy at the moment is how you deal with the windback that has occurred in the resources sector as a result of the end of the mining boom and the move from the investment side to the production side. How do you fill that gap? How do you ensure future economic growth? There are two key things. You can invest in infrastructure and capital or you can invest in human capital, in people's skills and education. This budget fails on both accounts.

The fact is that this is occurring at a time when the latest ABS statistics show that the construction activity for public sector infrastructure fell by 17.3 per cent if you compare the December 2014 quarter with one year earlier, the December 2013 quarter. In the same period, private sector investment fell by some 12.4 per cent. This is a time when government should be investing in infrastructure. Yet this budget, delivered last night, does exactly the opposite. Infrastructure partnerships Australia's analysis of the budget shows that the Commonwealth investment in infrastructure will fall from 1.55 per cent of the budget to 1.47 per cent across the forward estimates to 2018-19.

When you look at the details of budgets, every year there is an infrastructure document formed. In the time I have been in this place there has always been, in every budget, a major infrastructure announcement. In 2013 we produced the nation-building infrastructure budget document that outlined our programs for infrastructure. A bit thinner than that in last year's budget was Building Australia's infrastructure. That did not work out so well because when people compared the documents they found that everything in the 2014 document was from the previous Labor government's budget. The government went around the country on their magical infrastructure re-announcement tour, pretending that these were new projects when in fact they were old ones, sometimes giving them a new name.

When you look at last night's budget, there is a $2 billion cut to infrastructure over the next two years compared with the government's budget last year. They are cutting $2 billion in two years from their budget. There is no funding for public transport projects. There is not more money for the Pacific Highway. In fact, there is less money for the Pacific Highway. There is no new money for the Bruce Highway. There is no attempt to tackle urban congestion in our cities.

There is a vindictive attack on Victorians for having the temerity to vote Labor. The government want to wind back the $3 billion that was not new money in last year's budget; it was taken from the $3 billion cut to the Melbourne Metro, the $500 million cut from the M80 and the $69 million cut from Managed Motorways. They took that way and gave it to the East West Link, which had a cost-benefit analysis of 45c return for every dollar. Then, last night, they attacked again, giving Victorians less than 10c in every infrastructure dollar spent by the Commonwealth. We will see the way that Victorians respond to that activity.

The best that the government had last night was a promise of concessional loans for states at a time when interest rates are just two per cent. At the same time, they cut Infrastructure Australia funding—this is the body that was going to be at the core—from $15 million down to $8 million. They have halved it in real terms over the forward estimates, gutting Infrastructure Australia.

At the same time, they flagged their maritime policy. They said that they want to better align employment conditions on ships based in Australia with international standards. We
know what that means, because flags of convenience run on Third World wages and Third World conditions. That is their vision for Australian shipping.

This is a terrible budget for infrastructure. There is not a single new initiative in this—

(Time expired)

Ms Henderson (Corangamite) (15:57): I rise to speak on this MPI. I have to say, from the contribution of the member for Grayndler, he obviously has very serious memory loss. He is leaving the chamber, unfortunately, so he cannot be reminded that one of the most important infrastructure projects in Victoria, the upgrade of the Great Ocean Road, a project that I fought for for so long, is a project that was fought against by Labor. It is one of the most iconic roads in this country. It is the centrepiece of a $2.1 billion regional economy that is driving tourism, driving jobs and improving road safety. The Labor Party campaigned against it. It was an absolute disgrace. For the people of Corangamite in south-west Victoria, that was an example of Labor failing to stand up for infrastructure.

If you consider what Labor has done on the East West Link, it is an absolute disgrace. Members opposite have stood by as Daniel Andrews has broken that contract, destroyed 7,000 jobs and turned his back on a $3 billion investment. We need that East West Link. It is an absolute disgrace that members opposite, including the member for Ballarat, have not stood up to their constituents. The people of Ballarat need better connections. The people of Geelong need better connections. The Western Distributor proposal put forward by Daniel Andrews is inferior to a proper East West Link. If Labor had the fortitude and the moral courage to stand up to Daniel Andrews, they would say, ‘We need that infrastructure investment in Victoria.’ I know about moral courage, and I know about standing up for jobs. I know about standing up for what is right. Labor have failed monumentally to stand up for jobs. I can tell you right now that their stance on those two projects reflects very poorly on the Labor Party.

The opposition, when it was in government, delivered a debt and deficit disaster. We are working very hard to turn that around, and that was more or less confirmed by the Leader of the Opposition this morning. It is curious that he is not making a contribution to this debate, because he called this, on Sky News, an election budget. Implicitly, he has acknowledged that this is a positive budget for Australia. That is why they are not talking about families. That is why they are not talking about our childcare package. That is why they are not talking about small business. We are delivering for small business, for families and the young people.

I remind members on both sides of our very important contribution to help young people get back into work. This is an area where Labor failed monumentally. They failed to tackle youth unemployment. I am very proud that one of the very important contributions that we have made in our region is to provide $7.5 million for the Norlane community hub, a project which will deliver 100 permanent jobs to the people of North Geelong, an area that has been largely ignored by Labor. The last major investment in the north of Geelong, in the CBD, was made when my mother was the member for Geelong. When she was in government we transformed the waterfront. We are very proud of our contribution to the Norlane community hub. We are very proud of our $1.3 million for Geelong Employment Connections and our stronger communities program.

We are delivering $1.2 billion in a national wage subsidy pool to help employers provide incentives for young job seekers. As part of the strategy to help young people get a job we are
delivering a youth employment strategy of $331 billion, which includes a very important transition-to-work program, a national work experience program, a $10 weekly Newstart bonus for those who volunteer for 25 hours or more a week, a four-week waiting period for Newstart and a new, simplified means test for youth allowance. We are tackling the hard question of youth unemployment. We are working very hard, as part of our budget measures, to get young people back into work.

Yes, a big part of our measures is to turbocharge small business. Small business is the engine room of our economy, and what we are delivering with the tax cuts to small business will drive investment in jobs growth. The immediate tax deductibility of $20,000 means they will go out and spend. That is great for jobs, great for families and great for our economy.

Ms King (Ballarat) (16:02): This is not a budget for Australia's future. This is not a budget about the future plans of this country, that invests in this nation and that deals with the very real challenges that we as a country have. This is a short-sighted attempt to do one thing and one thing alone: save the Prime Minister's job.

On the Treasurer's own numbers he has doubled the deficit in one year. That is an achievement for a Treasurer. Spending is up, deficits are up and—guess what?—unemployment is up too. What a great Liberal Party achievement that is. In the coming financial years, deficit has doubled from the last budget, from $17 billion to $35 billion. That is on their watch. We know what this budget means for health. On budget night—last night—I trawled through the budget health papers. In the lead up, frankly, I was thinking that it could not possibly be worse than what they did in the last budget, but it was. By entrenching the $57 billion of cuts to public hospitals that will see emergency department times and elective surgery waiting times blow out, the services that are needed in public hospitals across the country will not be sustainable. Every time somebody tries to get a bed in a public hospital and cannot they will blame every single one of the members opposite.

Entrenched in the budget is the GP tax by stealth. They have had to reverse their several measures, their several goes at this, but the $1.3 billion indexation freeze on the Medicare Benefits Schedule, is already seeing bulk-billing rates in this country collapse across areas like Western Sydney, for example. Bulk-billing rates are collapsing and people are having to pay more to access the health services they need. Also entrenched in this budget is the $1.3 billion hike to the cost of medicines. When people are trying to get access to medicines, the prescriptions they need will be going up under this government.

And, of course, in a trick to the medical research community, they say the Medical Research Future Fund is still there and they are going to be funding $400 million over the course of the next four years. That of course is if they pass every one of the retrograde steps that they want to impose on patients across this country. They know the PBS hikes will not pass the Senate, yet they have included them in the figures for the Medical Research Future Fund. It is an absolute travesty that they have held this fund out to the medical research community off the back of substantial cuts to services to patients.

But we saw even worse in this budget: $2 billion of extra cuts in health funding. They come from the flexible funding program, which, for people in your communities who may not be aware, funds hundreds of not-for-profit organisations in every single electorate across the country. It funds important services such as drug and alcohol services, mental health services, rural health outreach services and not-for-profit organisations such as the Heart Foundation,
the Consumers Health Forum and a range of other organisations. The Public Health Association called last night a blood bath for those organisations. They will have their funding cut.

We have also seen $125 million cut out of the child dental benefits scheme. We have seen further cuts to the adult dental benefits scheme in this budget as well. We have seen cuts to the health workforce programs. We have also seen $70 million cut from veterans dental schemes. So, on top of the huge cuts in last year's budget—cuts to prevention, cuts to dental health, cuts to public hospitals; you name it, there was not an area of health they did not see as worthy of a cut—the government have put $2 billion of extra cuts in this budget.

We have also seen the government starting to negotiate the new community pharmacy agreement with the Pharmacy Guild. The cuts to that agreement are not contained in this budget; so there are further cuts to come. Again, this government never saw a health policy or health program it did not want to cut. (Time expired)

Mr HOGAN (Page) (16:07): I hardly know where to start here. It is almost a comedy. With one breath, those opposite talk about fiscal responsibility—getting a lesson in fiscal responsibility from that lot is absolutely farcical—and then, with the next breath, they complain about cuts. Anyway, I will not go there, because some of my colleagues have articulated very well the absolute hypocrisy of what those opposite are saying.

I want to focus on some of the great positives out of last night's budget, and I certainly want to start with small business. As the Minister for Small Business said in question time today, coalition MPs have 'small business running through their veins', because our background is small business. My own father ran an electrical business. He had to make decisions about when he would buy the van, when he would buy his capital equipment, when he would employ staff. It is just something that we grew up with. It is something that we understand because we have done it. I actually have some understanding of the other side: they do not understand, because how could they? When that side is simply full of political staffers, union officials and an occasional lawyer, what do you expect? Now, I am not rubbish any of those occupations. There are places for unionists. There are places for lawyers. There are also places for political staffers. But, when that is the only gene pool you are drawing on, believe you me, you are in big trouble; and they keep showing us, time and again, the trouble they get into because that is the only thing they are drawing on.

Let us talk about the small business package last night. I want to talk about a few things but I am going to run out of time. Do you know why I am going to run out of time, Mr Deputy Speaker Scott? I am going to run out of time because there are so many good things to say about this budget that I will not be able to do it in five minutes. But let me have a go. I will talk about child care. I will talk about taxing multinationals in a fair way. I also want to touch on infrastructure, because the member for Grayndler is living in a strange world, when he talks about the Pacific Highway not getting any extra money in the budget. There is no extra money in there because we have put it all into completely finishing it. Anyway, we will get to that.

Firstly, there has been a lot made of the tax cut for small business since it was announced last night. The tax cut is great for small business. But I can tell you, from understanding small business—having run my own, my parents having run their own—and from speaking to some of my small-business constituents today, the $20,000 tax write-off when you invest in capital
for your business is going to be massive. I have spoken to small businesses in my community today that are already planning capital investments and actually buying. They, as everyone wants them to do, are having a go, and we are encouraging them to because we understand, as many people on this side have said before, that small businesses, more so than big businesses, employ more people. They are the lifeblood of the economy. They are the massive employer in this economy.

It is very important to remember—and I like to say it a lot because sometimes I think the people opposite do not understand—that every public welfare dollar that you want, every piece of taxpayer money that you want to give away, has to come from a healthy private sector. We cannot say that enough, because I do not think the other side really understand that. I think activity is going to be picking up very quickly because of that $20,000.

There is a place for government to assist, to give back, to give rebates and to give tax advantages. We all know that for child care, for a working family if you have two or three kids or even one kid going to preschool before they start school, the costs are enormous. We have simplified the system; and, for the vast majority of people, child care, because of the budget, is going to become more affordable. How wonderful is that.

I knew I would run out of time, but let me cover these last two things quickly. Taxing multinationals: again, the other side talk about it; we are doing it. If you earn money here, we are going to tax you here. So there is going to be a great step forward there. In some ways we are leading the whole world—

Opposition members interjecting—

Mr HOGAN: I think the other side is agreeing with me! Thank you for your support. Infrastructure: the member for Grayndler mentioned the Pacific Highway and that we did not increase funding to it. I remind him that we fully funded it and the whole cost of it is in the forward estimates, so we do not have to—because they wanted to withdraw funding of that. We maintained 80 per cent funding. So it is a good budget for my electorate. Thank you for your support. (Time expired)

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

Opposition members interjecting—

The DEPUTY SPEAKER: Order, on my left! Interjecting outside of your place in this chamber is very disorderly! Order!

Mr Perrett: We were being supportive!

BILLS

Biosecurity (Consequential Amendments and Transitional Provisions) Bill 2014
Quarantine Charges (Imposition—General) Amendment Bill 2014
Quarantine Charges (Imposition—Customs) Amendment Bill 2014
Quarantine Charges (Imposition—Excise) Amendment Bill 2014

Returned from Senate

Message received from the Senate returning the bills without amendment or request.
COMMITTEES
Appropriations and Administration Committee

Membership

The DEPUTY SPEAKER (Hon. BC Scott) (16:13): I have received advice from the Chief Government Whip nominating Mr Buchholz to be a member of the Standing Committee on Appropriations and Administration in place of Mr Ruddock.

Mr TURNBULL (Wentworth—Minister for Communications) (16:14): by leave—I move:

That Mr Ruddock be discharged from the Standing Committee on Appropriations and Administration and that, in his place, Mr Buchholz be appointed a member of the committee.

Question agreed to.

The DEPUTY SPEAKER: I call the member for Berowra.

Mr Fitzgibbon: Leave the Father of the House alone!

Mr Ruddock: Mr Deputy Speaker Scott, this is not a personal explanation!

Human Rights Committee

Report

Mr RUDDOCK (Berowra) (16:14): On behalf of the Parliamentary Joint Committee on Human Rights—another obligation I have assumed—I present the committee's 22nd report of the 44th Parliament entitled Human rights scrutiny report.

Report made a parliamentary paper in accordance with standing order 39(e).

Mr RUDDOCK: by leave—I thank my colleagues for the opportunity to speak on this matter. I am addressing the tabling of the Parliamentary Joint Committee on Human Rights 22nd report of the 44th Parliament. This report provides the Parliamentary Joint Committee on Human Rights' view on the compatibility with human rights of bills introduced into the Parliament from 23 to 26 March 2015, legislative instruments received from 6 March to 9 April 2015, and legislation previously deferred by the committee. The report also includes the committee's consideration of responses arising from previous reports.

This report outlines the committee's examination of the compatibility of these bills and instruments with international treaties on human rights to which we are a party. The committee seeks to engage in dialogue with relevant ministers, both to help the committee better understand the intent of the legislation before it and to help relevant ministers and officials to identify and explore questions of human rights compatibility.

Of the 24 bills considered in this report, six are assessed as not raising human rights concerns and 18 raise matters requiring further correspondence. The committee has continued to defer its consideration of one bill and a number of instruments which had previously been deferred. The committee has concluded its examination of four bills and five legislative instruments.

This report includes the committee's consideration of the Attorney-General's response to issues raised in relation to the Counter-Terrorism Legislation Amendment Bill (No. 1) 2014. This bill passed both houses of parliament on 2 December 2014 and received royal assent on 12 December 2014. The bill contained a range of strong measures to strengthen Australian
national security laws and the counter-terrorism regime. To that end, the legislation introduced a range of new powers which included expanding the control order regime and strengthening the powers of the Australian Secret Intelligence Service (ASIS) to provide assistance to the Australian Defence Force in support of military operations, and to cooperate with the Defence Force on intelligence matters. Possibly, these measures limit a number of human rights; however, they are in my view quite justified when they are rightly aimed at limiting counter-extremism and protecting human life.

As set out in the committee's report, limitations on most human rights may be justifiable under international human rights law where they are in pursuit of a legitimate objective, are rationally connected to that objective and the measure is a proportionate means of achieving that objective. An element for the test of proportionality in international human rights law requires consideration of whether there are any less rights restrictive measures which will achieve the same objective. That is, measures which limit human rights will nevertheless be compatible with human rights in a range circumstances.

In relation to the expansion of control orders and the strengthening of powers to ASIS, committee members on this occasion reached different views as to whether these measures were compatible with human rights. This difference of view is illustrated with respect to the committee's examination of the amendments to the Intelligence Services Act 2001 and engagement of the right to life. These amendments enable ASIS to support the Defence Force, including on intelligence matters. Such intelligence sharing may be used by the Defence Force and other military agencies in the context of armed conflict or other military activities. Some members of the committee, including myself, considered that this measure was reasonable and proportionate and therefore compatible with the right to life. Indeed, I would note that I would be concerned should intelligence be shared in a manner that was not consistent with Australia's obligations to respect, protect and fulfil the right to life. Other members of the committee took the view that the Intelligence Services Act may be incompatible with the right to life.

This report also contains the committee's initial analysis on the Migration Amendment (Strengthening Biometrics Integrity) Bill 2015. The bill would introduce a broad discretionary power to collect the personal identifiers from an individual for the purposes of the Migration Act or Migration Regulations. Personal identifiers include fingerprints, hand prints, measurements of height and weight, photographs or images of a person's face or an iris scan. This bill raises a number of human rights issues including the right to privacy, the right to equality and non-discrimination and the rights of children. It may also have some other implications, which the committee will obviously take into account in terms of its principles in examining these matters. But, in accordance with its usual practice, the committee has sought further advice from the minister as to the compatibility of the power with human rights.

I encourage my fellow members and others to examine the committee's report if they wish to better inform their consideration of proposed legislation where human rights may be impacted.

With these comments, I commend the committee's 22nd report of the 44th Parliament to the House.
Mr PERRETT (Moreton) (16:21): On behalf of the Parliamentary Standing Committee on Public Works, chaired by Senator Dean Smith, I present two reports: the first is the committee's Report 3/2015: Fit-out of new leased premises for the Department of Finance, Australian Capital Territory and the second is the committee's Seventy-eighth Annual Report (2014), which outlines the committee's activities during the calendar year 2014.

Reports made parliamentary papers in accordance with standing order 39(e).

Mr PERRETT: by leave—The referral for the fit-out of new leased premises in Canberra to be occupied by Finance was received in December 2014. The estimated cost for the fit-out is $32.1 million. Finance proposes to occupy One Canberra Avenue in Forrest. Currently, Finance's workforce is distributed across numerous buildings, under six tenancy agreements. Finance told the committee that relocating will allow the agency to consolidate most staff into a single tenancy, with only a small number of specialist staff to be located elsewhere.

On 13 February the committee visited the John Gorton Building, one of Finance's existing tenancies. This was followed by an inspection of the proposed new tenancy at One Canberra Avenue. The committee also held hearings on the same day. The committee was told that market conditions in Canberra meant that Finance had been offered highly favourable terms for One Canberra Avenue, including a lease incentive to cover the fit-out—no doubt that might reflect last year's budget, Deputy Speaker. The committee had some concerns. The committee questioned some aspects of Finance's cost-benefit analysis, seeking assurance that the proposed relocation and associated fit-out represented best value from a whole-of-government perspective.

In correspondence received after the first hearing, Finance revised its cost-benefit analysis, adding around $120 million to Commonwealth revenue that it advised had been inadvertently omitted. The committee pursued this matter in a second round of hearings and was subsequently reassured that the proposed lease and fit-out is the most cost-effective option. The committee is therefore satisfied that the project has merit in terms of need, scope and cost, and recommends that this project proceed.

Before moving on, I would comment further on the committee's oversight role. Inevitably, when the Public Works Committee examines the need for a fit-out, leasing arrangements will be raised and discussed. Although the committee's establishing act—going right back almost to the start of this parliament—does not extend to it the authority to make recommendations in relation to leasing, the committee expects agencies to establish that leasing decisions have been made with due regard to the whole-of-government costs and benefits. And I stress that to those listening.

Deputy Speaker, the second report I present today is Public Works Committee's Seventy-eighth Annual Report. In 2014, the committee, chaired by the honourable Karen Andrews, reported on 13 works with a combined cost of $2.3 billion. The committee had 35 meetings, including inspections and public hearings across the country. Projects scrutinised included a proposal to construct 50 tropically designed dwellings at RAAF Base Tindal at a cost of $89.4 million. As a result of concerns expressed by the committee, an amended project proposal was submitted for construction of the same number of dwellings at Tindal but at a cost saving of
around $47 million—well done to the member for McPherson for chairing that committee for that recommendation.

During the year, the committee approved 38 medium works. These are projects with an estimated cost of between $2 million and $15 million. The combined costs of medium works approved in 2014 were $252 million. The committee sought referral for inquiry of one additional medium work when it became apparent that the agency concerned had undertaken a series of similar projects in the preceding two years without notifying the committee. The committee has recommended that the Department of Finance write to all agencies to remind them of their obligations to the committee.

In July 2014, I was part of a delegation with then chair Karen Andrews where we undertook a visit to Indonesia and Thailand. The delegation examined progress on the construction of new, purpose-built Australian embassy facilities in Jakarta and Bangkok, and both were progressing well, particularly the Jakarta project. In its report of the visit, the delegation observed that both projects were progressing very well, and are expected to be completed on time and within budget.

Deputy Speaker, earlier I referred to the committee's oversight role and to the committee's authority under its establishing legislation. The committee is keen to ensure that its powers, processes and practices continue to be relevant in the current construction environment. These are matters that the committee intends to consider further, and I look forward to working with the chair, Senator Smith.

In concluding, I commend both reports to the House.

BILLS

Construction Industry Amendment (Protecting Witnesses) Bill 2015

Second Reading

Debate resumed on the motion:

That this bill be now read a second time.

Mr BRENDAN O’CONNOR (Gorton) (16:27): As I was saying before this debate was moved to another part of business for the parliament, this bill, the Construction Industry (Protecting Witnesses) Bill, is to be opposed by the opposition because it is about whether the sunset provision should continue. It is the view of the opposition—implicit in the sunset clause—that it is incumbent upon the government to establish whether such a provision should continue. It is the view of the opposition that it is incumbent upon the government to establish whether such a provision should continue. It is the view of the opposition that it is incumbent upon the government to establish whether such a provision should continue. It is the view of the opposition that it is incumbent upon the government to explain why they believe there is sufficient evidence to warrant the extension of this provision. And we would argue that there has been no review undertaken by the government in this matter—that the sunset provision should take effect, and that therefore the effect of the provision should lapse, because of the government's failure to review this matter.

It is also interesting to note that, of course, this provision relates to the Australian Building and Construction Commission. It relates to the efforts by this government to reinstate such a commission—which we would argue is an overreach, excessive, and in breach of international human rights conventions—and, whilst the government still has that intention, it is interesting to note that in the budget documents of yesterday, in the strategic directions under this portfolio, it is no longer a priority in the way it was outlined in last year's budget. In
last year's budget, there was a priority for the establishment of the Australian Building and Construction Commission. And yet that is no longer the case; it has been relegated down the order in the budget, which I think reflects the fact that the minister and indeed the government understand that they do not have the support of the parliament to proceed with their efforts to re-establish the Australian Building and Construction Commission.

In relation to this particular bill: this is a narrower bill in its application. We would say that it is prejudicial for the government, without undertaking a review, to extend the provision of what is a sunset clause. It really does suggest that the government's immediate assumption when it comes to dealing with unions or indeed workers in workplaces is that people are acting improperly, without any sufficient independent analysis of such matters. As I was saying before we adjourned on this matter, the government seeks to remove the privilege against self-incrimination by reintroducing that legislation.

What we have here, though, is a government using this bill as a stopgap. In reality, what the Abbott government really wants to do—and this is clearly evident in their bill to reinstate the ABCC—is to impose more coercive powers, with fewer protections and safeguards on their use. It is important to note that even if this bill is not successful, the Fair Work Ombudsman and those within the Fair Work Building Industry Inspectorate who are appointed as Fair Work inspectors currently have the power to compel the production of records or documents to assist in investigating industrial contraventions. Of course, there is also the Australian Crime Commission. If anyone understands the history of the Australian Crime Commission, it is the successor body to the National Crime Authority. It arose out of a royal commission itself which was held during the Fraser years. The then Hawke government established a standing crime commission. If this government really is talking about tackling crime rather than playing politics and attacking unions, it has at its disposal an organisation—namely, the Australian Crime Commission—with such powers to deal with matters of a criminal nature.

So if indeed all this was ever about in this area of public policy was dealing with criminal conduct, there is already a standing commission with experts and, of course, with law enforcement officers and people with sufficient expertise and very significant powers to do exactly that. But we know that much of this is about the government attacking unions across the board, as is clear by the parameters of the royal commission currently on foot.

I believe it is obvious to all fair-minded people that the government is willing to do anything in pursuit of its ideological attacks on working people and trade unions that represent them. For the reasons I have outlined, we do not support this bill and we do not support it because we do not believe the government has provided sufficient explanation or indeed sufficient evidence by undertaking a review that should have occurred in the case of extending a provision such as a sunset clause.

Mr HARTSUYKER (Cowper—Deputy Leader of the House and Assistant Minister for Employment) (16:32): This Construction Industry Amendment (Protecting Witnesses) Bill 2015 simply seeks to amend the Fair Work (Building Industry) Act 2012 to extend the operation of the compulsory examination of powers Labor gave to the current regulator in the building industry, Fair Work Building and Construction.

The bill is a stopgap measure to ensure that while the Senate considers the legislation to re-establish the ABCC, any current and ongoing investigations by Fair Work Building and
Construction are not compromised. Without this bill, the powers that Labor gave to Fair Work Building and Construction could not be used after 1 June 2015 to investigate unlawful conduct.

In case anyone thought they misheard me, I will repeat that point, that this bill extends the compulsory powers that Labor gave the FWBC. The bill simply continues the operation of Labor's own legislation. When you hear the calls from the members of the opposition about this bill, you would be forgiven for failing to realise that Labor is railing against legislation introduced by Labor under Prime Minister Gillard. Labor unwisely abolished the ABCC in 2012 and, as a result, it was mugged by the reality that there is a culture of intimidation, thuggery and silence for fear of retribution in the construction industry. Gillard Labor accepted this fact and retained the ABCC’s compulsory powers. That is right—the compulsory powers of the former ABCC were retained by Labor and given to the FWBC. These Gillard-Labor-endorsed powers are the very same powers that Shorten Labor and the unions now oppose.

Re-establishing the ABCC is an important issue for this country. It has become quite comical, seeing Labor senators tripping over themselves to show the crossbench senators how indignant they are that the coalition has dared to extend Labor's own legislation. Labor's objection to these compulsory powers shows just how disingenuous and dishonest they have been when it comes to the interests of their most generous benefactor unions in the CFMEU and the ETU.

I have seen the media release put out by the CFMEU after this bill passed the Senate. Unfortunately, the CFMEU jumped straight into linking the tragic issue of deaths in the industry with compulsory powers. The fact is that the CFMEU has once again been so ready to cry wolf over safety that it only does its members a disservice. It is unconscionable and despicable to use such a serious workplace issue as part of a partisan argument. This tactic discloses how hollow the Labor Party's policy position truly is. It confirms the reality that the CFMEU will say and do anything to further its own purely industrial agenda, while Labor stands quietly and impotently on the sidelines.

I also want to address the other half of the CFMEU's media release. It suggested that these compulsory powers are unique and that only those working in construction are subject to compulsory powers. This is incorrect. The CFMEU so conveniently forgets that those who work in the financial services area, corporate Australia, banking and in multinationals are subject to the same compulsory powers exercised by ASIC, exercised by the ACCC and exercised by APRA. What the CFMEU, the ETU and Labor fail to remember is that there are significant safeguards to the use of compulsory powers by FWBC and the proposed ABCC use of those powers. Some safeguards, mind you, only apply to those in the building industry; safeguards such as the automatic immunity that applies to the evidence a witness gives. So, even though they can be compelled to attend and answer questions, their answers cannot be used against them. Under these compulsory powers and the ABCC powers a witness can have a lawyer present. They will be given 14 days written notice of the requirement to attend and interviews are taped and video recorded. The use of the powers is subject to the Commonwealth Ombudsman's oversight, as they always have been.

So why are these powers necessary in the building and construction industry? It is because there is an endemic culture of intimidation, a culture of thuggery and a culture of silence—a
culture where those who dare to stand up and speak out against the thugs in the CFMEU and others will be targeted. This is why the victims and witnesses do not want to come forward and need the protection of being able to say that they were compelled to give evidence. Even Labor's own hand-picked reviewer of the ABCC powers in 2009 concluded that it would not have been responsible to remove the compulsory powers because of the unlawfulness that existed in the industry. Since then, the problems in the industry have only become worse and worse.

Any fair-minded observer would reach the same conclusion today based on the findings of the interim report of the Royal Commission into Trade Union Governance and Corruption. Let us not forget that the interim report recommends that consideration be given to laying a number of charges, including criminal charges, against a range of CFMEU officials in relation to acts of intimidation, coercion and blackmail. The royal commission concluded:

Together they raise fundamental issues about the regulation of the building and construction industry, and the culture of wilful defiance of the law which appears to lie at the core of the CFMEU.

In this context, Labor's experiment of a weak regulator with weak laws and weaker penalties can be seen as the monumental failure that it surely is. Who can forget that only weeks after Labor abolished the ABCC, the CFMEU, supported by the ETU, shut down parts of the Melbourne CBD for days in a violent attack on Grocon and its workers.

The Abbott government has stated it is committed to re-establishing the Australian Building and Construction Commission to return the rule of law to this important industry. This is about more than just compulsory powers, as important as they are. The debate will progress in the Senate in coming weeks. The Construction Industry Amendment (Protecting Witnesses) Bill 2015 will ensure that while that debate continues there is no loss of the regulator's existing powers and its existing investigations will not be compromised.

Finally, I call on the Labor Party to condemn the misleading campaign against this bill by its donors in the CFMEU and in the ETU. I call on Labor to act in the best interests of construction workers and the construction industry and to stop blocking the legislation to re-establish the ABCC. Regrettably, I fear that Labor will continue to support this current situation. It is a situation that is not in the best interests of Australia. I commend the Construction Industry Amendment (Protecting Witnesses) Bill 2015 to the House.

The DEPUTY SPEAKER (Mr Whiteley): The question is that this bill be now read a second time.

The House divided. [16:45]

(The Deputy Speaker—Mr Whiteley)

Ayes .................79
Noes .................48
Majority...............31

AYES

Alexander, JG
Baldwin, RC
Bishop, JI
Broad, AJ
Brough, MT
Chester, D

Andrews, KL
Billson, BF
Briggs, JE
Broadbent, RE
Buchholz, S
Christensen, GR

CHAMBER
AYES

Ciobo, SM
Cobble, JK
Coleman, DB
Coulton, M (teller)
Dutton, PC
Cubes, WG
Fletcher, PW
Gambaro, T
Gillespie, DA
Goodenough, IR
Griggs, NL
Hartsuyker, L
Henderson, SM
Hendry, PW
Hogan, KJ
Howarth, LR
Hunt, GA
Hutchinson, ER
Irons, SJ
Jensen, DG
Jones, ET
Joyce, BT
Keenan, M
Kelly, C
Landry, ML
Laundy, C
Ley, SP
Macfarlane, IE
Marino, NB
Markus, LE
Matheson, RG
McCormack, MF
McGowan, C
McNamara, KJ
Nikolic, AA (teller)
O'Dowd, KD
Pasin, A
Prentice, J
Porter, CC
Pitt, KJ
Price, ML
Ramsey, RE
Randall, DJ
Robb, AJ
Robert, SR
Roy, WB
Ruddock, PM
Scott, BC
Scott, FM
Simkins, LXL
Smith, ADH
Southcott, AJ
Stone, SN
Sudmalis, AE
Sukkar, MS
Taylor, AJ
Tehan, DT
Tudge, AE
Turnbull, MB
Van Manen, AJ
Varvaris, N
Vasta, RX
Wicks, LE
Williams, MP
Wilson, RJ
Wood, JP
Wyatt, KG

NOES

Bird, SL
Bowen, CE
Brodtmann, G
Burke, AE
Burke, AS
Butler, TM
Byrne, AM
Chalmers, JE
Champion, ND
Chesters, LM
Clare, JD
Claydon, SC
Collins, JM
Conroy, PM
Darby, M
Dreyfus, MA
Elliot, MJ
Feeney, D
Ferguson, LDT
Fitzgibbon, JA
Giles, AJ
Gray, G
Griffin, AP
Hall, JG (teller)
Hayes, CP
Husic, EN
Jones, SP
Katter, RC
King, CF
Macklin, JL
MacTiernan, AJGC
Marles, RD

CHAMBER
Question agreed to.
Bill read a second time.

Third Reading

Mr HARTSUYKER (Cowper—Deputy Leader of the House and Assistant Minister for Employment) (16:53): by leave—I move:
That this bill be now read a third time.
Question agreed to.
Bill read a third time.

Tribunals Amalgamation Bill 2015

Second Reading

Mr KEENAN (Stirling—Minister for Justice) (16:53):
I present the explanatory memorandum to this bill and move:
That this bill be now read a second time.

