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the Senate and committee hearings are available at

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SITTING DAYS—2019

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RADIO BROADCASTS
Broadcasts of proceedings of the Parliament can be heard on ABC NewsRadio in the capital cities on:

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For information regarding frequencies in other locations please visit
http://www.abc.net.au/newsradio/listen/frequencies.htm
FORTY-SIXTH PARLIAMENT
FIRST SESSION—FIRST PERIOD

Governor-General
His Excellency General the Hon. David John Hurley, AC, DSC, FTSE (Retd)

Senate Office Holders
President—Senator the Hon. Scott Ryan
Deputy President and Chair of Committees—Senator Susan Lines
Temporary Chairs of Committees—Senators Askew, Bernardi, Bilyk, Brockman, Brown, Faruqi, Fawcett, Fierravanti-Wells, Gallacher, Griff, Kitching, Polley, Sterle and Stoker
Leader of the Government in the Senate—Senator the Hon. Mathias Cormann
Deputy Leader of the Government in the Senate—Senator the Hon. Simon Birmingham
Leader of the Opposition in the Senate—Senator the Hon. Penny Wong
Deputy Leader of the Opposition in the Senate—Senator the Hon. Kristina Keneally
Manager of Government Business in the Senate—Senator the Hon. Anne Ruston
Deputy Manager of Government Business in the Senate—Senator Jonathon Duniam
Manager of Opposition Business in the Senate—Senator Katy Gallagher
Deputy Manager of Opposition Business in the Senate—Senator Kimberley Kitching

Senate Party Leaders and Whips
Leader of the Liberal Party in the Senate—Senator the Hon. Mathias Cormann
Deputy Leader of the Liberal Party in the Senate—Senator the Hon. Simon Birmingham
Leader of The Nationals in the Senate—Senator the Hon. Bridget McKenzie
Deputy Leader of The Nationals in the Senate—Senator the Hon. Matthew Canavan
Leader of the Labor Party in the Senate—Senator the Hon. Penny Wong
Deputy Leader of the Labor Party in the Senate—Senator the Hon. Don Farrell
Leader of the Australian Greens—Senator Richard Di Natale
Deputy Leader of the Australian Greens in the Senate—Senator Larissa Waters
Chief Government Whip—Senator Dean Anthony Smith
Deputy Government Whips—Senators James McGrath and Slade Brockman
The Nationals Whip—Senator Perin Davey
Chief Opposition Whip—Senator Anne Elizabeth Urquhart
Deputy Opposition Whips—Senators Raff Ciccone and Malarndirri McCarthy
Australian Greens Whip—Senator Rachel Siewert

Printed by authority of the Senate
## Members of the Senate

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<th>Senator</th>
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Pursuant to section 42 of the Commonwealth Electoral Act 1918, the terms of service of the following senators representing the Australian Capital Territory and the Northern Territory expire at the close of the day immediately before the polling day for the next general election of members of the House of Representatives.

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(1) Chosen by the Parliament of Victoria to fill a casual vacancy (vice S Conroy), pursuant to section 15 of the Constitution.
(2) Chosen by the Parliament of South Australia to fill a casual vacancy (vice N Xenophon), pursuant to section 15 of the Constitution.
(3) Chosen by the Parliament of New South Wales to fill a casual vacancy (vice S Dastyari), pursuant to section 15 of the Constitution.
(4) Chosen by the Parliament of Queensland to fill a casual vacancy (vice G Brandis), pursuant to section 15 of the Constitution.
(5) Chosen by the Parliament of Tasmania to fill a casual vacancy (vice D Bushby), pursuant to section 15 of the Constitution.
(6) Chosen by the Parliament of Victoria to fill a casual vacancy (vice M Fifield), pursuant to section 15 of the Constitution.
(7) Vacancy created by the resignation of Senator Arthur Sinodinos on 11 November 2019.
PARTY ABBREVIATIONS
AG—Australian Greens; ALP—Australian Labor Party;
CA—Centre Alliance; CLP—Country Liberal Party; IND—Independent;
JLN—Jacqui Lambie Network; LNP—Liberal National Party;
LP—Liberal Party of Australia; NATS—The Nationals;
PHON—Pauline Hanson's One Nation

Heads of Parliamentary Departments
Clerk of the Senate—R Pye
Clerk of the House of Representatives—C Surtees
Secretary, Department of Parliamentary Services—R Stefanic
Parliamentary Budget Officer—J Wilkinson
### MORRISON MINISTRY

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<tr>
<td>Prime Minister</td>
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<tr>
<td>Minister for the Public Service</td>
<td>The Hon. Marise Payne</td>
</tr>
<tr>
<td>Minister for Women</td>
<td>The Hon. Greg Hunt MP</td>
</tr>
<tr>
<td>Minister Assisting the Prime Minister for the Public Service and Cabinet</td>
<td>The Hon. Ken Wyatt AM MP</td>
</tr>
<tr>
<td>Minister for Indigenous Australians</td>
<td>The Hon. Ben Morton MP</td>
</tr>
<tr>
<td>Assistant Minister to the Prime Minister and Cabinet</td>
<td>The Hon. Michael McCormack MP</td>
</tr>
<tr>
<td>Deputy Prime Minister and Minister for Infrastructure, Transport and Regional Development</td>
<td>The Hon. David Littleproud MP</td>
</tr>
<tr>
<td>Minister for Water Resources, Drought, Rural Finance, Natural Disaster and Emergency Management</td>
<td>The Hon. Alan Tudge MP</td>
</tr>
<tr>
<td>Minister for Population, Cities and Urban Infrastructure</td>
<td>The Hon. Mark Coulton MP</td>
</tr>
<tr>
<td>Assistant Minister for Road Safety and Freight Transport</td>
<td>The Hon. Scott Buchholz MP</td>
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<tr>
<td>Assistant Minister to the Deputy Prime Minister</td>
<td>The Hon. Andrew Gee MP</td>
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<tr>
<td>Assistant Minister for Regional Development and Territories</td>
<td>The Hon. Nola Marino MP</td>
</tr>
<tr>
<td>Treasurer</td>
<td>The Hon. Josh Frydenberg MP</td>
</tr>
<tr>
<td>Minister for Population, Cities and Urban Infrastructure</td>
<td>The Hon. Alan Tudge MP</td>
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<tr>
<td>Assistant Treasurer</td>
<td>The Hon. Michael Sukkar MP</td>
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<tr>
<td>Minister for Housing</td>
<td>Senator the Hon. Jane Hume</td>
</tr>
<tr>
<td>Assistant Minister for Superannuation, Financial Services and Financial Technology</td>
<td>Senator the Hon. Zed Seselja</td>
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<tr>
<td>Minister for Finance (Vice-President of the Executive Council)</td>
<td>Senator the Hon. Mathias Cormann</td>
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<tr>
<td>(Leader of the Government in the Senate)</td>
<td>Senator the Hon. Zed Seselja</td>
</tr>
<tr>
<td>Assistant Minister for Finance, Charities and Electoral Matters</td>
<td>Senator the Hon. Jonathon Duniam</td>
</tr>
<tr>
<td>Minister for Agriculture</td>
<td>Senator the Hon. Bridget McKenzie</td>
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<tr>
<td>Assistant Minister for Forestry and Fisheries</td>
<td>Senator the Hon. Jonathon Duniam</td>
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<tr>
<td>Minister for Foreign Affairs</td>
<td>Senator the Hon. Marise Payne</td>
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<td>Minister for Trade, Tourism and Investment</td>
<td>Senator the Hon. Simon Birmingham</td>
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<td>The Hon. Mark Coulton MP</td>
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<td>Assistant Minister for Regional Tourism</td>
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<tr>
<td>(Leader of the House)</td>
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<td><strong>Minister for Industrial Relations</strong></td>
<td>The Hon. Christian Porter MP</td>
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<tr>
<td><strong>Minister for Health</strong></td>
<td>The Hon. Greg Hunt MP</td>
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<tr>
<td>Minister for Aged Care and Senior Australians</td>
<td>Senator the Hon. Richard Colbeck</td>
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<td>Minister for Youth and Sport</td>
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<td><strong>Minister for Home Affairs</strong></td>
<td>The Hon. Peter Dutton MP</td>
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Tuesday, 3 December 2019

The PRESIDENT (Senator the Hon. Scott Ryan) took the chair at 12:00, read prayers and made an acknowledgement of country.

DOCUMENTS
Tabling
The Clerk: I table documents pursuant to statute as listed on the Dynamic Red. Full details of the documents are recorded in the Journals of the Senate.

COMMITTEES
Community Affairs Legislation Committee
Environment and Communications References Committee

Meeting
The Clerk: Proposals to meet have been lodged as follows:
Community Affairs Legislation Committee—private meeting otherwise than in accordance with standing order 33(1) today, from 3pm.
Environment and Communications References Committee—private meeting otherwise than in accordance with standing order 33(1) today.

The PRESIDENT (12:01): I remind senators that the question may be put on any proposal at the request of any senator. There being none, we'll move on.

DOCUMENTS
Prime Minister
Order for the Production of Documents

Senator CORMANN (Western Australia—Minister for Finance, Leader of the Government in Senate, Vice-President of the Executive Council and Leader of the Government in the Senate) (12:01): Pursuant to order, I table a letter responding to the order for the production of documents agreed to by the Senate yesterday.

Senator WONG (South Australia—Leader of the Opposition in the Senate) (12:01): I move:

That the Senate take note of the document.

Only one document was tabled, which was a letter from the minister. The minister was ordered by this chamber—I hope Centre Alliance are listening, because they say they care about transparency—to table transcripts of the phone call; any notes taken by the Prime Minister, his office or officials; any briefings by the department or office for the purpose of the phone call; and any advice to the Prime Minister about the appropriateness of the call. Instead I get a brief letter, now handed to me across the table by Senator Mathias Cormann. He refers to the answers the Prime Minister has made in the House. He refers to an answer of the New South Wales police commissioner. He refuses to deny the existence of documents. He says documents of the kinds requested, if they existed, would not be able to be produced because they'd be the subject of a PII claim, because this matter concerns police inquiries.
This is transparency from this government, from the Morrison government. This is the
transparency and integrity, or lack thereof, of the Morrison government. The reality is this:
this is a scandal that is engulfing the Minister for Energy and Emissions Reduction, but it
goes right to the heart of the Morrison government. It is a scandal which demonstrates, yet
again, that this government, under Mr Morrison, doesn't like scrutiny. They don't like
scrutiny, they don't like transparency and they certainly don't like accountability. As the
Leader of the Opposition said: when the Prime Minister talks about the quiet Australians, he
really wants everyone to shut up and listen to him. That's actually what he means.

The Minister for Energy and Emissions Reduction was caught out using doctored
documents to attack the mayor of Sydney. While energy prices keep going up and while
emissions keep going up, he reckons it's smart to spend his time attacking the mayor of
Sydney. I wonder whether his colleagues are sitting there, as they have to keep defending yet
another Angus stuff-up, yet another 'Taylorgate' issue, and asking: what did he think he was
doing? What does he reckon his job is? Why is a federal cabinet minister picking a fight with
the mayor of Sydney?

Not only did the attack fail, it blew up in his face because it was based on a lie. It was
based on a false document; it was based on a doctored document. The document spectacularly
overstated travel expenditure by the City of Sydney reported in the 2017-18 annual report by
an absurd amount. But the fake document was disseminated, by his own admission, by this
minister, the Minister for Energy and Emissions Reduction. He has repeatedly told the
Parliament of Australia that it was downloaded from the City of Sydney website. But you
know what? He has produced no evidence to support his claim. None!

On the other hand, the City of Sydney says it never published the fake document. And, unlike
the minister, who has not provided one shred of evidence to support his assertion to the
parliament, the City of Sydney has produced credible evidence in the form of metadata and is
further supported by evidence from public internet archives.

The minister tries to dodge scrutiny by describing this fiasco as a 'conspiracy theory' and a
'grubby smear'. It's a bit like the way in which the questions about Brian Houston's invitation
to the White House were simply gossip because Mr Morrison doesn't want to answer them.
But we've had a New South Wales police strike force, Strike Force Garrad, established to
investigate the matter and determine if offences under the New South Wales Crimes Act have
been committed, and we know from reports that they are coming to Canberra to interview this
embattled minister.

Faced with the scrutiny of his minister and of his government, the Prime Minister didn't do
the right thing—but he did panic. He telephoned the New South Wales police commissioner
and meddled and interfered in the investigation into Mr Taylor. What other Australian gets to
pick up the phone and telephone the police commissioner when their mate is under
investigation? Police should be able to conduct investigations independently and without
interference—this really shows something about this Prime Minister's ethics.