The Tribunals Amalgamation Bill will amalgamate key Commonwealth merits review tribunals—the Administrative Appeals Tribunal (AAT), the Migration Review Tribunal—Refugee Review Tribunal (MRT–RRT), and the Social Security Appeals Tribunal (SSAT).

Merging these tribunals into a single tribunal, which will be called the AAT, will support effective, efficient, and independent merits review into the future.

The decision to merge merits review tribunals

At the heart of a strong merits review system is an independent generalist tribunal boasting a range of specialist expertise. This is the direction initiated with the establishment of the AAT in 1976. The intention at that time was to have a single independent tribunal dealing with merits review of administrative decisions across a wide spectrum of Commonwealth activity.

In 1995 the Administrative Review Council (ARC) Better Decisions report recommended that various specialist tribunals should be united as a single review tribunal comprising a number of specialists divisions.

The ARC considered that a single merits review tribunal would combine the best features of existing tribunals. It would lead to better decisions, remove unwarranted duplication and be simpler for the public.

These same aims are reflected in the Tribunals Amalgamation Bill being introduced today.
The 2012 Skehill Strategic Review of Small and Medium Agencies in the Attorney-General’s Portfolio also considered that there was merit in the idea of amalgamating Commonwealth tribunals.

Most recently, amalgamation was recommended by the 2014 National Commission of Audit Report, Towards Responsible Government.

The 2014–15 budget measure Smaller Government—additional reductions in the number of Australian Government bodies outlined the intention to amalgamate tribunals into a single tribunal. The government also announced that merits review of freedom of information decisions would be incorporated into the work of the amalgamated tribunal.

Although each of the existing tribunals does excellent work, the fragmentation of the merits review system is undesirable.

Most states and territories have merged merits review tribunals, as have many overseas jurisdictions, with considerable success.

The decision to amalgamate the tribunals represents a return to the more coherent merits review framework that was envisaged when the AAT was established.

It is time to return to the original intention of our merits review system, with a commitment to a preeminent Australian merits review tribunal.

**Draws on the best aspects of each tribunal**

This amalgamation draws on the best aspects of each of the current tribunals and incorporates them in the AAT. The bill also preserves the distinctive aspects of each of the tribunals that are important in their specific jurisdictions.

The amalgamation simplifies the Commonwealth merits review system. The amalgamated tribunal will be a single point of contact for persons seeking review of administrative decisions. Tribunal users will benefit from an accessible 'one stop shop' for external merits review, better services and a more consistent user experience.

The amalgamation will also create opportunities to simplify and streamline tribunal procedures to better serve users.

The amalgamation will primarily affect the tribunals’ internal administrative and corporate operations with no material change to the substantive rights of tribunal users.

**Back office efficiency**

Currently, the tribunals each maintain their own infrastructure, including separate facilities and separate corporate administrative structures. This results in unnecessary duplication. More effective and efficient services will be delivered from the sharing of property, back office functions and other corporate overheads.

The savings from the amalgamation, totalling $7.2 million over the forward estimates, come from reduction in property costs once the tribunals are co-located and the consolidation of corporate services into a single agency.

Better services and better value for the taxpayer will result from the economies of scale that come from a larger amalgamated tribunal.

The size of the tribunal will provide members and staff with opportunities for a broader range of work and enhanced career pathways.
Members and staff will have new opportunities to share their knowledge and expertise with a larger group of colleagues. They will learn from each other and draw on the best aspects of each of the current tribunals for the benefit of all.

**Key features of the bill**

Schedule 1 to the bill will amend the AAT Act to support amalgamation.

The objective of the AAT is updated. The tribunal will be required to provide a mechanism of merits review that is: accessible; proportionate to the importance and complexity of the matter; promotes public trust and confidence in the decision-making of the tribunal; and is fair, just, economical, informal and quick.

The governance structure of the tribunal consists of a president, division heads and deputy division heads to manage the merits review framework of the tribunal, and a registrar to manage public service and financial arrangements.

The president of the amalgamated tribunal will be a Judge of the Federal Court of Australia. The current President of the AAT, the Hon. Justice Duncan Kerr, will continue in his role and therefore become the first president of the amalgamated tribunal.

Tribunal independence is also maintained by fixed term statutory appointments of tribunal members and the registrar. The membership structure will be expanded to seven levels of membership reflecting the broader diversity of skills and experiences required in the amalgamated tribunal.

The tribunal will have a divisional structure reflecting the main review jurisdictions of the existing tribunals to enable specialisation. The new divisional structure will include the Migration and Refugee Division and the Social Services and Child Support Division to reflect the existing jurisdictions of the MRT-RRT and the SSAT.

Amendments to the AAT Act will also modernise and simplify a range of existing provisions to improve the clarity and flexibility of the act.

Schedule 2 to the bill will amend the Migration Act 1958 to abolish the MRT-RRT and move its jurisdiction to the new Migration and Refugee Division of the AAT.

In practice, review of migration and refugee matters in the amalgamated tribunal will be virtually identical to the review in the MRT-RRT.

The current scope and effect of provisions relating to the judicial review of migration decisions is also retained.

Contingent amendments in schedule 2 provide for how this bill interacts with other migration legislation.

Schedules 3 to 7 will amend social services legislation to abolish the SSAT and move its jurisdiction to the new AAT. Specific provisions that apply in the SSAT will be maintained for first reviews of social services and child support matters.

The right to a second external merits review of social services and child support decisions where this is currently available is maintained. Procedures will be similar to those currently used in the AAT for second reviews of SSAT decisions.

Schedule 8 provides consequential amendments to a number of acts conferring jurisdiction on the AAT.
Schedule 9 provides transitional and savings arrangements to ensure certainty for existing members of the tribunals and for users of the tribunal who have proceedings on foot, or a right to review, at the time of amalgamation. These arrangements preserve users' substantive rights and ensure that the AAT can continue its review function without disruption at the date of amalgamation. There is also a time-limited regulation making power to respond to further areas where clarity in transitional arrangements is required.

The Tribunals Amalgamation Bill was passed by the Senate on 11 May 2015, with certain minor amendments that will support the effective operation of the tribunal, guarantee its independence and protect the rights of users.

Conclusion

The Tribunals Amalgamation Bill represents a sensible return to a more coherent merits review framework, while retaining the most successful aspects of each of the individual tribunals. This is an important reform, I understand with bipartisan support, that will make Australia's legal system simpler and stronger.

Mr DREYFUS (Isaacs—Deputy Manager of Opposition Business) (17:03): I rise to speak to this government bill, the Tribunals Amalgamation Bill 2015, which Labor is very pleased to support. As the Attorney-General said in the other place, the proposal to amalgamate the Commonwealth's merits review tribunals has a very long history. The suggestion that the Commonwealth should have a single consolidated merits review tribunal, which we would now call a supertribunal, is as old as the Commonwealth administrative law framework itself. This bill will bring us very close to realising that goal by consolidating four major Commonwealth tribunals: the Administrative Appeals Tribunal, the Migration Review Tribunal, the Refugee Review Tribunal and the Social Security Appeals Tribunal.

The bill stems from work begun by the Keating government. The then justice minister, Duncan Kerr, referred tribunal reform to the Administrative Review Council in 1993. The ARC reported to the minister in late 1995, recommending that an amalgamated administrative review tribunal be formed. Some 20 years later, the parliament will finally heed that recommendation. Much has changed. With the loss of the 1996 election, Duncan Kerr was never able to complete the amalgamation project as a minister, though in his current capacity as President of the Administrative Appeals Tribunal he will be tasked with implementing it. There is a happy symmetry to this little twist of fate.

Less happily, the Abbott government just yesterday announced in the budget that it will seek to abolish the ARC. This is a deeply short-sighted decision, and Labor will oppose it. The ARC was established in the AAT Act in 1975. It is as old as the modern administrative law framework and has played a profoundly important role in the review and improvement of that framework over many decades now. The ARC is a respected body with a strong track record, as it has produced 50 reports, many of which have made a major contribution to the reform of Australian administrative law. Report No. 39, which this bill substantially implements, is just one example.

As I said, the Keating government did not have time to respond to the ARC's 1995 report, but the incoming Howard government picked up the proposal for amalgamation. While Labor in opposition supported the principle of amalgamation, it objected to the detail of the bill brought forward by the Liberal government of the day, which departed in important respects...
from the Administrative Review Council’s recommendations and would have compromised the independence of the proposed ART. That bill was defeated in the Senate in 2001.

This bill is much less controversial. For the most part, its provisions effect a simple consolidation of existing tribunal architecture. As this has been longstanding Labor policy, we have no objection to such a consolidation. It is clear that this has several advantages. Amalgamation will in time lead to savings through the reduction of duplication. Amalgamation will reduce confusion among tribunal litigants, many of whom are unrepresented. It will prove more convenient for practitioners. Amalgamation, Labor hopes, will improve the quality and the reputation of the entire Commonwealth merits review system.

That said, Labor has sought some changes to the bill. This is a complex piece of legislation affecting the management of four very large jurisdictions and, as such, it warranted careful examination by the Senate Legal and Constitutional Affairs Legislation Committee. Labor and government senators were able to agree on two changes to the bill in committee, and I thank the government senators for their cooperation on these matters.

Turning first to those agreed committee recommendations: the committee’s joint report recommended, first, that the parliament remove the amendment in the bill which would allow the AAT to determine second-tier reviews of social security matters on the papers only, even where the parties do not consent. We welcome this recommendation. It is important not only that justice be done but also that it be seen to be done. Tribunal applicants should have a right to hearing where they consider this to be necessary to their claim being properly considered. The government moved amendments to implement this recommendation in the Senate, and we were pleased to see them pass with our support.

Second, the committee recommended that the parliament remove the amendment in the bill which would reduce the maximum term of appointment of AAT members from seven to five years. Labor appreciates that the government wishes to standardise terms of appointment. It has been pointed out that the standard practice in statutory appointments is for five-year terms, and that is also the case in the SSAT and the MRT-RRT at present. However, this measure goes to the independence of the tribunal. The AAT is distinct from normal statutory bodies. We support seven-year maximum terms both to ensure the independence of the AAT and as a means of attracting high-quality tribunal members. Again, the government implemented this recommendation with Labor’s support in the Senate.

There were, however, further changes that Labor sought which the government was not willing to accept in committee. Those changes were listed as recommendations in an additional comment by Labor senators. In the Senate on Monday, my colleague Senator Collins moved amendments to implement each of these recommendations. Though the government had initially resisted these changes, three of these amendments did eventually attract government support and were able to pass the Senate. I will briefly discuss each of those three amendments.

I turn, first, to additional comment recommendation 1. Labor successfully moved an amendment opposing the measure in the original bill which provides for appointment of the registrar of the AAT by the Governor-General. The current act provides for the registrar to be appointed on the nomination of the president. Labor considers this appropriate as the registrar is tasked by section 24B of the act with ‘assisting’ the president in the management of the
tribunal. This relationship, and by extension the position of the president and the independence of the tribunal, is protected by the nomination requirement in the act. No compelling reason was provided for why this practice should be departed from.

I turn to additional comment recommendation 3. Labor also successfully moved an amendment to remove the measure in the bill which removed the requirement for an address by each house of parliament before an AAT member can be removed, instead allowing the Governor-General to dismiss a member. This proposed change went to the independence of the tribunal. While the SSAT and the MRT-RRT presently allow for removal of members by the Governor-General, Labor takes the view that amalgamation should lift those tribunals to the present standard of the AAT rather than lower standards for the entire jurisdiction.

I turn to additional comment recommendation 4. Labor successfully moved an amendment to the bill to create a specialist FOI division of the new amalgamated AAT. Members will be aware that the government's Freedom of Information (New Arrangements) Bill 2014, presently in the Senate, would confer responsibility for determining disputes about FOI applications in the first instance on the AAT. At present, the specialist body the Office of the Australian Information Commissioner fulfils that role. We oppose that bill. It is nothing less than an attack on the FOI system, and the government has, thankfully, not been able to pass it through the Senate. Embarrassingly, in the recent budget the government has been forced to reallocate funding to the Office of the Information Commissioner a year after announcing that office's abolition. Nonetheless, we want to take this opportunity to ensure that the AAT is better able to handle FOI disputes whether the government's FOI bill passes or not. Accordingly, we moved in the Senate to amend the bill to create a specialist division of the AAT to deal with FOI matters.

As I said, on each of these three recommendations the government was eventually willing to come round to our point of view, and I thank the government for that. There was one outstanding point of disagreement, however, and that is additional comment recommendation 2. In the Senate, Labor was unsuccessful in moving an amendment to remove the measure in the bill which changes the venue for certain appeals from the Family Court to the Federal Court. The bill would give the Federal Court jurisdiction to hear appeals from the federal circuit court following an appeal from a child support first review and to hear referrals on questions of law. While this measure would be consistent with the general jurisdiction of the Federal Court over matters arising in the AAT, the Family Court has noted in its submission to the Senate committee that it, the Family Court, is the court with expertise in child support matters. Labor cannot see how any convenience is achieved by the change in venue, for what the department conceded at the committee hearings is a small number of matters would outweigh the disruption of accepted practice. We regret that the government has taken a different view and did not support our amendment, which as a consequence was not passed.

Nonetheless, the bill as a whole, and especially as amended in the Senate, is a very worthwhile proposal. Labor is happy to see the tribunal consolidation project, with its long and somewhat torturous history, finally realised. I commend the bill, as amended, to the House.

Mr KEENAN (Stirling—Minister for Justice) (17:14): I thank the member for Isaacs for his contribution to this debate on the Tribunals Amalgamation Bill 2015 and the opposition for their support of this bill that does simplify the merits review process within Australia. The
amalgamation of key Commonwealth tribunals will support an effective, efficient and independent merits review system into the future. The bill will place the AAT at the heart of our merits review system as a strong generalist tribunal boasting a range of specialist expertise. The amalgamation will primarily affect the tribunals' internal administrative and corporate operations with no material change to the substantial rights of tribunal users.

As I said, I do welcome the opposition's support for this. I want to make a few comments about the issue the shadow Attorney-General raised in relation to the jurisdiction of the Family Court. I appreciate that the opposition moved amendments in the Senate to give effect to the issues that he was raising. I point out to him though that we did not support those amendments for what I consider to be very sound reasons. We considered those amendments to be unnecessary. They would have complicated the system for judicial review of tribunal decisions.

The number of appeals actually heard by the Family Court at the moment is very small. I am advised it is only one or two per year. In practice almost all child support appeals from the tribunal go to the Federal Circuit Court, so the government believe that transferring the child support appeals workload to the Federal Court makes more sense. These appeals are first and foremost about the judicial review of government decision making. The Federal Court has expertise in administrative law matters across a wide variety of subjects and will capably handle these appeals within its existing resources. This will free up the Family Court to focus on more complex and intractable disputes between parties in relation to property and the care of children, and ultimately that is where their core expertise lies.

This bill represents a sensible return to a more coherent merits review framework while retaining the most successful aspects of each of the individual tribunals. The amalgamation simplifies the Commonwealth merits review system. Tribunal users will benefit from an accessible one-stop shop for external merits review, better services and a more consistent user approach. Members and staff of the new tribunal will benefit from opportunities for a broader range of work and enhanced career pathways.

The bill will also provide better value for the Australian taxpayer. The amalgamation will produce savings of $7.2 million over the forward estimates, mostly from a reduction in property costs once the tribunals are co-located and the consolidation of corporate services into a single agency. It is time to return to the original intention of our merits review system with a commitment to a pre-eminent Australian merits review tribunal. I, therefore, with the support of the opposition, commend this bill to the House.

Question agreed to.
Bill read a second time.

Third Reading

Mr KEENAN (Stirling—Minister for Justice) (17:18): by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.
CONDOLENCES
Fraser, Rt Hon. John Malcolm, AC, CH

Debate resumed on the motion:

That the house record its deep regret at the death on 20 March 2015 of the Right Honourable John Malcolm Fraser AC CH, former Member for Wannon and Prime Minister, and place on record its appreciation of his long and highly distinguished service to our nation and tender its profound sympathy to his family in their bereavement.

Mr WILLIAMS (Hindmarsh) (17:19): I rise today to recognise the life of the Rt Hon. John Malcolm Fraser AC, CH and place on record my appreciation of his long and highly distinguished service to the nation and contribution to Australian politics. As former Prime Minister John Howard said, Fraser was a hugely successful political figure, and it is his legacy that I stand to acknowledge today. Malcolm Fraser led our fine nation with distinction from 1975 to 1983 as Australia's 22nd Prime Minister. His legacy of a number of important reforms in defence, immigration and education make our nation what it is today.

He was elected at the age of 25 to the seat of Wannon in western Victoria. It is here that I have my first recollection of Prime Minister Fraser. I grew up in Naracoorte in the south-east of South Australia and western Victoria was actually closer than many other areas of South Australia, including Adelaide. A number of our family holidays were spent travelling through western Victoria visiting local towns such as Hamilton, Coleraine and Casterton, the towns closest to Fraser's Nareen property.

Fine people emanate from south-eastern Australia, and Malcolm Fraser was no exception. He achieved a great deal not only during his time in public life but during his post-political years. Malcolm Fraser has a special place in our nation's history. He was Prime Minister during an era of great political and economic change both at home and globally. At the end of the postwar economic growth cycle and at a time of changing social failures Australia needed a leader who was able to grasp the economic, social and political times. It was Malcolm Fraser who grasped the changing society. As Prime Minister Abbott noted in his condolence speech:

Fraser was not an avid social reformer like Whitlam, nor a mould-breaking economic reformer like Hawke, but he gave the country what we needed at that time. He restored economic responsibility while recognising social change.

His reforms will be his legacy of a time when Australia was undergoing political evolution in a changing global environment.

He also strode the international stage, holding his own with great luminaries of that time: Baroness Margaret Thatcher, the Prime Minister of Great Britain; President Ronald Reagan of the United States; and the late President Lee Kuan Yew of Singapore. Confronted with a legacy of reckless spending during the Whitlam years, Malcolm Fraser's vision was clear: to restore the economy, give confidence to investors and give the country sound government. As reflected in the 1975 and 1977 general election results, this message had deep appeal in the electorate. From his preselection speech on 11 November 1953, Malcolm Fraser's moral compass, his view of liberalism, was clear and consistent—to be both reformist and free:

It is not the greatness of this country in terms of power, productivity and population but in terms of individual people … Each man from the street cleaner to the industrialist behind a rich desk has an
equal right to a full and happy life. Each one has an equal right to go his own way unhampered so long as he does not harm our precious social framework.

Further evidence of his Liberal mission is seen in his 1971 Alfred Deakin Lecture. In this he stated:

In Australia we advance the egalitarian society, we promote equality of opportunity, we seek to relieve hardship, we plan to maximise opportunity. We expand our strength, believing that a stronger, more vigorous Australia will enable us to advance both our foreign and domestic objectives.

Our hope is a people united in common purposes, confident of their ability and energy, prepared to face the world and all its challenges.

These themes were an enduring hallmark of Malcolm Fraser's public career, whether it be expressed in terms of the environment, Indigenous affairs, multiculturalism, the battle against apartheid or the concern with the developing world and with poverty and oppression. Fraser's compass remained true.

Much has been made of Malcolm Fraser's prime ministership and government. It conferred self-government on the Northern Territory, established the Commonwealth Ombudsman, enacted our first freedom of information laws, established the Federal Police, set up the National Crime Commission, established the SBS—the Special Broadcasting Service—and, in a time of economic change, laid the foundations for the eventual deregulation of the financial system.

In addition to this, Malcolm Fraser, a farmer, remained true to his conservationist roots, with the environment being a top priority. Sandmining on Fraser Island and drilling on the Great Barrier Reef were banned under his government. He established the National Parks and Wildlife Conservation Act, and it was a credit to Fraser's approach to environmental matters that Australia was one of the first nations to have places listed on the prestigious World Heritage List.

Something close to many South Australians was Malcolm Fraser's efforts to deliberate over and reach a new River Murray agreement. As my colleague Senator Simon Birmingham notes, Malcolm Fraser, in 1982, was able to ensure the establishment of the new River Murray Commission to look at water quality as well as water quantity in the River Murray. I reiterate Senator Birmingham's views:

This stands as an important step in the very long battle to achieve sustainable and effective management of our largest inland river system.

Malcolm Fraser was a fierce patriot. A true example of this is shown in Australia's standing on the world stage in the sporting field. From the disappointment of the Montreal Olympics in 1976, when Australia failed to win a gold medal, Fraser's government worked on restoring our national sporting pride. At the centre of this was the creation of the Australian Institute of Sport, otherwise known as the AIS. When it opened on Australia Day 1981 in Canberra Fraser said:

Coaches and athletes working together through this institute will, I'm certain, produce great things for Australia and carry Australia's name high.

Australians have gone on to reach great heights in successive Olympic Games and maintain our position as a world leader in world sport.
Malcolm Fraser had a deep interest in the advancement of Indigenous people and was a champion of refugees. He was the first Prime Minister to visit the Torres Strait and was a pacesetter in multiculturalism. One of Malcolm Fraser's lasting legacies will be his efforts in the responsibility for Australia's immigration policy. In his time as Prime Minister, he expanded immigration programs to allow more refugees to enter Australia. He established the settlement services program, which is recognised around the world today as being the world's best; introduced English language training for migrants; and introduced the special humanitarian visa, which has been a key of this government's refugee program.

He will be especially regarded and remembered for his leadership in accepting Vietnamese refugees following the end of the Vietnam War and the subsequent Communist rule. His welcoming of some 56,000 Vietnamese refugees, genuine refugees who were escaping murderous tyranny in their home country, symbolised the essence of the man. His efforts demonstrate what can be achieved when confidence is restored to strong migration programs so that genuine refugees have the opportunity to receive resettlement in Australia. The contribution of these people to the fabric of Australia has been immense. One only needs to visit my own state—the Adelaide Central Market in central Adelaide, Jetty Road in Glenelg, Henley Beach Road in Torrensville or Gouger Street—to get a real understanding of the impact of the Asian migrant culture in Australia and in Adelaide. The resettlement of tens of thousands of Vietnamese people in Australia during his prime ministership has subsequently added a rich new dimension to our national life.

I acknowledge the support of the Minister for Immigration and Border Protection in these comments.

The Fraser government faced difficult economic times, however. Thanks to the aftermath of the world oil shock, record-breaking droughts, quickly evolving world-markets, a change from a period of strong growth, low unemployment and low inflation, and the legacy of the shambolic Whitlam Labor government, Fraser must be remembered for his economic achievements in government. It has been well documented that he ended the shambles and crisis that the Whitlam government had produced, brought macro-economic stability back to Australia, curtailed the growth of government expenditure, which was out of control under Whitlam, and brought inflation back to respectable levels. As previously mentioned, his government paved the way for the eventual deregulation of the financial system.

Fraser in 1971 recognised the need for government to focus on our strengths as a nation. He said:

We need to distinguish those areas where we have some national advantage, determine those industries in which we should specialise, then seek to develop our position in a full blooded manner.

This statement rings true today. As a government, we focus on the strength of our services sector, such as education and tourism, and the success of small business to lead Australia and the economy.

Malcolm Fraser understood the importance of sound budget management and that it was business that created the wealth of this nation. He said:

Many forget that the budget is primarily an instrument for sound economic management. It must also achieve a proper and equitable use of national wealth. It can create the climate in which wealth can be generated but it cannot of itself create wealth.

How sage his commentary was in 1971 and how pertinent it remains in today's economic climate. He went on:
Within existing levels of taxation. Governments at all levels must learn to judge their priorities …

I now want to talk about the rolling out of education as a particular area of interest of mine and something that Malcolm Fraser put a lot of time into, having served twice as the minister for education. He encouraged excellence in education, advocating strongly for a fair approach to schools—funding that championed freedom of choice. A lasting legacy of Fraser's will be his introduction in 1969 of the first Commonwealth grants to non-government schools. At the time, the public was largely in favour of church and other independent schools receiving assistance; but, controversially, Fraser decided to introduce grants on a per capita basis rather than a needs basis. His reasoning was sound. He said,

To deny a school assistance on the grounds that it was already producing good academic results would be to penalise excellence.

Following his insight into Australia's future in Asia and the belief that Australia must become genuinely multicultural, Fraser promoted the study of Asian languages and culture in our school curriculum. He saw importance of understanding our Asian neighbours from a foreign policy perspective. He said:

If more of us had a wider understanding of Asian history and Asian customs we would be in a better position to form opinions that would have some validity.

The coalition is currently allocating more spots for Asian languages—almost 2,000 for diploma-level language courses—to encourage more people to study and speak a second language, and at school level we are keen to get 40 per cent of year 12 students studying a foreign language or a classical language within a decade.

Fraser's contribution to the international stage has been well covered by other members of this House, and his impact on foreign policy was profound. He had a deep understanding of the complex aspects of Australia's place in Asia, whether it be engagement with Japan or his approach to South-East Asia. As Prime Minister Abbott has acknowledged, Malcolm Fraser's appointment to roles with the United Nations and the Commonwealth of Nations reflected his high international standing.

He was active in international affairs and devoted himself to humanitarian causes, especially through his involvement with CARE Australia. As his friend and associate Tony Eggleton remembers, Fraser made a difference to the lives of tens of thousands of the world's poorest people through CARE Australia projects that acted with rapid response to natural disasters and emergencies.

For Fraser the development of Australia was always front of mind and a central pillar to both the economic prosperity and the literal defence of Australia itself. Although he hailed from the seat of Wannon in Victoria, his compass was always about Australia, whether it be the Kimberley region or the Upper South East of South Australia. In particular, the Australian Mutual Provident Society scheme in South Australia brought into production over 2,000,000 acres of formerly unproductive Crown land, an example of adding wealth to Australia. The vast area of land around Keith in the Upper South East was a vital part of this program.

In terms of the south-east of South Australia, I was talking with James Porter, the former member for Barker, recently and reflected on when Malcolm Fraser visited the south-east after the Ash Wednesday bushfires in 1983. Fraser was immediately onto it and asking about the impact of the fires with the townspeople and the farmers. He had a very sharp mind,
Fraser did, according to many, including James. James said one of his first questions when talking about the destruction of the fires was how many acres had been affected. It showed that his rural roots never left him. James also reflected on the importance Malcolm's wife, Tamie, had in always being close to him in challenging situations and, obviously, in his role as Prime Minister. He said Tamie was wonderful company and that she accompanied him on this tour of the south-east of South Australia during the Ash Wednesday bushfires when there was great tragedy that struck our nation.

In conclusion, Malcolm Fraser stood tall on the national and international landscape. Our nation has lost a great Australian, so I find it timely to reflect upon his views of statesmanship:

The great task of statesmanship is to apply past lessons to new situations, to draw correct analogies, to understand and act upon present forces, to recognise the need for change.

More than ever in our history we need to stand up, to tread our own path, not in isolation, but in partnership with countries great and small.

No doubt future generations will look back at the achievements of his parliament and see the common threads that can be traced back from the 22nd Prime Minister of Australia to our own today. He was a giant of Australian political history and he strode the international stage with purpose and vigour.

Often we like to compare the legacies of those who have stood up for what they truly believe and fight for. I see extremely similar qualities between the legacy of Malcolm Fraser and that of Lee Kuan Yew, the first Prime Minister of Singapore, who governed for more than three decades from 1959 to 1990. Whilst coming from completely different ideological and political beliefs and differing cultures, Lee shared the similar ability of Fraser to look beyond the horizon. Singapore today has flourished thanks to Lee Kuan Yew, and I am a strong believer Australia today is a far better place thanks to the decisions taken by Malcolm Fraser.

Yes, there are numerous accounts that tell us varied views of Fraser's history and legacy and his involvement in the Liberal Party, but one thing remains true, as one commentator has noted:

Malcolm Fraser was much more than a long-serving Liberal Prime Minister and three-time election winner.

He had a deep commitment to a better Australia and a better world and was as a champion of the oppressed, disadvantaged and under-privileged.

Vale Malcolm Fraser.

Mr Dutton (Dickson—Minister for Immigration and Border Protection) (17:35): I move:

That the debate be adjourned.

Question agreed to.

MOTIONS

Centenary of Anzac

Debate resumed on the motion:

That this House:
(1) acknowledge that the 25th of April 2015 marked 100 years since Australian and New Zealand troops landed at Gallipoli;

(2) pay its respects to the 60,000 Australians who fought in the Gallipoli campaign, the nearly 9,000 who died, the 20,000 who were wounded and the thousands more who carried the unseen scars for the rest of their lives;

(3) remember the brave soldiers of Great Britain, France, India and Newfoundland who fought alongside the ANZACS 100 years ago;

(4) note that on the 25th of April, solemn services of remembrance were conducted at Anzac Cove and at Lone Pine in Turkey, attended by some 8,000 Australians, including the widows of Australian veterans;

(5) extend its thanks to the people and the Government of Turkey for their support of the centenary commemorations and their ongoing and faithful care of the Gallipoli battlefields; and

(6) note that on Anzac Day, millions of our fellow Australians gathered to remember the ANZACs and all those who have worn our uniform and served in the name of Australia, and that the people of every electorate represented in this Parliament have honoured this milestone, the Centenary of the landings at Gallipoli.

Mr NIKOLIC (Bass—Government Whip) (17:35): It is very rare for one word to be enough to arouse or inspire a nation, and ‘Gallipoli’ is one of those words. For Australia, Gallipoli is a kaleidoscope of memories and emotions, of debates and reflection and of endless analysis. It is all at once a single word, a national story, an enduring legacy. The Anzacs at Gallipoli were the initial heart and soul of Australia’s federation because they were our first national effort after the Federation of states a mere 14 years earlier.

Gallipoli was our first national commitment to a major international cause, and war historian CEW Bean wrote that Gallipoli was responsible for Australia becoming fully conscious of itself as a nation. Before Gallipoli Australians might have described themselves as Victorians, Queenslanders, New South Welshmen or Tasmanians but perhaps not Australians. Gallipoli changed that. It changed Australian attitudes.

When we think of the place, Gallipoli, it is revered for the national sacrifice and tragedy that occurred there; but Australians also have every right to be proud of the fact that our national contribution was so swift and professionally competent. In just eight months, Australia raised and trained the Australian Imperial Force to participate in one of the most complex operations in war—an amphibious assault onto known and defended enemy positions on the other side of the world. It was a staggering technical achievement which has not been matched in our nation’s military history. But the landings at Gallipoli foreshadowed more trials ahead. The great Allied summer offensive followed, including the Australian battles of Lone Pine and The Nek and then an eventual, near-faultless withdrawal conducted in early December 1915. These occurred in appalling conditions against a brave and resourceful enemy. The Australians fought well and cleanly, coming to respect their Turkish opponents, who reciprocated that respect. Eight thousand Australian deaths were recorded just at Gallipoli; a further 28,000 Anzacs were wounded in an area about the size of the Launceston town centre.

But something else died at Gallipoli: the fanciful notion that some harboured that war was about colour, pageantry, movement and the tactics of the Napoleonic battlefield. Advances in technology during that period changed the nature of war. We saw inventions like the machine gun, barbed wire and tanks and, later, poison gas, which turned the Great War into one of
poison, position, stagnation and death. It is fair to say that no single event in Australian history has cast such a long, dark shadow or projected the nation into a more pronounced period of reflective gloom. The Australian novel My Brother Jack perfectly captures the enduring loss and grief in so many Australian homes for at least the next two generations. It was a period of intense and often lonely suffering behind the privacy of family and dimly-lit, closed homes.

But we must also recall those who followed our first Anzacs: the Australian Light Horse in Palestine; our troops in France where 100,000 of our countrymen fought and lived in mud and trenches; and our World War II veterans in campaigns in North Africa, Syria, Greece, Crete, and places closer to home like the Kokoda Trail. Since then, there has been Korea, Malaya, Borneo and Vietnam; the Gulf War; a variety of United Nations and Multinational Force operations; Timor, the Solomons, Iraq and Afghanistan. As I said in my first speech in this parliament, there have been many highlights in my 31-year career in the Australian Army, but on the top of that list are the occasions I have had to lead the world's best soldiers in peace and war. My military career encompassed many postings around Australia and I had the privilege of living and working in places like Israel, Syria, Lebanon, the Philippines, the United States, Afghanistan and Iraq. I consider myself fortunate to have served our country on operations, mainly because of the quality of the Australian service men and women that served with me. Their quality, character and commitment have enhanced our enviable international reputation. They have added new chapters to our proud military history. People often ask me: 'How have our service men and women since Federation kept rising to the many challenges they are confronted with?' The answer, I believe, lies in the commitment they make to Australia and to each other. These are people who personify the word elan, which is about a collective confidence—a group decision to keep going and not give in; to look after your friends and put their interests and the needs of your country before your own. Those first Anzacs showed us all of those qualities. They showed us that brotherhood is sharpened by adversity. We see that in the film Gallipoli, during the carnage of the final attack. In the book The Broken Years by Bill Gammage, on which the film was based, he writes:

And when the command came, the front rank left the trenches and charged forward into withering fire … and was mown down.

The second rank followed.

The young Lieutenant turned to the third rank and said:

Well men, in a few seconds we will all be in paradise—and I will lead you.