The government continues to hide the truth about what really went on here. That is why,
within this motion, we were seeking the documents that I described at the outset. Australians
have a right to know what occurred on 26 November. We should not have a situation where a
prime minister repeatedly phones a police commissioner to interfere in an investigation,
because it appears from the police commissioner's answer that he only answered on the fourth

CHAMBER
call. So we've got a PM of the country ringing up—ring, ring, missed call; ring, ring, missed call; ring, ring, missed call—because he really wants to have a chat to the police commissioner about his mate.

When the Prime Minister calls a head of an agency or a department, regardless of jurisdiction, there should also be a process that's followed. This week we found out that the Attorney-General was also in on the call. Imagine that: the police commissioner having the Prime Minister and the first law officer of the land on the phone to probe him about an ongoing investigation into a senior member of the Prime Minister's team. Justice must not only be done; it must also be seen to be done. People in this country need to have confidence in our criminal justice system, and that confidence can only be undermined when the most powerful person in the country and the Attorney-General involve themselves in a criminal investigation because it smacks of and looks like interference. And the fact that the Attorney-General can't come clean on this scandal really tells us everything we need to know about this dodgy government. It is a government that doesn't like scrutiny, a government that doesn't like transparency, a government that doesn't like accountability and a government whose integrity is in tatters.

Mr Taylor doesn't appear to think that the normal rules apply to him. He doesn't appear to be able to open his mouth without saying something misleading. He misled the readers of The Daily Telegraph; he's misled the parliament. Apparently he's been misleading the parliament since his very first speech, claiming to have gone to Oxford with Naomi Wolf, who was living in New York at some time. That's a pretty good move, isn't it? How many people have actually misled the parliament in their very first speech? That is a real—

Senator Watt: Start as you mean to go on.

Senator WONG: Yes, you start as you intend to leave. Of course, Australians know that when we say 'misleading' the parliament, it's a euphemism for the word 'lying'. And we know that the 'Taylor-made' scandal isn't the minister's first rodeo because the boy who cried, 'Naomi Wolf!' has already been embroiled in three other scandals this year.

He has routinely failed to disclose his financial interests. In relation to the latest matter—just what we uncovered this week—serious questions have been raised over an $80 million water purchase to a company of which he used to be a director that's owned by a Cayman Islands based company he helped to set up. And he failed to declare shares in a company being investigated for poisoning critically endangered grasslands. And just like the Prime Minister did, on that occasion he rang his mate to try and fix it. Remember? He dropped Mr Frydenberg in it. But he refuses to be accountable, and this Prime Minister won't hold him accountable. In fact, Mr Morrison misled the parliament himself four times trying to defend Angus Taylor. It appears that the normal rules that apply to everyone else don't apply if you're in 'Club ScoMo'.

Paragraph 7.1 of the Ministerial Standards provides for a minister who is subject to an official investigation to be stood aside by the Prime Minister. Senator Sinodinos stood aside from cabinet when he was called as a witness before the New South Wales commission against corruption. It was the right thing to do. Other ministers have done the right thing and stood aside when allegations of improper conduct have been made, but this Prime Minister refuses to enforce these ministerial standards. No matter how low Mr Taylor goes, no matter how many mistakes or misleads he makes, no matter how many times he is not up-front—
and, dare I say, uses false information—Mr Morrison refuses to stand him aside. Instead the Prime Minister himself misleads the House while defending his minister—four times. What this demonstrates is that honesty and integrity are not a priority for Mr Morrison or this government. There is one standard for Mr Morrison and his mates and another standard for every other Australian. If Mr Morrison and this government had a shred of integrity, a shred of decency, they would release the documents that the Senate has required, apologise to the Australian people and stand aside the Minister for Energy and Emissions Reduction.

The many scandals in which Mr Taylor has been involved have tainted the Treasurer, tainted the Attorney-General and Minister for Industrial Relations and tainted the Prime Minister. Mr Taylor stubbornly refused to correct the record on the origin of this doctored document. Who is he covering for and why has Mr Morrison not directed him to come clean? Why is this Prime Minister so stubborn and so arrogant that he believes that he and Mr Taylor and other ministers should not be accountable to the parliament? Or is there some other reason why he keeps protecting Mr Taylor even as the political and ethical costs keep mounting?

We on this side of the chamber will continue to hold this government to account. We will continue to shine a light on this grubby conduct because Australians deserve honesty, decency and transparency in government, not the scandals and trickery of those opposite.

Senator McKIM (Tasmania) (12:12): What an insult to the Australian people! We've got a situation where the Senate collectively required Senator Cormann to place certain information on the record and, at one second to midnight—or perhaps I should say one second to noon, given the time of day—he waltzes into this chamber and hands a letter to Senator Wong which, as I rise to debate, I still have not seen. That is no criticism of Senator Wong but it is every possible criticism of Senator Cormann. He is denying the Senate the opportunity to have an informed debate. What we can surmise from Senator Wong's contribution is that Senator Cormann has failed to comply with an order of the Senate.

Let's be very clear about this: the Prime Minister should never have made this telephone call. It was a clear attempt to use his personal relationship with the New South Wales police commissioner to either influence the course of the New South Wales police investigation into Mr Taylor or otherwise discover information that should not have been available to Mr Morrison and certainly would not have been available to any other ordinary Australian person in this situation. But not only should the PM not have made this call; the Attorney-General should not have allowed him to make this call. How extraordinary it is that we now know that the Attorney-General was in fact with the Prime Minister when he made that call—at the very least an implicit endorsement by the Attorney-General of the Prime Minister's decision to make this call. So these are two gross failings here from the Prime Minister and from the nation's first law officer.

The New South Wales police commissioner should never have accepted this call. It looks shocking, it looks dodgy and it stinks to high heaven. In other words, the optics are extremely poor. Secondly—and I'll use a military analogy here—the Prime Minister is not in the line of command of the New South Wales police commissioner. The New South Wales police commissioner does not report to the Prime Minister; he reports to the New South Wales police minister.
So this call should never have been made by the Prime Minister, it should never have been endorsed by the Attorney-General and it never should have been taken or accepted by the New South Wales police commissioner—three gross errors of judgement from people who should have known better. Former Liberal staffer Nikki Savva said, 'Someone should have said to him "Do not make that call."' I completely agree with Ms Savva there. She also said, 'Porter, as the first law officer of the land … should have grabbed the phone out of his hand and said, "Don’t do this; it’s not a good idea."' Again, I completely agree with Ms Savva there. They are three gross errors of judgement that call into question this government's capacity to act in a lawful and meaningful way.

This is a shocking example of how power truly operates in Australia today. It's also a shocking example of how the Liberals think they are above the law and above basic standards of propriety. Put simply, this government do not respect the rule of law and they certainly do not respect the Senate and the parliament. To those people listening who wonder why the rule of law is so important, let me explain. The rule of law is one of the foundations of our democracy. It is one of the principles that stand between a Liberal democracy and a totalitarian or fascist regime. We have to ensure that the doctrine of the separation of powers is respected and maintained, and that includes not only the separation of powers between parliaments and courts but also the separation of powers between governments and police investigators. The Australian people have a right to know that when there is a criminal investigation underway, which there currently is, it will be conducted without fear, without favour and the cards will fall where they may. Right now, we've got a situation where, quite reasonably, there will be many people in the country asking whether they can have confidence in this New South Wales police investigation because the Prime Minister intervened in such an extraordinary manner.

Let's be clear about why we're even discussing this today. Minister Taylor and his office passed on apparently forged documents to The Daily Telegraph in order to smear a political opponent. We don't know who forged those documents but, on the face of it, whoever did is guilty of a crime and potentially more than one crime. That question—who forged these documents, who committed these crimes—is exactly what the New South Wales police are currently investigating. The Prime Minister should never have made this call. The Attorney-General should never have allowed him to make the call, or endorse him making the call, and the New South Wales police commissioner should never have accepted that call.

Unfortunately, we are still talking about Minister Taylor here. The Prime Minister should have stood him aside while this investigation into the potential commission of a crime is underway. In fact, that's what the ministerial code of conduct says should have occurred. That code, by the way, is written by the Prime Minister and should be enforced by the Prime Minister. Given Minister Taylor has decided to dig in, huddle down, keep his head down and ride this political storm out, and given that he has refused to offer to the Prime Minister to stand aside, the Prime Minister should now stand him aside. Ministers hold their commissions from the Governor-General on the advice of the Prime Minister, so the buck stops with the PM here. The Prime Minister should stand Minister Taylor aside until this investigation is complete.

That we would have a phone conversation between the PM and the New South Wales commissioner of police, relating to an investigation of a potential crime by a federal minister,
with the Attorney-General present, and that there would be no notes made or transcript taken of that phone call, beggars belief. We are left with only two conclusions that can be drawn here: that there are notes or a transcript, and Senator Cormann has refused to comply with an order of the Senate to produce them, or that the Prime Minister and the Attorney-General are running such shambolic offices and such a shambolic government that they would struggle to organise a beer in a brewery.

Now, it's one or the other. Either there are notes or a transcript, and they have not been provided in accordance with the order for the production of documents, or it is 'beer in a brewery time' inside our government, which portends very poorly for the Australian people. There are any number of crises that need to be dealt with by this government, headed up by the climate emergency and the complete and utter breakdown of our climate that is occurring before our very eyes. That's what the government should be focused on, not on whistling out of orders from the Senate and running a shambolic, chaotic and disorganised government. The minister needs to come clean and he needs to comply with the order. *(Time expired)*

**Senator SHELDON** (New South Wales) (12:21): I refer to the matters that have been raised by Senator Wong and the order for the production of documents. One of the advantages of coming to this place after a career outside parliament is having a bit of life experience and perspective. I can remember a time when the standards of ministerial integrity were different from those of the current government. I can remember when John Howard, the leader who is supposed to be the model for Scott Morrison, parted with at least five ministers when they breached the ministerial code of conduct in the 1990s. How the world has changed! The Liberal Party has ultimately inflicted on us all the Prime Minister who thinks he is above the rest of us. This is a Prime Minister who is above the standards that the Australian public rightly demands from this parliament. Shame on the Prime Minister, and shame on the government that he is supposed to be leading.

Last week we saw the parliament reject this government of no integrity, which had the gall to bring in the ensuring integrity bill. This was a repressive piece of legislation designed to kneecap unions ahead of a full-force attack on the working conditions of ordinary people. Where is the integrity in continuing to punish Australians with stagnant wages and a stalling economy, and then going after the very organisations designed to lift up working people so that their voice can be heard in our industrial relations system? Where is the integrity in going after journalists who are just doing their job? Where is the integrity in moving the secondary boycott laws, which stop ordinary people from speaking out against companies that are doing the wrong thing? Can you believe it? A law to stop ordinary people from speaking out on secondary boycott matters!

**Senator Bilyk:** It's a protection racket.

**Senator SHELDON:** It's a protection racket that this government is running! And they're running it for themselves and their mates.

This Prime Minister's response to the scandals of his energy minister, Angus Taylor, is just the latest example of a leader with no integrity. By now, we're all aware of the course of events that have led us to this point. Angus Taylor, the Minister for Energy and Emissions Reduction, issued from his office a doctored document with false travel expenditure figures—which also, miraculously, appeared on the front page of *The Daily Telegraph*—in order to discredit a political opponent, in this case, of course, the Lord Mayor of Sydney. His
accusations in a letter to Clover Moore were that the City of Sydney council had racked up an incredible $15.9 million on travel in a single year. Of course, the real figure was less than $6,000. The minister is still insisting that this document was downloaded from the City of Sydney website—unbelievable!—despite all the evidence that shows that the travel expenditure figures he has cited are wrong and that no such document with these doctored figures ever existed on the website of the City of Sydney council.

Instead of providing a full and frank explanation to this parliament and to the Australian people, the minister has yet to explain how his office came into possession of these doctored travel figures. We have come to expect slippery statements from the Minister for Energy and Emissions Reduction, but what is more alarming is the Prime Minister's response. Has he demanded that his minister explain himself fully and frankly to the parliament and the Australian people? No, he hasn't. And when it became clear that the New South Wales police were investigating the alleged use of fraudulent documents by one of his ministers, did this Prime Minister insist that his minister stand aside while the investigation was taking place? No, he didn't.

Instead of acting with integrity, this Prime Minister is acting like Donald Trump. This is a full-Trump moment from the Prime Minister. Scott Morrison made the Trumpian call to the New South Wales police commissioner. This is a Prime Minister who openly proclaims himself to be a friend of the police commissioner and was a former neighbour of his in the shire. I can say this: I came from the shire. In actual fact, I've had a few beers in a few of those hotels. Let's try the pub test. Down at Northies at Cronulla: how many people down at Cronulla would say that what the Prime Minister has done is right? How many people at Caringbah Inn would say that? Let's try another pub test: Taren Point Hotel and Miranda Hotel. It doesn't pass the pub test. He sees fit to use his personal position to ring and get the details of an investigation. That is inappropriate. That requires answers and requires documents to be produced. This is a call that, if the Prime Minister had integrity, would have been made by a non-political official such as the Secretary of Department of the Prime Minister and Cabinet. That would seem to be absolutely logical. In fact, I have talked to many on the other side, and they are amazed that they did not use and appropriately have somebody appropriate steps away from the Prime Minister, from elected officials.

**Senator Bilyk:** Arrogance.

**Senator SHELDON:** The arrogance of this Prime Minister is dumbfounding. Mr Morrison went ahead and made the call himself knowing full well that, as Prime Minister, he was making a political call. This didn't happen in an authoritarian country; it happened here in Australia. This is the same thing that happens in Donald Trump's Washington. We have a Prime Minister who seems to think this conduct is okay. It's not. 'A bit of an innocent chat'—that's all it was, he said. How inappropriate. How many mates in the shire are picking up the phone to make a call about these serious matters? There's one: the Prime Minister. They say there's nothing to see here. The fact that the call was made is inappropriate. The fact that the call was made after a series of calls made to the police commissioner is inappropriate. The fact that these steps were made by our Prime Minister is inappropriate.

Those who thought that the Attorney-General, Christian Porter, might, as the first law officer in the nation, counsel restraint and proper process in this case will be unfortunately disappointed because it appears that he was actually an enabler. The first most important
person for justice in this country enabled the Prime Minister to ring the New South Wales police commissioner—as Prime Minister—to find out details of a police investigation into one of his own ministers. Donald Trump would be proud. Apparently he's an enabler of a highly inappropriate intervention into the police investigation of a minister. But don't take my word for it; let's take the word of the senior judge and former head of the New South Wales Independent Commission Against Corruption, David Ipp. He called the call made by the Prime Minister 'not appropriate'. Mr Ipp told The Guardian this week:

You can't see that it's information that relates to matters of state interest. It can only relate to matters of party interest. If it relates to matters of party interest then he's using his influence as prime minister to try to obtain the information so that he can make the politically correct decision – that is, whether to keep Taylor or to fire him.

I don't think that's appropriate.

It's time this government and this Prime Minister show some integrity. The parliament and the Australian people are waiting. It's critically important that this government comes clean with every document at hand. This isn't where you just try to avoid your responsibility; this is where you take responsibility, and this government has failed to do that in the worst of circumstances, when the Prime Minister is involved.

Senator AYRES (New South Wales) (12:32): Unlike many people in the chamber and the parliament, and certainly people watching this debate outside the parliament, I've had an opportunity to review the correspondence from Senator Cormann to the President. It makes it very clear that the fix is in as far as the Liberal and National parties are concerned. What happened here, as Senators Wong and Sheldon have outlined, is that under some pressure, confronted with a criminal investigation by Strike Force Garrad in the New South Wales Police Force, the Prime Minister of Australia did the only thing that he knows how to do: he rang his little mate, the Commissioner of the New South Wales Police Force.

There were many other courses available to the Prime Minister over the course of this sordid saga, but he chose the only one that he knew how to do, and that's to ring his mate, to exert pressure, to change the story, to make it a different dynamic and to make it very clear to the New South Wales Police Force that this was a matter that the highest elected official in the land was taking a direct and keen interest in. He made that phone call to prevail upon him, to make it clear. That's a very unusual thing for a Prime Minister to do. I'm not sure in Australian political history how often a sitting Prime Minister would have called a commissioner of police in relation to an investigation into one of his or her own ministers. I'm certain that no previous Prime Minister would have done it. I am certain that Prime Minister Howard would not have done it. It's clear to me that the correspondence from Senator Cormann is really just bouncing the direction of the Senate, the order to produce documents.

I think it's very important that those on the crossbenches pay attention to what is happening here today and make a decision about whether the authority of the Senate is going to be respected, whether the role of the Senate is going to be respected or whether it's going to be treated and continue to be treated with the kind of contempt that the government is treating it with. It's absolutely clear that nobody from the government is here to speak in this debate today. It's not for tactical reasons that there's nobody here from the government to speak on this debate. It's not because they're keen to get on with whatever passes for a legislative agenda from this miserable shell of a government. It's because they haven't got the courage to
debate these issues. It's because—you can see it in their faces—they absolutely lack confidence in two things. Firstly, those opposite lack confidence in the integrity of Mr Taylor, the member for Hume, and they lack confidence in the story that he's telling the parliament and the people of Australia. Secondly, increasingly, they lack confidence in this Prime Minister. They lack confidence in his approach to governance because they'll have been getting the message back that this is so shonky, this is so bent, this is so wrong that the government's not prepared to provide the details of this telephone conversation. There's nobody here now and there'll be nobody in question time except those with the rebuttals and the glib answers. That is something that former prime ministers would never have done.

This last fortnight of the sitting year has apparently all been about integrity—integrity from a government that wouldn't know integrity if it bit them on the face, integrity from a government that found itself winning an election that it didn't believe it would win. There's an absent legislative agenda, and it doesn't know what it's doing with the reins of government and has no plan to deal with the real issues for the Australian people. The only thing the government feel deeply is a sense of smug entitlement that's about them relying upon their little mates to protect their little interests and preserve this miserable government for just a few more minutes.

There are important principles here of transparency and decency. A telephone call was made that should not have been made. It's always the cover-up, not necessarily the crime, that becomes an unfolding disaster for governments that don't know what they're doing and don't put principle before politics. It was a telephone call that should not have been made. It turns out that the first law officer of the land was present. There must be records of what was said, and, if there are not records of what was said, that is a scandal in itself. What have they got to hide?

Over three months of this sordid scandal unfolding before the Australian people, Minister Taylor won't say where this document came from. He has claimed to the parliament that his office or him—it's not clear to me—downloaded it from the City of Sydney website. We know that is not true. So who did he get it from? It is extraordinary that this has gone on for three months and this character is unable to provide the people of Australia with that assurance. What on earth is a minister of the Crown doing smearing a local government official? What on earth is Minister Taylor doing? I know that big talk about bagging the Lord Mayor of Sydney or whatever other obscure government official Minister Taylor wants to tangle with might be big at the Centre for Independent Studies or whatever obscure ultra-Right organisation it is that he goes to tea with, but what possible public interest is there in a minister of the Crown providing fraudulent, forged and clearly incorrect documents to a tabloid newspaper to encourage a first-page story that is, on the face of it—a three-minute sniff test—demonstrably untrue?

The idea that a local council could spend $16 million on travel is actually logistically impossible. The councillors would have had to have been travelling every day, seven days a week. It wasn't $16 million; the real figure was close to $6,000. This is a bloke who came to the parliament with big promise amid breathless accounts that he was future Prime Minister material. He had apparently Kennedy-esque good looks. I assume they're talking about JFK, not Teddy Kennedy. Breathtakingly brilliant, he was described as. Well it's all come shuddering to a halt. First it was Jam Land and the grasslands catastrophe, where this bloke,
when challenged about his private interests on a property brought the environment minister in for a chat, just like the Prime Minister brought the police commissioner in for a chat. Then, through venal self-interest, there was the purchase of water entitlements not properly disclosed, not properly conducted.

These jokers over there spent question time yesterday blaming the Labor Party for the problems they are confronting. This is an entirely self-inflicted catastrophe. It's what happens when you have a culture of entitlement that puts self-interest—your own interest—and the interest of your mates in front of the public interest, the parliament's interest, the interest of you performing your role as a public official. Well, this week—the police will be coming to Canberra to interview Minister Taylor. It is high time that Senator Cormann came clean with the Senate, released the full transcript of this telephone call and behave with the decency this parliament has a right to expect.

Senator Waters (Queensland) (12:42): I rise to speak on what was meant to be a debate about the disclosure of documents related to a phone call that the Prime Minister made to a former neighbour—who happens to be the police chief—who happens to be investigating one of the Prime Minister's ministers, but we don't have those documents. Because what the Senate was given by the Prime Minister's representative in this place was one page saying—and I will paraphrase—'The rules don't apply to us. We're not going to tell you.' I will be a little more specific. At one point the letter says:

Plainly, any documents of the kind requested, if they existed, would not be able to be produced, as they would probably be the subject of public interest immunity. That immunity would arise because the matter concerns police inquiries by State authorities.

So let me get this right. It's not in the public interest to disclose something about police inquiries but it's okay to interfere in police inquiries by phoning the guy doing the inquiry to see if that inquiry is actually happening and if your minister really is in strife? You can't have it both ways. It's either in the public interest and should be disclosed or it's in the public interest and you shouldn't have interfered in the first place. So I'm afraid Senator Cormann and the government he represents in this chamber are once again thumbing their noses at the rules. They don't want to comply with this order for production of documents, much like with the ministerial standards.

Although others previously would have been stood down for smaller indiscretions, if you look at the long and sordid history of still Minister Taylor, he has, sadly, a very long history of transgressions. We know he was the subject of serious questions about his relationship with Cayman Island companies back when Mr Barnaby Joyce's water buyback scheme was on foot. I think the figure of $80 million was discussed in that session. There are also those allegations that Minister Taylor, when his family company was being investigated for illegal land clearing, phoned the environment minister to try to find a way of secretly delisting the protection for that grassland, and sussing out where the investigation was at and if it could be stopped somehow. He then pretended he was doing that on his constituents' behalf when it wasn't even in that electorate. That one's still under investigation. In fact, the Senate will be reporting on that matter tomorrow.

But now Mr Taylor has either forged figures or caused them to be forged. Someone's forged them; that's why it's being investigated. We don't know who actually forged the figures. He made the outlandish claim that the City of Sydney and the councillors and Lord...
Mayor somehow spent millions on travel, and he tried to say that they're therefore hypocrites because they believe in climate neutrality when, in fact, the figures are wildly inaccurate. Scandal continues to surround this minister, yet he remains a minister. The ministerial standards, which are the Prime Minister's document—they don't have legislative force, but they are meant to be standards that the Prime Minister enforces—are either simply too weak or not being enforced. Frankly, I think it's both. The ministerial standards require the highest possible standards of probity. Well, I really don't think we're seeing that here, are we? That list of scandals is most unedifying.

Another point: the Minister for Energy and Emissions Reduction is not doing very well at reducing emissions, or energy prices for that matter, but how does this guy have the time to check City of Sydney council records? How does he decide that that is worth his time, as a federal minister for an important issue nationally? He somehow found the time to write a letter about the Lord Mayor of Sydney, and got the figures wrong anyway—or possibly made them wrong deliberately. Doesn't he have anything better to do with his time as the minister for emissions reduction and electricity prices reduction? Perhaps that's why electricity prices have not reduced on his watch—and nor have emissions. I suggest that Minister Taylor actually do his job, and do it better than he has been, rather than write letters to local councillors. The whole scenario is entirely unedifying, not just for Minister Taylor but for this government.

What has the Prime Minister done? Rather than take action and enforce his pretty flaccid ministerial standards, he actually just phoned a friend and potentially tried to exert influence—we don't know because they won't tell us what was said during the phone call—rather than simply saying: 'Okay, Minister Taylor, enough is enough. This is four strikes. You'll have to have a bit of time on the backbench, buddy. Don't worry, we'll bring you back as soon as it blows over.' That's what you would normally expect from this government; that's what they've had to do in the past. They haven't even done that. All of this goes to show exactly why we need actual standards that aren't just at the discretion of the Prime Minister but actually apply to the Prime Minister as well and are independently enforced.

The Greens have been calling for a parliamentary code of conduct for many a year. In fact, I've got some legislation that has been referred off to inquiry. What happens in this building is in the bubble—I certainly agree with the Prime Minister on that one—but we are paid to represent the public interest, and what is happening is scandal after scandal that only serves to reinforce the low opinion held by members of the public of what we do in this place. We should be here tackling real issues like homelessness, like the climate crisis that we're in, like financial inequality. Those are the sorts of things Australians expect this parliament to be doing. Instead, because of Minister Taylor's constant transgressions and the Prime Minister's refusal to bring him to task and to ask him to stand down while this police investigation is underway, we're now having to talk about the fact that the government won't even disclose what was said during a phone call between the Prime Minister and a chief of police, a phone call about which every man and their dog has said, 'I wouldn't have made that phone call.' Former Prime Minister Malcolm Turnbull distanced himself and said he wouldn't have made the call. It turns out the Attorney-General, who's meant to uphold the law, was in the room at the time and presumably didn't say: 'Dude, no, put the phone down. That is not an appropriate call.' Does this government have no shame? Does it not understand that the rule of law
actually means that everybody has to comply with the rules? We're not seeing any enforcement of the prime ministerial standards, and they are too weak as it stands.