At Gallipoli in the training camps and hospitals these young soldiers exhibited the traits and qualities which are acknowledged as part of our uniquely Australian character: courage, resilience, compassion and, above all, mateship. If the spirit of Anzac lives today, and I believe it does, it is founded in the acts of the men and women whose sacrifice we honour today. Our service men and women fought in the belief that their contribution would help to make a better world and what better way to honour their sacrifice than by striving for our best in our daily lives. In the words of a previous Prime Minister, John Gorton:

The foundation stones have been laid in war, so in peace we continue to build.

As individuals our efforts may often seem insignificant, but collectively we can all contribute to a better Australia.
Like us, many of the first Anzacs could trace their origins back to other countries and different cultures. From Gallipoli onwards, our Australian identity asserted itself with increasing strength. The lesson is that where we come from is of far less importance than what we become.

But we should also reflect on the resourcefulness shown at Gallipoli, which was carried forward by many of its surviving veterans. When you think of trusted brands in Australia, two immediately come to mind. The first is Anzac and the second is Qantas. It is wonderful for me, as someone who proudly wore the Australian uniform for over 31 years, to recall the unique connection of these iconic symbols, for it was two Australian Anzacs at Gallipoli who conceived of and later founded Qantas after the war in Longreach Queensland. They were, of course, Launceston-born Sir Hudson Fysh and Paul McGuinness. Both men finished the war as decorated heroes. Gallipoli, and indeed war in general, affords a rich vein of such remarkable vignettes.

In closing, let me briefly reflect on some occasions over the last 30 years, while serving in places like Israel, Syria, Lebanon, Iraq and Afghanistan where I had the opportunity to experience Anzac Day amongst World War I graves thousands of miles from home, many of which cannot be easily visited today. Each precious moment epitomised the strength of commitment that must have been required to put up with such extraordinary hardship, far from home and loved ones.

Unlike other battles, that glorify generals and diplomats, Gallipoli and the Anzac legend honours these ordinary Australians who did extraordinary things. I had the chance to reflect on their stories founded on human triumph against the odds and of courage, sacrifice and ingenuity. It is right that we remember them in this parliament today and that we also remember our other veterans over the last 100 years who have sacrificed so much for Australia. Their example is a challenge to us all to embrace the Anzac legacy of personal sacrifice, devotion to our work, mateship, team spirit and an unshakeable belief in the future of our country. Lest we forget.

Mrs ELLIOT (Richmond) (17:45): The Anzac Centenary is a milestone of very special significance to all Australians and one that been rightly recognised and commemorated around the nation and around the world. It is important that we as communities remember the centenary of Australia's involvement in the First World War. The First World War and the devastating loss at Gallipoli forged our Anzac legend, shaped our national identity and helped define our national character. Indeed, on Anzac Day this year throughout the nation hundreds of thousands of Australians turned out to pay their respects.

In my electorate of Richmond, like elsewhere, the response was overwhelming. Today I would like to speak about the local projects from the Anzac Centenary grants and how our community commemorated the Anzac Centenary. I recognise the great work of many individuals, RSLs and community groups who contributed to this. The main aim of the Anzac Centenary grants was to encourage all Australians to reflect upon and learn more about Australia's military history and its impacts upon our nation, our communities and our families.

During the Anzac Centenary we remember not only the original Anzacs of World War I; we also commemorate more than a century of service by Australian service men and women. The Anzac Centenary program encompasses all wars, conflicts and peacekeeping operations in which Australians have been involved. Due to the significance of the Anzac Centenary, the
Anzac Centenary Local Grants Program was developed. It was designed to assist community groups to commemorate the service and sacrifice of Australian service men and women, and it gives all Australians the opportunity to honour the service of those who have served our country.

The grants program provided $125,000 for each federal electorate around the country to mark the centenary of the First World War. That funding meant that local communities could decide for themselves the best way for them to commemorate the Anzac Centenary. In my electorate of Richmond, I invited the local RSLs to play a central role on the committee to determine the appropriate allocation of the funding. It was wonderful to see the response from the RSLs; it was very enthusiastic and immediate. The committee was convened and chaired by Dr John Griffin of the Tweed Heads and Coolangatta RSL Sub Branch. The committee members were: Kevin Sharpley from Far North Coast Legacy, Violet Hill from the Byron Bay RSL Sub Branch, Kevin Cheetham from Murwillumbah RSL Sub Branch, Paul Smith from Mullumbimby RSL Sub Branch, Hugh Aitken from Kingscliff RSL Sub Branch, and Col Draper from Bangalow RSL Sub Branch. I would especially like to acknowledge the great guidance and work of the chair, John Griffin, who did an outstanding job.

There was such great diversity of projects right across the community and I would like to highlight the successful applications and projects, starting with the largest project. The Tweed Heads and Coolangatta RSL Sub Branch received $53,000 to host a re-enactment of the Gallipoli landing on Anzac Day this year. This indeed was a worthy project of quite grand proportions and it gained a huge amount of local attention and enthusiasm. It was an enormous undertaking. When we were first talking about this project, word spread and we thought that maybe 10,000 people would attend. On the day, in fact, in excess of 15,000 attended. Prior to the traditional dawn service, with the backdrop of the Jack Evans Boat Harbour at Tweed Heads, the re-enactment of the landing at Gallipoli occurred, involving the local surf lifesavers acting in the role of the soldiers arriving on the shores of Anzac Cove. There was a spectacular and very moving light and sound show occurring whilst the soldiers were landing. The project also had live video feeds of the event strategically placed around the park so that all of the thousands in attendance were able to properly view the occasion. I commend everyone involved. It was an enormous undertaking and it was a very important event for the area.

The Cudgen Public School received over $21,000 to upgrade the war memorial at the front of their school. Cudgen School has a long and proud association with the Anzac Day ceremonies and the local community. They have worked closely with the Kingscliff RSL over the years with respect to this particular project.

The Byron Bay RSL Sub Branch received $39,400, and their project was to refurbish the existing First World War memorial gates and build a sheltered cenotaph as well. There were also very generous offers of in-kind support and donations from the community. One of the many contributions came from students at Byron Bay High School, Byron Bay Public School and St Finbar's Primary School, who researched the soldiers whose names are on the memorial gates.

The Mullumbimby RSL Sub Branch received over $2,000 and they put together a proposal for a wonderful art exhibition which engaged World War I descendants and local schoolchildren. A local ceramics artist, Deborah Gower, conducted workshops, and the
artwork was inspired by memorabilia sourced from the relatives and descendants of Mullumbimby soldiers. One of the major artworks was made from wooden crosses donated by the Australian War Memorial. These contained messages written by World War I descendants and also children from Year 6 at St John's Catholic School and Mullumbimby Public School. It was a great hands-on project that involved a lot of locals.

Another wonderful initiative of the Mullumbimby community was the application made by the Drill Hall Theatre Company, who received $3,705. The drill hall itself, it is interesting to note, may possibly be one of the only remaining buildings in the Richmond electorate to have been built specifically for the training of soldiers for World War I. The Drill Hall Theatre Company is commissioning a play called *The Signaller*, which is about a young soldier who enlists in the Australian Light Horse just before meeting and falling in love with his young wife.

The Murwillumbah RSL Sub Branch received over $2,000 to compile a roll of honour for those who served in World War I. The roll consists of those who originated from the local area and served with the AIF during World War I. That project will be displayed at various locations throughout the community.

The diversity of projects really reflects the diversity and interests of the communities, and it was truly inspirational to see the way in which the RSL clubs worked so well with the wider community, community organisations and the schools. Everyone really embraced this great opportunity to commemorate the Anzac Centenary.

That is reflected in the very diverse and poignant events that were held. Many people have reflected upon what a success it is, has been and will continue to be, as we commemorate the Anzac Centenary. The array of projects really demonstrates the uniqueness and vibrancy of our region but it also demonstrates the very strong collective will to remember and reflect upon those lives lost during war, during World War I and indeed through all wars. It was an opportunity to reflect upon all those servicemen and women who have served our nation in many conflicts and many events.

I think it was most important, in terms of the Anzac Centenary grants in my electorate, that everyone worked so closely and so well together to ensure that the respect, particularly for our Anzac legends and our Anzac legacy, continues to be handed down to younger generations. Many of these projects really did involve those younger generations, and I commend them and the schoolchildren who were involved.

Throughout all of these events, as we remembered and reflected upon the Anzac Centenary, the Anzac legend and all those servicemen and women who served our country, our thoughts are always today with those Australians who are serving our nation. We acknowledge and thank them for their service.

In conclusion, it was an absolute privilege to be involved with the Anzac Centenary Local Grants Program and to remember and reflect upon those who served and sacrificed so much.

**Mr SIMPKINS (Cowan) (17:53):** It was a big day for all of us on 25 April. It is hard to dispute that Anzac Day is unequivocally the most important day for our country. When we look back 100 years—and it was not the start of the war; there were things that took place before 25 April—it was that moment when this country stood up together. People rose collectively, leaving aside the parochialism of the colonies, as one people and one nation.
That is why it is such an important time for us and why it is the most important day of each year. It was just 14 years earlier that Australia had become a nation, and here was a challenge where people rose to the occasion.

A lot has been said about why our young men signed up in such great numbers. The AIF was formed and went overseas. There might have been something of the grand adventure. There might have been some wanting to prove themselves to the homeland. I think we need to acknowledge that everybody that went would have known somebody from the homeland—from the United Kingdom, from England—and they had great concerns about what was going on, the series of events, the Serbian Gavrilo Princip stepping out from the coffee shop in Sarajevo and firing two shots at Archduke Franz Ferdinand and his wife. Four or so years later, millions of people were dead, including 61,000 Australians and a further 150,000 Australians were wounded. From a small event in the Balkans, such carnage followed.

Australians all across the country decided that they wanted to be part of something, that they thought this country should act collectively. As I said before, it did not just begin on Anzac Day. The first shots were fired to try to dislodge the Germans from German New Guinea. We sometimes forget that. Then in November 1914 there was HMAS Sydney's victory over the RMS Emden in the Cocos Islands—the first great victory of World War I for Australian forces.

Despite those things that happened earlier, the collectiveness of the whole country—people signing up, people being recruited to go and fight—actually culminated on that first day in Gallipoli, when the troops had come across from Lemnos and came forward in the boats across such difficult ground: the raking fire, the difficult terrain, and the great challenges. That was the reality of war. It was not the home-by-Christmas viewpoint of some people; it was the challenges of death, carnage and destruction. That, of course, affected this country for years to come. When you have some four million people, and 61,000 of your finest young men die and 150,000 are wounded, the impact of that goes on for generations. Of course that was felt by every country that participated in the war.

Sometimes people talk about the futility of war. I think it is wrong to talk about war in those terms. It is true that it is not a desirable thing. We always hope for a grand peace—a greater peace and tranquillity in the world. But the reality is that, throughout history, there has been evil in this world that must be stopped, and sometimes the only way to stop it is by fighting. There is good in the world, and it is worth fighting for.

So when you look at the history of this country and the military history of this country, we have seen Australians rising to the occasion and leaving these shores—and sometimes fighting on these shores as well—to fight for a better world. I think that we should be proud of what they have done. Look at World War II, for instance. Of course, following World War I, no doubt there was an aversion in Europe to confronting Adolf Hitler—a man who came to power in 1933 and four years later saw the final breaking of the Versailles treaty—but, if people had stood up and confronted Hitler at that time, how many millions of people could have been saved?

Of course, there would still have been a war, but how many millions could have been saved?

Then you can look forward beyond those times, from the evil that was the Nazis—the evidence of that brutality that I personally have seen at Auschwitz—to now, to what IS,
Daesh, is doing. It is the same sort of evil. I sometimes wonder when people say, 'Let's not become involved in that,' if people were probably saying that when Hitler was rising as well. There are people doing evil, subhuman things in the world. It was the Nazis in the thirties and early forties; it is now IS and, in Africa, Boko Haram. These people are not human. They need to be confronted, they need to be defeated and in fact they need to be destroyed. There is evil in this world. There has always been evil in this world and someone has to stand up and fight it.

I think that Australians have always acknowledged that sometimes there is no other way. Nobody likes war. Nobody wishes for war but, ultimately, if you have to stop people doing the wrong thing and taking advantage of the weak—murdering, killing and abusing—sometimes there is just no other way.

When I looked across my electorate on the days leading up to Anzac Day I was so very proud not just of my electorate of course but of the whole country. People have risen to the occasion to acknowledge the sacrifice and the belief in good causes on Anzac Day and on those days leading up to it. A dawn service on 24 April at a local primary school—Marangaroo Primary School—that had sought a Commonwealth grant for the Centenary of Anzac created a flag station memorial for Anzac Day. What a great example—there were hundreds of people turning out, not on Anzac Day but actually turning out on the 24th itself.

There were little children there at 5 o'clock and 5.30 in the morning, along with their parents and community members. There was a great display in the undercover areas. I think it was just an outstanding example, as we have all seen outstanding examples, of Australians paying great tribute and commemorating the sacrifice of so many Australians, both men and women, over the period of Australia as a nation.

I think that we can sometimes look upon things that happen in this country—particularly with young people—and sometimes we might generalise about the problems that they have. But you look around the country and you see how many young people, children and people in general have risen to the occasion and demonstrated that great respect for the commemoration. It is not a celebration, of course, on Anzac Day but a wonderful commemoration of people who believed in the cause and who were prepared to die for it. I think it is just a great example of how great this country really is.

You do not need to travel very far in this world to realise that we have a lot going for us. There are examples such as our commemoration of Anzac Day and our ability and belief in going and fighting for good causes, peace and justice. These are the things we should always try to achieve.

Lest we forget.

Ms BIRD (Cunningham) (18:03): It is a privilege to have the opportunity to respond to the remarks of the Prime Minister and the Leader of the Opposition on the Centenary of Anzac commemorations that have been held across the nation and, indeed, internationally last month.

Like many individual Australians, for me it is a time of reflection on the service and sacrifice of so many Australians and their families as a result of the intensity and devastation that the first great world war wrought on them as individuals, as families and as communities. It is a time to reflect on the profound impact that war, and the Gallipoli campaign in...
particular, had on shaping the character and values of a young Australian nation. It is not, and
never should be, a time for celebrating or glorifying war, and this is not what you hear from
the words in services, the conversations of community members attending them or the
activities that occur on these occasions.

The Anzacs left us a legacy of service to others, of sacrifice for mates, of the hope for
peace and a rejection, indeed, of pomp and bluster. We come together not only to pay respect
to their courage and service but also to honour their legacy and to re-commit to those values.

As a mother of young men I feel particularly moved by the individual stories that we hear
at this time: of young men kissing their families farewell as they set off, believing they were
off to the ‘adventure of a lifetime’, or solemnly determined to do their duty to their young
nation or simply to support their mates who were signing up. Their motivations were diverse
but there is little doubt that the vast majority would never have anticipated the extent of the
death, destruction and suffering they would encounter.

Many made the ultimate sacrifice on those bloody battlefields and they never returned to
the families that hoped to see them come home. Many families stood at train stations around
the nation to collect and embrace relatives returning with devastating injuries, suffering from
being gassed or trying to manage the psychological impacts that would live with them for a
lifetime. It is no wonder that many families report that those returning were extremely
reluctant to ever discuss what they had witnessed.

In the Illawarra we began the centenary events last year, with a wonderful first Service for
100 Years of Anzac at the Balgownie World War I Memorial. Richard Davis did a warm
welcome to country and, importantly, also acknowledged the service of Aboriginal diggers, as
we can in the days now when we are doing much better at finding the information. Mark
Edwell gave us the history of the Remembrance Tree and the memorial. Marie Austin
represented the descendants in talking about her two great uncles on the memorial, one of
whom died and the other who returned. I have to say that I also have a great-
great uncle listed
on that memorial: James Young.

We were all thrilled to have State Governor Her Excellency Professor the Hon. Marie
Bashir AD CVO to provide the formal address, and she was warmly received by us all. The
ceremony was concluded by Major General Hori Howard AO MC ESM (Ret) doing the Ode.
Lots of local schools and the Army band were there and B Company 4th/3rd Battalion
RNSWR provided the catafalque party. I have to say that it was pleasing that some of the
restoration work on the memorial was actually assisted by one of the grants I was able t
secure for them under the Anzac Centenary Local Grants Program.

On 13 March, it was an honour to participate in a ceremony at the Wollongong Botanic
Gardens organised by the City of Wollongong RSL Sub-branch where we planted a sapling
that is a cutting from an original pine tree from the battlefields of Lone Pine, Gallipoli
Peninsula. The ceremony included an introduction to the Centenary Anzac torch and it was
very well attended, with lots of schoolchildren there as well. On Sunday 19 April, I attended
the Bundeena and Maianbar Anzac Centenary march and service. This was also strongly
supported by hundreds of locals who turned out. There were excellent contributions from
everybody involved, including Bundeena Public School students. Given the tough year that
was caused by the fire at the RSL club and sub branch, they did a magnificent job on a very
important occasion. They had also received an Anzac Centenary Local Grants Program contribution.

Another aspect of this grants program I was very pleased to support was the provision of funding to local schools for special commemorations. This included St Therese Catholic Primary School for a World War I memorial; Corrimal Primary School for refurbishing an existing war memorial wall and a new mosaic; Wollongong West Public School to establish a memorial garden and to install a plaque; and Para Meadows School to develop a resource on World War I for students with a disability. On 24 April I attended the unveiling of a wonderful Anzac Centenary commemorative plaque at St Brigid's Catholic School at Gwyneville. The students did a great service and we heard from Joe Davidson from the Wollongong RSL.

The dedication of so many local students to the task of researching and retelling the stories of their own family members has indeed inspired me to talk to my family, and I would like to briefly refer to two of my own family members. My maternal grandmother's uncle, James Wallace Young, was born in Scotland and emigrated to Australia in 1914. He enlisted in November 1916 and served in the 1st Battalion E Company of the AIF in France. He was wounded twice in battle: firstly, in May 1917 and, again, in October that year. He returned home but the effects of being gassed had an ongoing impact on him for the rest of his life. He is the gentleman on the Balgownie memorial I mentioned earlier.

The other relative is Edwin Harold Stafford, known as Harry, who lived with my great-great-grandmother, Matilda Kelly, at Balgownie. Harry was working at the local mine until he enlisted at the age of 18 in August 1917. He embarked with the 2nd Australian Tunnelling Company from Melbourne in November 1917 and served on the Western Front. The records show that he was in Suez, Egypt, in December 1917. He was gassed on 1 June 1918 and admitted to a military hospital again in February 1919. He returned to Australia in September 1919 and was discharged in October. The Stafford family, like many of their neighbours, had lost members in the terrible Mt Kembla mining disaster of 1902 that took the lives of 96 men and boys from the small mining communities of the local area. Indeed, three of the Stafford family had died in that mining explosion. Just over 10 years later that small community again saw many of their young men off to World War I. Like communities across the nation, it took a large toll on what were small populations at the time. The same would have been felt, for example, in the communities around Bulli, in my area, who had lost 81 men and boys in the Bulli mining disaster of 1887—again, a mere 27 years before the war.

On Anzac Day I joined thousands of other locals at the dawn service at the Wollongong cenotaph, as I have done for many years. It was great to see thousands—some estimated close to 10,000—at that service, and 75 schoolchildren carried glow sticks through the arch of the cenotaph as the names of the 75 men on the memorial were read out. Later in the day, there was a great march through the streets of town, ending at Wollongong WIN stadium where we had a fantastic service as well. There were performances by the Wongawilli Bush Band and an address by Major General Hori Howard.

There were services across the electorate, and I have to finish by acknowledging the fantastic work of the Illawarra Centenary of ANZAC Committee, who also worked as my reference committee for the local grants program. I want to thank them for their outstanding efforts: Chairman Mr Peter J. Poulton; Deputy Chair Major. General Hori Howard; secretary
Mrs Mary Clarke; and members of the committee—Ms Lee Cramer, from Wollongong Council; Ms Katrina Owers, from Shellharbour City Council; Councillor Dennis Seage, from Kiama Municipal Council; Mr Terry Weatherall; Mr Warwick Hansen; Mr Paul McInerney; Ms Deidre Backhouse; Mr Gerry Sozio; Ms Marisa O’Conner; Mr Keith Clemmett; Mr Jim Lyon; and Mr Martin Parmiter. As we commemorate further centenary events as they arise over the coming years, I know the committee will be continuing its great work.

On 3 May I opened the World War I display at the Black Diamond Museum and Heritage Centre at Bulli with Lance Brown. Lance was nine when he joined his family to meet his two uncles, Manny and Alf, at the train station when they returned from WWI. This was another successful grant project that I was really pleased to be involved in unveiling. The work was undertaken with the Illawarra Family History Group, who have an ongoing project on their Facebook page identifying Anzacs on the 100th year since they lost their lives in the conflict. It is a fantastic project, but a sad one. It reminds us why we meet together on Anzac commemorations. Lest we forget.

Mr HUNT (Flinders—Minister for the Environment) (18:13): On Anzac Day around the country, in small towns and in large cities, hundreds and hundreds of thousands of Australians, young and old, of all ethnicity, of all background, of all persuasion, gathered to acknowledge the sacrifice of those who came ashore at Gallipoli on 25 April 1915 and all of those who gave their service, in many cases their health and in all too many cases their lives for the security of Australia not just in the Great War but in all wars.

On Anzac Day I stood and read the names on the cenotaph at Sorrento on the foreshore. Amongst the many names, four in particular struck me—Skelton and Skelton, and Thompson and Thompson—two families, two members each. They represented the damage the loss the tragedy that each of those families felt and that so many other families in that great and terrible conflict felt, not just in Australia but in so many countries of the world.

The fact that 100 years on, following what was one of the very first sites in Australia to commemorate Anzac Day, there in Sorrento, these names are still recorded and still honoured—by schoolchildren, by other veterans, by parents, by people from all walks of life—says two things. It says that as a country we honour, remember and recognise the immense courage and sacrifice; and it says that we are living the very life for which they fought. As a free country, as a decent country, as an honourable country and as a hopeful country we retain the best of both acknowledging that immense, heroic sacrifice but also living with a sense of optimism, pride, hope and forward-looking nature. I think that those four names—Skelton and Skelton, and Thompson and Thompson—would be proud of what their community has become.

So to look briefly backwards; when we think of Anzac Day we know that as the beaches at Gallipoli were swarmed and an almost impossible task was set, by the end of that first day alone, 2,000 Australians lay dead or injured. By the end of the conflict, in just Gallipoli 8,700 Australians had perished and almost 19,000 had been injured. And those injuries were of course of a scale and magnitude which meant that many never recovered in any meaningful way.

By the end of the Great War, 61,000 Australians had given their lives. Over 151,000 had been injured—again in so many ways and to such an extent that normal life was not only
impossible but anything other than a life of enormous pain was also impossible. So the immensity of that conflict has to be understood.

A little over 320,000 Australians travelled abroad to fight in that conflict; 61,000 lost their lives; 151,000 were injured. The odds of being killed or injured were almost two out of three. That is a level of courage, a level of sacrifice, which is almost unimaginable. To see the young people recognise and honour the young lives and the names on that plinth—and for them to have that sense of sadness, not just in Sorrento but also in Rye, Rosebud, Dromana, Hastings, Koo Wee Rup, Red Hill, Phillip Island, Lang Lang, Pearcedale and in so many other places within the electorate of Flinders, and replicated in 150 constituencies around the country—is to see that there is something strong in our national fibre. It is not the glorification of this conflict; it is the connection with the fact that so many people fought and gave everything.

So it was profoundly moving to be able to present to Ronald White, an elderly gentleman from a nursing home in Hastings, the medals of his father on Anzac Day. His father, Alfred Henry White, had served in the war. His mother had died when he was but a baby. He never knew his father. It was only in recent years tracking down the only memorabilia he had of his father

a single photograph of a smiling young man in a slouch hat

by using the systems available

with modern technology and with the support of the Bays hospital nursing home

was Ronald White able to find out his father's story.

His father, Alfred Henry White, won the British war medal and the victory medal and these were awarded to him in the chamber of the Hastings RSL after the dawn service and there was a degree of pride and a degree of sadness which encapsulated Anzac Day on the day.

Similarly to be able to present David Loyd with the medals of his own father Herbert Richard Loyd who had served with the allied troops in Papua New Guinea and then with the US army small ships section was a deeply moving moment.

Right across Australia these things occurred as Australians commemorated in the most honourable those who had served and given. At home in our family we had a quiet moment in recognition of Colin Alexander Grant. On 5 May 1918 Colin Alexander Grant was felled by a bullet at Villers-Bretonneux. Like so many others of course his remains were interred there on the Western Front.

Colin Alexander Grant was my grandfather's brother. He was my great-uncle and the echo of his loss was never lost through the generations. But that is the same for the families of each of the 61,000 Australians who were lost. So against that background, it is right that we still remember. It is right and proper that young Australians from primary school are still able to mourn those that they have never known or even contemplated, but recognise that that which they have is so dependent on that which was given. In some small way the program of commemorating through new Anzac Centenary grants around Australia with initiatives such as the French Island Community Association's flagpole for their Anzac Day service, the Koo Wee Rup RSL's magnificent honour roll and avenue of honour and the Phillip Island RSL's redevelopment of its cenotaph helps to commemorate not just those who came ashore at Gallipoli on 25 April 1915, not just those who fought in the First World War but those who
served Australia and who served Australia in each and every conflict whether abroad or whether by providing service at home then that program will have served its worth for the next 100 years. I thank everybody who contributed to Anzac Day 2015. More deeply, I honour and respect all of those who have served Australia over the last century.

Ms CHESTERS (Bendigo) (18:24): I rise to speak to this motion of the Prime Minister with not just my own heavy heart and stories from my own family, but with a heavy heart of many in central Victoria. Central Victoria, as people in this House would know, is a very old area made up of old towns and old villages that had a great role to play in the First World War. The Centenary of Anzac Local Grants Program grants for electorates to remember, respect and reflect on the Centenary of Anzac were generous—$150,000. Local communities thought about the projects they would like to fund. We were oversubscribed in the Bendigo electorate, and that was because so many of our young men and women during that period did sign up.

A hundred years ago, Bendigo was a big town and it still is today. Towns that are not so big today but that were big back then include Woodend, which is in the Bendigo electorate and include Kyneton, which is also in the Bendigo electorate. You cannot go to a town hall, into a community space or into a school in the Bendigo electorate without seeing somewhere on the wall an honour board remembering the young men and women who made the ultimate sacrifice in the First World War. Many of the boards featuring these men and women were recognised through the Centenary of Anzac Grants Program. I want to acknowledge the hard work of our historical societies, our schools and our RSLs, which put forward great projects. I also want to acknowledge the great work that was done by the network of RSLs in the Bendigo electorate that worked hard to ensure that our local stories were remembered.

In the lead up to Anzac Day this year, there was rolling coverage in our media, not to glorify war but to remember the local story. In Bendigo, what we endeavoured to do was to remember not the uniform but to remember the person, to remember the son, to remember the husband, to remember the brothers and the uncles, to remember the daughters and the wives. What we tried to do in Bendigo was very similar to what many tried to do around Australia—that was, to remember the person, to remember who they were before they put the uniform on. It is through knowing that personal story, the personal grief and the personal heartbreak that we may never forget.

Like most Anzac Day commemorations around the country, Bendigo electorate had the largest turnout that we have seen in a long time. At the dawn services, there were lots of locals of all ages attending to pay their respects. In Bendigo, it was the long largest dawn service that we have had for some years. On Mount Macedon, it was the largest dawn service that we had had for some years. Despite the cold and the rain, people gathered. What I took from being part of these services was that people were there not to glorify war but to pay their respects. People were there to remember the stories, to learn the stories and to pass on the stories.

In the lead up to Anzac Day and in marking this significant event in our nation's calendar, the community of Eaglehawk came together and had honour boards in all of its shop windows. Each honour board told the story of a barrow boy and what he had done. It included the Victoria Cross medal winner. In Kyneton, they remembered at the dawn service at Mount
Macedon by telling the stories through the letters that these young men had written to their mothers and to their sisters.

One of the projects funded through the Centenary of Anzac project I wish to highlight in my contribution tonight is the Centenary of Anzac tram, which was launched and started running in Bendigo on Anzac Day. This tram tells the Bendigo story. It is a tourist tram. At 10 o'clock every day it leaves the depot. It is known as the talking tram. It has been restored to its original 1915 decor and it is lined on the inside with the stories of local Bendigo men and women who left Bendigo to fight in the First World War. It includes the stories of husbands. It includes the stories of some of our brave nurses, who did their original training at the Bendigo Base Hospital before embarking for overseas.

I just thought I would share with you some of the stories that this tram tells as it rolls through the streets of Bendigo, trying to help the people who take part of this journey to step back in time and understand the stories. On the tram, it marks and acknowledges the day that the telegram arrived at the Bendigo Town Hall. The mayor had received the official declaration, and the councillors responded to the news:

This council expresses its unswerving loyalty to the British throne, and its full approval of the action of the Commonwealth and State Governments in their endeavours to assist the British government in the Great War now in progress. It expresses its assurance to … render every support in its power to the Government in the dispatch of … force.

After that was declared at the town hall, the next day there were lines of volunteers.

What I remember the most about the Centenary of Anzac in my electorate during April is the number of great-nephews and great-nieces who stood up and told their great-uncles' stories—why they signed up, and who they were. I met the great-niece of HHH. His name was Herbert Humphreys Hunter. At the time that he signed up, he was a dentist in Bendigo. He was also a great athlete, and he had his dentist chair underneath the Hotel Shamrock. The people who are journeying through town and hearing the words of his great-great-niece share his experience and why he signed up to war.

Some of the other stories that the tram mentions include a letter that was written by Sister Jean Bisset, from Bendigo, which shares one of her many heart-wrenching experiences as a nurse involved in the war. This was a letter home in 1915. Here are her words in her letter:

I simply cannot write about the wounded. I never thought there were such patience and goodness left in the world. With their awful gaping wounds, and with nearly every bone in their body broken, every nerve gone to pieces and perhaps having almost bled to death on the field, they will help themselves off the stretchers on to the beds, and they will thank you for any little thing you do for them.

I wish to acknowledge the special efforts made by our local RSL to remember the women involved in the war. In Bendigo, we had a number of young women sign up as nurses, train at the Bendigo Base and go to war.

In Bendigo, we could speak for hours and days of the personal stories of the men and women who left our farms, our schools and our neighbourhoods to go and fight in the First World War. What I would like to end on is a letter—a letter that was written to an unknown soldier who did not return. It is a letter that was read at a special ceremony in Bendigo to mark the beginning of our Centenary of Anzac. It reads:

Dear Unknown Soldier
When war was declared, you and thousands of other young men and women signed up on the promise of a great overseas adventure.

... ... ...

I know that we live in peace and security because of you, a peace that you created for us but may never have experienced.

What I cannot know is the horrors you have seen, the relentless fear that you faced and dealt with hundreds of times, and the courage that allowed you to overcome your fears and respond to the call to attack.

I also cannot know the exhaustion you faced, the despair of endless days without hope, the utter sadness of seeing your comrades die around you and the desolation of spirit that must have stalked you through all your days, both during battle and after you came home.

Thank you for sacrificing your life, your happiness, your peace of mind and your future, whether or not you returned, so that I—and my generation—have the incredible privilege of enjoying the life you made possible but could never fully live yourself.

With humility and hope my generation—will not live with the scars that you have and—

... that another generation will not live with the scars of war.

Ms JULIE BISHOP (Curtin—Minister for Foreign Affairs) (18:35): One hundred years ago, Australian troops were engaged in trench warfare with the Turkish forces in Gallipoli. Fighting alongside soldiers from New Zealand, Britain, India, France and other allied nations, they faced a formidable and determined foe in the Ottoman army. From a population of fewer than five million people at the time, over 416,800 Australians enlisted in World War I, of whom over 60,000 were killed and some 156,000 wounded, gassed or taken prisoner. The Australian casualty rate of nearly 65 per cent was amongst the highest of the war.

Each year, we gather on Anzac Day to remember those Australians who served their country in all wars, conflicts and peacekeeping operations and reflect upon the terrible cost of war. What each of us takes from the Anzac story can be quite personal, but what it means for our country is profound. In Charles Bean's history of Australia in the Great War, ANZAC to Amiens, he observes:

... Anzac stood, and still stands, for reckless valour in a good cause, for enterprise, resourcefulness, fidelity, comradeship, and endurance that will never own defeat.

In Les Carlyon's definitive account of the Gallipoli campaign, he observes:

There is such a thing as the Anzac spirit or tradition, although no-one can define it neatly. It is compounded of many ideas: refusing to give up no matter how hopeless the cause, dry humour and irreverence, mateship, fatalism, stoicism and more again.

Both these descriptions speak to us today about the qualities we still see and value in ourselves as Australians.

This year, I represented the Australian government and the Australian people at Anzac Day commemorations in Ypres Belgium to honour those who fought on the Western Front in the First World War. On the eve of Anzac Day, I laid a wreath at the Menin Gate: a memorial to the missing, including 6,191 Australians killed whose graves are unknown. I remain in awe of
the fact that town buglers have played the last post at Menin Gate every evening since 1929 with the exception of the period of German occupation during the Second World War.