There have been so many excuses from Minister Taylor and others: 'Oh, well, I didn't have to disclose that corporate interest, because it's a subsidiary or a subsidiary of a subsidiary.' They are using this corporate web to deliberately not disclose their own private interests, and they are then interfering in processes that might impact on those private interests. The Greens think that's why we need an anticorruption body federally. It's been more than a year since the Prime Minister was dragged to that commitment. It's been 10 years since the Greens first successfully passed a motion saying we need a federal anticorruption body. It's been 10 years that we've been working on this. We've had bill after bill. I'm pleased that in September this year the Senate passed our Greens bill to set up an independent and strongly resourced watchdog, with teeth, that would apply to politicians. It's sitting on the Notice Paper in the House. It's going nowhere. The government keep saying they are working on their own version, but they've been saying that for more than a year. Perhaps the Attorney-General shouldn't be sitting in the room while the Prime Minister is making inappropriate phone calls; maybe he could get on with his job—like bringing forward an integrity commission that his government committed to a year ago. But maybe he should expand the scope so it applies to politicians and to ministers and to the Prime Minister. Perhaps we wouldn't be in this situation if we had a national anticorruption body. Instead we see obfuscation and delay. We see rumours of a flimsy ICAC proposal that won't even cover politicians and won't, therefore, change the bad behaviour this place has been so riddled with.

And again we see Minister Cormann saying, 'No, soz, I'm not going to comply with this OPD. Even if anything was written down, it wouldn't be in the public interest to tell you.' It is not wonder that the Australian public think less and less of this parliament every single day. It's what all the surveys show. And what is this government doing to restore confidence and trust in the integrity of our democracy? It's doing absolutely nothing. It's delaying its ICAC bill; it's protecting ministers who really should have voluntarily stood aside a long time ago; and it's allowing corporate interests, and the private interests that ministers still have, to be concealed. It's about time we saw this government subjecting itself to the rule of law, complying with its own standards, strengthening its own standards and stopping the rot of corruption. We live in hope.

Senator GALLAGHER (Australian Capital Territory—Manager of Opposition Business in the Senate) (12:52): I rise to make a few comments, along with my colleagues, on the response from the government to the Leader of the Opposition in the Senate's order—rather than a request—for the production of documents. The response from the government is galling. Here we have a homegrown scandal of their own, created by Minister Taylor himself, implicating others as he goes along through the cover-up of his behaviour and his refusal to provide information. We had the Prime Minister calling the Commissioner of the New South Wales Police Force, while the first law officer of the land, the Attorney-General, was sitting in the room. Somehow those two gentlemen thought it appropriate to make that call and not take any notes or have any other observers. And we're meant to believe—in accordance with the scarcity of information provided by Senator Cormann today—that there are no documents of any kind related to this phone call. How convenient is that? In terms of public administration, it shows a complete lack of judgement and how sloppy the processes must be.
in the Prime Minister's Office. The Prime Minister of this country called the Commissioner of the New South Wales Police Force, who had announced that day that he had created a strike force to investigate allegations around one of the Prime Minister's own cabinet ministers. And the judgement of the Prime Minister and the first law officer of the land, the Attorney-General, was that it was not only fine to make that call but fine also to have no independent party present and no notes taken. It shows a complete lack of appropriate process and how arrogant this government is, with a 'born to rule' mentality, that proper process in relation to public administration, transparency, accountability and trust in the political process don't warrant those steps to be taken.

And not only are there no documents created for this OPD, but the final paragraph of Senator Cormann's letter goes on to say, 'And, Senate, even if there were documents created that you want to see, we wouldn't show you anyway.' It's completely unnecessary in terms of responding to this OPD, but it shows you the true colours of this government. They feel the need to go one step further, after accepting there has been no proper process and no transparency and there will be no accountability about the actions of the Prime Minister and the first law officer that day. Further to that, they're saying: 'Even if there were and we had been running some sort of proper process, we wouldn't be giving them to you anyway. In fact, if these documents did exist, which they don't—so they're giving us the finger, really—they would be subject to public interest immunity.'

If you have a look at what that means under the brief on the order for the production of documents, it's a concept that recognises it would be against the public interest for certain documents or information to be made public. How ridiculous is that? You've got the Prime Minister calling his friend—and that's the term he used—who's just announced that they're investigating one of this government's ministers, and it's not in the public interest for any documents or information around that to be made public. What are they hiding? Through this whole scandal with Minister Taylor, the question that I keep coming back to is: why aren't they just informing the public how the document was doctored and how it got to Minister Taylor, if it wasn't him that doctored it? Who is Minister Taylor protecting? If it wasn't him, why isn't he saying so? This building chatters from time to time, and I know there's speculation around who doctored the document, but, if it wasn't him that did it, why is Minister Taylor protecting someone? Why then is the Prime Minister protecting Minister Taylor? Why then is the first law officer of the land trying to protect everyone? Why is Senator Birmingham implicating himself in some sort of defence of Minister Taylor and his actions? Why would Senator Cormann—a man we all have dealings with in this chamber; many of us have a good working relationship with him and see him as a man of integrity—be launching such a staunch defence of Minister Taylor's actions?

There's no doubt the document was doctored; Minister Taylor has said that himself. So why can't there be some truth around what went on? Somebody knows who did it, and I can't see why the government is involving so many of its senior ministers in the cover-up. The minister has accepted the document was falsified, but, instead of dealing with that issue and instead of dealing with the misleading of the parliament and correcting the record, we've now got a prime minister who's misled the parliament and who's refusing to correct the record as well. It's often the things that happen after a scandal—or as a scandal rolls out—that actually show...
you the true colours of the organisation you're dealing with, and I think that's what we've seen in the last month or so as this has been rolling out.

Minister Taylor has been a drag on the government since they were re-elected. You've got the grasslands fiasco—a complete fiasco!—and improper dealings by Minister Taylor in relation to, again, an investigation into what was going on in a company that was linked to him through his family. That was back in June. We then have this own goal kicked in September. It goes into October, when Councillor Moore responds to the claim from Minister Taylor in his letter. So it's gone from late October. It's hamstrung this government, so they haven't been able to talk about anything, and nobody will clear it up. Then we make a simple request with an order for production of documents to provide some accountability and some transparency into what went on in the Prime Minister's phone call to the police commissioner, and this is the response the Senate gets. The Senate is being treated with contempt by this government, and we've seen it with other orders for production of documents, when the response is one letter or a technical compliance with the order to produce but not actually producing anything.

The Senate has powers unlike those of the House, where debate can be shut down and it has been shut down on the topic of Minister Taylor at every opportunity. Again, this shows the colours of this government: if they don't like what you say, you don't have a right to say it. I think the Prime Minister would like a quiet parliament. Well, you can't make the Senate quiet. You might be able to gag debates over in the House, but, over here, in a minority chamber, we have powers and processes available to us that require the government to be accountable. What we've seen today from Minister Cormann is the arrogance and the lack of integrity that we are becoming, unfortunately, very accustomed to in our dealings with this government. Not only do they have no documents; they say, 'Even if we did, Senate, we wouldn't provide them to you anyway.' This Senate needs to stand up for itself and we on this side will continue to do that. We will continue to ask the government to provide information and to be accountable and transparent to the Australian community through this. I think and I hope that the crossbench will also play an important role in that, because we cannot allow the government to treat important processes like orders to produce documents in the way that they have treated them in the Senate today. Not only are they saying, 'We don't have any documents'; they're telling the Senate to be quiet too, because, 'Even if we did have those documents, Senate, you're not getting them, because we would claim public interest immunity'. What a joke. (Time expired)

Question agreed to.

**BILLS**

**Migration Amendment (Repairing Medical Transfers) Bill 2019**

**Second Reading**

Consideration resumed of the motion:
That this bill be now read a second time.

**Senator McMahon** (Northern Territory) (13:02): During Senate estimates, Senator Chandler asked how many people had been brought into Australia as a direct result of the medevac laws and were considered to be people about whom we held security concerns. In response, Major General Furini stated:
There have been six people approved who have been transferred to Australia and two people who have been approved still awaiting transfer to Australia, who have adverse security or character holdings in departmental databases.

Further questioning by Senator Chandler revealed the gist of Major General Furini’s comments: these particular people had previous criminal convictions and/or other character traits that were of such a significant degree of concern that the safety of Australians had been raised. In a follow-up question, Senator Chandler asked if any of the people transferred to Australia had refused medical treatment. Major General Furini responded:

Five people have refused treatment of some kind including the treatment for which they were referred, and a further 43 have refused an induction check, chest X-ray or pathology on arrival as part of the screening into the country.

All these people needed to come here so desperately for urgent medical treatment and then refused to have any once they got here. I'll refer to another exchange between Senator Chandler and Major General Furini that occurred during Senate estimates. When Senator Chandler queried whether or not these people could be returned to offshore processing once it had been determined there was no valid medical reason for them to be in Australia, Major General Furini pointed out that 'under the act there is no explicit return mechanism', clearly denoting the medevac laws to be a backdoor entry that circumvents Australia's sovereign security.

We are not the only government to be concerned by this revelation. Our close ally the United States of America has noted this loophole and expressed its concern. The USA is a nation that has intimate knowledge of what happens when unsuitable people are permitted to enter into a country. These medevac laws are precisely the sort of mechanism evil people will exploit. Comments by Major General Furini confirm that people have already successfully availed themselves of the shortcomings that Labor's medevac laws have enabled.

In both theory and practice the medevac laws are a failure. They're a failure in classic Labor fashion, denoted by a lack of forthrightness and integrity. That is, unless there was an intention to specifically weaken our strong border security. Was that the intention Labor had when they leveraged Dr Phelps' assistance to enact these laws? I hope not. I remember quite vividly scenes on the television of Labor members and Dr Phelps cheering, high-fiving, hugging and patting each other on the back on the floor of the other place when these laws passed. While Labor frolicked in their moment of jubilant triumph, the gravity of what they had achieved clearly eluded them. Indeed, I found it quite alarming that these people were celebrating a weakening of our nation's security—weakening our sovereign borders and security. But I wasn't the only person to be alarmed, because I can recall Labor's polling numbers in the days immediately following. With their numbers going down faster than a sinking ship, they swiftly abandoned Dr Phelps and hid in their offices until the massive public backlash passed them by. Perhaps not surprising, on 18 May the quiet Australians reminded Labor of their betrayal of our sovereign security. Also unsurprising is Labor's adherence to their own failed policy, an ill-considered policy that nobody outside their own thought bubble wanted.

Labor's medevac laws were introduced on the basis of a lie. There was no medical emergency on Manus or Nauru. This government has in fact invested quite heavily to ensure that excellent medical services and facilities are available at both of these locations, and those
facilities and services remain there today. Processes for medical transfer already exist and have proven to be effective. Specifically, section 198B of the Migration Act allows for a transitory person from a country or place outside Australia to come to this country for a temporary purpose. One such example of this is medical or psychiatric assessment or treatment. Rather than acknowledging this, Labor prefers to peddle the misconception that these medical transfer provisions inserted by the miscellaneous measures act introduced doctors into the medical transfer process. They did not. What is inferred by Labor with this malarky is a clear desire to weaken our borders. I find it despicable that they have chosen to use the misery of others to advance their selfish, feel-good agenda. Let me restate for the record: more than 1,200 people perished at sea because of Labor policy—1,200 people, possibly more. The Department of Home Affairs has consistently relied on clinical advice from doctors to form decisions on whether to bring a person to Australia for medical reasons. This is a very well-considered process and it's proven to properly cater to the medical needs of people while maintaining the national security. The fact of the matter is the medevac laws were and remain superfluous to existing laws. Repealing Labor's medevac law does not remove the ability to medically transfer a transitory person to Australia.

Another concern I have is the fact that Labor's medevac law seeks to remove the government's ultimate discretion to decide who enters Australia's borders and undermines our strong border protection policies. The narrowing of powers that permit our minister to make determination in circumstances where traditional laws may not be suitable makes for a situation where illegal immigrants can lie about their circumstances to fit a particular criteria and circumvent our border security. Once again, this prompts the question: did Labor actually intend for this and seek to weaken our borders, or is it just another example of poorly conceived Labor policy? If the answer is the former, it is despicable. If the answer is the latter, it is to be expected of Labor.