I participated in a number of other local commemorative events, with a highlight being the Anzac Day service at Tyne Cot cemetery with the Minister-President of Flanders, Mr Geert Bourgeois. After the ceremony, I collected handfuls of the soil from around the war graves that will be used in the establishment of a commemorative garden at the Australian War Memorial here in Canberra.

What makes Anzac Day special is that millions of Australians mark it each and every year. This year almost 400,000 Australians attended Anzac Day ceremonies in Australia and elsewhere in the world. On this centenary year of the landing at Gallipoli the attendance at Anzac Day services in my electorate of Curtin, in the western suburbs of Perth, far exceeded previous years. The dawn service at the State War Memorial in Kings Park, located within my electorate, saw a record-breaking crowd reportedly of over 80,000 people. At services in Claremont and Subiaco around 1,000 people attended each—a reflection of the significant connection felt by those in the Curtin community with this special commemoration.

Many residents have a story to tell of their forebears. I have learned the story of the Curlewis brothers—among many Cottesloe residents who enlisted to serve in the Australian Imperial Force in the First World War. Corporal George Curlewis, Lance Corporal Selwyn Curlewis and Captain Gordon Curlewis, who served in the 16th battalion, and Corporal Arthur Curlewis of the 12th battalion, were four brothers who landed at Gallipoli on 25 April 1915. Only one would return home. Upon his repatriation to Australia with a head wound George said of his brothers, 'It was their duty to go, and they did not deserve so much praise, but they were glad to have it.'

This year many local schools and community groups undertook special projects to commemorate the Anzac Centenary. Cottesloe was Western Australia's first surf life saving club, established in 1909. Five years later, 46 of its members would enlist to serve in the First World War—10 would not return. To commemorate the centenary of the landings at Gallipoli life savers from the Cottesloe Surf Life Saving Club travelled to Turkey to take part in a surfboat race, symbolising the beginning of the Anzac legend where men rode small boats to the shores of Gallipoli.

In my electorate of Curtin, nine projects received Commonwealth funding through the Anzac Centenary Local Grants Program. The Cottesloe War Memorial Town Hall used its grant to develop an electronic honour roll of the service men and women from the local area, providing access to almost 1,000 names with stories and individual profiles. Last week I joined the Rosalie Primary School community to unveil their new Anzac courtyard, paying tribute to the school's historic links to the First World War through its founding principal Harry Naylor, who led troops of the 11th Battalion. The courtyard offers students and staff a special place to reflect on the century of selfless sacrifice, commitment and courage by the men and women of the Australian Defence Force. The number of Australians attending Anzac Day services and the multitude of commemorative projects show the ongoing significance of Anzac Day for Australians and its lasting lessons about war.

One of the truly extraordinary aspects of the Gallipoli campaign is the way it forged the contemporary relationship between Turkey and Australia. It is a relationship with an important history that we honour, but also a relationship that looks forward and is focused on...
working together to achieve our common goals. Australia sees Turkey as an important partner in global security. As a member of NATO, Turkey is a significant contributor to operations in Afghanistan. Turkey is also a crucial ally in the international community’s efforts to combat Daesh in Iraq and Syria, and it bears the particularly heavy humanitarian burden of hosting 1½ million Syrians who have fled across the border.

Australia’s contemporary relationship with Turkey also has rich cultural and social dimensions. Acknowledging the contribution of people of Turkish heritage to modern Australian society and showcasing the rich diversity of our innovative and multicultural nation, the Australian government is supporting the Australian International Cultural Council’s Year of Australia in Turkey and the Year of Turkey in Australia in 2015: a series of bilateral exchanges to build on the Gallipoli centenary. I am confident these exchanges will foster great collaboration in the arts and cultural sector between Australia and Turkey. Last evening, on budget night, I was pleased to host both the Turkish Ambassador and the New Zealand High Commissioner, who were present on the floor of the House during the budget speech as a token of our appreciation to New Zealand, our partner in Anzac, and to Turkey, now our partner in global affairs.

Let us never forget that the Anzac story is one of tragedy—the tragedy of lives lost, families in mourning and a nation scarred. But it is a story that reflects on our past and our future. At the end of our speeches as parliamentarians we always say, ’Lest we forget’. Tonight I will say we will never forget.

Mr FEENEY (Batman) (18:43): In my capacity as shadow minister for veterans’ affairs I had the very great honour this year of attending the Anzac Day commemorations in Turkey. That began with me joining the Royal Australian Navy in paying tribute to the submarine and crew of HMAS *AE2*. Submarine *AE2* was a part of the Royal Australian Navy that deployed to Turkey and the Dardanelles in 1915. The fact that it was present in this campaign underscores the fact that Australia has operated submarines now for over a century. The *AE2* submarine played a pivotal role in Australia’s campaign for Gallipoli and is very well regarded in naval circles for its accomplishments during the operations in the Dardanelles. Commanded by Lieutenant Commander HS Stoker, the *AE2* was ordered to sail through the Dardanelles to disrupt Turkish shipping in the sea of Marmara.

The Dardanelles, a 35-mile passage, was at the time heavily fortified with minefields, fixed and mobile gun batteries, searchlight surveillance and patrolling Ottoman warships. The natural navigational hazards and peculiar currents of those parts combined to make the *AE2*‘s operations in those waters extremely difficult and indeed extremely dangerous. Without the sophisticated radar and sonar systems that submarines enjoy today, the *AE2*‘s ability to pass through the minefields was regarded as a matter of chance. Previous allied submarines had failed to pass through the strait and yet the *AE2* took on this task with gusto and determination.

Australia’s *AE2* submarine was able to penetrate these various defences and make its way through the Dardanelles—at times its hull was scraping the very sides of mines that had been planted to prevent the passage of ships and submarines—and enter the Sea of Marmara. There it worked to prevent enemy shipping from transiting between the Bosporus and the Dardanelles. It sought to disrupt the reinforcing and resupplying of Turkish forces who were fighting on the front lines on the Gallipoli Peninsula.
Just before dawn on 25 April, as the first boatloads of Anzac soldiers approached the coast of the Gallipoli Peninsula, the AE2 was already in the Sea of Marmara and under fire from Turkish forces. Later that very day the AE2 was responsible for bringing down the Turkish Navy's torpedo cruiser Peyk-i Sevket. On 26 April the successful campaign to enter the Dardanelles and the Sea of Marmara enabled the AE2 to continue its attacks on enemy shipping but, alas, four days later, on 30 April, the operations of the AE2 came to an end when it was confronted by the Turkish torpedo boat Sultanhisar. It was forced to surface and all on board abandoned the submarine and were taken captive, spending the next 3½ years in a Turkish prison camp. But they were able to scuttle their vessel, thereby denying the enemy intelligence about what was for the time new capability. That submarine is at the bottom of those waters to this very day.

It was a pleasure and an honour for me to join the Royal Australian Navy on board HMAS Anzac in sailing the waters above where the AE2 rests and pay tribute to the outstanding efforts made by that Australian submarine during a ceremony on the waters, some 74 metres above where the AE2 resides today. The historical feat of the HMAS AE2 submarine is remarkable and it is one that forms an important part of the Australian story in the Gallipoli campaign. It is a testament to Australian courage and our innovation. It is a testament to the fact that those Australian submariners were in some respects the founders of a tradition that continues to live with our elite submariners to this very day.

The operation by the crew of the AE2 and their accomplishment in piercing those defences in the Dardanelles is just one of the many stories that contribute to the battle and history of Anzac Day. While in Turkey I had the privilege of attending numerous ceremonies commemorating Anzac Day and the campaign on the Gallipoli Peninsula. These included the Turkish international service at Mehmetcik Abidesi, the Turkish memorial, the Commonwealth commemoration service at Cape Helles and the French commemoration service held in Morto Bay. I joined the Prime Minister, the Minister for Veterans' Affairs, the Leader of the Opposition, Bill Shorten, and many thousands of fellow Australians and New Zealanders who all made the long trip to Gallipoli to attend the dawn service at Anzac Cove, including 10 widows of Australian First World War veterans. Those widows are remarkable women. They remain our last living connection to the Australian forces and Anzac forces that came ashore on that beach 100 years ago. I laid a wreath at the Australian memorial service at Lone Pine Cemetery and attended the Turkish 57th Regiment service and the New Zealand memorial service at Chunuk Bair.

All of these events were remarkably moving and powerful. All of them were brilliantly organised and all of them kept faith with Australia's resolve to commemorate those events 100 years ago in a way that does service to the men who went ashore a century ago and the resonance that that moment has for contemporary Australia and our identity as a modern Australia. I thank all of those who worked so hard to commemorate the centenary of the Gallipoli landings, in particular the Anzac Centenary Advisory Board chaired by Sir Angus Houston, who worked in partnership with the former Minister for Veterans' Affairs, Warren Snowdon, who I know is very proud indeed of what has transpired, together with the current minister, Senator the Hon. Michael Ronaldson, in setting up and implementing the architecture for commemorating the Centenary of Anzac as well as the project to commemorate in 2018 the period of the Great War until Armistice Day.
I want to thank the Department of Veterans' Affairs for undertaking to ensure that the Anzac commemoration events were so well organised. They did a very fine job. I know they are—and they very much should be—very proud of their work. I congratulate the thousands of Australians who attended these commemorative events, who undertook the odyssey—indeed, one might say the pilgrimage—to that distant coast so very far away and enduring the various logistical challenges that they confronted, not the least of which was a cold night on the peninsula. I congratulate Lindsay Fox and his committee who have worked so hard to raise such a great sum of money to ensure that the commemorative activities taking place across Australia are supported by our business community. In that endeavour Lindsay Fox has excelled.

I also congratulate the Australian Embassy in Turkey and our consulate in Istanbul. Our ambassador, our consul and their dedicated staff did a tremendous job. As you can imagine, it was for them a blizzard, a tornado, of work as they coordinated so many Australians being in their country. They played such a key role in working with the people and the government of Turkey. Of course, let me make the point that the government and people of Turkey should be congratulated for continuing to embrace this very important event and for continuing to work so harmoniously with Australia and Australians as we travel to their country to commemorate that is, of course, so powerful for Australians but is, from the Turkish perspective, foreigners marking a failed invasion of their homeland. Notwithstanding that, the Turks continue to play host to Australia in a splendidly generous and graceful way, and it does them enormous credit.

Finally, let me congratulate my own committee in the seat of Batman: Mr Bob Cross, the President of the Darebin RSL; Mr Graham Hibbert, the President of the Reservoir RSL; Mr Barry Warden, the Secretary of the Darebin RSL; Mr Colin Langborne, the Secretary of the Reservoir RSL; Mr Ken Coughlan and Mr Bill Mountford, both from Darebin RSL; Mr Jack Langley, the secretary of the National Servicemen's Association sub-branch; Mr Noel Blake, the president of the National Servicemen's Association sub-branch; Barbara Hinsley, from Kingsbury Primary School; Mr Allan Waterson, from William Ruthven Primary School, which is named after a winner of the Victoria Cross; Ms Katrina Knox, group manager of community services at Darebin City Council; and Ms Jackie Goddard of Darebin Libraries. They have just done a magnificent job in assisting me in the task of making sure that commemorative activities across Batman have been of a first-class standard and that a range of memorials, honour boards and the like across the electorate have received the nurturing that they deserve. Thank you very much.

Mr SNOWDON (Lingiari) (18:53): Can I thank the shadow minister for his contribution and say how jealous I am of him for having that role at Gallipoli. But I should not be too churlish, because I have on two occasions had the great honour and privilege of doing the Dawn Service address at Gallipoli and once at Villers-Bretonneux. It is the job which has given me the greatest satisfaction since I have been elected in this parliament, which now is nearly 28 years ago. It is a wonderful thing.

A hundred years ago, in the pre-dawn chill, 1,500 Anzacs landed just south of Ari Burnu under the cloak of darkness, at 4.29, and by the end of that day 20,000 Australians and New Zealanders—Anzacs—had landed on those shores. More than 2,000 Anzacs were killed on that bloody first day. So began an epic story of tragedy; of love; of courage; of, I am sure, the
sight of some rascals; of Australian mateship; and of the things that have come to embody service to this great country by men and women in uniform from that day forward.

But, sadly, it is not often enough understood that when we landed at Gallipoli on that fateful and dreadful day we were expected. Whilst the site of the landing was not rightly known, there were on that day, 25 April, around 100,000 men and officers of the Ottoman Fifth Army on or near the Gallipoli Peninsula. When we tell this story of 100 years ago, whilst it is very important that we understand what this has meant for us in our early nationhood and subsequently, it was, after all, a military disaster. We know that over 8,000 Australian lives were lost, but they were not on their own. This, I think, is the point we need to understand as well. In that Gallipoli campaign, 8,709 Australians died and 2,779 New Zealanders, our Anzac brothers, died. The Ottoman forces lost 86,692, and the total of the Allied forces who were killed was 44,150.

So the context here is one where Australians were involved in this dreadful battle. It was a foreign shore, of course, for us, and I am sure that many Australians who were involved in this fight were not quite sure why they were actually at Gallipoli, because when they left Australia through Albany in November 1914 they thought they were going to Europe. But, nevertheless, they were there, and opposing them was this mighty Ottoman army, whose soldiers were brave like ours. Their families were wrought asunder, as were ours. I will just read a quote from a wonderful book by Harvey Broadbent, *Defending Gallipoli: The Turkish Story*. Esat Pasha's chief of staff, Fahrettin Bey, recalled one short episode during August 1915:

One night, a convoy of young soldiers arrive from the Istanbul Military Drill-Ground to fill the cavity in the frontline. As they were moving into marching column carrying their guns over shoulders, I saw my brother-in-law Rafet among them. I told him, 'I will call you tomorrow.' When I got someone to look for him in the morning, I received the news that he was dead. Many young soldiers like him died before shooting a single bullet.

That could be the story of Australians and other Allied soldiers at Gallipoli as well, and it just goes, I think, to demonstrate the importance of understanding how this has affected what we do and how we see ourselves but also how others look at us and how they look at themselves. It was a tragedy—a dreadful tragedy. Sergeant Leon Gellert, who arrived at Anzac Cove on 25 April, said:

The dead would be remembered evermore-
The valiant dead that gazed upon the skies,
And slept in great battalions by the shore.

And indeed they have been. That is why we honour them 100 years later. That is why I was so pleased to be the Minister for Veterans' Affairs and minister assisting the Prime Minister in setting up, in many ways, the framework for these events.

But this came as a result of others doing a great deal of work. It was firstly the National Commission on the Commemoration of the Anzac Centenary, which gave a report in March 2011. It had on it the Rt Hon. Malcolm Fraser PC, AC, CH, the Hon. Bob Hawke AC, the RSL president Rear Adm. Ken Doolan AO, former peacekeeper Major Matina Jewell, veterans advocate Kylie Russell and cartoonist and journalist Warren Brown. They gave a report to the government on 28 March 2011. After that report was received, a new board was set up: the Anzac Centenary Advisory Board, chaired by now Sir Angus Houston and then Air...
Chief Marshal Angus Houston AS, AC, AFC (Retired). His board comprised a large number of very notable Australians. I seek permission to table the list of Anzac centenary board members.

Leave granted.

Mr SNOWDON: I also would like to table another list, which is the groups that were set up to advise that board. There was a business group chaired by Mr Lindsay Fox AC. There was a military and cultural history group chaired by Professor Bruce Scates. There was the education and curriculum group chaired by Professor Glyn Davis AC. There was a youth group chaired by Ms Yassmin Abdel-Magi. There was a state, territory and local government group chaired by Ian Campbell PSM. There was a ceremonial commemorative group chaired by Major Gen. Paul Stevens AO (Retired). I seek leave to table the list of members of those groups.

Leave granted.

Mr SNOWDON: We have had the benefit of many bright minds working with us to the day of the Centenary of Anzac and also to develop the commemorative events up until Armistice Day 2018. These people were crucial in providing advice to the government to make sure we did it correctly, appropriately and in the right way. In my local electorate I want to thank Mr Martin Glass, who chaired my electoral committee, and his committee members Liz Bird, Liz Clark, Sandy Taylor, Angus Mitchell, Michael Gablonski and Robyn Gregor.

I finish by saying that we would not have had these events in Gallipoli work so successfully if it were not for the commitment of the Department of Veterans' Affairs and all those people who work within it. Initially, of course, the secretary of the department was Ian Campbell. It was subsequently Simon Lewis and, of course, Major Gen. Mark Kelly, who is the MC of the Anzac ceremony. I thank them and all those people in the department for their wonderful work. I thank the Turkish government for their assistance, their work with us and their ongoing support and love for those Australians who are buried in their soil.

Mr WYATT (Hasluck) (19:03): For the celebrations, I attended a number of services in which we recalled and remembered those who have given of their lives and sacrificed during the different wars and campaigns but in particular Gallipoli and our establishment in the minds of all Australians as the point which our military forces grew from even though it was a great defeat.

When we think about it, 100 years ago a bullet from an assassin's gun sparked a war that ignited the globe, and at Anzac Cove, as dawn approached on 25 April, the first wave of men, composed of the units of the 3rd Australian Brigade, comprising three infantry battalions made up of men from Queensland, South Australia and Western Australia, reached the beach in half light. They were sighted, and bullets began hitting the boats, killing some and wounding others. As men launched themselves out of the boats and struggled ashore, soaking wet and weighed down by their rifles and sodden packs, some leapt into the deep water, where they drowned.

Over a period of time we have looked at the history of campaigns, but a very particular project was initiated in Western Australia by the Department of Aboriginal Affairs, and I want to cover those Indigenous servicemen who served not only at Gallipoli but in other campaigns. In the book that they have produced, *They Served with Honour: Untold Stories of*
Western Australian Aboriginal Servicemen at Gallipoli, they acknowledge 13 Western Australian Aboriginal servicemen who served at Gallipoli. One was wounded, died on a hospital ship and was buried at sea. The others all went on to other campaigns in the Western Front. But I think the thing that is important that I want to capture is the essence of feeling that the book has aroused in people who have read it. When I read the 13 stories, my wife said to me, 'So what'd you think?' and I could not say much, because I had a lump in my throat. It is a part of history that we often did not cover or talk about.

Thirteen served at Gallipoli. The 119 who sought to serve in World War I were as follows. Sixty-nine served overseas. Nine died from wounds received while serving in France. One died of wounds at Gallipoli and is buried at sea, and that was James Dickerson. Two died from pneumonic influenza when their ship was returning to Australia after the war had ended. Two received posthumous military medals. Twenty-three were rejected as 'not of sufficient European descent'. Eighteen were rejected on medical grounds. Six were rejected as other, including 'on leave and did not return', and three did not enlist but served at the home front as transport signalmen at Guildford depot in the naval reserve. What is interesting, when you look at those figures, is that at the time Australia had in place a number of acts which covered Aboriginal and Torres Strait Islander people. In the 1905 act, there was a requirement that the native protector would have to give permission. The other thing they disobeyed in enlisting was the Defence Act No. 37 of 1910, an act to amend the Defence Act. Under section 61 it says:

The following shall be exempt from service in time of war, so long as the employment, condition, or status on which the exemption is based continues …

Aboriginal servicemen and Aboriginal people were:

Persons who are not substantially of European origin or descent, of which the medical authorities appointed under the Regulation shall be the judge.

So when they went to enlist they were judged as to whether they had sufficient European blood in them.

Often there was in The Camp Chronicle a listing of the discharges. There were 16 rejections on Thursday, February 17, 1916. Of the 16 rejections, 14 were Aboriginal. Later, in the Bunbury Herald, a decision which had been made was published accordingly:

As there is some uncertainty as to the enlistment of half-castes, the following particulars from headquarters are interesting. In all cases for particulars as to the intending recruit must be forwarded to headquarters, for approval, before enlistment will be authorised. While it is not desirable to alter the regulations to expressly permit the investment in the A.I.F. of half-castes, the Department will countenance their enlistment in cases where in the opinion of the District Commandant, they are suitable. There are usual two cases. The first is that of men who mixed all their life with white people, and copied their ways. The other is that of the man who has lived all his life with his full blooded brother. The former might be suitable for enlistment, but the latter would certainly not be suitable. A good guide is to bear in mind that these people have to live with white men, and share the same huts, and the inclusion in the force of any applicant for enlistment may be judged from this standpoint: whether his inclusion will cause dissatisfaction to his mates.

Even against that background, they still chose to enlist in significant numbers and to serve their country. Even breaking the laws in the two acts that existed did not deter them; many found ways of enlisting. I want to talk about two in particular who feature in this book.
James Melbourne was a talented sportsmen who excelled in a number of sports. Jimmy was the first Aboriginal person to play Australian Rules football in the state league representing West Perth in 1900. He also played for South Fremantle and West Perth. He enlisted in the AIF and his contribution to Gallipoli and the campaign was significant.

The other element in all of this is that these men served with honour. They participated and fought for their country. But, if you ever go and see the show Black Diggers, what you will see is a depiction of what happened when they returned. When they returned from Gallipoli they were not treated as other servicemen were. The equality they experienced within the AIF dissipated and they were no longer welcome. They were not served in bars. They were not allowed to join RSL clubs, but that has changed over the years. The important aspect to all of that is that Black Diggers showed a part of our history that epitomised the racist position and views that were strongly held. Even with all of that, they decided that their contribution to their country was worth it.

And Aboriginal men and women have continued to join the military forces based on that Anzac tradition and spirit of collegiality. As Ken Colbung, who served in Vietnam, once said to me: 'It was the time that I was an equal. I was treated the same as all others. There was no difference in skin colour—it was about being a comrade and a fellow in arms.'

I would recommend to anybody they take the opportunity and the time to read They Served With Honour. It can be found on the Department of Aboriginal Affairs website. The stories are all unique. They have brought together people in a way that is of significant interest. They have brought together Aboriginal and non-Aboriginal members of families. They have shown the way in which their contributions are valued and how, even in their tribulations, they never wavered from being proud of the fact they served their nation—although their treatment on their return was not up to the expectations they had. There are some incredible stories of love and passion. There are those who died in poverty, whose service was never known in their communities. There are towns where, when you look at the graveyards, there are veterans of Gallipoli there.

I would hope that, over time, every story of every Aboriginal servicemen is told so it forms part of the tapestry of the history of this nation. Given its origins, commenced at Gallipoli, I am proud that one of the servicemen who served there was a relative of mine and that he was part of the history that was forged for this nation, in the way we view our historical defeat and the way in which we value what our services gave and continued to contribute.

I want to share with you one story, if time permits: the story of Charles Hutchins. I will read his granddaughter's comments:

Enlisting in the AIF in Bunbury on 5 March 1915 and within 24 hours Charles had commenced his training at the Blackboy Hill depot at Greenmount Hill. On 9 June 1915 he embarked on the HMAT Ascanius at Fremantle along with Larry and Lewis Farmer and James Dickerson arriving in Cairo on 2 July. Landing at Gallipoli on 4 September Charles was involved in a defensive action and, seven weeks later, was admitted to hospital at ANZAC Cove suffering from debility and typhoid. He was later hospitalised with trench fever and was returned to the front line in Belgium, where he was discharged. On 20 September 1917 Charles sustained near-fatal gunshot wounds to his thigh, leg and arm. He was also severely affected by mustard gas. With his life in the balance, he was transferred to No. 3 General Hospital in Boulogne where his condition was so serious that he received Holy Communion.

He was evacuated to London and during his time convalescing Charles met Rose, a voluntary worker whom he married in March 1919 while absent from leave from his base and he was penalised forty-
eight days' pay. Charles died in August 1952 in Kogarah, NSW, aged 59. His ashes were returned to WA and are scattered with those of his wife in the Swan River.

At the launch of the book, his granddaughter, Diane Brown, had this to say:

My grandfather, Charles Hutchins, is one of the Aboriginal ANZACs being commemorated in this book. His war service is well documented. In short, he served in Gallipoli, England, France and finally Belgium.

... ... ...

Discrimination can cross oceans as well as cultures. Even in England, Charles was considered to be a 'foreigner or native: not a British subject' by some. He went absent without leave for 24 days, persuaded her father to give permission and they were married. That meant he missed his ship back to Australia and was fined 48 days' pay.

Diane went on to say:

He never spoke of his background, childhood or war service. It was easier for him to say he was an orphan from Busselton and grew up in care. Life after the war was a daily struggle for Rose, Charles and their daughter Marjorie. His injuries had left him broken and unable to do heavy physical work, but still he struggled on for the sake of the family.

Charles refused to apply for a war pension or other benefits that were available to disabled veterans. He was proud and said 'they' did nothing for him after the war and he would take nothing from 'them'.

... ... ...

Charles Hutchins was an Aboriginal Anzac, son of Annie Harris and Charles Hutchins, a bush worker from Busselton. His ancestors' names and his story are now written in this book, along with stories of others that deserve to be told.

Diane went on to say:

If Pop had lived longer, I could have told him what I have learnt. The shade of his skin should not have controlled his life and made him a target to be moulded into a society that didn't fully support him on his return to Australia. Children should be supported and not taken and isolated solely for that reason. Aboriginality is about kinship and connection to country.

Her pride in discovering that her grandfather was an Aboriginal Anzac was a moment of significant emotion. Even the minister for Aboriginal affairs, Peter Collier, indicated to me that he had a tear in his eye and he did not realise the extent of the commitment made to the Anzac landing, nor the Great War, in respect of the numbers of Aboriginal people who served their nation and their country.

**Dr CHALMERS** (Rankin) (19:18): Before the member for Hasluck leaves the chamber, I want to commend him on a tremendous contribution to this motion in the House. I think it is fair to say that it is not often in this place that you would like someone from the other side to go on longer than they have. I was fascinated by that, Member for Hasluck, and I am very pleased that I could be in the chamber for it.

At 4.30 in the morning a century ago this Anzac Day, a young man named Frederick Pope was among the first to dash ashore at Gallipoli. You can imagine him and his mates in the dark, the waves lapping against their boat, and, most likely, fear in their throats. They could not have imagined the place they would occupy, a century later, in the story of our nation.

Pope's 3rd Brigade was the covering force for the Anzac landing. It helped establish and defend the front line on that beach, on a sacred peninsula with a name now inscribed on the hearts of every Australian and every New Zealander. The 3rd Brigade was made up of Pope's
9th Battalion as well as the 10th, 11th and 12th. His was among the first infantry units raised for the AIF during the First World War—sent to Egypt soon after the war was called. Between the day Pope ran onto the beach and the evacuation later in 1915, his battalion alone lost 236 men and 390 were wounded. Pope himself was shot in the shoulder on that first day, and later gassed in France and Belgium—where my own ancestors contested the feet and yards of that muddy stalemate. He not only survived his wounds, he fought on until the war's end, in some of its most important engagements. He lived to settle locally in Woodridge, the heart of my community, in 1923 with his new bride, where a daughter still lives today.

It is hard to fathom the experience of this man who saw the worst that the world could offer in some of the most horrible places of human history—and who, just a few years later, found himself living in Woodridge, among the trees of a peaceful property. It is harder still to imagine the memories he carried with him when he left there each day to gather timber and farm poultry in the decade after the war. And it is just incredible to think of the courage he showed when he put his hand up to leave that house again for service in another world war, 2½ decades later.

Frederick Pope's memory remains in the records, pamphlets and photos that have been so lovingly maintained by his family, many of which can now be found in the Kingston Buttery Factory Museum, also in my electorate. I want to acknowledge the work done by that museum in gathering his records. I was proud that the Anzac grant that we provided to them was able to house those artefacts and documents in the style that they deserve. I want to thank in particular my friend Kelvin Nicholls, who first introduced me to the Pope family and told me the story of Frederick and his family.

Frederick's memory endures each time we pay our respects on Anzac Day to all the diggers, from two nations, throughout time. I thought of him as well last year when I visited Australian troops at our base in the UAE and when I knelt to honour the light horsemen among the white crosses at the Beersheba War Cemetery in Israel. I like to speak about Pope each Anzac Day because, being among the first onto the beach at Gallipoli and being a local man, he has special significance for those of us who, like him, have made a home and a life in the suburbs and neighbourhoods of my community. I shared his story this year at the Anzac Day service for the Logan district's RSL subbranch at Logan Central.

The parade this year was the biggest in memory. Thousands of people lined the streets, waving flags out of respect for our servicemen and women—Australian flags, Aboriginal flags, Torres Strait Islander flags and New Zealand flags as well. It was incredible to see so many young people, scouts, guides, schools, veterans and families pause to commemorate those who served.

The service at Logan Central honoured especially our local Aboriginal and Maori communities whose ancestors played a key role in our nations' military history, as so skilfully outlined and told by the member for Hasluck. As my colleague the member for Greenway, who is here at the table, knows, I have one of the largest populations of New Zealanders in Australia living in my local community, and it was crucial to pay respect to their fallen heroes as well. Some of the New Zealanders' headstones in France are marked, 'They came from the ends of the earth.' No one travelled further to suffer and serve than their countrymen did.

I was honoured this Anzac Day to attend not only a Logan Central service but also the dawn service at the Vietnam veterans motorcycle club, the start of the march organised by the
Springwood Tri-Services and also the ceremony organised at Greenbank RSL. At all of these ceremonies, and at ceremonies right around the country, we honour people like Frederick Pope and so many others who fought for and served our country. For us Frederick Pope is one symbol, our symbol, of every courageous Australian serviceman and servicewoman.

It was a real privilege today to join the students and staff of St Stephen's Catholic Primary School at Algester, who are visiting Canberra this week. I was privileged and honoured to lay a wreath with them in the Hall of Memory at the Australian War Memorial here in Canberra. When I spoke to them after we had laid the wreath, I talked to them about the unknown soldier interred in Canberra. I think one of the most stirring quotes that has been said about our military men and women was about the unknown soldier by Paul Keating, who said, 'He is all of them. And he is one of us.'

The kids from St Stephen's at Algester did a great job in honouring all of our fallen and all of those who served when I joined them today at the War Memorial. By keeping the memory of people like Frederick Pope alive we honour not just him but all of them in their graves around the world. And we honour the contribution made by veterans who are still with us from too many conflicts and those who serve today.

Perhaps the only thing more remarkable than the story of Frederick Pope—remembering that he was among the first to get ashore at Gallipoli, the Woodridge man in my community—is that there are many thousands of stories like his, hundreds of thousands, from the world wars; from Korea and Vietnam; from Iraq and Afghanistan; right around the world. The Anzacs, the diggers, the nashos—all of them honoured not to glorify war but to reflect upon their selflessness and sacrifice, the two most admirable and most honourable of all human qualities. We remember all of those who serve and have served the country we love and the causes we cherish, in Gallipoli, but also in theatres right around the world.

Gallipoli has been described as a failure. Yes, there were errors made, and those errors cost lives. But we know that in the building of a great nation like ours there are, ultimately, no failures—only lessons. And the lessons that Frederick Pope and his digger mates taught us—about courage, mateship and egalitarianism, to share and to stick together and to never give up—did not perish on the sand and cliffs and fields and grasslands a century ago. They were forged and furthered there.

I want to say again what a privilege it is to speak on this motion from the Prime Minister. I commend speakers on both sides of the House. For example, it was a great honour to listen to my friend the member for Lingiari, who has spent a great deal of his political life in honouring our military men and women and working to ensure that they get the benefits, entitlements and, mostly importantly of all, the recognition that they deserve.

We should reflect together on these words:

Time dims the memory of ordinary events, but not great events. In a nation's history, great events—whether in peace or in war—live in our memories regardless of time.

This is why we remember all of those who serve and have served the country we love and the causes we cherish. It is why we mark the hundred years since Frederick Pope sprinted onto the beach at Gallipoli—because he is all of them and he is one of us. As the story of our community and our country inches forward, year by year, we will remember him and we will
remember them—for another hundred years and for hundreds of years after that. Lest we forget.

**ADJOURNMENT**

The DEPUTY SPEAKER (Mr Goodenough) (19:29): Order! It being approximately 7.30 pm, I propose the question:

That the House do now adjourn.

**Maranoa Electorate: Centenary of Anzac**

Mr BRUCE SCOTT (Maranoa—Deputy Speaker) (19:29): I rise in this adjournment debate to talk about the lead-up to Anzac Day in my own constituency of Maranoa.

First of all: 25 April 1915 gave birth to a legend—a legend that we as Australians like to identify with. It defines our national spirit and, in many ways, our national character. It was born on that day, in that very early dawn on 25 April 100 years ago.

I have to say that the principles that we identify so much with the Anzac spirit or the Anzac legend are those wonderful characteristics of what it is to be Australian. They are what they were and what they demonstrated in the early dawn that day: courage to race ashore, regardless of the risk. They were determined to get ashore and to get as high as they could, because they were told they had to secure trenches. They had to get as high as they could to get a footing on that peninsula.

But above all else, it was about mateship. When they went ashore it was not about themselves but always about their mates all around them. They knew that they could rely on their mates should things go wrong. That enduring quality of the Anzacs—that quality of mateship—is the way that so many of us Australians think of our mates, unconsciously, whether that is on the sporting field or elsewhere. I suppose we could even say that we find mates around this place. That spirit of mateship was a quality born on that day in 1915.