This coalition government has always been clear on its position on border protection. It is the role of the Australian government to determine who is allowed to enter Australia and the terms and conditions imposed on that entry. It should not be a person, doctor or otherwise, who may or may not be acting with the best interests of our country in mind. Even more deplorable is a person acting in the interests of a personal agenda and without consideration to concerns beyond that. Only by allowing the appropriate government minister the capacity to make final determination on a person's suitability to enter Australia can we be assured of our national security.

Labor, on the other hand, are still unable to form any sort of coherent position on border protection. It amazes me that Labor's shadow minister has indicated they are against policies like temporary protection visas. That visa ended the deaths at sea and removed all children from detention. The shadow minister doesn't even appear to understand the Labor medevac law which she voted to support. Under Labor's medevac law, the minister can only prevent a transfer if the person is deemed a security threat as per the ASIO Act or has a substantial criminal record and has been sentenced to at least 12 months in jail. This is a significantly narrower rule set than the character test which all other people who come to Australia are assessed against. Once again, this usurps control of our borders from the minister responsible and permits agenda driven others to make some sort of a judgement call. That is not representative of the border security that Australians demand of this government.
It is important to have a single, consistent, transparent medical transfer process with all necessary protections for the Commonwealth and individuals set in place. This methodical approach ensures suitable medical facilities and services are available to those in need while ensuring our sovereign security is not compromised. The consistent nature of this approach is the fundamental basis on which it succeeds, rather than a plethora of advocate doctors acting with no regard for our nation's security.

Under Labor's medevac debacle, 179 people have been transferred to Australia under what can be best described as dubious and flimsy medical advice. Doctors, or single-species physicians, rely on a clinical exam as the cornerstone for making accurate and repeatable diagnoses. Part of this includes a thorough history, which can be taken from a great distance—and telehealth has advanced a great deal in recent times and will continue to advance. Along with the history is required a thorough physical exam. This involves actually touching the patient. How can doctors in Australia provide an accurate and thorough clinical exam when they have no capacity to touch or examine the patient?

We must never return to Labor's policies, which resulted in chaos at our border, deaths at sea and children in detention. Effectively, those Labor policies outsourced the role of border protection to the people smugglers, and it was a disaster. Starting from a position of zero children in detention, Labor's failed policies saw more than 8,000 illegal maritime arrival children placed into detention. To this day, Labor try to rewrite history and pretend that the coalition created that problem. Well, we all know this to be another Labor lie, an attempt to divert attention away from the calamity that they call policy.

The fact of the matter is that, after great expense and a massive amount of work, this government has ensured that all children have been removed from detention. There are no children remaining at centres at either Manus or Nauru. Labor's horrible policy caused more than 1,200 deaths at sea. We immediately saw that statistic changed to zero because this coalition government has a policy that removes the incentive that propels people smugglers. Additionally, of the 17 onshore detention centres and two regional processing centres open to handle Labor's flood of illegal immigrants, this coalition government has been able to close them all because of our policies that work, and we've been able to resettle those people. The only reason that detention centres exist on Manus and Nauru is Labor's botched open border policy. Under Operation Sovereign Borders, this coalition government has taken back control of our borders from the people smugglers. In fact, our policies put the people smugglers out of business. Let's not be mistaken about this: Labor's bungled policy was a fertile breeding ground of the people-smuggling industry, an abhorrent and cruel industry. It was the same Labor-led mismanagement of borders that resulted in a $16 billion border protection budget blowout— (Time expired)
I want to start by congratulating my colleagues on this side who have already spoken. I think the speeches have been very thoughtful and very well thought out. I want to associate myself with them. What it shows is that on this side of the chamber we understand compassion, care, truthfulness and honesty. Those on the other side seem to think we can't protect our borders and be compassionate at the same time. In fact, the previous speaker, Senator McMahon, just referred to the fact that she sees this as weakening our sovereign borders. Because we want to act humanely? Because we want to give people the medical services that they require and that they need? What a joke! And it's really disappointing that we're spending the last sitting week of the year debating this misleadingly titled bill. We've got stagnant wages, which, of course, Minister Cormann has told us are part of the government's overall plan anyway—that came directly from his mouth—we have high rates of mortgage stress, we have abuses in the aged-care system and we're spending our time debating whether we should take away medical care away from sick people. I think that this government has possibly sunk to a new all-time low.

There are many reasons why people get into politics. My journey began because I wanted to see better pay and conditions for people working in early childhood education. I saw an area of need and I made the decision to work towards making improvements. Others have their own stories to tell—all different, but generally with a common theme. The common theme that runs throughout all of our first speeches is usually about hopes for a better future. I'd ask those on the other side of the chamber to honestly ask themselves: is this really why you entered politics? Was it really to deny health care to vulnerable, unwell people that need care? I don't believe it is, and I would call upon you all to examine your consciences. The Liberal and National party senators in this place are often saying that they're not bound to a particular position, that they're free to vote in accordance with their views. Well, today I call upon some of the government side of the chamber to put this oft-spoken cliche into practice and to vote the right way, to vote with us.

Despite the title of this bill, medical transfers do not need to be repaired, because medevac is working as it should. It is the people who are unwell who need to be repaired, not the bill. Let's look at a couple of simple facts. After nine months of medevac's life-saving work—that is, making sure medical treatment is provided to those offshore—the government has not been able to demonstrate why this law must be repealed. We've heard the furphies—there are always the furphies; there are always the fear campaigns about how it's weakening border protection—but there has been no evidence of that in the past nine months. Before medevac, let's all remember, 12 people died in Australia's offshore detention centres. And one really important fact that we need to remember is that medevac works because it ensures doctors—not Minister Dutton—make the medical decisions about offshore patients in their care.

We've had a number of polls that have shown the majority of Australian people support medevac. In February 2019, at the time of its passage, a uComms poll found medevac was supported by 60 per cent of voters, including more than 25 per cent of coalition voters. In September 2019, after voters could assess the actual operation of medevac, support had risen, with 64 per cent of voters in favour, including 61 per cent of coalition voters. In November 2019, in my home state of Tasmania, a Tasmania-only uComms poll found a majority—62.8 per cent of Tasmanians—wanted medevac to stay, compared to just 27 per cent of people who wanted it abolished. In November 2019, so very recently, an Essential poll found that 62 per
cent of voters were in favour of medevac, including—grab this, those on the other side!—59 per cent of coalition voters.

I'm not quite sure why those on the other side want to repeal this bill. I should imagine that it's because it's not theirs, because they're pretty poor winners. They're quite arrogant about winning the election. They haven't got a legislative timetable for next year at all. They don't seem to know what they're doing most of the time. They can't come in and give us answers to things. Earlier in the week we were discussing how the ACNC report has been waiting for a response for 18 years—no, months, although it could be 18 years by the time we finally get a response from them—and how they can't come in and give us proper answers. I think it was Senator Gallagher who said that they basically give us the finger. We know what she meant! That's what the arrogance on that side is like.

As I said, poll after poll has shown that a majority of Australian people support medevac. As of November, 200 people have been approved to be transferred, with 172 of the approvals made by Minister Dutton himself. And, as of November, 160 of these people have been transferred. What we really need to remember is that all transfers have been explicitly approved by the Minister for Home Affairs, Mr Dutton; the Minister for Immigration, Mr Coleman; or by ministerially appointed doctors. If a person doesn't require medical treatment, the Independent Health Advice Panel, IHAP, denies the transfer. Up until 26 August 2019, IHAP had considered 28 applications; 10 were recommended for transfer and the minister's decision to refuse transfer was upheld in 18 cases. This furphy that they keep throwing up about the minister having no control and that we're going to be inundated by people of bad character, which I'll get to a bit later, is just that: it's a red herring and it's a furphy. It's trying to put fear into the Australian public. Those on that side should be so ashamed of themselves. All people transferred to Australia under medevac must be held in immigration detention unless the minister releases them into the community. These laws are working as they should, and so they shouldn't be repealed.

The bill before us today seeks to do the following things. Firstly, it seeks to repeal the medevac legislation—that is, the amendments made to the Home Affairs Legislation Amendment (Miscellaneous Measures) Act, passed by the parliament in February 2019 and given royal assent on Friday 1 March 2019. Secondly, the bill seeks to amend the Migration Act to extend existing powers in relation to persons transferred to Australia under the medical transfers provisions. The government argues that the medevac amendments to the Migration Act require amending to clarify the powers of return following the completion of the treatment or purpose for which the person was transferred to Australia.

Refugee advocates and lawyers, along with Labor, have argued that the current powers of return do not need clarification and extend to persons transferred to Australia under the medevac legislation. A number of submitters to the Senate Legal and Constitutional Affairs Committee inquiry into this bill argued that government does maintain the power to transfer detainees back to a regional processing country. With this legislation, Minister Dutton is not seeking to amend medevac; instead, he is seeking to revert to a flawed medical transfer system that was failing to provide adequate and timely medical care to refugees and asylum seekers in regional processing countries. If the government had legitimate proposals to improve the operation of medevac, then Minister Dutton should put forward amendments rather than simply seeking to repeal the legislation.
The provisions of the bill before us today are not necessary to maintain or improve the existing border protection system under which asylum seekers who arrive in Australia by boat and without valid entry documents are detained and processed offshore. Despite claims by those opposite, Minister Dutton currently has all the power he needs to refuse a transfer on security grounds, with no appeal. In fact, Minister Dutton has confirmed that the medevac laws are working, with his refusal to transfer a person of bad character. So he can do it, and he's done it.

It's clear that Minister Dutton and the government are not being entirely honest with the Australian people about the way the medevac laws work. The Minister for Home Affairs has made a multitude of outrageous, untruthful and desperate comments regarding medevac. In June, Minister Dutton said on Sky News:

… people of bad character can come, are able to come and in fact are required to come under Labor's laws that they passed. That's the reality.

He said that there are some people of bad character who have come to our country. But then we saw him stop someone of bad character coming to Australia under the laws, so that is clearly false.

In February, when speaking about medevac, the Prime Minister said:

… someone who is a paedophile, a rapist, who has committed murder, any of these other crimes, can just be moved on the say so of a couple of doctors on Skype.

Well, speak about hype, speak about misleading. Like Minister Dutton's claim, this one is similarly false, and I'm sure that the Prime Minister knows that it's false. Mr Dutton has the power to prevent such people entering on character grounds. In March the Home Affairs minister claimed medical transfers were going to displace Australians from hospitals. He said:

People who need medical services are going to be displaced from those services, because if you bring hundreds and hundreds of people from Nauru and Manus down to our country, they are going to go into the health network, let's be frank about it.

This claim has been disputed by doctors and hospitals across Australia, and the minister has shown not one skerrick of evidence to prove his claim. The minister also argued that 'two doctors from Nimbin' could force the government to bring people from Manus or Nauru to Australia. None of these claims are true—none. Minister Dutton's claims that 1,000 people would flood Australia through medevac or that people could be transferred without their consent have also been proven to be false. When the medevac bill was passed, Labor argued that it was possible both to maintain rigorous border surveillance and security and fulfil Australia's obligation to provide full and appropriate medical care for people detained in Australian funded facilities, and we have been proven right.

Medevac is necessary and it is working, no matter what those on the other side want to say. Doctors are insisting that medevac is working and that the independent medical panel is working as it should. The IHAP include some of Australia's most highly qualified and experienced medical practitioners, including Commonwealth Medical Officer, Professor Brendan Murphy; the Chief Medical Officer of Home Affairs, Dr Parbodh Gogna; AMA representative and AMA ACT President, Dr Antonio Di Dio; pediatric health expert Associate Professor Susan Moloney; and Royal Australian and New Zealand College of Psychiatrist representative, Associate Professor Neeraj Singh Gill.
At every step of the way, the government or government appointed doctors control who comes to Australia through medevac. In fact, before medevac became law, the courts were deciding medical transfer on health grounds only, not even taking into consideration security concerns. At a Senate inquiry into this bill—and I will probably run out of time to talk too much about it—the Human Rights Commissioner, Mr Ed Santow, said:

The current law enables a medical transfer where two or more treating doctors believe it is necessary. The minister can refuse a transfer on medical, security or community safety grounds. [Independent Health Advice Panel (IHAP)] can review the minister's decision but only on the ground of medical necessity. IHAP cannot challenge the minister's decision if it relates to security or community safety. In other words, as the government retains primary control over medical transfer decisions, the commission considers that the bill is not necessary to achieve the stated aim of ensuring the integrity and efficacy of the regional processing framework and returning decision-making power to government.