The spirit of the Anzacs and the Anzac legend is something that lives with our serving forces today. It is not something that was born and died; it is something that lives on. Each and every one of those who have served so proudly since that day continue to serve in the same spirit as the Anzacs. I salute all of them.

It is our national possession forever. On Anzac Day this year—even particularly in the lead-up to Anzac Day and the centenary of that landing at Gallipoli—I was so proud to see so many people turning up at dawn services, young and old, in record numbers and in small communities. Here in our national capital, there was a record crowd estimated to be 128,000—numbers that we have never, ever seen before. It says something about how Australians regard Anzac Day as our national day of commemoration.

I want to talk about some of the programs that we funded in my own electorate through the grant program. I commend all those people who put so much effort into the commemorations in small and large communities. One of those was the launch of a book at Wallumbilla, east of my home town of Roma. It is a two-volume series on those who enlisted from Wallumbilla in the First World War, done by Ros Stemler and entitled *Boys from the Bush*.

There was the World War I display that I had the great privilege of opening in Goondiwindi, done through Care Goondiwindi and Tracy MacDonald, who works there. They
catalogued the records and photographs of 500 of those who enlisted in the First World War. They brought forward memorabilia from friends and relatives. It now stands as a great record.

There was the troop train at Winton—and I want to acknowledge the Deputy Prime Minister, who did the opening, and also my colleague Ken O'Dowd, who developed the original concept for that troop train that went from Winton all the way through to Brisbane. And, of course, there was the More than a Name exhibition at the Waltzing Matilda Centre—a World War I exhibition. What a wonderful exhibition that is—of course, in the birthplace of Waltzing Matilda. Indeed, we all know that Banjo Paterson himself enlisted in the First World War and served in Egypt.

There was a great poetry competition in my electorate. The junior winner was Dominic Faggotter, who is a School of Distance Education student from Longreach. The senior winner was Hannah Debnam, a year 8 student at St Joseph's School in Stanthorpe. What wonderful poems they wrote. They were judged by Madam Speaker, and I acknowledge the wonderful contribution she made in what was a very difficult task.

For me, attending the dawn service at Scots PGC in Warwick was also another moving moment in recognition of the legend of the Anzacs. (Time expired)

**Holt Electorate: Police**

Mr BYRNE (Holt) (19:34): I address this chamber tonight to discuss a subject very dear to my heart, and I know the Australian community's heart: that is, the welfare of our police forces around the country—in particular, our Australian Federal Police and Victoria Police forces—the support of our community for the work they do and our collective need to demonstrate this support for them. I specifically want to raise the issue of our fine police forces in Victoria and our officers from the AFP.

It would have escaped no-one's attention, the threat that our community faces due to Islamic State-inspired terrorism events around the world and in Australia in recent months. In particular, my local community has had brutal firsthand experience of a terrorism event on a cold, clear evening on 23 September last year, when two police officers were savagely attacked by an assailant intent on killing both officers and others, had he been successful. The assailant was killed by one of the officers. As this matter will, I hope, soon be heard by the coroners court, there is much that I cannot say about this matter. But I can say that I know of the horror of the events of that evening and the bravery of the two officers and the very fine crew of the Endeavour Hills Police Station, who responded brilliantly to their injured colleagues.

I have immense respect for the men and women of that police station and for the two officers involved. I want them to know that I never underestimate what they have been through and I proudly thank them for their service to their community. I want them to know that they are in my thoughts often in their journey to recovery. I know that this sentiment is shared by our Prime Minister and the Leader of the Opposition. The two policemen that were injured are two fine men; two individuals that I am honoured to say that I know and two officers who, to me, deserve the support of all of us in this place as they continue to recover from their injuries.

We also know that there were further raids conducted in my constituency recently that were designed to thwart what I am advised was an horrific Anzac Day plot to murder and terrorise
our police force, primarily, and the general public on what I think is our most sacred national
day. I can proudly report, notwithstanding the horrific intent of the intended terrorist activity
in the lead-up to this most sacred national day, that record crowds commemorated Anzac Day
in my area. The silent majority voted with their feet. I was particularly struck by the crowd's
warmth and respect for the men and women of our police force who marched in and guarded
our ceremonies. Person after person came to tell me how grateful they were for this support of
our state's finest and how secure they felt seeing the increased presence of our law
enforcement officers on Anzac Day.

But I have been very disturbed in my discussions with many police officers to hear of their
view that they feel a lack of support from policymakers, media and politicians. Many of those
whom we task to protect us, and are tasked to protect us, feel under siege themselves. They
feel unappreciated and, disturbingly, not supported. This struck home, particularly after the
most recent raids in my area were conducted, when I read the unnecessary and hurtful
speculation in the media about the events of 23 September. The speculation was ill informed,
unnecessary and provocative. Its effect was to undermine the police force's belief that the
public supported our force in their struggle to keep our community safe. The families of those
two brave officers read that speculation as well. So to our fine men and women from the AFP
and Victoria Police, who labour day and night often feeling unappreciated and unrecognised, I
want to say, in this nation's parliament and on behalf of a very grateful community, thank you.
Thank you for your courage, your ongoing efforts and your resolve to keep our community
safe under very challenging conditions. We particularly thank your loved ones who wonder
when you walk out the door whether or not you will come home, particularly the loved ones
of my two VicPol-AFP friends.

I also appreciate officers who have been very frank with me about the additional resources
and protections needed to discharge their duties safely. I undertake to you that I will not rest
as your voice in this parliament until you get these necessary resources and protections. I also
want you to know that your concerns about your safety are paramount in my mind. I see too
often what passes for media commentary on national security matters, and I have been asked
whether this is what we up here think. No, it is not; we do care about you and the pressures
that you face. I think of this every time I see a young police officer with a ballistic vest at the
counter of one of our local police stations. I think about it every time I see a car pulled over
and watch as officers approach the car. I think about it when I hear and see our men and
women from the AFP, VicPol and the Victoria Police Special Operations Group when they
prepare for necessary and often dangerous raids targeting premises and people. We do
understand. Finally, I have a message for those who seek to inspire and create those terrorism
events: you will not succeed. We must prevail, and prevail we will.

National Broadband Network

Mr WILSON (O'Conn) (19:39): Today, I take the opportunity to update the House on
the NBN rollout in my electorate of O'Connor. It is timely to do so because we are now
starting to see all three of the technologies starting to be rolled out, and that includes fix line,
fixed wireless and of course the satellite technology. Poor internet and mobile phone coverage
is an issue that is raised with me almost every time I have a group of constituents come
together in my electorate. I feel their pain. I do not want to be a martyr, but certainly in my
home town where I live I get very poor mobile phone reception. I also rely on wireless
internet, which is intermittent, expensive and very slow. So I certainly understand the
problems that people bring to me.

As the technology that we deal with on a daily basis has improved and grown, I am seeing
farmers using GPS technology that they can link back to their farm offices. I also see small
businesses that need EFTPOS facilities—many of which might be in remote areas; for
example, tourism operators who need to operate EFTPOS machines and also need to offer
their customers the ability to communicate when they are at their resorts. Of course, it is a big
disadvantage when businesspeople and others cannot make contact with the outside world
when they are visiting some of the beautiful places in my electorate.

The other day I had the pleasure and privilege of visiting North Albany Senior High
School. I saw some lessons being conducted in Albany by the history teacher and they were
being joined by students in Mount Barker and in Katanning, up the road in my home town. It
is great technology but, at the speeds they were using, the vision was a bit grainy in the sound
was a little bit distorted. So I am really looking forward to being able to offer those people
in my electorate much higher internet quality.

I guess it is timely to talk about Minister Malcolm Turnbull's efforts to get the NBN Co up
and running and rolling out the NBN in electorates. I have to commend the minister for the
work he has done and commend the NBN Co for the improvements they have made very
recently. On 31 March 2015, we had the first announcement of fixed-line NBN in the towns
of Esperance, Katanning, Manjimup, Hopetoun and Denmark. It is great news for O'Connor,
particularly in the case of Denmark where we are going to see the first town that will have
complete coverage of all three services: the fixed-wireless towers in Denmark, which are due
to be switched on in June, will be up and running for the first 800 residences; the fixed line,
which will enter the CBD part of the town, will be up and running in around 18 months; and
the satellite service, which is available at the moment but with very slow speeds and very
poor service. The satellite service will be a very important part of those three technologies for
my electorate. When the new satellites are launched late this year and come into service early
next year, that will provide much better coverage for all the remote parts of my electorate. I
know that there are many, many people, particularly in the more remote parts, that are very
much looking forward to receiving that service.

I will go back to Denmark, because Denmark is a really illustrative town of the
government's and the NBN Co's new policy of directing the service to where it is most
needed. Denmark is a beautiful coastal town, which is very undulating with lots of 300 feet
high karri trees with a very dense canopy. At the moment, mobile phone access is very poor.
Some people cannot even get free-to-air TV service. It is a great example of targeting the
areas of greatest need. I am very much looking forward to seeing that rolled out, so that
people—particularly those in the tourist industry, where they are not getting adequate service
at the moment—will have access to those services and they can run their EFTPOS machines
and provide their clients access to communications to the outside world, and more and more
people can come to a beautiful part of the world and enjoy it.

The other day the Chamber of Commerce in Denmark hosted an event where 60 people
came along. The event was attended by Peter Gurney, the corporate relations manager for the
NBN in WA. People were able to put their questions, and all of those questions were
answered very much to the satisfaction of the people in Denmark. I know that they are all
looking forward to having that full service in the next 18 months. I commend the NBN Co and particularly Minister Turnbull for the efforts that he has made to make that happen.

Corio Electorate: National Broadband Network

Mr MARLES (Corio) (19:44): Like the member for O'Connor, I am awaiting eagerly what the Abbott government has in store for the rollout of the NBN to people in my electorate of Corio. It is certainly good news to hear that the people of Esperance and Denmark will enjoy the rollout of the NBN in their towns.

I have to say, though, it seems that the children on the outskirts of Geelong by comparison have been completely forgotten by the Abbott government. Students at Geelong Baptist College and the new grade 5 campus at Kardinia International College are missing out on vital internet based education because of the coalition's second-rate National Broadband Network rollout plan. It is a plan which effectively cuts parts of Geelong's connection to the world.

These students are prevented from accessing the same benefits that other Australian schools receive from internet based educational programs. Neil Wetmore, the principal of Geelong Baptist College, described the situation as exclusive, limiting and unfair. He said: 'If we are in a digital revolution, if that's the trend of our time, then we at Geelong Baptist College are not in it. Our students do not have access to the wealth of information that other students have access to.' The IT teachers at Geelong Baptist College report that the learning environment is challenging for both students and teachers. Teachers often have to change their lesson plans because the internet is slow and unreliable, and students regularly have to waste time in class waiting for programs and videos to load.

By comparison, as we have just heard, many government and non-government schools around Australia who are fortunate enough to be able to connect to fast broadband are enjoying internet access that is quick and efficient. For example, schoolchildren are able to participate in competitive online study tutorials. They have videoconferencing systems where students can engage with guest speakers from around the world via Skype. IT students at Geelong Baptist College are being seriously disadvantaged compared to other students because internet programs often drop out and students have to wait five to 10 minutes for their page to connect again. So, while other students enjoy the benefits of the 21st century, Geelong Baptist College students are left to fight the discriminatory weight of the coalition's 'fraudband' network.

The coalition promised in their 2013 election policy that 'under the coalition's NBN all premises will have access to download speeds of 25mbps to 100mbps by the end of 2016'. But its latest corporate plan now indicates that the Minister for Communications' second-rate NBN will not be completed until December 2020. The minister promised: 'We will give highest priority to the suburbs, towns and regions with the poorest broadband services today'. He promised that 'addressing underserviced areas first is a key objective of our NBN policy'. But is this happening? It is certainly not happening on the outskirts of Geelong.

Geelong students are operating on an internet speed that is two steps up from the old telephone network. Not only is the NBN not happening for Geelong now, but this does not even seem to be an issue big enough to warrant any immediate future government planning.
Geelong is not listed in the government's 18 month rollout plan. If there is a queue for the government's NBN, Geelong is not in it.

Under the former Labor government NBN Co had begun work on the fibre network in Geelong. Work was scheduled to deliver fibre to about 44,000 schools, homes and businesses in Geelong and surrounds—including Lovely Banks, which is the home to Geelong Baptist College and the grade 5 campus at Kardinia International College. This work was scheduled to be completed by late 2015. But the coalition cancelled this rollout.

Despite promising to honour all contracts prior to the election, Tony Abbott and Malcolm Turnbull have cancelled the fibre rollout to Geelong. Under the former Labor government the NBN was universal and fair; all schools, as well as homes and businesses, in the fixed line footprint were to get world-class fibre-to-the-premises broadband. But under the coalition the NBN has become fundamentally unfair and discriminatory.

The coalition promised a faster rollout that would be delivered to all Australians by 2016. They have failed to deliver. And who are the victims of the coalition's failed rollout? Primary and high school students. The government needs to make good on its promise to the Australian people and remedy this situation immediately. In the meantime it is the students at Geelong Baptist College and Kardinia College grade 5 campus who are paying the price for the Abbott government's complete incompetence.

Hindmarsh Electorate: Budget
Hindmarsh Electorate: Health Services

Mr WILLIAMS (Hindmarsh) (19:49): Firstly I would like to thank the Treasurer and the Prime Minister for the good work they have done in putting together this year's budget. Again, South Australia will receive more money from the Commonwealth just as they did last year. In fact, Commonwealth funding for South Australia increases by $2.4 billion over the forward estimates. South Australia will benefit from a 19 per cent increase in funding for hospitals, or $200 million more for four years; a 26 per cent increase for schools, or $280 million more over four years; and $2 billion in funding for world-class infrastructure, such as the South Road project on the border of my electorate. In every single measure, the South Australian state government is receiving more Commonwealth funding than ever before.

As you may know, the Weatherill Labor government in South Australia has outlined its Transforming Health proposal for South Australia. Under this proposal, the services of the people in my electorate of Hindmarsh will be put at risk, with possibly fatal consequences. I do not say this lightly. Under state Labor's proposal, people suffering from a stroke or heart attack will no longer be treated at the Queen Elizabeth Hospital. And the Repatriation Hospital, commonly known as 'The Repat', will be closed. The Repat has served our veterans community—as they have served us—very well for many years. This slap in the face to veterans was announced before the 100 year anniversary of the Gallipoli landings, with just three weeks of community consultation.

The Queen Elizabeth Hospital has been the major hospital in Adelaide's western suburbs for over 60 years, servicing many members of my electorate. For generations, people have sought help in a time of need, including me—I accessed the emergency services when I had something wrong. Whether it is for surgery, giving birth or needing emergency treatment, the
QEH has been there for us. State Labor's recently announced cuts to health services will mean the end of emergency services at the QEH.

There have been a series of community meetings protesting state Labor's health cuts, demonstrating the community hurt at the health changes. At every meeting there have been people highlighting their personal stories of near fatal emergencies and how the QEH, emergency services or The Repat has helped them. Medical staff have indicated that if they needed to travel to the Royal Adelaide Hospital, it is more than likely that they would not have survived. These meetings were organised by Maureen Hamilton, who has done an amazing job and who has been working around the clock to fight the transforming health proposals.

This policy has caused great concern for the membership of the Labor Party, with many members and former members of the Labor Party attending and making their disgust known. And one of the strongest supporters of the QEH, of the Repat and of the many other hospitals that are under risk is Maureen's husband, the former Labor member for Albert Park, Kevin Hamilton. Kevin has passionately spoken about the effect these cuts to health services will have on the local community and has brought many sectors of the community together to fight the cuts. I congratulate Kevin and Maureen on their fine work.

Not only has Stephen Wade, the Liberal shadow minister for health, been working hand-in-glove with Kevin and Maureen, but members of the South Australian Salaried Medical Officers Association, Vickie Chapman the deputy state Liberal leader, Kelly Vincent the independent MLC from Dignity for Disabled and Robert Brokenshire from Family First have all joined the cause and spoken against the cuts at the community meetings. We also had Ralph Clarke, the former deputy leader of the Labor Party in South Australia, speak at the community meeting and former federal member for Port Adelaide, Rod Sawford, spoke and acted as the MC for the event, so you can see there has been a huge backlash within the Labor Party at these cuts to the health system.

What has been missing at all of these community events, where members of the public have come to voice their concerns at the health cuts and share their fear for themselves and their loved ones, has been any currently serving Labor members of parliament. The QEH is in the Premier's own electorate and he would not come down and hear from people first-hand how the health cuts will affect them. There has been no Stephen Mullighan, no Paul Caica the member for Colton, no Tom Koutsantonis the member for West Torrens in the western suburbs. And, in spite of his predecessor playing an active role, the member for Port Adelaide, Mark Butler, has not been heard. This comes on top of SA Labor's continued neglect of country health in South Australia, with further reports of a continued stand-off with rural doctors, the recent closure of the Mallala Hospital and the well-publicised fight to keep the Keith Hospital open in the south-east.

When governments fail to manage their finances and budget, as Labor governments do, they force spending cuts, they force reductions in services and redundancies in the public service. Labor have failed to look after our health system in South Australia and they have disappeared. They have not been there when it counts and we, the South Australian Liberal Party and the federal Liberals, will continue to fight them.
Ms COLLINS (Franklin) (19:54): Last night in this place we saw a budget delivered. We saw a budget that was not about jobs for Australians but really about saving the Prime Minister's job. We saw a budget that really was about a short-term fix and not about the long-term future of Australia at all. Indeed, this budget failed the government's own test. According to their own numbers in the budget, the budget will have more tax, more debt and higher unemployment. The budget papers actually say:

The forecast below-trend GDP growth means that the unemployment rate is still expected to drift up to 6½ per cent in 2015-16.

This would be the highest unemployment rate in Australia for more than 14 years. Not only do the budget papers say that unemployment rate will go to 6.5 per cent but the unemployment rate will be higher every year for the next four years as was forecast just one year ago in the last budget and even in the budget update, MYEFO. So unemployment is going to increase under this budget according to the government's own numbers.

Last night we saw an attempt by the government to try and deal with the issue of youth unemployment, a really serious issue in Australia at this time. The number of unemployed youth in Australia has been growing and has more than doubled. In some places it is almost three times the general unemployment rate. There are more than 280,000 young people unemployed in Australia at the present time. We have been calling on the government to do something about youth unemployment for quite some time. About a year ago, we started to talk about the need for youth unemployment to be dealt with. It has taken this government some time to actually realise that this is a really serious issue.

We were pleased to see some initiatives in the budget. But on closer inspection, this youth unemployment money is not actually new money. They talk about $300 million. They talk about a pool of wage subsidies of $1.2 billion for unemployed people to be able to access employment but not 1c of this is new money. It is actually just money that is already available that was already in programs that Labor had when in government. Those opposite took those programs out and they realised that the new Job Active program from 1 July is not going to work so they have had to put these programs back in. They took the money out, they put it into other things and now they have revised realised that Job Active will fail young people so they have had to put this money back in and address youth unemployment.

We know that Job Active and the way that the government has designed the new employment system from 1 July will actually disadvantage vulnerable people, particularly young vulnerable people. So it is actually good to see that the government has recognised this and done something about it. But of course some of this would not be necessary if they had not cut that programs that were in place in the first place, wonderful programs like Youth Connections, like partnership brokers, like national career development services—all really critical services that were dealing with the transition from education to work. Indeed, they worked and they worked very well. Labor announced just last week a youth jobs connect policy. It is good to see that the government has actually done something about youth unemployment in this budget. But as I said, the detail does actually show that it appears that there is no new money.

In my home state of Tasmania, youth unemployment and unemployment are very serious issues. We still have the highest unemployment rate in Australia, sadly. I sat through the
budget papers last night and had a good look at them and thought, 'Well okay, you would expect with the highest unemployment rate that this budget would have something for Tasmania.' No, it does not. Indeed, what the budget papers show for Tasmania is more than $2 billion in cuts to health, education and hospitals in my home state. There was no money for the Mersey Hospital, which we hear from the government is likely to come out next week. There was the $16 million for Cadbury's—that I am sure many people will remember—has been put down as a saving from under the tourism department. We were told this money will come back to Tasmania. Where has that money gone? Money has come out of the freight rail project. We think it is around $100 million but nobody will actually give us the figures. Clearly this is a cut to Tasmania that comes on top of the cuts to health and education that come on top of the $100-million cut for road funding for the Midlands Highway. Tasmania appears to actually had a decrease in this budget.

The DEPUTY SPEAKER: It being 8 pm, the debate is interrupted.

House adjourned at 20:00

NOTICES

The following notices were given:

Mr McCormack: to move:

That, in accordance with the provisions of the Public Works Committee Act 1969, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Fit-out of new leased premises for the Department of Finance, Australian Capital Territory.

Ms Hall: to move:

This House:
(1) notes that this month is May Lyme Project month, a time when the Lyme Disease Association of Australia raises awareness and funds to provide ongoing advocacy for people living with Lyme disease;
(2) recognises that Lyme disease can be debilitating and have a devastating impact on the lives of people living with it; and
(3) works with the Lyme disease Association of Australia to accept Lyme disease as a disease, undertake research, develop a national plan to collect statistics and develop treatments for people living with Lyme disease.
The DEPUTY SPEAKER (Hon. BC Scott) took the chair at 09:30.

CONSTITUENCY STATEMENTS

Budget

Ms RYAN (Lalor—Opposition Whip) (09:30): I rise this morning to speak about the government's budget. The first budget exposed the big lies told to the electorate by those opposite to get the big jobs, to get government. They promised no cuts to health, no cuts to education, no changes to pensions. It clearly demonstrates that they would say anything to win the election and that then they would renge. This second Abbott-Hockey budget shows us they will do anything to keep their jobs. Last year, they justified backflips on election commitments claiming a budget emergency, a debt and deficit emergency, after they cravenly doubled the deficit. This year, it is an election emergency, an exercise in craven hypocrisy. And it fails the integrity test, it fails the fairness test, it fails the futures test. It fails this government's own test. It gives us more tax, more debt and deficit, more spending and higher unemployment. This budget clearly shows a desperate government abandoning its promises again. It outlines spending greater than savings. After months of defending its cruel budget's slashing of spending and demanding Labor outline savings, it has rejected Labor's sensible savings policies.

What will it mean in my community, for the residents of Lalor? Well, the fundamental unfairness of last year's budget remains. Cuts to family payments remain that will reduce family incomes by up to $6,000 a year for many Lalor families. Cuts to hospitals and schools remain—$80 billion of cuts. In Victoria in health alone, $13.6 billion in cuts. And $100,000 degrees remain that will hurt the young people in my electorate seeking to further their education. In my community, where youth unemployment is already too high, high unemployment is outlined in this budget.

What is the new bad news? There are cuts to the dental program where families are already waiting for children to get the dental care they need, and cuts to the existing PPL program that will leave mothers with less time at home with their babies and/or less money. And the new early childcare and education measures spruiked by Minister Morrison across the past few weeks appear to be a cruel delusion. Yes, they appear in the budget papers to come into effect in 2017—beyond budget 3, beyond the next election. With a government that is proving sorely hard to trust, I would not be banking my house on those measures coming into play.

Beef Australia 2015

Ms LANDRY (Capricornia) (09:33): Last week, Rockhampton and Capricornia hosted our nation's biggest cattle industry expo: Beef Australia 2015. I rise today to report this event as the most successful ever held in showcasing our beef industry and technology to the world. Beef Australia's chairman Blair Angus of Kimberley Station near Clermont and his committee together with CEO Denis Cox, the Beef Australia staff and all the volunteers who acted as Beef Week ambassadors have made Australia very proud on the world stage. Up to 90,000 people attended Beef Australia, including visitors from 25 countries. I am proud that our coalition government contributed $2.5 million to help stage this event. This was an investment well spent.

FEDERATION CHAMBER
As we know, Rockhampton and the Capricorn Coast was recently ravaged by Cyclone Marcia. Beef Week provided a much needed boost, directly injecting up to $40 million into the local retail, food, hospitality, transport and accommodation sectors. However, the final spin-off to our nation will be worth hundreds of millions of dollars as a result of post Beef Week business deals here and overseas. This year, there was particular interest from delegates from China, Indonesia, Pakistan and Ghana. Our beef sector employs 200,000 people. Its importance is reflected by the number of senior federal government visitors who attended Beef Australia 2015. I thank the Prime Minister, the Deputy Prime Minister the federal agriculture minister and the Deputy Speaker, amongst others, for their attendance.

The Liberal National Party is the biggest supporter of this industry, which is Rockhampton’s most important sector. Such a line-up of senior ministers clearly demonstrates the importance our party and the federal government places on the beef industry in Capricornia. At the event, the Prime Minister announced $100 million in seeding money for fixing beef roads in our North to help make the delivery of beef to market more efficient and safe. Moving cattle from the farm to market involves some of the longest land transport distances of any Australian commodity. The land transport costs of our northern beef industry comprise up to 35 per cent of the market price of livestock. There are other factors such as floods and seasonal road closures that can isolate producers from their markets for extended periods. The northern Australian beef roads fund will improve the productivity and resilience of cattle supply chains in northern Australia, starting from the Tropic of Capricorn. I was pleased to see agriculture mentioned so much in the budget last night. The $5 billion for northern Australia will have a significant impact on the growth of northern Australia for generations.

Ms PARKE (Fremantle) (09:36): This year, the Centenary of Anzac saw services held across Australia that were attended in record numbers, and had an understandably special intensity. That was certainly the case in Fremantle, where a huge crowd gathered in the dark for a moving dawn service at Monument Hill, which included the ceremonial unveiling of plaques that listed all 849 of the Fremantle men who lost their lives in World War I. This project, initiated by Chris Grisewood, a former warden of Monument Hill, has been many years in the making and was only possible through the work of the city of Fremantle’s history and heritage staff, especially its archivist, Andrew Pittaway.

In the week before Anzac Day I had the honour of launching a book by Andrew called *Fremantle Voices of the Great War*, which draws on letters, diaries and oral histories to tell the story of the 3,000 Fremantle souls who went off to Gallipoli, Palestine and the Western Front. The toll, measured in the lives of young men, was felt heavily in the Fremantle community. One-third of working age men were lost. At least now their families have a place they can visit to see them remembered by name, and a book in which their stories are told. For example, in *Fremantle Voices*, gunner George ‘Chitter’ Brown describes the harsh reality of his first days on the Western Front:

I lost my best pal Sgt Henry Robinson from Fremantle. He was captain of the North Fremantle juniors and extremely popular with all who met him … He leaves a young wife and child at North Fremantle.

I have chosen that excerpt partly because there were so many members of the North Fremantle Football Club killed or seriously wounded in World War I that the club was unable
to remain part of the West Australian Football League after the war. That story is told in full in a wonderful book by Baden Pratt called *Hell for Leather: The Forgotten Footballers of North Fremantle*.

I was also glad to attend events that were focused on young people. The Beaconsfield Primary School Anzac service did a brilliant job of exploring and explaining the different aspects of Anzac Day, rather than assuming that kids will simply absorb its significance by repetition over the years. The Cockburn RSL’s annual Anzac Youth Parade was again excellent—featuring 26 local schools, 1,400 school children, and doing a particularly good job of acknowledging the role of Indigenous servicemen.

The Centenary of Anzac was an opportunity for everyone in the Australian community to pay their respect to those who have served this country. And as much as we honour those who have served and who serve today, we cannot allow young people to believe that the courage and sacrifice of the Anzacs, as well as the other fine human qualities like camaraderie and compassion, and even good humour, that can emerge in extreme circumstances, in any way glorify or justify the folly, futility and the terrible damage of that military disaster and, indeed, all wars.

In the words of the 10th Light Horse Regiment Sergeant Hubert Ulrich:
I was in the thick of it often but thank God I came safely through. I saw many splendid young fellows pass out. It was heartbreaking, war is terrible! Pray God it may soon be over.
It is over. It began 100 years ago and will never be forgotten. We will remember them.

**Centenary of Anzac**

*Mrs MARKUS* (Macquarie) (09:39): I also rise today to reflect on the Centenary of Anzac commemorations, particularly in the electorate of Macquarie, that were held in April this year. I would particularly like to express my appreciation to the RSL sub-branches, local clubs, and all other community organisations throughout the Hawkesbury and the Blue Mountains for their dedication, commitment and love for the Centenary of Anzac commemorative services. The continued commitment of these organisations ensures that the legacy of the men and women that served, not only during the Great War but since, is remembered and honoured.

In particular, a record crowd of 10,000 people gathered at McQuade Park in Windsor to attend a combined service hosted by the Windsor and Richmond RSL sub-branches, and this service was supported by the Anzac Centenary Local Grants Program. A beautiful memorial present at the service will be relocated to the grounds of the University of Western Sydney. I was privileged to attend many Anzac Day services, including the combined Windsor and Richmond RSL sub-branches dawn service; the Hazelbrook Bowling & Sporting Club’s Anzac Centenary March and service; the Blaxland-Glenbrook RSL march; and commemorative events at Hawkesbury district agricultural show and the Springwood RSL sub-branch sunset service.

I also had the privilege of attending commemorations at a number of schools, including Mount Riverview and Bligh Park public schools. It was wonderful to see so many children at Anzac Day services but also in their school commemorative events, honouring their own forefathers and telling their personal stories. At Bligh Park, the librarian takes responsibility for the commemorative service, which has been held for many years and honours not only the
families of service men and women represented at the school but also the current serving personnel from RAAF Base Richmond. There were a number of parents present who are current serving personnel, and it was wonderful to have them there. This year was particularly special, with people of all ages wearing their families' medals, and descendants marching with photographs and other memorabilia of their family.

We remember, during this the centenary commemoration of the Great War, those who made the ultimate sacrifice, and their families, their mates and those who returned, never to be the same. They loved their nation and they loved their families, and their courage was so that we could enjoy the freedom that we have. I honour them today.

**Budget**

Mr WILKIE (Denison) (09:42): This is not the horror budget we saw last year, but it is still a bag of sugar and poison. For instance, the government's determination to cut family payments will hurt low-income families. A better approach would have been to actually enhance such payments, which would give families greater options in how they manage the care of their children. Nor is the tougher assets test fair to people on a part age pension, because many of these people have conservative investments with modest returns, meaning they will now need to draw down their capital much faster. A better approach would have been to address the shortfalls in the superannuation system.

The prohibition of employees receiving both government and employer paid parental leave is also unfair, and it is entirely at odds with the government's prior encouragement of workers to negotiate additional benefits and the fact that these additional benefits are normally enshrined in workplace agreements. For the government to now brand such workers as fraudsters and double dippers is appalling behaviour.

Moreover, the unfairness of the budget is as much in what is missing as in what is included. For instance, before the budget, ACOSS identified about $6 billion in critical additional expenditure which was urgently needed, yet virtually none of it has been picked up by the government. For example, there is a pressing need for government pensions and payments to be increased, especially for youth, the unemployed and the aged; for the supply of affordable housing to be increased; and for last year's cuts to social services to all be restored.

Also missing from the budget was any attempt to restore overseas aid to a reasonable level and eventually achieve Prime Minister John Howard's pledge to increase it to 0.7 per cent of gross national income. This is a moral imperative for Australia, in addition to all the ways a stable and prosperous region is in our security and economic best interests.

The budget needs more revenue rather than cuts to spending, but it almost completely fails to address this. Yes, it raises some money from reforms to foreign investment; but it ignores any big potential revenue measures like removing superannuation tax concessions for wealthy people and introducing a super profits tax—for instance, on the banks. The Australia Institute has done some good work on how revenue might be bolstered significantly in a fair way, but it was completely ignored by the government.

Tasmanians are inevitably hit hard by unfair budgets because of our isolation, our soft economy and our relatively large number of disadvantaged people. This is not a good budget for them, despite what it might mean for the government's political fortunes.
Mental Health

Mr VAN MANEN (Forde) (09:45): I rise today to speak about an issue that faces many in our community—that is, mental health. I had the opportunity in the past week or so to visit a number of services that provide mental health support to various people in our community. I was accompanied on this trip by Greater Metro South Brisbane Medicare Local CEO Simon James. We visited three different facilities, all of which offer varying services and support to vulnerable people in our community, many suffering from mental illness. I would like to thank Eschleigh Balzamo and Ani Katene from Brook RED in Beenleigh for offering a great insight into their facility. Brook RED is a peer-run community service providing support for any individual who has had a mental health experience. Their facility is unique in the support they offer, with many of the staff able to relate to the clients on a peer-based level. They also of an out-of-hours support line.

I visited headspace at Meadowbrook, which recently opened its doors and provides services to young people aged 12 to 25. Headspace is a great facility for early intervention and helps young people with mental health and wellbeing support.

My last visit was to Canefields Clubhouse at Meadowbrook. I wish to thank Steve, one of the members of Canefields Clubhouse, who took us on a tour and took time to share with us his story. I also wish to thank Jak Dennison, the general manager, for his time. Canefields creates a restorative environment for adults with mental illness and guides them on the path to regaining the confidence and skills needed for living a socially satisfactory life.