The other convenient truth left out of this debate is that, prior to the medevac legislation coming into force, this and previous ministers have transferred well over 1,000 people to Australia for medical treatment. Labor hopes the Australian people can see through the mistruths, the spin and the fear campaign that Minister Dutton is spreading.

Labor supports the current medevac laws because they allow people who are sick to get the medical care they need and ensure the government, or government appointed doctors, control who comes to Australia. These laws should not be repealed by the government. People who are sick should receive appropriate medical attention. It's that simple. It's up to this place to make laws that are fair and effective, not cruel and arbitrary. The government cannot be trusted to deal honestly with this parliament or with the Australian people on this issue, as on others. The government are once again using fear to save their own egos. They will try every tactic to divide. Labor wants Australia to be a fair and humane country, and we believe people should be treated decently. That's why fighting to save medevac is so important.

Before I finish, I will point out that one of the things I've heard in a couple of speeches from the other side is that there is more than enough health care available. Fifteen medical whistleblowers who have worked as medical staff on Nauru or in Papua New Guinea wrote a letter that was published in the Hobart Mercury, my home town, and in The Canberra Times on 28 November 2019. It said:

As former medical and healthcare staff who worked in Australia's offshore detention centres, we support the call from Australia's leading medical authorities to #SaveMedevac. Every person should have access to necessary and appropriate medical care and, as health professionals and clinicians, we have a duty to uphold this basic human right.

The Medevac Legislation has improved access to appropriate healthcare for refugees and asylum seekers being held offshore. It allows medical professionals to make decisions about health care for seriously ill individuals and ensure that they receive the medical treatment that they need in a clinically appropriate timeframe.

We saw ourselves, in our work offshore, that delays and failure to transfer ill asylum seekers resulted in preventable suffering.

That was from the 15 medical whistleblowers who worked as medical staff on Nauru or Papua New Guinea. They are people who were right there, in the thick of it, and they are saying that they think medevac is appropriate and that we should save medevac. They are not someone in here who probably hasn't got a medical degree. I did pick up on Senator McMahon's little joke about single-species people—Senator McMahon is a veterinarian.
All jokes aside, this is a really serious issue. This is about care and compassion. If your families were over there, I'm pretty sure you would be fighting tooth and nail to make sure they got appropriate medical, mental health—whatever the case may be—services when they needed it. There is nothing we should be doing today except rejecting this legislation. It's an absolute travesty. That people could be so inhumane absolutely rocks me. We can do better than that in Australia. *(Time expired)*

**Senator FARUQI** (New South Wales) (13:38): I rise to speak to the Machiavellian named Migration Amendment (Repairing Medical Transfers) Bill 2019. We should actually call it the 'Denying people medical treatment bill', the 'Die somewhere else bill' or the 'Australia has lost the last shreds of its humanity bill'. I have said previously when we have discussed this that it boggles my mind that there are people sitting in this parliament who want to repeal a law that allows sick and injured people to receive the medical attention that they need. I've asked how full of hatred must your heart be to say someone should be denied the medical treatment that they desperately need, simply because they are a refugee or an asylum seeker? Well, it appears we have the answer. Shame on the government for bringing on this bill and shame on those who will vote for it to remove medical care from people.

Australian governments, both Labor and Liberal, put people seeking asylum into the prison camps on Manus and Nauru against their will. What we should be doing is closing down those island prisons, where refugees have been trapped in a state of terror and are fearful and vulnerable. Close the camps, bring them here and let them stay.

At the very least, Australia has an obligation to provide them with adequate medical care. The medevac bill is already watertight. It includes a whole range of conditions before someone can be brought to Australia for medical assistance. The medical transfer provisions require that, before a person can be transferred, two treating doctors for the person must give an opinion that a patient requires medical or psychiatric assessment or treatment, that they are not receiving such treatment in the relevant regional processing country and that it is necessary for them to be transferred to Australia for such assessment or treatment. All of these conditions have to be met. The minister can refuse the transfer if they reasonably believe it is not necessary to remove the person from the regional processing country for appropriate medical or psychiatric assessment or treatment, if they suspect that the transfer would be prejudicial to security or if the person has a substantial criminal record.

At a public hearing of the Legal and Constitutional Affairs Legislation Committee on 26 August 2019, the department provided data on the operation of medical transfer provisions. That data said that, since March 2019, 167 valid notifications have been received, 112 people have been transferred to Australia, 18 applications have been refused, 19 applications have been approved with transfer pending, and a number of submissions are still being drafted. They also showed figures on cases that had been referred to the Independent Health Advice Panel following the minister's refusal to approve transfer on medical or psychiatric grounds. It was reported that the IHAP considered 28 applications, of which 10 were recommended for transfer, and the minister's decision to refuse transfer was upheld in 18 cases. In relation to those 18 cases, nine applicants subsequently reapplied and eight of those have been approved. The system is working. It is clear that this legislation is working on every level, and to provide health care for those people who need it.
But it is a thorn in the side of Minister Dutton, who is stopping at nothing to take full control of as many parts of government as possible, aided and abetted by a weak Prime Minister. The government claims that the premedevac medical transfer policy was adequate. What an absolute sick farce. Every step of the way the government has fought attempts to get asylum seekers the medical care they need. Dr Tony Bartone, the Australian Medical Association president, described the government's premedevac process as 'torturous' and 'involving long periods of delay', without any appropriate oversight. The Australian Human Rights Commission previously said that under the previous provisions transfer decisions 'often did not occur in a timely manner' or in line with medical advice and had to be escalated to the Federal Court, which determined that processes for assessing individuals for medical transfer from Nauru or PNG were neither adequate nor sufficiently quick. Imagine having to go through a federal court for the right to receive medical care. What a diabolical system.

We know that, for some in here, some lives matter a lot less than others or perhaps not at all. If we revert back to the old ways, people will suffer immensely. The National Justice Project talked of a case where a young man waited two years before these medevac laws came in. It was only after they were passed that he was sent to Australia for treatment, although he will never regain the full use of his hand, because of the delay. Do we really trust Minister Dutton having the power of life or death? This is a man who said pregnant rape victims on Nauru were trying it on by seeking abortions in Australia. This is a man who tried to smear the medical profession and those doctors who are working to provide health care to refugees and asylum seekers. He's a man who was happy to spend $180 million of taxpayers money to reopen the Christmas Island detention centre in a political stunt before the election. As I understand it, the only people in that centre are Priya, Nadesalingam and their children, Kopika and Tharunicaa, whom the Australian government is cruelly imprisoning there.

Numerous stakeholders have said what a terrible idea this bill is. The Royal Australian and New Zealand College of Psychiatrists representative, Dr Kim Jenkins, has said: The RANZCP is also concerned that the new bill allows for the removal of a person before medical treatment may be completed or may be adequate. We feel that decisions such as this should always be medical decisions, not ministerial ones. The Australian Association of Social Workers has said that repealing the medevac law is tantamount to state-sanctioned torture and is in direct breach of our human rights obligations. Who exactly wants the medevac bill to be repealed? No-one. No-one but the power-hungry Minister Dutton, whose appetite for cruelty knows no bounds.

At the end of the day, this debate on the medevac bill is symptomatic of the sickness this country has in the way it treats refugees and asylum seekers. It is a sickness that has destroyed countless lives of the world's most vulnerable people. Like all systems that have lost a moral compass, it intensifies in its cruelty. It is the kind of warped reality that has members of the Liberal-National government—the government that is locking up children and people fleeing the brutal regimes in Myanmar, Sri Lanka and Iran—thinking they are the good ones.

I want to commend my Greens colleague Senator Nick McKim for his excellent work in being an advocate for humanity in a parliament largely so devoid of it. Alex Reilly, director of the Public Law and Policy Research Unit at the Adelaide Law School, writing in The Conversation, put it very clearly:
These people are under Australia's care. It is Australia that pays the governments of Nauru and PNG to house offshore detention centres to create the disincentive for others to travel by boat to Australia. It is Australia that pays the security companies to keep them detained. And so it is Australia that is responsible for the dramatic decline in their mental and physical health.

It is the narrowest of concessions to offer emergency medical treatment in Australia to people we have so mistreated.

Our country is crying out for some humanity in these dark times. Retaining laws which provide some semblance of medical assistance for people we wrongly lock up surely is the least we can do.

I want to spend the next few minutes by reading onto the public record the Australian Greens dissenting statement to the Legal and Constitutional Affairs Legislation Committee report on the migration amendment, and some of the other statements that different people have made. I also want to acknowledge and thank Labor and Centre Alliance for their dissenting statements to this report. The Greens dissenting statement covered several significant areas, including the right of people to seek asylum in Australia, Australia's duty of care to asylum seekers, the failed system of medical transfers pre-medevac and the need to depoliticise medical care. It concludes:
The medevac legislation has saved lives, and delivered people health care they had previously been deliberately deprived.
The government's refusal to transfer sick people from offshore detention to Australia under previous arrangements caused death, mental anguish and untold suffering among refugees and people seeking asylum.
The medevac repeal Bill shows that the government puts political imperatives ahead of people's medical needs.
They have made the crass calculation that some lives are worth sacrificing for broader political outcomes, despite their legal and moral obligations.
This calculation should be intolerable in a liberal democracy like Australia.
Decisions about medical care should be made by medical experts, not politicians or bureaucrats.
I think there are also some who made submissions to the inquiry whose voices need to be acknowledged here. The United Nations High Commissioner for Refugees states:
UNHCR considers that these measures enhance transparency and predictability in the provision of healthcare in critical situations. In particular, it is appropriate that Australian law contain safeguards for the protection of the refugees and asylum-seekers subject to the offshore transfer arrangements, reflecting the position that cooperative bilateral and/or multilateral arrangements should enhance the capacity of the States concerned to provide protection to refugees, and should not represent an attempt of any State to divest itself of responsibility or limit jurisdiction and responsibility under international law. Measures of the kind established by the medical provisions are all the more necessary in light of UNHCR's observations of the shortfalls in protection standards in respect of both Papua New Guinea and Nauru. The resulting conditions have led to the deterioration of the health of refugees and asylum-seekers throughout the life of the offshore transfer policy, and this deterioration can be expected to continue until long-term solutions are achieved. UNHCR recommends that the Bill not be passed.
These comments should not be taken lightly. It is worth noting that the UNHCR provided these comments as the agency entrusted by the United Nations General Assembly with responsibility for providing international protection to refugees and other and other persons
within its mandate, and for assisting governments in seeking permanent solutions to the problem of refugees.

As set out in its statute, the UNHCR fulfils its international protection mandate by promoting the conclusion and ratification of international conventions for the protection of refugees, supervising their application and proposing amendments there too. The UNHCR's supervisory responsibility under its statute is reiterated in article 35 of the 1951 Convention relating to the status of refugees, according to which state parties undertake to 'cooperate with the Office of the United Nations High Commissioner for Refugees … in the exercise of its functions, and shall in particular facilitate its duty of supervising the application of the provisions of the convention'. The same commitment is included in article 2 of the 1967 protocol relating to the status of refugees. Australia is a party to the 1951 convention relating to the status of refugees and its 1967 protocol relating to the status of refugees, also known as the refugee convention. We are signatories of that convention, which this government often forgets. They go on to say:

The physical transfer of asylum seekers from Australia to Papua New Guinea and Nauru does not extinguish Australia's legal responsibility for their protection. Australia is jointly responsible (with Nauru and Papua New Guinea, respectively) for ensuring that the treatment of all asylum-seekers and refugees transferred to those countries is compatible with each state's respective obligations under the Refugee Convention and other applicable human rights instruments. While international law does not prohibit bilateral transfer arrangements involving asylum-seekers where relevant standards under international law are met, the primary responsibility for providing protection rests with the State from which asylum is sought.

They then conclude:

The Bill would explicitly authorise the forcible return (to Nauru or Papua New Guinea, and to countries of origin) of refugees and asylum-seekers who have been transferred to Australia under the medical provisions, irrespective of whether the purpose of their transfer to Australia has been achieved.

Australia clearly has international legal obligations in respect of these refugees and asylum seekers. UNHCR continues to urge that asylum seekers and refugees presently in Australia should not be returned to Nauru or Papua New Guinea.

The legislative framework for Australia's offshore transfer policy contains few safeguards for the protection of the people to whom it applies. The Bill would abolish two of the most significant of these safeguards. The health of the refugees and asylum-seekers in Nauru and Papua New Guinea will continue to deteriorate in the absence of a long-term solution to their situation of forced displacement. Until durable solutions are found outside those countries, both regular monitoring of health services and timely access to necessary medical care are safeguards that enhance confidence in efforts to address the health needs of those who remain. Accordingly, UNHCR recommends that the Bill not be passed.