Visiting each facility I noticed a common element—a dedicated, professional and compassionate staff. People with mental illness can be among the most disadvantaged in our society and because of that they confront many hurdles in life. They often require the high-quality, targeted services which these facilities provide. I wish to commend the dedicated staff and management at Brook RED, headspace and Canefields Clubhouse for the tremendous work they do, often under difficult circumstances, to assist people with mental illness to get their lives back on track.

Budget

Ms MacTIERNAN (Perth) (09:48): Today I want to talk about the budget. I acknowledge that there are some positives in the budget. The economy has been tanking and the reintroduction of accelerated depreciation will be a positive fiscal stimulus. But like the member for Denison, I cannot support things such as the family tax benefit cuts once children reach the age of six. That is completely unjustified. This could have been more than covered by the superannuation tax concession cutbacks to high-wealth individuals, as promoted by Labor. So we could get the same budgetary outcome but with a much fairer spread of the tax concessions. I want to focus on the situation in Western Australia.

WA’s fiscal and economic future remains bleak. The federal budget offers only little relief. WA’s share of Commonwealth funding will fall to just 6.9 per cent of total government payments to states and territories in the coming financial year. This is despite the fact that we have over 11 per cent of the population and we are 16 per cent of the economy.

WA’s GST revenue could fall as low as 18c for every dollar collected in the state, according to the forecast of the Commonwealth Grants Commission. The GST share this year is a record low of 29c in the dollar, but, when we look at the Commonwealth Grants
Commission projections, it shows it falling further to 23c and then subsequently to 18c. We see in the budget a secondary set of projections that have been made by Treasury, and these have been based on an iron ore price of $38 a tonne. Under this scenario, we do see WA's share recovering slightly to 32c and then ultimately to 51c. But this is predicated entirely on there being a sustained iron ore price of $48 a tonne, which of course is significantly lower than the current iron ore price. So, I would put it that either way it is a lose-lose for WA.

Mining investment is projected in the budget to fall by around 25 per cent next year and 30 per cent the year after. This is going to have a particularly adverse effect on WA.

**Repatriation General Hospital**

**Dr SOUTHCOTT** (Boothby) (09:51): The South Australian government seems to be living in a fantasy land when it comes to the Daw Park Repatriation General Hospital in my electorate of Boothby. This is a 300-bed local hospital that employs 1,250 staff. The South Australian government is shutting it down, selling the land, vacating the site and walking away.

State Labor are very keen to talk about how the Repat is old, run down and falling apart. Well, over the last decade, the federal government has given South Australia tens of millions of dollars to fund new facilities at the Repat. I have paid several visits there recently. Imagine my surprise when I found myself walking through bright modern buildings filled with some of the best hospital equipment available. The rehab facilities at the Repat are world class. Most recently, the federal government invested $40.3 million to fund 20 brand-new subacute beds at the Repat. They were opened with great fanfare by Jack Snelling only last year. They are state-of-the-art by anybody's measure, and they will now be closed by the state government.

Residents of the southern suburbs do not want to see the Repat close. More than 50,000 people have signed the petition calling on state Labor to keep it open. Forty-four local RSL clubs have signed a letter to the state government calling on them to keep the Repat open. Veterans have been literally camped on the steps of Parliament House for the last five weeks. At my last listening post, I had a 91-year-old war widow make a special trip there, in her wheelchair, to sign the petition.

There is a real concern that the closure of the Repat will also have serious, negative and long-term impacts on the health services for the broader community, particularly for people living in the southern suburbs. Last year, one-quarter of all orthopaedic and urological elective surgery performed in Adelaide was done at the Repat. It plays an important role in performing overflow colonoscopies from Flinders Medical Centre, a critical step in the National Bowel Cancer Screening Program. A senior surgeon has advised that Flinders is already at capacity, and will be unable to cope with the extra burden of ophthalmology, orthopaedic and urology work. As of half an hour ago, Flinders was running at four beds over their normal base capacity, and the Repat was only ten beds under their own base capacity. If you take out the Repat, the system will not cope.

The people of the southern suburbs just want the Repat to stay open; it is as simple as that. I will be out in the community gathering signatures to save the Repat at all of my listening
posts. I would also encourage local residents to drop in to my office at 724 Marion Road, Marion, at any time, to sign the petition to save the Repat.

**Economy**

**Mr Giles** (Scullin) (09:54): During the autumn recess of the parliament, I have been holding street corner meetings in the suburbs of Thomastown and Lalor in the Scullin electorate. I have done so to make sure that I am accountable to my constituents for the work that I have been doing, but, more importantly, to make sure that I am listening to the concerns in the community and can respond to them when I am in this place. I have been struck by how keen people have been to engage on a broad range of issues, all of them important, ranging from the national to the very local.

Three key themes emerged from these street corner meetings: concerns about trust in this government; a deep concern for jobs; and anger at the last budget and its impact on our communities. Last night's budget of course demonstrated a government without a plan for jobs, except for two—those of the Prime Minister and his present Treasurer, Joe Hockey. People in Scullin are facing significant challenges on the jobs front, challenges which even this budget anticipates will become more severe rather than less. Unemployment, particularly youth unemployment, has been consistently higher in Melbourne's north than the national average. It is unacceptably high, and this represents a tragic waste.

I acknowledge there are some measures in the budget which would go some way to addressing aspects of this jobs crisis. This is of course an admission of failure on the part of the government, and it is also too little, too late. The impact of the punitive measures in the last budget has already been felt, and it seems almost to add insult to injury that the government seems to have resuscitated the valuable and vital Youth Connections program with its proposed Transition to Work program for youth.

This is in a context of so many opportunities for jobs creation in the Scullin electorate. We saw this recently with the launch of the Food and Beverage Growth Plan—Melbourne's North, which I attended with state minister Lily D'Ambrosio; the member for McEwen; and other Labor MPs from the north. This report is compelling reading for anyone serious about growing jobs in food manufacturing in Melbourne's north, an area neglected by the policy agenda of this government. This is a vital issue given the collapse of the auto-manufacturing industry—goaded away by this government.

I attended a similar launch in the CBD last year, targeted at Victorian MPs, which no state Liberal MP attended—a telling absence, one which reflected the Liberal Party's lack of interest in jobs in Melbourne's north, which the people of Melbourne's north and Victoria punished them for at the state election. I thank the hundreds of constituents who have taken the time to raise their concerns with me. I commit to them to stand up for these concerns in this place and in the community and to always stand against this government, which is heedless of these concerns.

**Working Holiday Visas**

**Mr Pitt** (Hinkler) (09:56): Last week *Four Corners* examined an issue of great concern to me and the people of my electorate. I would like to reiterate a few points about the exploitation of seasonal and foreign workers in the horticulture sector. Firstly, ending exploitation starts with the supermarket giants who are squeezing our growers for every last
cent. The supermarkets may be able to dodge responsibility and liability by pleading ignorance, but under the current law there is no such protection for farmers. Those using contract labour hire companies are equally culpable. Secondly, the majority of farmers do the right thing. A few bad seeds are giving the horticulture sector a bad reputation. Farmers are the backbone of this country. Appallingly, farmers' share of the selling price has declined from almost 90 per cent in the early 1900s to less than 10 per cent today.

My office has taken calls from across Australia since the program went to air. People are desperate to show their support for young foreign workers. And so we have started a Facebook campaign called Support our Backpackers, to highlight the important contribution that they make to agriculture, tourism and regional economies. I would also like people to post their stories about farmers who treat their workers well. Most backpackers that I have spoken to say they have contacted government agencies, describing many of them as 'toothless tigers'. My office has experienced this firsthand. When we try to pass on allegations, my staff are bounced from one department to another. I can only imagine how difficult it must be to navigate three levels of government and multiple departments and agencies in a foreign country.

The Fair Work Ombudsman's office regularly contacts my office looking for intel. Unless we can provide them with documentary evidence and detailed information, they say their hands are tied. They announce their visits in local media and visit legitimate hostels. They target the low-hanging fruit, with some of the bigger growers in my electorate audited multiple times. The Minister for Employment, Senator Abetz, last night told a budget function that he shared my concerns and that the government would be taking action.

As outlined in the 2015 budget, the government will save about $550 million over five years from closing unnecessary detention centres. I would like to see a small portion of that money diverted to a multiagency task force and an effective one-stop-shop hotline for foreign workers and farmers. Last night the Treasurer also announced that from 1 July 2016, working holiday makers will pay tax from their first dollar earned. They will no longer enjoy a tax-free threshold. Treasury estimates this will raise $540 million over four years. While I share the Treasurer's view that anyone earning money in Australia should pay tax in Australia, can you imagine how much revenue could be raised if we ensured our foreign workers were being paid properly? At the moment, they operate in a black economy, where many workers get paid in cash or not at all. The time for inquiries and reports is over. We simply need to enforce the existing laws.

While I am on my feet, I would like to thank the Treasurer and those ministers who have consulted and worked with the backbench this year to produce a budget that is responsible, measured and fair.

The DEPUTY SPEAKER (Hon. BC Scott): Order! In accordance with standing order 193 the time for constituency statements has concluded.

CONDOLENCES
Walsh, Hon. Peter Alexander, AO

Mr WATTS (Gellibrand) (10:00): When the former Senator Nick Minchin retired from politics, he was sure to let everyone know that he was doing so as the country's longest
serving finance minister. When asked who was the best in this role in Australian history, Minchin named Peter Walsh.

I rise to pay tribute to a man who, through his stubbornness, rigor and commitment to Labor values, changed Australia for decades. As the finance minister for the bulk of the Hawke-Keating period in government, he provided the fiscal foundation for one of the most successful economic reform periods in Australia's history. The decisions made during his time as Minister for Finance set Australia up for 25 years of rapid and consistent economic expansion.

The Hawke government is well known for its bold economic reforms—the floating of the Australian dollar, financial deregulation, compulsory superannuation, the accord, substantial tax reforms. These bold and difficult economic reforms shook Australia out of its protectionist hibernation. However, the effectiveness of these reforms would have been greatly undermined if they had been accompanied by fiscal profligacy; the Australian economy of the 1980s could not have handled the additional stress of an out of control federal budget. As the Member for Brand told the House yesterday:

Significant expenditure cuts were required from 1986 in order to weather collapsing terms of trade. The government adopted a simple trilogy: not to raise taxes as a share of GDP, not to raise outlays as a share of GDP, and to reduce outlays in real terms. For four years, using IMF expenditure definitions, Peter fulfilled that trilogy. He produced four budgets which reduced outlays in real terms—something no other government or finance minister has done more than once.

Peter Walsh was the king knife in the Expenditure Review Committee; Paul Keating called him the 'Sid Vicious of Australian politics' and his fiscal discipline in the ERC imposed rigor throughout the policy design and implementation process.

On Walsh's retirement from cabinet in 1990, The Australian ran the headline: 'The man who made Keating look soft'. Rent seekers and ministers having a try on with a weak program were in for a tough time when Peter Walsh was in the room. In many cases it was this fiscal discipline that drove many of the Hawke-Keating governments' greatest policy innovations. For instance, Walsh insisted that the funding for the explosion of university demand, triggered by a rapid growth in high school completion rates under the Hawke-Keating governments, needed to be met from other revenue sources and not from existing on-budget spending. This led to one of the great policy solutions of the period, the introduction of HECS—income-contingent deferred repayment for higher education loans—an innovative policy that delivered fiscal responsibility while also creating a more equitable system of higher education funding.

Walsh despised populist politicians, fashionable causes and political correctness. He did not like what he called the 'compassion industry', where money was funnelled to the disadvantaged only to further entrench that disadvantage. He hated rent seekers in all their forms; he saw them as stifling the creation of rational public policy. Instead, Walsh was committed to fairness and decency. After his passing, politicians from both the left and the right praised the man who earned the respect of his colleagues and his adversaries.

A view was expressed by some after his passing that: 'Peter was such an outstanding finance minister, and I think would have been accepted as the Minister for Finance by the coalition parties as well as the Labor Party.' And, with respect, I would have to disagree with...
this sentiment, though I take it in the spirit that it was given. As the Member for Watson recently said:

It must not be forgotten the fiscal discipline from Peter Walsh was always underpinned by a fierce determination to deliver priorities for those who needed help most. His commitment to responsible savings and eliminating wasteful expenditure lay at the heart of his commitment to a Labor agenda. Walsh showed how important it was to embed progressive values within the constant task of fiscal responsibility.

Comparisons with Thatcher's UK government at the time are symbolic. Both Australia and the UK had similar structural economic problems in the 1980s. Whereas Thatcher's policies tore at the fibre of British society, the Hawke-Keating governments delivered economic reform and fiscal responsibility in a way that protected equity and equality of opportunity. On the one hand, Walsh tackled the government's fiscal problems through innovative revenue measures like the petroleum resource rent tax. At the same, he was able to accompany those changes with improving support for people on low incomes and extending fee relief to parents with children using private child care, all the while reducing Commonwealth budget outlays in real terms—four times, as noted by the member for Brand.

Our progressive community, our economic prosperity and our fair society we owe today in no small part to the work of Peter Walsh.

Mr EWEN JONES (Herbert) (10:05): It was a time of great excitement and expectation: Bob Hawke, the cricket-loving, former ACTU head, was the Prime Minister and it seemed the whole nation had drawn its collective breath and held on—anything was possible. 'Any boss who sacks someone for not turning up is a bum,' was how we saw the country. I was 23 when Labor came to power after the grey Fraser years. Fairly soon, it became very real that they still had to govern and reform. That is where Peter Walsh came in. From a young man's perspective, it just seemed that everyone in Canberra was waiting in fear of getting their heads knocked off by this man from Western Australia. It seemed that he did not care what he said or whom he insulted; he had a job to do and he was going to do it.

I never met Peter Walsh, but he reminds me of the military leaders from my home town of Townsville like Dave Morrison and Mick Slater, who both served in Townsville. Both men are said to be good blokes and good men; it is just that there is this air about them that says that you will pay dearly if you waste their time. I reckon they shared this trait with Peter Walsh. What I do know is that he meant business. What I do know is that he loved his country and his state in that order. What I do know is that he never took his foot off the pedal and always pushed for more.

As Prime Minister Tony Abbott said, Nick Minchin is lauded on our side of politics for being a hard man economically and a great finance minister. I had only a short time with Nick in this parliament, but you knew you had to dot your i's and cross your t's whenever you went to see him. Still, Nick would admit now that he was a hard man economically with the exception of the South Australian car industry, where he became a protectionist. Peter Walsh never suffered that. Peter Walsh never seemed to play favourites. He seemed to judge things entirely on whether they were right or wrong. Again, I say this never having met the man and attending this place 17 years after he left. For someone like me to still feel his presence in these halls and in the way he approached his work speaks directly to the massive shadow cast by this man.
In a speech just before he left the Senate, Peter Walsh spoke of the then level of national debt. He lamented that we may never pay that debt back. His warning then is as valid today as it was then. He said: 'The first thing you lose is your economic sovereignty. Once that is gone, the next thing you lose is your political sovereignty.' Those words guide me every day in this place. We are fortunate to have had a man of the calibre of Peter Walsh in this place. We are fortunate that he was part of a government that was focused on reform. We are fortunate that leadership of that government saw fit to put him in a position where he could exert his influence and impose his values and will on others who may not have come from the same upbringing and background as him. Rest in peace, Peter Walsh. You were a good man, a man of your time and a great man for Australia. I thank that House.

Ms MacTIERNAN (Perth) (10:08): I would like to participate in this remembrance of Walshie. Peter Walsh was someone who was a very significant player in my political life. He was a very dominant figure in the Australian Labor Party in Western Australia from the time when I first met him in 1975. What I always loved about Peter is that he really was an iconoclast. He never hunted with the pack. He always had a very individual view and a view that he had developed after a very incisive consideration of the facts. And this related to matters of the economy, as we have heard expressed in this place today and on other days, or to internal party matters. Peter Walsh was always a person who had a very individual view and a view that was very much determined by his consideration of the innate justice, fairness and common sense of the matter.

I first met Peter at a uni ALP function in 1975. I do not think he had a particularly high regard for university students at that time, but he came along because we were having an event to mark the end of the Vietnam War. Peter felt very strongly about that war. He used to talk about the 'death lotteries' that were being held—the Australian conscription process—which many young men of his age were potentially subject to. We met Peter and got on exceptionally well with him. He had been a friend of my father-in-law, Henry Schapper, another iconoclast in agriculture and agri-economics in Western Australia. I note that Henry Schapper was indeed quoted by Peter in his maiden speech. One can get a lot of insights from Peter's maiden speech. There has been a lot of recasting of him, almost subtly, as someone who maybe could have been in the Liberal Party. I would like to quote a part of Peter's maiden speech that I thought was exceptionally good. He said:

It is near tragic that the self professed partisans of a market economy and a free enterprise system who face us across the Senate chamber … seem to be completely unable to grasp the crucial role of a pricing system in a market economy. So often it seems that the only people who fully comprehend the internal logic of a capitalist system are socialists, although I concede that there are a few notable exceptions … I do not know whether the ability to see into the heart of a capitalist system is a cause or an effect of a person having socialist political beliefs.

We would not say Peter was a socialist, but he was certainly someone who had a very strong sense of fairness and a very strong sense that the work of government should be very much directed to providing fairly for those in need and providing them with the capacity not to remain dependent but to build their individual future.

He made another comment in his maiden speech that I think defines the way he went about his task as finance minister. He said:
I am neither for nor against government intervention in the economy per se. But I think that we must insist that the objectives behind such intervention be clearly defined and that the policies as they finally emerge are compatible with the clearly defined objectives.

He was a man who brought incredible rigour, focus and intellectual discipline to his work, together with an innate sense of fairness and justice. But Walshie was not, as many people have commented, just a machine for the production of good economic policy. He was an incredible individual, a fantastic person to have around the Labor Party and a great testament to the need for us to have a diversity of people within every political party to bring together a great and strong family borne out of diversity.

I think of the many great nights that I shared with Walshie, like the 1975 'end of the Vietnam War' night. In 1977, three or four of us ended up at the party office commiserating Whitlam's dreadful second defeat. We were trying to chart a course forward and work out where we were going wrong and what radical things we had to do to get the show back on the road. In 1980, I had a particularly memorable experience with Walshie. I was working up in Carnarvon at the time. Walshie brought Graeme Campbell up to Carnarvon on a plane. We had never been exposed to Graeme Campbell. He was the freshly endorsed candidate for the federal seat of Kalgoorlie at that stage. That was a momentous night for many people in the Carnarvon Labor Party, and indicated the absolute enthusiasm with which the Labor Party was going to reclaim and reposition itself in rural Australia. Walshie was very much part of that group that saw us build great success in representing rural and regional Western Australia. Indeed, we must look to the work that he did to rebuild our presence in regional WA. It was a great night at the 1994 national conference, where four of us managed to stay up all night entertaining, talking politics until nine o'clock the next morning. For us much younger ones, we felt that we needed to go to bed only to learn that Walshie was heading out with his grandchildren to a chocolate factory.

Walshie, as I said, was a great personality, a great family man and an absolute ornament to the Labor Party. He was a man who delivered impeccable public service, insight and capacity to the exercise of governance and ensuring that Australia remains a strong and vibrant economy and a place where there is a place in the sun for all. Thanks, Walshie; we will miss you big time.

Mr BURKE (Watson—Manager of Opposition Business) (10:16): It is with great sadness that I speak about Peter Walsh in these circumstances, but it is with great pride that I am able to do so holding the portfolio within my party that he is so renowned for. I think a lot of mistakes are made in respect of Peter Walsh's manner and his determination to deal very seriously with issues at the Expenditure Review Committee. He was determined to ensure that there was not waste; he was not determined to ensure that government spending be curtailed at all costs. He was determined, when making choices about where cuts needed to be made, that the cuts would find themselves with the people who could most afford to be able to do with less, and that sense of priority was at the core of how Peter Walsh viewed the finance portfolio.

It is important to remember with Peter Walsh that he was somebody who was largely self-educated. There is something that often forms its way into the newspapers where they deal with members of parliament, or sometimes with our staff, and judge the quality of who we have around us by the level of tertiary education that individuals have. Tertiary education is
something that deserves to have the highest level of respect, but it should not be turned into a form of snobbery. We need to remember that when the budgets were being formed then, we had that period were neither the Treasurer nor the finance minister were in situations where they had had the benefit, for various personal circumstances, of tertiary education. They did their jobs well, they applied their intellect well, and we need to ensure that we do not regress and change a level of respect for tertiary education by turning it into an unfortunate form of snobbery.

Peter Walsh entered parliament as a senator for WA in May 1974. He had not expected to make it into parliament that early. Because it was a double dissolution he found himself on the ticket when he had not expected to be—somebody else had ended up being not eligible because of an age rule that Western Australia had in place within the party; he found himself at No. 4 on the ticket at an election where we had five elected. He served with distinction as the Minister for Resources and Energy and assisting the Prime Minister on public service matters, but it is his time as Minister for Finance where Walshie really made his mark and cemented his legacy in those Hawke-Keating years.

The finance portfolio is, without doubt—and I learnt this years ago, listening to an interview that Kim Beazley did on Triple J when he was finance minister—the job where, by definition, you are guaranteed to be hated by all of your colleagues, and Walshie managed to fill this role pretty well. He would be the person saying no, and he would be the person applying principles absolutely rigidly. Bob Hawke said that 'his highly principled, no nonsense and at times acerbic approach as finance minister made him ideal for the position'. His long-time friend Bill Hayden said, 'I'm one of his best friends, as he is one of mine, but I knew better than to ask for mercy or favour in the pre-budget process.' That is important because, when we form the friendships and allegiances that we have as members of parliament, ultimately every decision is about the people outside the building—and Walshie made sure everybody knew that.

Peter Walsh's book Confessions of a Failed Finance Minister was a tribute to his success. He kept an absolute focus—not on whether something is in government ownership or not, not on whether there is a particular mechanism being used or not, but simply on the outcomes and how decisions will affect the rest of the community. When I was agriculture minister I had the absolute privilege to visit his farm when we were discussing wheat deregulation and doing away with the old AWB monopoly. I had the privilege to be there at the property that Peter Walsh called his own. This was no hobby farm—as some members of parliament have and then tick the box as farmers—it was a serious agricultural operation.

Peter Walsh established the practice of budgeting over the forward estimates, something we now presume in the whole lexicon of budget week and the ongoing debate. His passion for economic and fiscal reform continued long after he had retired. When he retired from cabinet, The Australian ran the headline 'The man who made Keating look soft'. That says a lot. When Gary Punch came to see Keating with a submission for the Museum of Australia, Keating said, 'I'm not your problem, it's Sid Vicious over there'—pointing to Peter Walsh. People would make fun of just how hard this person was. But let us make no mistake, it was because he had an absolute heart for social justice. That drove him, it drove his passion for his own state and for the rest of the nation, and it found him a natural home in the Labor Party. He is
someone the Labor Party is very proud to have called our own and to have provided the pathway for him to be a gift to the nation.

**Ms HALL** (Shortland—Opposition Whip) (10:23): Peter Walsh was a true son of Labor. He was an outstanding member of parliament. He had the respect of both sides of parliament. He was a first-class finance minister. He had social justice values and was a true advocate and champion for Western Australia and the nation. He was somebody the ALP is extremely proud of. He was an integral part of the Hawke Labor government and he has left an indelible mark on the Australian nation.

I can remember sitting at conferences alongside someone who was perhaps the greatest sceptic in the Labor Party within my area. We were at Parramatta and he was analysing every single thing that was said. After hearing Peter Walsh speak, he said, 'That's the most sense I've heard spoken by any person.' That common sense approach really marked Peter Walsh's approach to politics and to life. He will always be remembered in Labor circles for the fantastic contribution he made to Australia. With that short contribution, I want to pay my respects to his family and thank them for giving him to the Australian parliament for the time he was here and say that he will always be remembered for his contribution.

**Ms PARKE** (Fremantle) (10:25): It is a privilege to say some words in condolence for Peter Walsh, a dedicated and talented senator for Western Australia and a key member of the economic team within the Hawke-Keating Labor government—which is the same as saying that he was one of the chief architects of Australia's greatest period of economic reform and budget management in the modern era.

At the outset I want to thank my Western Australian colleague the member for Brand for his reflections on a man who was not only a political mentor but also a father-in-law, a dad to Gary's wife, Deborah, and grandfather to Gary's children.

Peter Walsh entered the Senate in 1974 and in his early years was an unstinting opponent of the war in Vietnam and a white-hot critic when it came to the bastardry of John Kerr and Malcolm Fraser in 1975. As Minister for Resources and Energy he presided over the introduction of the petroleum resource rent tax, which currently provides around $2 billion dollars in precious annual revenue. Remember that John Howard had previously dumped the Fraser government's consideration of a proposal to derive a fair return for all Australians from the higher than usual profit achieved through the development of resources like petroleum that belongs to all Australians. But of course Peter Walsh is best known as the best finance minister Australia has ever had and the fact that this status is accorded to him unchallenged is a mark of the incredible public service contribution he made. Indeed, the strongest theme in all of the reflections on Peter Walsh's very significant contribution to the Australian government is his steely adherence to good policy and rational budgets, irrespective of the surrounding populist noise and the special pleading. I love the quote from Bill Hayden about Peter's discipline and disinterested rigour when it came to assessing budget proposals:

> He took no prisoners, gave no sanctuary, recognised no neutrality. I am one of his best friends as he is one of mine, but I knew better than to ask for mercy or favour in the pre-budget process.

In Geoff Kitney's colourful obituary it is noted that:

> In Paul Keating's reflections on those years ... Keating recalled the back-breaking, health-wrecking tediousness and thanklessness of the endless hours of meetings of the Expenditure Review Committee. For every hour that Keating spent in those meetings, Peter Walsh spent two.
I did not have the good fortune to know Peter, but as a Labor person from country WA, I feel an affinity with his background and with his related concern for the interests of hard-working people who are subject to the buffeting of macroeconomic forces that are generally shaped by others or else held back by rural and regional leaders with a head-in-the-sand attraction to an irrational status quo, which is just as bad. Having said that, there are many areas in which Peter and I probably would not have agreed, especially when it comes to environmental conservation and climate change, and, despite his having been part of the Left faction of the Labor party, I suspect he might have assessed me as belonging to a category of Labor people of which he was not particularly fond—but who knows?

I do know that Peter Walsh’s example has influenced the conduct and work ethic of parliamentarians from all sides. He really was a person who gave his all, who brought all his energy and intellectual capacity to bear on some of the most difficult and complicated matters of economic policy in the best interests of all Australians. At times that effort put a strain on Peter that must have stretched his physical and emotional wellbeing to breaking point, but he never broke and he never shirked the hard work that needed to be done. No-one can ask or expect more than that from our political representatives.

As a loving family man, Peter will be greatly missed by all of his family. As a parliamentarian of the highest quality Peter Walsh set an example to be remembered and honoured. As a Labor senator and cabinet minister, his life and work reminds us that progressive, rigorous, fair and evidence-based economic policy is at the heart of the Australian Labor project.

The DEPUTY SPEAKER (Mr Goodenough): I understand it is the wish of honourable members to signify at this stage their respect and sympathy by rising in their places.

Honourable members having stood in their places—

The DEPUTY SPEAKER: I thank the Federation Chamber.

Mr EWEN JONES (Herbert) (10:30): by leave—I move:

That further proceedings be conducted in the House.

Question agreed to.

MacKellar, Hon. Michael John Randal, AM

Debate resumed on the motion:

That the House record its deep regret at the death, on 9 May 2015, of the Honourable Michael John Randal MacKellar AM, a former Minister and Member for the Division of Warringah from 1969 to 1994, place on record its appreciation of his long and meritorious public service, and tender its profound sympathy to his family in their bereavement.

Mr RUDDOCK (Berowra) (10:30): I wish to be associated with this condolence motion. Michael MacKellar was a friend, a friend that I served with in this parliament till he left us in 1994. I served with him for some 20 years in public life. He was previously the member for Warringah. He served as Minister for Immigration and Ethnic Affairs, between 1975 and 1979, and latterly served as Minister for Health, between 1979 and 1982. He was later a member of the then opposition's frontbench. That does not tell you much about this man that I regard as particularly special.
If you go to some comments made by former member for Gwydir and Leader of the National Party, John Anderson, you will appreciate that Michael was a very unusual member for a metropolitan electorate. He was a young man who left correspondence school, was able to get to Shore school in Sydney for a time, entered Sydney university and studied agriculture, graduating as a Bachelor of Agricultural Science, and worked in that field before he went to the United Kingdom, where he gained a Master of Arts in Oxford. So here is a man interested in issues relating to agriculture and sustainability being elected to one of our very significant metropolitan seats. He first stood for Liberal Party preselection in 1966 and was defeated.

The comments that John Anderson made that I was particularly interested in and which I wish to be noted were his comments about Michael MacKellar's 'secret weapon' that was ultimately to lead to his selection as the member for Warringah. Michael, in March 1969, married Robbie. The leader went on to say that, as so many of us have discovered in this place, our wives—or husbands, as the case may be—are so often our greatest assets, unsung heroes though they may be. Michael, Robbie was soon to prove yours. After they were married, the news broke that the member for Warringah was to retire. Michael and Robbie were on honeymoon at the time, but he came back for preselection and won. My own wife used to say of Robbie MacKellar what a remarkable lady she was. With a son with disabilities, she had very significant responsibilities not only as a member's wife but also as a mother. That was part of the challenge that the MacKellars had to cope with when Michael was a member in this place.

Michael was interested, as I have been, in the way in which this country develops. He had some very interesting observations to make about population issues, and he was speaking about these matters in the 1970s. He said then: 'Because Australia is so big, some people put forward the view that we can accept hundreds of millions of people.' But, if you actually read his speeches, you will see that he had a compassion for helping refugees, a focus on bringing to Australia skilled migrants that we need, accommodating proper family reunion, but an integrity in migration. In that sense, for me as a later minister for immigration, he was a role model.

I can say truthfully that this parliament is a very different place to the parliament that I entered in 1973 and he entered in 1969. He was the first of those people who entered the parliament a little earlier than me—people like David Connolly, Alan Cadman, John Howard—when the parliament was still occupied by what we affectionately referred to as 'the 49ers'. They were the people who entered the parliament with Menzies in 1949 and were there for those 23 years of the Liberal government and were still making a contribution when I entered the parliament in 1973.

When he retired in 1994, Michael made some interesting comments about the way in which this parliament conducts itself. It is a place where spontaneity has been largely lost. I am forever amazed that the people who come into this place and into the other place have to read everything they say. There was once a time when we had rules that prevented members from reading speeches. People would take points of order—I would love to take a point of order—that the member is reading a speech. I must say to be able to engage as we did in the old chamber with others in debate where you could flesh out issues in a way that was positive and beneficial has largely been lost. I notice that Michael McKellar said, 20 years down the track, said:
We are debating changes to the standing orders. I do not think that at this stage of the debate we have addressed the problem of an attitude towards this place. When I came into the parliament—and the right honourable member for New England (Mr Sinclair) was in the parliament—question time was a vital, active, involved time for the chamber. People were jumping up on both sides of the House. Since that time the chamber has become sterile, there has not been the participation that used to be evident, and its public impact has diminished to an extraordinary degree. That has been brought about by successive leaders of governments and leaders of oppositions.

I must say that I could not agree more, when I think of the way in which the parliament conducts itself these days. There was a time when I first came here that The Sydney Morning Herald would write up question time, with the questions asked and the replies given. It was a matter of public interest. When do you last recall questions being written up in that way and when our parliament was seen to be contributing substantially?

This brings me to the point I wanted to make in this debate today. Michael McKellar was an extraordinarily positive Minister for Immigration and, probably after me, the second-longest serving Minister for Immigration in the last 30 years. Most have never contributed more than two or three years; Michael was there for four; I was there for seven and a half—not that that is of great moment. But the point I wanted to make is that I think immigration is one of the most important portfolios that you can have. It is about nation building. It is about putting in place the building blocks for Australia and its future, and the non-discriminatory principles that were instituted by Michael MacKellar as part of the Fraser government have been absolutely crucial to its success.

That success is demonstrated today, when I think we can say that we have the largest proportion of overseas-born people in our population of any country in the world, except for Israel and Luxembourg—a fact not well-known, particularly about Luxembourg. If cultural diversity were a problem, we would have the biggest problems in the world, and yet it works extraordinarily well. I think it has a lot to do with the policies that were put in place and administered by Michael MacKellar, and I think at a time when we acknowledge his passing we should thank God that we were able to have somebody like him in that role.

In August 1988 we had some difficult debates in my party about immigration. It was not the first time; it was the second. Some people thought that there may be circumstances in which you might wish to discriminate against people on the basis of their race or their country of origin. I am just looking at an extract from The Canberra Times as I say this. It records that there were six Liberals unhappy with the party's immigration policy. The article leads with two former ministers for immigration, Michael MacKellar and Ian Macphee; a spokesman for our party at that time, Philip Ruddock; Senator Peter Baume; the late Ian Wilson, who was the member for Sturt; and Steele Hall. It was Macphee, Baume, Ruddock and Hall who crossed the floor on a very difficult issue of principle. MacKellar and Wilson each abstained. He continued to play a leadership role in relation to these matters.

I think his contribution has been greatly undersold, if I can put it that way. I think he has been a very significant contributor to this nation. I am sorry that I had not seen him of late—he moved interstate. I am equally sorry that Robbie had passed away. I did want to be associated with this motion, and I simply observe that Australia is the lesser for his passing.

Mrs PRENTICE (Ryan) (10:43): No doubt many members will pay tribute to Michael MacKellar's outstanding service to this parliament, as we have just heard from the member for
Berowra. But I also want to speak about the time leading up to his election. I actually knew Michael before he became the member for Warringah. Indeed, Michael MacKellar was one of the reasons I first joined the Liberal Party, albeit as a junior member without voting rights at the time. Many years ago, following the premature death of John Cockle, Edward St John QC became the new Liberal member for the Sydney North Shore seat of Warringah. He was a very well regarded senior Liberal practitioner with excellent business and community connections, who had won his preselection against a large field of candidates with less high profiles.

These were the days of party unity and discipline. So when this new member chose the opportunity of his maiden speech to directly criticise the government of the day, his government, and then Prime Minister Harold Holt, contrary to the practice that still exists today in this place, an enraged Prime Minister actually interjected, in defiance of parliamentary convention that maiden speeches are heard in silence. But the Prime Minister was not the only one who was outraged. So too were the Liberal Party branch members and indeed constituents of Warringah. These were the days of Kevin Martin, Bill McPhee, Malcolm Beveridge and many more—loyal, long-serving Liberal Party members, who worked hard without the expectation of political reward. My own mother, who had not been involved in politics since moving to Sydney some years earlier, immediately joined the local branch of the Liberal Party.

Before party members could express their displeasure and challenge the first term member's preselection, they needed to find a candidate prepared to take on this controversial challenge. And who did they support, but local agricultural scientist and unsuccessful candidate from the previous preselection, Mr Michael MacKellar, supported by his wonderful wife Robbie. As history records, Michael was endorsed by the Liberal Party. But, of course, nothing in politics is that simple. The sitting member resigned from the Liberal Party and chose to run as an Independent, and he had the connections to raise the funds to do so. Members of the local Liberal Party branch worked hard to raise money, but had very limited funds compared to the high-profile Independent. Michael and Robbie ran a grassroots campaign. They turned up to any local event and campaigned relentlessly. I remember my mother collecting my friends and I from school and we would do letterbox drops around the hills of Mosman; with Mum leaving afternoon tea snacks and the brochures for the next street at key points along our route—it was actually safe to do in those days.

Michael was an excellent candidate, and that election highlighted to me the importance of underpinning any campaign with a strong foundation of local involvement—lessons that are still relevant today. And the rest, as they say, is history. After an exhausting and determined campaign, Michael MacKellar was elected as the federal member for Warringah with a comfortable majority. Michael always benefitted from the devoted support of Robbie and later their children: Maggie, Duncan and Cameron, who, being born into a political life, knew nothing different. From that first campaign as a schoolgirl, I worked on all Michael's campaigns and served on his executives, through to 1977 when I moved to Brisbane. And that is yet another connection, as the then member for Ryan, John Moore—for whom I also campaigned—like Michael, was a champion tennis player. And just as John Moore beat Rod Laver is the early days of his tennis career, so did Michael defeat John Newcombe when they were both students at Shore—although Newcombe was five years younger at the time. But
when John Moore and Michael Mackellar teamed up, they were unbeatable. In 17 years, they never lost a doubles match against the Senate.

Michael served a record 25 years as the member for Warringah and made an outstanding contribution over his time in public life in several ministerial portfolios. I note that Dr Hewson, the party leader at the time of Michael's retirement, also recognised his role in founding the parliamentary wine appreciation society. Importantly, Michael was not just a great member and minister; he was also a good and inherently decent bloke. While Robbie was Michael's greatest asset, any tribute to his political career would not be complete without acknowledging the unswerving support and loyalty of Helen Ovens, who worked with him from his first days to his retirement.

My sympathies to Maggie, Duncan and Cameron and their families.

**The DEPUTY SPEAKER (Mr Goodenough):** I understand it is the wish of honourable members to signify at this stage their respect and sympathy by rising in their places.

*Honourable members having stood in their places—*

**The DEPUTY SPEAKER:** I thank the Federation Chamber.

**Mr RUDDOCK (Berowra) (10:49):** by leave—I move:

That further proceedings be conducted in the House.

Question agreed to.

**STATEMENTS**

**New South Wales and Queensland Storms**

**Mr BALDWIN (Paterson—Parliamentary Secretary to the Minister for the Environment) (10:49):** I rise today to reflect on the storm events that occurred in the week preceding Anzac Day. My electorate of Paterson bore, perhaps, the brunt of the storm that occurred in New South Wales. But I also acknowledge that the storm had an impact in seats such as Hunter to the west and Newcastle to the south, and all the way down through the Central Coast.

These storms were the worst I have ever experienced or seen. The wind power was the equivalent of a category 2 cyclone. In June 2007, we witnessed the Pasha Bulker storm. Can I say to you, Deputy Speaker: the effects of this storm far exceeded anything that that storm delivered up to us.

This storm in particular was tragic in my electorate because three of my constituents died. These were aged people who were living in council flats in Alison Court. The waters came through early in the morning. They rose at such a rate that Robin Macdonald, a former SES volunteer herself, Brian Wilson, a national serviceman and Vietnam veteran, and Colin Webb were drowned in their homes, in their beds. It just defies belief. Also, another life was lost—that of Anne Jarmain, who perished when her car was swept away by flood waters.

Out of all of these stories of these tragedies, we also hear of the many heroic efforts of individuals and teams of people—people who jumped into the water, trying to save Anne Jarmain out at Maitland; people who were creative and innovative, such as Matt Finney, who used a wheelie bin as a floating device to go and get people out of their homes and so rescued five people. The heroes' names go on, and there are so many that I will not mention more because if I leave people out I will indeed offend them.
It has been very difficult, dealing with the effects of the storm. I went and visited all of my SESs and all of my emergency centres. I met with the people who work there. I met with the volunteers who turn up. I met with community members who just turned up there, not knowing what to do but just wanting to help. And I say thank you to all of those.

I met with a lot of the volunteers who had come from intrastate and interstate, to provide support and to work. Such was the size of the damage and carnage in my electorate and in surrounding electorates, like Hunter and Newcastle, that we needed that support.

Yesterday, the Prime Minister talked about this being a sunburnt country, a land of droughts and flooding rains; well, how apt it is that the place where that poem was written by Dorothea Mackellar, Torryburn, where she sat on the deck of the house there, is still, today, an isolated community. Their only bridge was washed away. In the meantime, there has been a temporary pedestrian bridge built. In the initial stages, people even shot a bow and arrow with a string across, and set up a flying fox to get supplies backwards and forwards to the community. Still there is very little in the way of telephone lines. The electricity is still out. There are many issues to be dealt with. The damage was massive. And that is only one story. Communities throughout my electorate—communities like Hinton, Seaham, and even where I live, around Maitland and Chisholm and Thornton—became isolated as the floodwaters rose.

Since the 1955 floods, we have recognised that there are issues, and levees have been built, post those floods. I would also put on the record that the reason we have an SES in Australia today is because of the 1955 floods; that is what formed it. But, despite all those levee banks being there, we have never seen rain inundation and, in particular, isolated rain inundation in areas like it. Dungog, I am informed, has never seen that volume of water come down—a volume of water that picked up four houses and swept them off their piers, and floated them not just onto the road but across the road, through the next house, across a railway line and into the next river.

I visited up there on the first available day on the Thursday. Michael Keenan, our justice minister, Mike Baird, the Premier, the Deputy Premier, Troy Grant, and David Elliot, the state Minister for Emergency Services and I walked around. We talked to one young lady there who was living in one of the houses. She saw the water come up and rushed across the road to safety, only to be greeted with their house coming across the road and lodging into the one next door. The tyre factory in Dungog next to these houses has had all of its walls blown out—all of its tools spread. People lost every possession they ever had. These sorts of storms bring out the best in Australians—the heroic efforts, the volunteer efforts, the compassion—but they also bring out the worst in some individuals. As I walked through the streets on the Friday with our then Acting Prime Minister, the Deputy Prime Minister, Warren Truss, and talked to the community, one of the family members came to me and said, 'We appreciate the efforts, and we have been up and down the creek looking for photos and trying to pick up bits and pieces.' But there had been looters. I think there is no more disgraceful act—that others would seek to steal, as people are trying to resurrect parts of their lives and regain some of their possessions and memories.

Throughout the whole of the community there is untold damage. As I have driven around my electorate, and I have been into some of the other parts, I have never seen damage that has taken so much. The number of houses without electricity—not for a day or a week but nearly four weeks on there are still places without electricity. Telephones are still out because of the
breakages in the wiring. The damage has been so immense they just cannot be fixed. There are some areas where it is still unsafe to gain access to carry out the repairs. All repairs must be done safely. Even the main water supply line from upper Dungog at Chichester Dam had broken. It took time to get repaired. This has an impact on people's lives.

I have to say that people from Ozzie Care and other charitable groups came to the fore and delivered clothes, much needed furniture and, in particular, a collection of food items for distribution, at no cost, throughout our community. Ozzie Care did a tremendous job. I understand that they gave away in excess of $100,000 worth of food across the community—not just in my electorate but across the community. Such was the need that I rang my colleague Sharman Stone and said, 'Sharman, what do you think we could ask SPC Ardmona for?' They had already delivered a truckload of food up to one of the food banks, but they provided an additional three pallets of food direct to Ozzie Care to be distributed not only into my electorate but into the electorate of the member for Hunter, and the electorate of the member for Newcastle. They have serviced the needs of those communities—helping people who had lost everything and who had no money to put food on the table. I say thank you to those people.

As the Prime Minister said yesterday, we had a little bit of damage. For a while there I had an indoor swimming pool and a skylight. I did not really want one, but I ended up with one as a tree came down. The initial rain and wind that came through did damage and knocked out some of the powerlines, but the worst of it was that continual, intense rain for the next 24 hours, and that second wind storm that came through that brought down most of the trees. On our own property we lost something like 30 to 40 trees, and they were massive trees. I am now reflecting and reviewing—this is the second or third tree that has had a brush with our house—how far trees that are 60-, 80- and 100-foot high should be from people's houses, for there is no point living in danger if this will continue to happen.

I would like to put on the record that I am extremely proud of my son David, who stopped work, got his chainsaws and excavator, and drove around in our local community clearing people's trees so they had access to their driveways—not touching trees that were on houses; that was for the SES and the insurance companies to deal with, but helping people in the local community. I want to express my appreciation to my son for doing that. I spent a few days on a chainsaw myself and worked out how the vibrations affect your joints, as did many people. The clean-up continues. It will go on for quite some time. Out at Port Stephens the damage to roads has been immense. (Extension of time granted) To each and every individual who contributed and continues to contribute to the relief effort I say thank you on behalf of my community. I appreciate your efforts. They will not be forgotten.

Mr FITZGIBBON (Hunter) (11:00): I rise to support the comments of the Prime Minister, the Leader of the Opposition, the member for Paterson and all those who have contributed to discussion of this important motion which recognises the ferocity of the recent rains and floods in the Hunter Valley, the lives that were lost as a result, the damage done and the suffering which was felt by so many people. It is a reminder that, despite all our knowledge, innovation and technology in this 21st century, we are no match for Mother Nature. When Mother Nature grows angry—and we have seen Hollywood capitalise on this concept on many occasions—as human beings we have no response. I am glad the member for Paterson is here because—and maybe this is not the time—he knows that I have not been
the most enthusiastic promoter of policies to deal with the concept of our changing climate. I have always promoted an incremental and modest approach in keeping with the global community but it is clear to me that, if there is any doubt at all that human activity is causing the weather to become less predictable and more volatile than ever before then we should take out that insurance policy and as politicians globally we should be doing all we can to mitigate dramatic and variable climate change.

Like the member of the Paterson, I have never seen rain fall as it did on 20 April and a couple of days after. As the member for Paterson said, it was very isolated, as though someone had an open tap above certain parts of our electorates. It just rained and rained and rained, until we were sure it could not possibly rain anymore and it did. As indicated by others, that caused flooding which has never been seen. It might not have been like the 1955 flood in general terms but it was more than the 1955 flood in isolated areas, as the member of Paterson has indicated. Indeed, in Dungog it was enough to just wash houses away, in one case tragically leading to the death of three highly regarded local citizens, including veterans Brian Wilson and Colin Web, and very sadly Robyn McDonald, all in their more mature years and all contributors to their local communities. Also in my own electorate we lost Anne Jarmain, an 86-year-old woman who had gone to the shops in Maitland from Gillieston Heights to pick up a carton of milk. She was washed off the road on her way back to Gillieston Heights. There is plenty of tragedy around these events.

Interestingly, on the Monday afternoon I went to Sydney for a meeting and was not able to get home to the Hunter Valley. As you can imagine, that was a first for me. It reminds me to thank goodness for the Hunter Expressway. When local roads or main roads to the various towns through the Hunter Valley were blocked off, save for a few hours, the Hunter Expressway delivered the artery we needed throughout the valley.

Going back to my theme about our 21st century knowledge and expertise and the technologies now available to us, I find it extraordinary that major townships can still be isolated by flood. Of course there will always be cases where that is unavoidable, where you cannot invest government funds to cater for a one-in-100-year event. There will always be examples like that. But, when major towns like Gillieston Heights near Cessnock and Kurri are completely isolated from the rest of the community for a number of days without power and the rest of it, we have a problem. When the major highway through one of the most significant inland cities—Maitland—is cut for a number of days, I think we have a serious problem and I think it is incumbent upon all three levels of government to have a close look at those issues and to design and develop a strategy and come up with some funding solutions.

Part of the road across what is known as Testers Hollow near Gillieston Heights has been very topical in this debate post the storm events. That project certainly needs to be addressed, but so too does the main road through Maitland and so too do many other roads around the region. The community of Wollombi was also isolated. But the idea of Gillieston Heights, a large community, being completely isolated is a new one for all of us. It certainly has not occurred in my 53 years, and I travelled that road going to high school at Marist Brothers High School in Maitland from Cessnock. The water used to come over the road from time to time, but we had never seen the floodwaters this high. We certainly had not seen the floodwaters engulf the road on the other side of Gillieston Heights between that township and
Maitland. So I think we need to have a hard look at those issues again. In this modern society, large communities on the edge of a major city like Maitland should not be isolated and certainly should not be isolated for that period of time.

Like the member for Paterson before me, I want to pay tribute to a whole range of people. It is always fraught with danger because I will miss some. Minister Keenan is at the table, and I thank him for his call. I also thank the Deputy Prime Minister for calling me, expressing an interest and, like the minister, extending any assistance they could give. I think the government's response was swift and appropriate. People would always like us to do more, but that is not always possible. I think the swiftness of the response of the New South Wales government was similarly appropriate, so I thank both governments. Of course I thank our emergency services personnel both paid and volunteer. The member for Paterson spoke about the SES and its origins out of the ’55 floods. All of those people did a magnificent job, but so did all our other emergency services people: police, ambulances, those manning our emergency services in our local hospitals, our charities. There were many, so it is dangerous naming them again. The member for Paterson mentioned Ozzie Care, and we have the Samaritans, Vinnie's and the list goes on and on.

I want to make a special note of the community of Gillieston Heights. They received a lot of attention because, again, it was very unusual for a large community so close to Maitland to be cut off in the way they were. It was interesting to see people rally there. I think that, like many towns like that where urban sprawl has given us the mortgage belt look and sometimes people would argue there is not the sense of community that existed in the old settlement patterns of towns, this event, as bad as it was, seemed to transform that community. It brought that community together. The community rallied. I was very pleased to jump in a tinnie myself to go across to the town and help them organise their Anzac Day service because they were all unable to attend one. That was the service for the Centenary of Anzac, and I was happy to help them with that, but that was a rallying point for the community. There is now a Facebook page born out of the flood, and I think it will continue into the future. They did an excellent job. There is one group there that I did not mention, and that is all those volunteers who turned up with their boats. On one side of Gillieston Heights was the SES boats; on the other side, the Kurri side, were the guys who just turned up with their tinnies, their fishing boats and even their jet skis in order to ferry supplies and take people, including me, backwards and forwards. It is a great tribute to them. Like all those other SES volunteers and others, it was not a role without risk—not only to them but also to their boats, because you had debris floating around, and they had to be very cautious.

I will end where I began in talking about natural disaster. This would be an opportunity for me to reflect on all those who have lost their lives in Nepal and the second earthquake—second or third, whatever it is now—and the tragic loss of life. I know that all of us together today will be thinking of those who have lost people and those who are still suffering the consequences of those quakes. I pay tribute to all of those in Australia who are making great efforts to raise money on their behalf, including, by the way, the partner of my daughter. He was trekking in Nepal and arrived back from Nepal three days after the first major quake. To his great credit, James Tatham, and his mate Jack Thomson, are trekking somewhere across New South Wales—I cannot remember exactly where now or how far they are trekking—as a
tribute to the people they have grown to know and love in Nepal. They are raising money for the cause, like so many other Australians are appropriately doing. (*Time expired*)

**Mr KEENAN** (Stirling—Minister for Justice) (11:11): It is with sadness that I rise today to reflect on the tragic loss of life in particular that has occurred because of two very severe weather events in New South Wales and in Queensland. We have heard from the member for Paterson and the member for Hunter about the devastating loss that was associated with the New South Wales floods. As the member for Paterson remarked, I joined him with the Premier, the Deputy Premier and the Minister for Emergency Services of New South Wales in touring Dungog, which was the worst affected town in terms of loss of life. Three lives were tragically taken in what is a town of only 2½ thousand people.

The floodwaters there were very severe, and they came very suddenly at a very early hour of the morning. At about 3 am the floodwaters rose; they rose very quickly. Unfortunately, that caught out some elderly residents of the town in particular. The waters were of such power, as has also been remarked, that they actually picked up houses and moved them. It was not like the house was damaged; it was literally just taken away and floated down the river. And you can imagine that the water needs to have an enormous power to have the ability to do that. The reality is that the impacts of this disaster in New South Wales, and the one in Queensland, are going to be very far-reaching: thousands of people have been evacuated, they have been displaced from their homes and from their communities; there has been extensive damage to public infrastructure; homes have been destroyed and damaged; businesses have been destroyed and damaged, and of course there is the subsequent loss of trade associated with that. It will be the case that communities, often small communities, are going to take some time to recover, and that is not an easy process.

It is important that all of those affected communities understand that both the federal government and the New South Wales and Queensland governments stand with them to assist. There are very long-standing arrangements for the way that we do that and they do work very well. The Commonwealth always seeks to assist the states when they respond to these things, and obviously they have the primary responsibility and the equipment and the resources to be able to do so. Whenever a disaster happens, I am always in touch with my state counterpart to make sure they are aware that the Commonwealth will do whatever we can to help, and that certainly happened in the case of New South Wales and, to a lesser extent, Queensland.

And while homes and buildings and public infrastructure can be repaired, I do just want to reflect on the lives that have been lost in New South Wales, those three lives in Dungog and another who lost her life when her car was swept away in Maitland, and the member for Hunter reflected on that. In Queensland, very tragically, five people lost their lives, including a young child and three members of the same family—I have discussed this with the member for Longman, and I know he will reflect on that in his comments—and that is a terrible loss of life in relation to this very severe storm.

I would like to acknowledge, as others have done, the efforts of the very impressive State Emergency Service. They have dedicated professionals and dedicated volunteers who come out to assist their communities in the event of something going wrong. When there is a very severe disaster in Australia, it is not always the case that government services can get to everyone instantly. It is just not possible to do that. What we rely on is communities helping
out other members of that community. The communities in New South Wales in particular that I saw rose to that occasion of helping out the fellow members of their community, and I know that the same thing occurred in Queensland as well.

I would like to acknowledge their tireless efforts. What also happens in Australia—which I think is a wonderful reflection of our national character—is that, when one particular state is experiencing a disaster, everyone pitches in. If you go to a disaster in New South Wales, you will find people from Queensland, Victoria, South Australia. And it happens vice versa; it is always the case that when one state experiences a disaster, the other states pitch together, and we assist by trying to explain what is required in getting the other states to help. They do so with a very open heart. It is always gratifying when moving around after a disaster to see the heart that people can take from the fact that the rest of Australia is pitching in to help them when the chips are down in exactly what is the worst possible circumstances for a community. It is a great reflection on the way our system works and a great reflection on the people who volunteer to be a part of that system.

As I said, we always help in these circumstances; we always do what we can. In the case of the New South Wales floods, the Australian government and the New South Wales government have announced a comprehensive package of assistance which is available across a broad range of 17 affected local government areas. This assistance does not just come in the form of instant recovery. We partner with communities to assist them in what can be a very difficult and long-term recovery effort. That is what we will do in the case of New South Wales, and that is what we will continue to do as disasters, unfortunately, continue to afflict people around Australia.

We are in a uniquely disaster prone continent—fires, floods, cyclones. We are subject to the fury of nature on a regular basis in Australia, but the way we respond is a great reflection of the Australian character and I certainly saw that in evidence in my visit to the affected areas in New South Wales. I also know, from my discussions with the Queensland members of parliament, that it was on display in Queensland as well.

Ms CLAYDON (Newcastle) (11:17): On the evening of Monday, 20 April, my community of Newcastle and surrounding areas were hit by an especially wild and savage storm. Hours later, we were hit by another, just as fierce and just as destructive. These were storms of a ferocity that has not been seen in Newcastle since the infamous 2007 storm that saw flooding throughout the city and the bulk cargo carrier the MV Pasha Bulker washed ashore on Nobbys Beach. Veteran rescue helicopter crewman Graham Nickisson, who spent more than 30 years in the air above the Hunter, said that he had never seen weather or such expanses of floodwater like he saw last month.

Tragically, lives were lost. My sympathies go out to the friends, families and loved ones of those who lost their lives during the April storms. This truly was a devastating weather event. Some homes in my electorate were without power for seven days. Most others lost power, and sometimes water, for at least a day or two. More than 120 schools across the region were forced to close. Phone outages continued to today in some areas, and the clean-up of fallen trees and debris will continue for months. The bill for damage to infrastructure and homes will run into the hundreds of millions of dollars.

Thankfully, the Newcastle community is a strong community, and when it comes to natural disasters we have, unfortunately, had a lot of practice. We are resilient. We support each other at times of greatest need. We knock on neighbours doors to see how they are coping. We
share scarce resources at times of need. We open our homes, our cafes, our shops and our offices to those without power to charge their phones and tablets. We clean up neighbours' yards or even the yards of people we have never met before. We share our food with old friends and new and with those who have no access to a hot meal or drink themselves. We are a community that comes together as one in times of greatest need.

I would like to take this opportunity to give thanks to a number of organisations and individuals who worked tirelessly to keep our community going during this time of our greatest need. Thanks most definitely go to the SES volunteers, who attended more than 8,500 calls for assistance in the Hunter region, and the Ausgrid teams and their contractors who helped restore power to homes, businesses and facilities in our community—selfless men and women who worked through horrendous conditions and, in some circumstances, put themselves at risk to help those most in need.

The teams in our news outlets, like the Newcastle Herald and 1233 ABC Newcastle radio, who worked around the clock to keep the community informed throughout the disaster, deserve to be thanked and congratulated for their dedication to our community. In particular, I note the enormous contribution of the ABC as our emergency broadcaster. You were the lifeline for so many in our community, day after day. You kept our community safe and informed.

I acknowledge my local schools and their extended school communities, who themselves were devastated by the storms, and who not only cleaned up their own grounds to ensure continuity of education and safety for their students but also opened their doors to help with the storage and distribution of food in order to feed the community. Woodberry Public School and many other schools provided a central access point and a place to relay information to residents who were isolated by floodwaters.

I would like to take this opportunity to also thank the Thornton Rural Fire Brigade. I was fortunate to attend the opening of their new facility just 18 months ago. Regrettably, that new facility was absolutely inundated by floodwaters during the storm. While those men and women were out helping others in our community, they lost most of the equipment in their own facility back at Thornton. All of their private cars that they use to travel to and from their volunteer work were under water when they returned to the station. So I pay a huge tribute to those men and women who, despite their own suffering, continued to work, day after day, to ensure the safety of others in our community. I want to publicly acknowledge their efforts.

I would like to thank the Lord Mayor of Newcastle, Nuatali Nelmes, for her civic leadership and service throughout the disaster and acknowledge the council staff, who continue to clean up after the destruction left behind in all our public parks, streets and playgrounds. It was indeed the hard work and dedication of our council workers that enabled Newcastle to proceed with our annual Anzac commemoration services across the city, just five days after the storms that had uprooted massive old trees and savaged all the parks and places where we would normally have those commemoration services.

I would also like to note the savage destruction of the Hunter Region Botanic Gardens and the tremendous losses of precious plant species and biodiversity in our region. It is especially sad that places like the botanic gardens suffered irreversible damage. I would urge anybody in our community that has capacity to assist with the restoration of the botanic gardens to do so.
I would also like to welcome the appointment and acknowledge the tremendous work of the recently retired Brigadier Darren Naumann in his new role as the regional recovery coordinator. I note it was a very brief retirement period. I had the opportunity to work with the brigadier, through my role with the Public Works Committee here in parliament, on a number of projects. Although I wish our coming together again had been in better circumstances, it was tremendous to welcome him to the Newcastle community. I know that he, in his role as the regional recovery coordinator, will do a tremendous job. We met just days after his appointment, and I very much appreciated the time he took to listen to me and my community's concerns and to keep information flowing back to our communities.

I thank the Deputy Prime Minister, who was at the time the Acting Prime Minister, who was very early to contact me and offer support for the Newcastle community. I also thank the Minister for Human Services, the Minister for Justice, who was just in the chamber, and state government ministers, who responded to my many questions at whatever time of day and night and the immediate concerns of the community and provided vital contacts at times of need in the immediate aftermath of the storm. I thank the Centrelink teams, who were mobilised to go out into our community and worked weekends to make sure that residents were able to access the support they needed at times of emergency. I would also like to thank the insurers, whose policyholders were affected by the storms. I met very early on with Suncorp after the storm had hit and they assured me that they would be doing everything they could to progress the claims of their policyholders. Suncorp group of insurers include GIO, AAMI and APIA. I expect all of the insurance companies in my region to be very good corporate citizens and to indeed process these claims as promptly as possible—I will certainly be a strong advocate on behalf of my community if that is not the case.

My thanks also go to the Insurance Council of Australia, who activated a special emergency hotline at the time to assist customers with their insurance policy questions. I thank Legal Aid New South Wales and their team of lawyers, who provided extra assistance to the flood victims, despite being stretched to their limits and indeed with uncertainty about their own funding situation at the time. They have certainly done a tremendous job. I also acknowledge the valued community services organisations that provided assistance to affected residents. There was tremendous work by the Samaritans, who had to bring forward their winter appeal to respond to our immediate needs; Wesley Mission, St Vinnies and all the other service providers in the region. I want to thank the employers who were indeed flexible with their workforce and allowed employees to stay at home, to be safe, to keep off the roads. They also had to deal with the fact schools were closed and people had their children at home.

There are many lessons to be learned from the recent storm experiences. Indeed, I have joined with my Hunter Labor colleagues to bring to the attention of the Minister for Social Services some of the difficulties we have had around the eligibility criteria for the disaster payments and some of the pressures faced with the emergency relief cuts. In closing, it is regretful that we have had to go through yet another natural disaster, but our community remains strong and resilient as always.

_A division having been called in the House of Representatives—_

**Sitting suspended from 11:28 to 11:43**

Mrs McNAMARA (Dobell) (11:43): Last month the people of the Central Coast were brutally reminded of the power of Mother Nature when hit by severe storms and flooding.
This was a once-in-a-decade storm event and it was the equivalent of the category 2 cyclone, and it arrived with little warning. Homes were damaged or destroyed, and businesses were forced to close. From the Great Lakes to the Illawarra, over 10,000 requests for assistance to the SES were recorded. One hundred and seventy flood rescues were undertaken at up to 220,000 people were without power. Mobile and landline phones were impacted, with many residents without telecommunications for days.

On the Central Coast, at the peak of the storm, some 85,000 homes and businesses were without power and many for up to, or over, a week. As the rain continued to fall and floodwaters rose, thousands of emergency service personnel worked tirelessly to secure property, remove hazards and restore power. The sheer scale of this disaster can be demonstrated by the experiences of the emergency services personnel. I visited the Wyong SES headquarters following the savage storm and was advised by their team that in Wyong Shire they had responded to over 2200 jobs, which was the most of any location in New South Wales. In fact, I was advised that in the history of the New South Wales SES this was the largest response ever faced. Local SES volunteers were assisted by their Victorian counterparts and worked with emergency services, community groups and local government to support those requiring assistance. SES volunteers were joined by Fire and Rescue New South Wales and the Rural Fire Service—and I would just like to acknowledge Ourimbah RFS for the great work that they did during the storms. They were also joined by the Volunteer Rescue Association and staff from Wyong and Gosford Shire councils. Even last weekend, when I was driving around Wyong Shire, we could still see Wyong Shire Council staff who were still removing fallen trees, almost a month after the storms.

There are many groups and individuals that deserve thanks. I would particularly like to thank those who travelled from Victoria to lend a hand when it was needed on the Central Coast. I had the pleasure of meeting Victorian SES volunteers at the Wyong SES headquarters, and I commend them for their willingness and dedication to help other regions, particularly in our time of need. Without the assistance of the interstate, volunteers many Central Coast residents would still be facing uncomfortable living conditions due to property damage. Special mention is also made to Ausgrid, whose teams worked tirelessly through the day and night to restore power. Many thanks to the local Ausgrid teams and to those who came out of the region to assist. Our gratitude also goes to Telstra, who assisted in restoring telecommunications, particularly in our outreach areas.

I would also like to thank my parliamentary colleagues, the Hon. Michael Keenan, the Minister for Justice, and Senator the Hon. Marise Payne, the Minister for Human Services. Both of them took the time to visit the Central Coast and meet with those on the ground who are working to provide assistance to our community.

The Central Coast still faces a long and difficult clean-up task ahead, and our thoughts remain with the families of the four people in the Hunter region whose lives were tragically claimed by this natural disaster. Tragically, while still unconfirmed, it appears that we lost one life in Dobell. Those who lost their homes will face the toughest journey back to normality. Councillor Doug Eaton, the Mayor of Wyong Shire Council, advised me that across the shire approximately 10,000 trees were brought down by the strong winds, causing extensive damage to homes, roads, powerlines and public infrastructure. I am advised the damage bill is in excess of $300 million.
The New South Wales recovery centre at Wyong has, to date—and it is only been opened just over a week—assisted 226 people since the storm. This is in addition to the thousands who applied for assistance through the Department of Human Services. I had the opportunity to visit the department's mobile service centre when it visited Killarney Vale. The centre aided individuals to access assistance, and also had social workers on hand to provide counselling, support and information during this difficult time. I spoke with one local resident whose house had been flooded with sewage. Within minutes of talking with a department staffer she had been approved for additional assistance. As you can appreciate, she was extremely grateful for this assistance and for the fact that their mobile service centre had made it easy for her to lodge her application.

The Central Coast community was certainly tested by these storms. Numerous roads were closed due to flood water, fallen trees and power poles. Associated problems arose when sewerage pumping stations lost power and were unable to function. Many of those on rural properties had no access to running water, including myself. Residents were not only dealing with damage to houses and no power but no bathroom facilities as well. There were, unfortunately, cases where sewage found its way back through the pipes into people's homes. Some of our communities in the Wyong valleys were entirely isolated for days.

Flooding forced the closure of my electorate office, but upon reopening we received numerous calls for assistance, which we were only too happy to provide: from people looking for a place to charge their phone—and even their power tools—to the Henry Kendall retirement village, which required help organising waste removal services. Many of the elderly residents there had not had power to their fridges for about four days, and we sent the message to dispose of that food.

Stories of the storm were shared and hands offered out in help. I would like to acknowledge my staff for the help they provided to local residents during this difficult time. Locals were forced from their homes and local hotels quickly found themselves with no vacancies. Many residents who rent their properties faced uncertain times immediately following the storms as they awaited news from their leasing agents as to whether or not damage would be repaired. For our local students, school holidays were extended for another week and some local schools were unable to open as a result of the storms.

Now that the clouds have cleared and the winds are quiet, we focus our attention on helping the vulnerable members of our community. Sadly, during the storm the mental health unit at Wyong Hospital was at capacity—

A division having been called in the House of Representatives—

Proceedings suspended from 11:50 to 12:10

Mrs McNAMARA: Sadly, during the storm the mental health unit at Wyong Hospital was at full capacity. We had many people self-admitting. It was a sad case of people just not knowing what was happening and where to go, and I cannot imagine how unsettling and terrifying this experience would have been for them. Unfortunately, many patients did not take their medication and are now suffering from extreme anxiety, and our challenge now is to provide assistance to the most vulnerable of our community, who have been adversely impacted by this natural disaster.
This storm highlighted the need for emergency pharmacy assistance centres should an event like this occur again, as many residents lost refrigerated medication due to the lack of power. Many residents also lost food as a result of the extended power failure, and local supermarkets quickly ran out of supplies. Bread and milk became scarce commodities, along with candles, torches and batteries. For those on the pension and other welfare payments, it was a costly exercise to replace what they had lost, and many are still struggling to replace spoiled food. I would like to thank the community organisations, including Wyong Neighbourhood Centre, and volunteers who extended a helping hand during this time. I am pleased to advise parliament that Wyong Shire Council has arranged a civic reception for all of our local volunteers, to be held next month.

But we must not forget the subsequent storms in Queensland and northern New South Wales. As the Prime Minister informed the House, approximately 9,000 residents in New South Wales communities on the upper North Coast were isolated for some time. Tragically, there were five fatalities at this time, including a young child, when vehicles were washed away by floodwaters. We must never forget the strength of Mother Nature and the inherent dangers during times of natural disaster.

Superintendent Daniel Sullivan, commander of the Brisbane Water Local Area Command, advised me:

As Local Emergency Management Controller I am extremely proud of how these difficult circumstances brought out the best in our community. The resilience and dignity shown under extreme conditions is something we can all be proud of.

It is true to say that the best of our community is seen during testing times, and this is certainly true of our community of Dobell, who, as always, banded together to show the real meaning of community spirit. The lack of power found many families and friends reconnecting over candlelight. Clubs with power became meeting places to share stories and have a laugh during a difficult time. Cries for help were placed on social media and answered immediately. Many opened up their homes and bathrooms to friends, relatives and strangers to have showers. It is this sense of community networking that makes me proud to represent Dobell. I know that we are a unique area, and the struggles we face demonstrate what a truly tight-knit community we are. I would like to thank everyone who helped during and after the storms and commend their efforts to the House.

Mr CONROY (Charlton) (12:13): On 20 and 21 April 2015, the Hunter region was hit by one of the most devastating weather events in recent history. The east coast low that moved across the Hunter, Central Coast, Illawarra and Sydney regions over those two days has left a legacy of physical damage and debris that will take months if not years to recover from. Of course, for some families whose loved ones lost their lives, the recovery will be heartbreakingly slow, and my thoughts are with those families.

In my region of Lake Macquarie, the damage was widespread. The cyclonic conditions of heavy rain and wind gusts, some in excess of 135 kilometres per hour, battered the area for over 24 hours. Fallen trees littered backyards and roads, and in the worst cases many large trees fell on homes and vehicles, causing major damage and trauma. Properties in low-lying lake-side areas of south-western Lake Macquarie were affected as the water levels in Lake Macquarie rose, with further localised flooding affecting homes and traffic movements.
around the lake. The swell in some parts of the lake also caused major damage to jetties and moored vessels.

The gale-force winds caused extensive damage to the electricity network, leaving tens of thousands of residents without power for up to a week. The outage also impacted on Hunter Water’s pumping stations and reservoirs, leaving residents at Bonnels Bay, Cameron Park, Elermore Vale, New Lambton Heights, and Coal Point among those in the catchment area without both power and water, and the rest with limited water resources. With the heavy rainfall, most of Hunter Water's stormwater channels reached capacity, although I am pleased to see those in the flood prone areas of Cardiff and Wallsend did not breach and cause the extensive flooding in those areas that we saw in the 2007 'Pasha Bulker' storm.

More than 8,500 calls were placed with the State Emergency Services across the Hunter over the period, the largest number in their 60-year history. Like other members, I want to thank the SES for their swift and effective response. Theirs was a formidable task, and the speed with which extra crews and resources were brought into our area was excellent. When I called into the SES Headquarters in Cooranbong a fortnight ago, I met with many volunteers from as far abroad as South Australia and Western Australia, as well as crews from the South Coast of New South Wales, who had already completed clean-up operations in their own area before moving to the Hunter effort.

Similarly, the response from utilities providers must be commended. The Ausgrid, Hunter Water and Telstra networks were all significantly damaged, and each provider responded promptly by sending crews to work at all hours and in the most testing conditions, prioritising workloads and ensuring that the safety of the public and their workforce was paramount. Hunter Water, for example, was quick to provide bottled water to affected customers, and Telstra quickly ensured phone calls from public boxes were provided at no charge. Ausgrid, in particular, should be praised for their communications throughout the outage period, providing regular updates of affected areas and graphic maps to monitor reconnection areas.

Lake Macquarie City Council and Newcastle Council were quick to respond during the event with the closure of beaches and public facilities. As the clean-up kicks into gear, a number of services are being provided. Lake Macquarie Council, for instance, is offering increased and free waste services, free mulch for gardens and an inspection service to assess provide advice on structural damage to homes. ABC 1233 Newcastle was the conduit that kept the region connected in the most isolated times. The broadcast team were able to immediately transition to emergency broadcasting mode, providing ongoing weather and power updates, safety advice and general information. For so many without power, the voices on the radio were their only source of information. Whether it was on a battery operated radio, in the car, or via the mobile app, the team from ABC 1233 were there throughout the day and night providing up-to-date information on power issues, road and school closures, public transport diversions and other essential information.

The Australian government's response, through both the Natural Disaster Relief and Recovery Assistance arrangements and the disaster relief payments, is welcome support for residents, businesses and councils who are significantly affected. The emergency response from all agencies has been, and continues to be, commendable, and I have the greatest praise for the work of those involved with the operation. I do want to thank the officers of Ministers Keenan and Payne, who provided invaluable support during this time. I am also thankful to
the Deputy Prime Minister for his call to me during this period to ask what else could be done.

However, it would be remiss of us in this place if we did not acknowledge the opportunities learnt from the experience and to develop our emergency response system. To this end, I am pleased to have been included in the ongoing consultation of the Hunter Central Coast Recovery Group. From my conversations with SES volunteers and coordinators, I believe there is an opportunity for the role of the SES to be clarified and, in some cases, for the resilience of communities to be strengthened. There are, quite simply, some things that the SES cannot, or should not, be asked to do and, at times like this, it is prudent to acknowledge that more can be done when it comes to educating the public on this point. This frees up their resources when they are under incredible pressure for the benefit of all. There were a number of medical and aged-care facilities without power for an extended period of time, and that is of concern; we must use this experience as a catalyst to assess the appropriateness of these arrangements.

Whilst there can be no criticism of the ABC and their efforts on the ground to cover the situation, there is no doubt that the local team were under pressure as a result of reduced funding. There is clearly room for improvement in the Australian government's response. The criteria for payment under the Australian government's disaster recovery payment was recently changed and now requires at least 25 per cent damage to the habitable areas of a home to have sustained damage. This precludes residents who have suffered a loss of utilities, such as electricity, water, gas, sewerage services and other essential services. Not all people affected by the storm will qualify for this government support. This change has occurred in the last 18 months and it has had an impact on my community. For many families, their experiences in the storm meant several days without power or cooking facilities and damage to fences or external areas, while those with children face widespread and lengthy school closures. For some, the added costs of restocking a freezer or fridge after throwing out spoiled food, of eating out more frequently, of travelling further for essential items or for purchasing generator fuel have placed an unexpected strain on their ability to make ends meet. As I speak with my community, it is clear that this has placed considerable financial hardship on them, and we should be doing more to help.

Along with my Labor colleagues in the Hunter region, we have made representations to the Minister for Social Services about this issue. The department provides Commonwealth funding to community organisations that help address immediate basic needs in times of financial crisis through the Emergency Relief program. Our local ER service providers are telling us their resources are fully stretched and that they are struggling to cope with a massively increased demand for their services following the storm. For example, the Samaritans Foundation in Newcastle has brought forward the launch of its 2015 winter appeal and is establishing an information assistance centre in response to the storm event. This is a direct result of the changed criteria.

I accompanied the Centrelink disaster relief team when they visited communities in my area, such as Wyee and Cooranbong, and I met many families in great distress: I met grown men in tears, I met pensioners who had no idea how they were going to restock their fridges, I met families who had sewage coming through their bathrooms. There is no doubt that an opportunity exists for the Commonwealth to help support those in the community who are
vulnerable as a result of this natural disaster. Minister Keenan has it in his discretion to loosen the criteria for these payments and, if he chooses not to do that, Minister Morrison has been asked by me and others to deliver one-off increased funding for emergency relief providers in storm affected regions, such as those in the Hunter. Despite my best efforts, I have been unable to secure a meeting with the minister regarding this request. With the need to respond to disaster affected areas in a timely manner, the government has to provide funding of this kind immediately. This should have been in the budget, and it was not. Coupled with the recent cuts to the ER program, we have a situation whereby charities and community groups are stretched beyond capacity although they are still not turning people away. To ask them to do more with less is unreasonable, but to put them in this position is simply cruel. These groups are the ideal organisations to deliver the much needed assistance. They have the networks and they have established trust with local communities that are essential for helping vulnerable people and those who are still affected.

In conclusion, I applaud the efforts of my community to weather and recover from the storm. I applaud the efforts of the volunteers from throughout Australia who flocked to the Hunter region to help. I applaud the speedy intervention of the New South Wales and federal governments. I applaud the efforts of ministers and their officers. I do acknowledge their great work in this area, but more needs to be done. I am very conscious that we should not politicise this issue, but we need to understand the impact of the changed assistance criteria for local communities. I have people in tears talking to me in person; I have people in tears contacting my office. We need to do more; we need to be compassionate when disaster strikes. I urge the current government to provide more emergency relief funding to organisations to assist in this dire time.

WYATT ROY (Longman) (12:23): I also rise to speak on this motion, and the other tragedy that struck our community in recent flooding events—not only in my electorate but also in the member for Petrie's electorate. Tragically, in my electorate we lost five lives. Our thoughts are very much with their families and their friends as they go through an unimaginably difficult period at the moment. But through all of the tragedy and all of the adversity that these floods brought to our communities, we really did see that rallying spirit of our communities, that, in the absolute worst of circumstances and in the face of horrific tragedy and adversity, we saw the best of our people and our communities. I want to use this opportunity to thank as many people as I possibly can.

The first people I want to talk about are the swiftwater rescue people. I would hate to think what they went through, and the fact that they put their lives on the line to save so many people is something that we should all be incredibly proud of. We just simply cannot thank them enough. I want to thank all of our emergency services—the police, the fireys, the ambos and, in particular, our volunteer SES organisations. I went out and visited some of them in Caboolture and Woodford, and I am going to go to Bribie Island to say thank you to the SES there next week, when parliament rises. The SES is a most amazing organisation that people dedicate themselves to completely in the service of other people. Our community is stronger because of organisations like the SES and we are incredibly lucky to have such a big and vibrant SES volunteer organisation locally.

I want to share a couple of quick stories about the good Samaritans who came out during this horrific event. The Caboolture Historical Village opened up its doors way into the night
for well over 35 people who were trapped and could not get home. What a great thing it is that community organisations give shelter and refuge to people in some pretty stressful and anxious periods. Also, the Caboolture Sports Club did an amazing job. They did the same thing—opening up their doors to many students and staff who got stuck at Morayfield State High just down the road. What a great thing it is for a local sports club to open up their doors in the same way. Up the road, in Elimbah, Julie, from the local business Health Concepts, not only opened up the doors of her business because people could not get home well into the night, but also cooked up some warm stew and fed people dinner as well. These stories make me so proud to represent our community. When friends help friends, when neighbours help neighbours and, in particular, when complete strangers reach out in a time of need and provide that support and help, it is a very special thing.

I also want to thank the people involved in the recovery—the council staff, the Insurance Council of Australia and Lifeline, who organised the donations. All of these organisations came together to help people in that recovery. That process has been moving smoothly. It has been a very effective process because of how quickly people have rallied to that cause. Finally, to any members of the community who still require assistance or help: please get in touch with me and my office and we can point you in the right direction to find that assistance.

Mrs WICKS (Robertson) (12:27): I woke on the morning of Tuesday, 21 April at about seven o'clock. I was having a coffee just before getting ready to get the kids to school—Oscar to kindergarten and Molly-Joy to preschool—when suddenly I heard a sound I do not think I will ever forget. It sounded like a thunderstorm. It sounded like an almighty clap of thunder. And I heard my husband shout in a way that I do not think I will ever forget either. We saw a massive 60 metre blackbutt tree crash through our lounge room onto our car. If it had been an hour later, there would have been two kids and one adult who may not have survived that accident.

Cyclonic winds devastated our entire community. There were winds of up to 125 kilometres an hour, with average speeds of around 90 to 100 kilometres an hour. There were winds that saw trees come down in places that you would never have imagined possible. We saw great big trees with great big trunks come down, almost as if they had been uprooted from the very bottom with a shovel. I am incredibly grateful that we saw no lives lost on the Central Coast directly as a result of the trees and the storm damage. That morning, as so many cars on the roads had been overturned due to the winds, we were encouraged not to drive and to stay home that day. Children stayed home from schools such as Empire Bay Public School and Copacabana Public School. My daughter's own preschool, Little Miracles, closed because a massive tree had fallen in the playground.

I think we saw the extent of the damage that this particular storm caused. Driving around the electorate, once the winds and the storm had subsided, I saw roofs that had blown off. I saw trees that were still strewn across roads. I saw boats that had smashed into sea walls across the Brisbane Water. I saw wharves that had been smashed as though somebody had taken a hammer to them. But, miraculously, nobody was killed by the falling trees or the powerlines. Our thoughts do go to the family of a local resident from East Gosford who was tragically killed while crossing a road at the height of the storm. It was amazing, during all of
this, to see the poppy memorial that we had at Gosford Memorial Park in the lead-up to Anzac week. Forty thousand poppies planted by members of our community remained intact.

As the days unfolded, the extent of the damage became very, very clear. Fifty to 60 local SES volunteers worked tirelessly around the clock, matched by just as many from interstate. I got to visit them at their Erina headquarters, and I was so impressed to see how our community came together—volunteers every single one of them. While I was there, a fellow called Mark, from North Gosford, just popped in and said, 'You guys don't know me, but I need to make you dinner.' He said, 'How many orders? What can I do? What can I make? What can I contribute?' It was just extraordinary to hear.

At the peak of the storm's damage, around 80,000 homes across the Central Coast lost power for up to 10 days. I know that Ausgrid worked around the clock in difficult and dangerous conditions. I know also that they worked incredibly hard, together with our emergency services personnel, to make sure that our water and our sewerage connections were not lost. That was critical at one point. I know that Telstra and telecommunications workers also worked around the clock to make sure our communities were not isolated. We did have some instances of isolation, including in Lower Mangrove. It took some days to restore those services, such was the extent of the damage.

I know it is very hard to quantify the damage. It has been estimated it is going to cost around $300 million, and I know there are thousands of insurance claims that will need to be processed. But the thing I am most proud of is how we all pulled together—one of the hallmarks, I think, of our great community's response to the storm. Gosford City Council workers worked tirelessly around the clock clearing roads and offering free showers at the stadium. They are still offering people the opportunity to dump their rubbish at the rubbish tip for free, and there is a whole lot of mulch going for people to regenerate their gardens at the moment.

There was incredible leadership by the Brisbane Water Local Area Command, led by the indefatigable Superintendent Daniel Sullivan, who led the emergency operations committee for the Gosford council area. I have to tell one particular story. On the Sunday following the storm, I received a tweet from somebody whose grandparents were in Mooney Mooney. They said, 'Please help us. Our grandparents have got their sewage overflowing because they still don't have their power restored.' I rang Superintendent Sullivan. Within the hour, not only had they escalated the issue to Ausgrid; police sent cars out to personally check on the welfare of residents, and council workers actually went out there and drove from home to home to check whether they needed generators to make sure that we did not see a worsening crisis. It was just an extraordinary response by an extraordinary community.

We saw neighbours helping neighbours. I have heard stories in this place already of neighbours helping neighbours. Clubs opened up their facilities, including Everglades, Diggers, Woy Woy Bowling Club, Umina bowling club, Ettalong, Central Coast Leagues, Magenta Shores and many others. I worked with Christine Burge from Mary Mac's, who does an extraordinary job. We grabbed a whole pile of food from ALDI at Point Clare and took it down to Mary Mac's, to make sure people in need had the food when it was available. People donated their time and their food to Coast Shelter.

Our local media outlets did a wonderful job keeping everybody informed. The response on social media, on Twitter—telling us which schools were open, which schools were closed,
how to access some of the funding and some of the assistance available—was just extraordinary. I want to call out and say a big thank you particularly to Sea FM, who really kept listeners informed all along the way, particularly during their morning show with Byron and Kristie. Also, the Scott Levi program on ABC local radio was amazing. I spoke on it once, and I was talking about the damage that a particular family had sustained. They were not well-off individuals. They had really sustained a terrific amount of damage. They told a story about their little fellow whose mattress had been completely sodden—well at least down the bottom half. They said, 'It's okay. We'll get by. He'll sleep on the top half of this mattress.' Within seconds of telling that story, the ABC was flooded with calls of offers of assistance from our community. I think it really brings out the best of who we are.

I think we can also be really proud of our state and federal government. Gosford was one of 11 local government areas to be declared a natural disaster area, and that gave our community access to the disaster relief assistance administered by the New South Wales government to provide immediate relief with food hampers, emergency accommodation, replacement of essential items and the like. The federal government of course backed this up with the disaster recovery payment of $1,000 for individuals and $400 for children whose homes had been badly damaged, who had suffered serious injury or, unfortunately, lost a loved one during the storm.

I know of several families in my electorate of Robertson who were able to access that payment. They spoke with great relief to me about what it did for them. In total, 3,340 claims were paid to the people in Robertson, which was a total of $4.117 million. We also made available the disaster recovery allowance for those who lost income as a result of the disaster which provided income assistance of up to 13 weeks at the Newstart or youth allowance rate.

I really want to thank our Prime Minister, our Deputy Prime Minister Warren Truss, the Minister for Justice Michael Keenan, all of whom kept in regular contact with me to make sure our community had all of the services, assistance and support that we needed. It was just extraordinary to see how much care was taken at the local level.

I really want to pay huge thanks to senator Marise Payne. Not only did I receive offers of assistance from her but she also made sure that the local Centrelink office was open on Anzac Day weekend which I visited. She personally worked with me to make sure that, in areas where people were struggling the most with lack of food, challenges in relation to power outages and other things, we could actually send somebody there to directly work with them and coordinate getting them to where they needed to be in terms of access to services. Marise, I thank you very, very much.

I have to say that the biggest thanks of all goes to our incredible community who pulled together and showed the true heartbeat of the Central Coast. To the 60 SES workers every day—that is a huge ask from any community—a big thank you to all of you, particularly to Rolf and Sue Garda; Stephen Tobin; Gosford City Council; Stan Ancztak; Garry Hemsworth; Glen Pestell; Phil Rudd; Adam Nesbit; and CEO Paul Anderson.

To Brisbane Water Local Area Command, you are led by an outstanding commander and every single one of you reflects the outstanding work that you do in our community. I cannot thank you enough for your care and compassion for people who are doing it tough in a time of need. To Ausgrid, Telstra and emergency service workers, thank you. At a time when we
looked our worst, certainly on the ground, I am proud to say that we really showcased the best of who we are as a community.

Ms HALL (Shortland—Opposition Whip) (12:38): The storms that wreaked havoc on Robertson electorate also wreaked havoc on the Shortland electorate. The devastation and the impact on the lives of people in the communities I represent was enormous.

There were winds of 135 kilometres per hour in Lake Macquarie. Trees were uprooted. Trees fell across the road. Trees knocked down powerlines. Trees caused enormous devastation.

In addition to that, we had flooding, and people were forced to leave their homes. There were electricity outages that lasted for some 10 days. It impacted on telephone services and sewerage. Telstra brought in generators from outside the area so that they could actually operate their services. Communities were totally isolated by water and then not able to make contact by telephone.

I compare it to the 2007 storms that hit the region. Those storms were very intense with water initially but, after a time, they subsided. The devastation that took place in April was more sustained and the outages were for longer periods of time, and I think the overall impact of the storms was greater. I spoke to the mayor of Lake Macquarie, Mayor Jodie Harrison, and she said to me that the damage caused in the storms was greater than the damage caused in 2007.

As with the member for Robertson, the thing that I found phenomenal was how communities came together. In an area that had a street where there was no electricity, everybody joined together for a community barbecue. If a person had a generator, their neighbours linked up to that generator. There was a really strong spirit of community that existed throughout the storms.

I was very fortunate: my office was one of the only offices in the Hunter that retained its power through the storms. Streets around it had no power whatsoever, so I was using my office as a hub, where people could come to charge their mobile phones, boil some water to put in a thermos and bring their iPads to—that was really important because it gave them access to news as well as the ability to communicate through their email. People would go into the cafe next door to my office for a coffee and at the same time they would be plugging their phones in to recharge them. People in the community gave enormous support to each other.

I should at this stage mention Minister Keenan particularly. He rang and spoke to me on the Tuesday night, and I appreciated that call. Earlier in the day, the Minister for Human Services's staff contacted my office and offered all the support that was available. The Centrelink team worked over the Anzac Day weekend, and a bus went to visit San Remo, one area that suffered considerable devastation.

I would like to mention the San Remo Neighbourhood Centre. They lost their electricity, but, when they finally got it on towards the end of the week, they held a community barbecue. Everyone from around the community came to get some hot food, something that they had not had for a few days. In addition to that, the neighbourhood centre are one of the emergency relief providers in the area. They have a very small budget but they were there providing food...
and all the necessities that people were without. It is not a wealthy area, but it was so great to see that community supporting itself and everybody working together.

If there is anything that I am critical about, when I mention the emergency relief program, it is the changes that have taken place. It is now very difficult for people to access any funding through that relief program. The program kicked in in 2013 when my electorate was devastated by bushfires. At that time—once again, I must say that both those ministers were fantastic—people were able to access the thousand dollars when they needed it, as well as the $400 for children. I had people contacting my office who had suffered enormous loss. One in particular sticks in my mind: a young family, both parents working, renting—they went out on the Monday and did their shopping and filled their freezer. They spent $450 on food. Then they were without electricity for eight days, and there was no assistance for them. They did not have insurance, because people who do not have a lot of money tend not to take out insurance. That is a cost that they think they can afford to carry.

I would like to encourage the government to revisit that. I would like to join with the member for Charlton in his call to Minister Morrison to give a little extra money to that emergency relief program in our areas because there has really, really been a strain on that program. People are in need. People are hurting. I would not be an effective representative of my community if I did not get in there and ask for that support.

I would also like to join the previous speakers and thank those phenomenal emergency workers who were out there in the most dangerous conditions working to remove trees. I was speaking to one of those workers, Corey, who was coming home from an 18-hour stint. He is with the Rural Fire Service. He was driving past Belmont Golf Club just as power poles came across the road. That was on the Wednesday, and that cut the Pacific Highway going south. He stayed there until the police arrived and could make sure that it was safe for people in the area. The level of devastation was enormous. The commitment by all those volunteer organisations—the SES, the Rural Fire Service, Fire and Rescue, and I think we even had some SES personnel coming from Victoria—was enormous, and I thank them all. I thank the wonderful ABC for the fantastic job that they do getting that information out to people so that they know what is happening all the time—they know that it is unsafe to be on the road; they know that they should not drive a certain way because it is flooded. I am eternally grateful to them.

These events happen fairly regularly throughout the whole of Australia, impacting not just on Shortland electorate but on the electorates of many members in this House. I think that, as a government and as members of parliament, we have to work towards developing a better plan to address these emergency events. The response that takes place and the way everyone kicks in and works hard at the time of the accident is fantastic. I would like to thank all those people who were involved in providing that relief. (Time expired)

Mr HOWARTH (Petrie) (12:48): Two weeks ago, on Friday, flooding occurred in parts of Brisbane and the Moreton Bay region. Normally, in May 58 millimetres is the average rainfall. On this Friday afternoon and night, 400 millimetres fell in parts of Moreton Bay. This caused chaos on Friday afternoon, with many homes flooding, sporting grounds flooding and many local roads flooding. In fact, people were unable to get home on that Friday afternoon. I know a local worker in Clontarf who was stranded until 10 o'clock that night. I know of other people who were working in Brisbane city who had to walk home from the city because it
was taking so long. Other people who were travelling back from the Sunshine Coast could not get down to parts of Brisbane due to the highway being cut and got in at midnight. At a school in the local area—Grace Lutheran College—the principal stayed back with students until 10 o'clock at night, when school had finished at three. There was absolute chaos. Four hundred millimetres is, of course, a massive amount of rain.

The next day, after this severe flooding, we heard about the devastation in many parts of my electorate. Hundreds of houses were partially or completely flooded. My own home in Woody Point was partially flooded. Water came into the rumpus room and soaked all the carpet. Down in Bracken Ridge, homes were flooded. Even in the neighbouring seat, over in Sandgate—down on Third Avenue and Fourth Avenue and on Flinders Parade—many homes were flooded. But there was particular damage in the Moreton Bay region, in Griffin and Mango Hill. The local progress association hall at Mango Hill had water right through it. There was also bad damage in Rothwell, near the roundabout, and out in Deception Bay. Police in fact deemed 106 houses in Deception Bay uninhabitable. That is 106 families that were displaced—and, of course, in the massive deluge that swept through the region on Friday and Saturday morning, five residents up around Caboolture lost their lives.

I would like to let the people in my electorate who have been affected by the storm and flooding know that they are not alone in this. As your local federal member and a leader in the community, I speak on behalf of many people in the electorate in saying that we are thinking of you—those who were particularly affected, with houses flooded and property damaged—at this time. Immediate hardship assistance is available for people directly impacted by the flood to meet their immediate essential needs for food, clothing, medical supplies and temporary accommodation. More and more streets are being added to the assistance zones. You can go to the Queensland government website to check if your area is included in this. The Moreton Bay Region State Emergency Service Unit was and is also there to help. They received more than 600 calls on that Friday evening and are working day and night around the area to get in touch with people and help them out.

I take this opportunity to thank the Moreton Bay SES and our local emergency services—police, fireys, ambulance officers and even the Redcliffe Coast Guard out on the water, who helped boaties with debris and other issues. I also thank the Moreton Bay Regional Council, the Red Cross, Lifeline, GIVIT representatives and the local police who set up the community recovery hub at the Rothwell community hall on Morris Road. In addition, I thank the state member for Murrumba—I know he was out and about and was on the scene early—as well as local councillors, the mayor, all the staff at the Moreton Bay Regional Council and other government staff. I know the state government has set up an inquiry in relation to the Moreton Bay Rail Link to ensure that the flooding did not have an impact on its construction. I thank the state government for doing that.

I also say thank you to the many brave and good-hearted people who helped their neighbours or those stranded in the storm. We will never know who they all were or what they did, but they did things like helping neighbours to remove items or to sandbag. Their good deeds did not go unnoticed by the people in our community. Thank you to them. You are all heroes. There were a couple of people I did hear about who stood out. There was a father of three, Andy Cooper, who brought pizza to flood stranded commuters who had been waiting for hours and hours and had had nothing to eat. He went and bought a whole lot of
pizzas. I hear that Domino's has offered him a year's supply, so well done to them as well. There were also all the people who parked and got into the floodwater at the bridge on Cowen Terrace in North Lakes to remove debris so water could drain. There were stories right around the electorate.

I want to tell the people in my electorate who are still feeling the ramifications of the storm: I sincerely hope your recovery will be fast. If you would like information about immediate hardship assistance, you can call the Community Recovery Hotline on 1800 173 349. Next week, and in the coming weeks when we are not in parliament, I will be out and about in the community. I encourage you to contact my office and let us know if we can help in any way. I would like to hear your story. I thank everyone in the Petrie electorate for pulling together and helping their neighbours.

Mr CRAIG KELLY (Hughes) (12:54): I would like to acknowledge all the other speakers on this motion about how these storms have affected so many people along our eastern seaboard. I will concentrate my contribution on the effects on the electorate that I represent, Hughes. In my electorate, we have the Georges River, which is prone to flooding and has a long history of flooding going back over 100 years. Unfortunately, with these latest storms, the banks of the river burst and several streets were ordered to evacuate. They were Rickard Road; Arthur Street; Riverside Drive between Arthur Street and Newbridge Road; Newbridge Road between Rickard Road and Governor Macquarie Drive; and Davey Robertson Drive. Milperra Road, Governor Macquarie Drive and Henry Lawson Drive were also cut off. Across the electorate, the State Emergency Service did a fantastic job, responding to 3,678 calls.

But there are lessons we should learn from this latest bout of flooding. The first lesson is that claims by some that there is a long-term drying trend in south-east Australia are simply debunked by the evidence. You only have to look at the charts of the Bureau of Meteorology to clearly see, as Dorothea Mackellar said over 100 years ago, that we live in a land 'of drought and flooding rains'—and that will continue for years to come. Claims of more extreme weather are also simply not supported by the evidence. We should look at and learn from our history.

One of the worst floods we had in my electorate was back in 1956. I have here a news article from The Sydney Morning Herald of 7 February 1956 just to show how bad these floods can actually be in our area. It says:

The biggest storm in living memory has left 8000 people homeless. Damage to homes and properties is estimated at many millions of pounds.

From Wednesday night, when the deluge began, until 8 pm yesterday, 12.14 inches of rain fell in the metropolitan area. The places worst hit by floods were the Liverpool and Fairfield districts, Milperra, parts of Bankstown, Richmond, Panania and Penrith.

Police and local government officials estimate the damage in Liverpool and Fairfield municipalities alone at £4 million. At least 5000 people in these shires are homeless, and more than 1000 houses are flooded.

In the outer suburbs of Sydney about 3000 people were evacuated from their homes. All low-lying areas beyond Bankstown are under feet of water.
The article goes on to say:

The Mayors of Liverpool and Fairfield said that in the two shires over 300 miles of roadways had either washed away or been severely damaged. They believed at least 150 miles would have to be rebuilt and the rest extensively repaired.

It continues:

Council officials said police, army, civilian workers and council officials had rescued more than 500 people since last night.

Many of them had been in grave danger of drowning when rescued off rooftops and flooded verandas, fence posts, trees and tops of cars and were taken by army 'ducks' and boats.

That was the 1956 flood—far worse than what we had recently. But our records in Liverpool actually go further back than that, to the 1800s. We can see that the worst flood in our area, even though the one in 1956 seems quite horrific, was back in 1873, when the waters were two metres higher as measured at the weir at Liverpool. We had flooding two metres higher in 1873.

We need to be aware that these floods of the past will occur again. So we have to make those preparations. We should be making sure we have measures in place now so that, whether it is next year, in 10 years time, in 20 years time or in 50 years time, when those floods come again we are prepared for them—because, as sure as night follows day, as Dorothea Mackellar said, we live in a land 'of droughts and flooding rains'. As a government we need to make sure that we are prepared for that.

Just quickly, in the remaining seconds before we adjourn, I say a special thankyou to the State Emergency Service workers who did such a wonderful job responding to those many calls from throughout my electorate—as I said previously, over 3,000 separate calls. We take our hats off to them and thank them.

The DEPUTY SPEAKER (Mrs Griggs): There being no further statements, the discussion is concluded.

ADJOURNMENT

Mr CRAIG KELLY (Hughes) (12:59): I move:
That the Federation Chamber do now adjourn.
Question agreed to.

Federation Chamber adjourned at 13:00
QUESTIONS IN WRITING

Brand Electorate: National Broadband Network

(Question No. 733)

Mr Gray asked the Minister for Communications, in writing, on 26 February 2015

For the electoral division Brand, can he provide (a) a list of the suburbs/towns/developments which have access to the National Broadband Network (NBN), (b) the number of premises which have access to the NBN, broken down by access technology, (c) the number of active users on the NBN, broken down by access technology, and (d) the Access Virtual Circuit profile of active users connected to the fibre network.

Mr Turnbull: The answer to the honourable member’s question is as follows:

Table 1: NBN rollout statistics for the Electorate of Brand

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<th>Access Technology</th>
<th>Localities</th>
<th>Premises Serviceable</th>
<th>Premises Activated</th>
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<td>Brownfields FTTP</td>
<td>Greenfields</td>
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<tr>
<td></td>
<td>Waikiki</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Wellard</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fixed Wireless</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
</tr>
<tr>
<td>Satellite</td>
<td>All localities</td>
<td>Not applicable</td>
<td>10</td>
</tr>
</tbody>
</table>

Table 2: Australia-wide NBN Fibre AVC Speed Mix

<table>
<thead>
<tr>
<th>FTTP Speed</th>
<th>Percentage of Active Users</th>
</tr>
</thead>
<tbody>
<tr>
<td>12/1 Mbps</td>
<td>37%</td>
</tr>
<tr>
<td>25/5 Mbps</td>
<td>39%</td>
</tr>
<tr>
<td>25/10 Mbps</td>
<td>1%</td>
</tr>
<tr>
<td>50/20 Mbps</td>
<td>4%</td>
</tr>
<tr>
<td>100/40 Mbps</td>
<td>19%</td>
</tr>
<tr>
<td>Total</td>
<td>100%</td>
</tr>
</tbody>
</table>