The Australian Medical Association is the peak professional organisation representing medical practitioners in Australia. This body surely would have the most impartial view of what is required for medical care. In their submission, they state:

The AMA advises the Committee that we affirm our position that those who are in the care of the Australian government and who are seeking, or who have been granted, asylum within Australia have the right to receive appropriate medical care without discrimination, regardless of citizenship, visa status, or ability to pay. Like all people seeking health care, asylum seekers and refugees in Australia, or under the protection of the Australian Government, should be treated with compassion, respect, and dignity.
The AMA views refugees, asylum seekers and individuals in detention facilities or detailed in offshore in Nauru and Papua New Guinea (PNG) to be under the protection of the Australian Government.

1. In addition to suffering the same health problems as the general population, asylum seekers and refugees are at particular risk from a range of conditions including psychological disorders such as post-traumatic stress disorder, anxiety, depression, and the physical effects of persecution and torture. They may also suffer the effects of poor dental hygiene, poor nutrition and diet, and infectious diseases such as tuberculosis, which may be more common in their countries of origin.

2. To determine their specific health needs, all asylum seekers and refugees need to undergo comprehensive and timely health assessments in a culturally appropriate manner by suitably trained medical practitioners as part of a primary health care team. This assessment should be used to establish ongoing care with appropriate and descriptive records of asylum seekers' health being recorded on a regular basis to enable multidisciplinary teams and healthcare providers to give effective ongoing care.

3. All asylum seekers and refugees should have access to the same level of health care as all Australian citizens.

4. All asylum seekers and refugees, independent of their citizenship or visa status, should have universal access to basic health care.

5. Immigration policies that restrict the basic human rights of disadvantaged groups of people, such as asylum seekers and refugees, can have adverse impacts on their health and wellbeing.

They conclude:

The AMA supports a body of clinical experts, independent of government, with the power to investigate and advise on the health and welfare of asylum seekers and refugees.

We maintain that health and medical services in immigration detention centres should only be provided by organisations, in facilities accredited to Australian standards, that have the full capacity to provide an appropriate range of health and medical care to all detainees as needed, and according to best practice standards in health care delivery (as would apply in the general community).

Adherence to these standards should be guaranteed through a process of ongoing monitoring of detainees' health by an independent statutory body of clinical experts with powers to acquire information and investigate conditions in centres as it determines.

It is essential that the assessment and provision of medical care to asylum seekers in detention must be undertaken by medical practitioners.

In the absence of any other alternative independent medical panel that is demonstrably superior, the AMA affirms its support for the IHAP, in assessing the needs of asylum seekers and refugees for transfers for medical and psychiatric assessment and treatment.

So many of these submissions are against the repeal of medevac. So many groups from so many walks of life from across the country—from here in Canberra to the Illawarra, northern Victoria and East Gippsland; from Bega, Yass, Brisbane, Darwin, Melbourne, Sydney and the Blue Mountains.

I conclude by repeating again: our country is crying out for some humanity in these dark times. Retaining laws which provide some semblance of medical assistance for people we wrongly lock up is surely the least we can do.

**Senator BERNARDI** (South Australia) (13:58): Before question time begins: I think the country is crying out for something, and it's common sense. Senator Faruqi neglected to mention the Greens policy of open borders, of global governance. They simply do not want to take responsibility for being, with the Labor Party, the architects of the most dysfunctional
period of border protection in the history of this country. If there is one credit to the coalition
government, it is that they have taken control of our borders. They have reclaimed the destiny
of our nation by determining who can come to this country and the manner in which they will
come—until it was so brutally, callously and illogically undermined on the last day of
parliament last year. I was pleased to have played my part in delaying the passage of that bill
somewhat.

At the time I remember that we warned the likes of former senator Derryn Hinch, the
Greens and the Labor Party that people of poor character, people accused of rape, people
accused of sexual assault, people who had self-harmed and people who were a danger to their
own communities would be coming here under the terms of this bill. They wilfully ignored it.
They ignored it and turned a blind eye to it because they're always looking for a loophole
about how to undermine Australia's border protection. I cannot wait for the next 19 minutes or
so of this contribution after question time, and I hope you'll all be here to listen to it.

Debate interrupted.

QUESTIONS WITHOUT NOTICE

Dairy Industry

Senator McCARTHY (Northern Territory—Deputy Opposition Whip in the Senate) (14:00): My question is to the Minister for Agriculture, Senator McKenzie. In the minister's letter to Senator Hanson committing to bringing forward the delivery of the dairy code of conduct, the minister said, 'I'm planning for that to happen by December 2019.' Yesterday the minister mentioned in passing, in an answer to a question, that the code 'is on track to be in place by 1 January 2020.' When was the decision made to delay implementation of the code from December to January?

Senator McKenzie's response can directly address issues around the timing of the code of conduct. I ask the minister to take note of that and call the minister to continue.
Senator McKENZIE: Thank you very much, Mr President. That $22 million of additional support actually addresses the reason why our dairy farmers are doing it so tough—the increased fodder prices, increased electricity prices and increased water prices, which are putting incredible pressure on the input costs for our dairy farmers despite them getting a historically high farmgate price from the processors.

In terms of bringing the dairy code forward and our election commitment to deliver that by June 2020, we have always been public in our statements that we will deliver the code as quickly as possible, because we know that right now milk processors are attempting to sign our dairy farmers up to contracts of in excess of five years, so, the sooner we can bring that in the better. But I've also said, we won't be introducing a code— (Time expired)

The PRESIDENT: Senator McCarthy, a supplementary question?

Senator McCarthy (Northern Territory—Deputy Opposition Whip in the Senate) (14:03): Yesterday the minister refused to explain why her own backbenchers were bypassing her and advocating for dairy farmers directly to the CEOs of major supermarkets Coles and Woolworths. I ask the minister: did Senator McDonald seek her advice prior to writing to the CEOs of Coles and Woolworths, or was she simply bypassed because her Nationals colleagues have no confidence in her?

Senator McKENZIE (Victoria—Minister for Agriculture and Leader of the Nationals in the Senate) (14:03): Senator McCarthy, the National Party, both Senator McDonald and myself, Barnaby Joyce, Wacka Williams, Barry O'Sullivan, Matt Canavan—I could go through a raft of National Party MPs and senators over the eight years I've been here, and none of us have taken a backwards step when it comes to holding the duopoly of Coles and Woolworths in this country to account, not just for our dairy farmers but for our horticulture farmers, the beef industry and the like. They've been ripping off our farmers over time because of their excessive market power—

The PRESIDENT: Senator Watt, on a point of order?

Senator Watt: On relevance—the question was seeking an answer as to whether the minister was consulted about the letter.

The PRESIDENT: I might also say that the question contained other elements which I might refer to more broadly as commentary. I think the minister is entitled to be directly relevant and respond to that as well.

Senator McKENZIE: My point is that, as a political party, we talk all the time about how we hold the supermarkets to account with what they're actually paying our producers. Senator McDonald and I have been in conversations about that. Senator Canavan and I have been in conversations about that. A raft of National Party MPs and senators are actively engaged in working out how we can better evolve competition laws in this country. (Time expired)

The PRESIDENT: Senator McCarthy, a final supplementary question?

Senator McCarthy (Northern Territory—Deputy Opposition Whip in the Senate) (14:05): The Nationals member for Lyne, Dr Gillespie, has warned that the minister's draft code dudged farmers, and he refused to rule out a leadership tilt over the issue. Is the minister confident her dairy code of conduct will satisfy Dr Gillespie?
Senator McKENZIE (Victoria—Minister for Agriculture and Leader of the Nationals in the Senate) (14:05): Thank you again, for your question. I will repeat what I have often said in this place and publically: this is not my code of conduct and it is not our government's code of conduct; it will be the dairy industry's code of conduct.

There are eight unique regions of dairying in this country, each with very unique challenges and opportunities. The mandatory code of conduct to govern their relationship with the processors has to be fit for all. So it is not up to David Gillespie or Bridget McKenzie or Susan McDonald or PerinDavey to devise a code of conduct that we think suits us. It is for us as a government to deliver a mandatory code of conduct that delivers for the dairy farmers in this country and actually assures them of a transparent model for dealing with their processes.

David Gillespie has been a strong advocate for a broader trading platform—a transparent trading platform and quite an innovative model of trading milk—which the dairy industry itself is examining. As I've said, we've put the draft code out for consultation and we're now dealing with the feedback. (Time expired)

DISTINGUISHED VISITORS

The PRESIDENT (14:06): Order! I draw to the attention of honourable senators the presence in the chamber of the Speaker of the Legislative Assembly of the parliament of Queensland, the Hon. Curtis Pitt MP. On behalf of all senators, I wish you a warm welcome to the Senate and to question time. With the concurrence of honourable senators, I invite the Speaker to take a seat on the floor of the Senate.

Honourable senators: Hear, hear!

The Hon. Curtis Pitt MP was then seated accordingly.

QUESTIONS WITHOUT NOTICE

International Day of People with Disability

Senator BROCKMAN (Western Australia—Deputy Government Whip in the Senate) (14:07): My question is to the Minister for Families and Social Services, Senator Ruston. Today is the International Day of People with Disability. Can the minister outline how the Morrison government's sound budget and economic management is guaranteeing the essential services Australians with a disability and their families rely on, including measures to support acceptance and celebrate their achievements?

Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (14:07): Thank you very much, Senator Brockman, for this really important question. We, on this side, understand that building a more inclusive and accessible society for the more than 4.4 million Australians—that's one in five Australians—who live with a disability, and today, as International Day of People with Disability—

Honourable senators interjecting—

Senator RUSTON: Mr President, can I call a point of order on those on the other side? I think it's disrespectful to people with a disability that they're interjecting.

The PRESIDENT: Senator Wong, on a point of order?
Senator Wong: I'm not sure if the minister did call a point of order, but I will respond on the point of order which you appear to be entertaining. She began her statement with a partisan statement: 'We, on this side, understand'. So people on our side, understandably, given how much the Labor Party has fought for the rights of and services for people with disability, were pretty annoyed by it.

The PRESIDENT: Order! Senator Wong, I know it's the last week of the Senate, but that last bit wasn't a point of order. Senator Cormann?

Senator Cormann: On the point of order, the only thing that was out of order in the last few minutes was the constant interjections from that side. Interjections are always disorderly, as Senator Wong well knows, and the level of interjections that we've been experiencing is—

Senator Pratt interjecting—

The PRESIDENT: Order, Senator Pratt!

Senator Cormann: even as a point of order is being raised!

The PRESIDENT: On that particular occasion, I think I heard the first interjection before I heard the first word out of the minister's mouth. It is the last week of the Senate. People tend to be somewhat more boisterous, but can I remind them that interjections are always disorderly. It is a sign of a lack of courtesy to your colleagues, who cannot necessarily hear a response. I say that to all senators in the chamber. Senator Ruston to continue.

Senator RUSTON: Shall we start again? Today is the International Day of People with Disability, and today is a day when we have the opportunity to celebrate with the people of Australia the 4.4 million, or the nearly one in five Australians, who live with a disability—to celebrate their achievements and the contribution that they make to Australian society. Today is also a day on which we should be asking ourselves: what more can we do to make sure that the lives of people who live with disability can be enhanced?

The theme of this year's International Day of People with Disability is 'Promoting the participation of persons with disabilities and their leadership'. I'd like to acknowledge Kurt Fearnley, who is the international people with disability day patron this year. He is one of the most inspirational athletes you will ever meet. Today we don't just celebrate the achievements of people like Kurt or Dylan Alcott, our famous tennis player, or Ben Gauntlett; we celebrate the achievements of every Australian who lives with a disability. Every Australian deserves the opportunity to reach their full potential and that must include our Australians who live with disability. This year, as part of international day of disability, we're trying to encourage schools to participate through the Grow Inclusion competition so that we can mainstream the idea that people with disability have every right to have the opportunities to set goals for themselves, just as every other Australian takes that as their right.

The PRESIDENT: Senator Brockman, a supplementary question?

Senator BROCKMAN (Western Australia—Deputy Government Whip in the Senate) (14:10): Thank you, Minister. How is the government breaking down barriers and encouraging employers to hire more people with a disability?

Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (14:11): We are absolutely committed to improving the employment opportunity of all Australians, but, given my position as the
minister responsible for social services, I am particularly focused on making sure that disability employment is a very, very important part of our policy platform. My one simple goal is to make sure that we give people who have disability the same access to the broad suite of employment opportunities that every other Australian has access to. I want every person with a disability who has the capacity and wants to work to be able to get a job. I want to make sure that employers see employing people with disability as a mainstream, everyday activity that they build into their business model. And I want everybody who's living with a disability, if they want to be, to be a taxpayer because I know it's great for them, it's a great outcome for their communities, it's a great outcome for their families and it's a great outcome for our society as a whole.

The PRESIDENT: Senator Brockman, a final supplementary question?

Senator BROCKMAN (Western Australia—Deputy Government Whip in the Senate) (14:12): Minister, how is the government supporting people with a disability through the National Disability Insurance Scheme?

Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (14:12): The National Disability Insurance Scheme is having a profound effect on the lives of people who live with disability. For the first time they have an absolutely unprecedented opportunity to actually have choice and control for themselves and for their families. We will continue to make sure that the NDIS is fully funded through a strong economy. We have seen 311,000 Australians who live with disability now being supported by the NDIS. And one of the most phenomenal figures that's contained in that 331,000 people is the 37 per cent, or nearly 115,000 people who live with disability, who are getting supports for the first time in their lives. We understand that this is a very, very important scheme for people with disability and we remain absolutely focused on rolling this scheme out in the best interests of people who have disability.

DISTINGUISHED VISITORS

The PRESIDENT (14:13): Can I draw to the attention of senators the presence in the gallery of a parliamentary delegation from Fiji led by the Hon. Alexander O'Connor, Chair of the Fijian Standing Committee on Foreign Affairs and Defence. On behalf of all senators, I wish you a warm welcome to Australia and, in particular, to the Senate this afternoon.

Honourable senators: Hear, hear!

QUESTIONS WITHOUT NOTICE

National Disability Insurance Scheme

Senator CAROL BROWN (Tasmania) (14:13): My question is to Minister representing the Minister for the National Disability Insurance Scheme, Senator Ruston. Today is International Day of People with Disability, a day on which we celebrate the achievements of people living with a disability and reaffirm our solidarity to work with them to overcome their barriers which prevent them engaging fully in society. The Morrison government continues to go slow on the implementation of the NDIS, using so-called underspends to prop up the budget bottom line, claiming $4.6 billion in the last financial year. When will the Morrison government finally unlock this funding that Australians living with a disability so desperately need?
Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (14:14): I thank Senator Brown for her question and I also thank Senator Brown for the opportunity to sponsor her motion this afternoon recognising people who live with disability and celebrating their day today. We recognise the amazing contributions that they make to our society. So, Senator Brown, I thank you very much for that opportunity.

The NDIS is a demand driven model, which means that the amount of money that is spent on providing the supports and services that people who live with disability require through the NDIS is based on demand. I acknowledge that the scheme has not rolled out as quickly as was originally forecast, but we’re very pleased to see that 311,000 Australians are receiving supports and services through plans with the NDIS to enable them to fulfil their life goals and dreams.

To come in here and suggest that the government has somehow created a budgetary saving on the back of the NDIS is blatantly not true. It is a demand driven system. I’m sure that over the coming years, as we accelerate the rollout of the NDIS, we will start to see the full expenditure of the budget for the NDIS. But let me be very, very clear: it is a demand driven system. The government is committed to provide the funding in order to support every Australian who is eligible for an NDIS plan and who seeks to have one. We stand absolutely committed to, and side by side with, all Australians with disability—particularly on this the International Day for People with Disability—to make sure that this once-in-a-lifetime and groundbreaking opportunity that the NDIS is is delivering for all Australians who live with a disability.

The PRESIDENT: Senator Brown, a supplementary question?

Senator CAROL BROWN (Tasmania) (14:16): The NDIA originally estimated its staffing level would be 10,595 by 2018-19. But the Morrison government has imposed a staffing cap of 4,000 employees. As a result, participants are missing out on the support they need and $430 million was spent on consultants and contractors in 2018 alone. When will the Morrison government unshackle the NDIS by lifting this artificial staffing cap?

Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (14:16): I thank Senator Brown for her follow-up question. The government is absolutely committed to making sure we roll out the NDIS and provide the supports and services that Australians who live with disability can rightly expect from this amazing once-in-a-lifetime opportunity.

As Senator Brown would be aware, we have already made the announcement that we are intending to add an additional 800 public servants—APS positions—capable of exercising delegations under the NDIS over the course of 2019-20. We also acknowledge that one of the great challenges in moving forward—and we are working on this as we bring providers on—is understanding the workforce that is going to be required to support the rollout of the NDIS. We are going to have to work side by side with NDIS and disability service providers to make sure services are able to be delivered in a timely and appropriate manner to people who live with disability.

The PRESIDENT: Senator Brown, a final supplementary question?
Senator CAROL BROWN (Tasmania) (14:17): On Friday, Minister Robert announced that he would build an 'ontology of capabilities' across government. What did the minister mean? Given that the government's approach to digital transformation has delivered the illegal robodebt scheme, what hope do Australians living with a disability have that the minister will deliver a nirvana for accessing the services they so desperately need?

Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (14:18): Whilst I'm not going to deliver a dissection of exactly what the minister said, what I can say is that this government is absolutely committed to making sure that the rollout of the NDIS is fit for purpose and is delivering the best possible outcomes for the people who we seek to assist with the NDIS. They are people who live with disability, the very people whose amazing contributions to Australia—particularly to our society—we celebrate internationally today.

This once-in-a-lifetime opportunity will require a very integrated rollout across the whole of Australia. This is not just for people who live in cities. We are ensuring that we reach people with disability who live in regional, remote and rural communities, which is something we are absolutely committed to.

Climate Change: Great Barrier Reef

Senator WATERS (Queensland) (14:19): My question is to Senator Birmingham, representing the Minister for the Environment. The World Heritage Committee gave Australia homework four years ago to show why the Great Barrier Reef shouldn't be listed as 'in danger'. On Sunday, your government sent in its homework in a glossy report pretending everything's fine and downplaying the dramatic decline in conditions as merely 'impacting' on the reef. How can you claim to be actively managing the key pressures when half of the coral cover of the reef has bleached to death, when you've set up an inquiry questioning reef science and when your own reef management authority has downgraded the long-term outlook for the reef from poor to very poor for the first time?

Senator BIRMINGHAM (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (14:20): I thank Senator Waters for her question, although I don't accept all of the assertions she made in her question. The government takes the health of the Great Barrier Reef incredibly seriously. That's why we have supported record levels of investment in support as part of our reef protection efforts, which are designed to build resilience for the reef, to address the many challenges that it faces and to do that jointly with the Queensland government, noting the speaker sitting alongside you. As part of our reef protection efforts, we have developed the Reef 2050 Long-Term Sustainability Plan. That has been developed jointly with the Queensland government, who work alongside traditional owners, industry, scientists, farmers and the wider community to implement that plan.

The Australian and Queensland governments are investing some $2.7 billion from the period 2014-15 through to 2023-24 to implement our plans to support the reef. These plans are comprehensive in terms of working to improve water quality and coastal habitats, tackling outbreaks of crown-of-thorns starfish, addressing plastics and protecting threatened migratory species. Australia's management of the reef is recognised as a leading example in terms of protection for large-scale marine protected areas, and was identified as such in previous UNESCO reports. We are investing in the long-term support for reef activities through the
Reef Trust Partnership and with the Great Barrier Reef Foundation, and we are continuing to invest further in terms of additional support for controlling crown-of-thorns starfish and working with farmers to improve reef water quality.

Overall, our efforts are about making sure we take the action necessary to sustain the reef as one of Australia's great environmental assets and one of our prime tourism assets, and we continue to support the communities in the reef to make sure they are able to promote its world-class attributes to the world.

_The PRESIDENT:_ Senator Waters, a supplementary question?

**Senator WATERS** (Queensland) (14:22): The latest IPCC scientific report confirms that, if global temperatures rise by 1½ degrees, 90 per cent of all coral reefs will be lost, and all of them—100 per cent of coral reefs—will be lost if we hit two degrees, yet your government's policies have us on track for at least three degrees of warming. When will your government end its war on science and implement a climate policy to limit global warming to 1½ degrees to protect what's left of the reef?

**Senator BIRMINGHAM** (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (14:22): I completely reject the points that Senator Waters has sought to make there. As I outlined in response, I think, to a question from Senator Waters only last week, our government has detailed, in terms of our Climate Solutions Package, right down to the last tonne precisely how we propose—

_Senator Wong interjecting—_

**Senator BIRMINGHAM:** I know Senator Wong isn't seemingly interested in the fact that we're going to meet the 2020 targets—

_The PRESIDENT:_ Order! Senator Wong on a point of order.

**Senator Wong:** He took the interjection. Point of order: that is not what I said. I said that he didn't believe it.

_Honourable senators interjecting—_

_The PRESIDENT:_ Order! Interjections are disorderly, and responses to them are not encouraged. Senator Waters, on a point of order?

**Senator Waters:** President, nobody believes it.

_The PRESIDENT:_ Even in the Christmas spirit, I'm not going to tolerate it getting like this on a Tuesday afternoon. Senator Birmingham.

**Senator BIRMINGHAM:** Thanks, Mr President. I'm not sure there was a lot of Christmas spirit in those comments either, so I'm not sure that would be an accurate reflection, even from the chair, Mr President, if I may say. In terms of our commitment, the government has outlined detailed plans to meet our 2030 targets in relation to climate action. That's what the Climate Solutions Package takes us through, tonne by tonne. Senator Waters ought know that, ought acknowledge that and ought to stop misleading, in the sense that Australia has met and exceeded our targets to date, and our plans are about ensuring we continue to do so into the future.

_The PRESIDENT:_ Senator Waters, a final supplementary question?
Senator WATERS (Queensland) (14:24): If you were truly managing the pressures on the reef to protect it and the 64,000 jobs that it supports, you would revoke all federal approvals for the Adani Carmichael coalmine and not approve any new coal in Australia. Your UN reef homework doesn't disclose the millions in donations from big oil, big coal and big gas to your party over the last four years. When will you ban donations from the fossil fuel industry, an industry which benefits quite nicely from your government's lack of climate policy?

The PRESIDENT: Order. Again I remind senators about the rules about supplementary questions. There does need to be a link to the first question. I will call on the minister to respond as far as his responsibility for the portfolios he represents.

Senator BIRMINGHAM (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (14:25): That supplementary question from Senator Waters highlights the completely misleading rubbish that we get from the Australian Greens who, when it comes to addressing climate policy, decide instead to bring it into a whole range of other matters and ignore the fact that this is about dealing with a global problem through global cooperation and action.

Australia plays a role. We have done so consistently over recent years in terms of signing on to global climate change agreements and acting in accordance with them, and signing on to future agreements such as the Paris Agreement and acting in accordance with that. It doesn't come down to a single piece of regulatory approval for one mining project. It doesn't come down to what the nation's electoral financing laws might look like. It comes down to working in concert with other nations to make sure that we deliver upon our commitments and to ensure that they deliver upon theirs, and that's what we're committed to doing.

The PRESIDENT: Can I remind senators of a previous ruling about supplementary questions. I have taken to start reading precedent on this. I will quote President McClelland:

… supplementary questions are appropriate only for the purposes of elucidating information arising from the original question and answer. They are not appropriate for the purpose of introducing additional or new material or proposing a new question, even though such a question might be related to the subject matter of the original question.

That is a ruling from President McClelland from 1986. It is in Odgers and it is the guiding principle about supplementary questions.

CU-River Mining

Senator PATRICK (South Australia) (14:26): My question is to Minister for Defence and concerns the operation of a Chinese owned mining company, CU-River Mining, in the Woomera Prohibited Area. Can the minister confirm that her department has reviewed CU-River Mining's compliance with access conditions set by the resource production permit issued to the company by Defence? Did that review confirm any instances of noncompliance or other security issues relating to the activities of CU-River Mining or its Chinese partner, JiuJiang Mining? How have any security problems been resolved? Has the department changed or modified the access conditions applying to CU-River Mining's activities on the Woomera range?

Senator REYNOLDS (Western Australia—Minister for Defence) (14:27): I thank Senator Patrick for that question. I also thank him for the courtesy of prior notice. It's actually refreshing to get a question of substance from the other side of the chamber.
In relation to the question, the Woomera Prohibited Area is a key national security asset and Australia's most important weapons testing range. This is why the Morrison government takes the preservation of the unique capability very seriously. Dealings between permit holders within the Woomera Prohibited Area and Defence are subject to strict security, privacy and commercial considerations, so it is not appropriate for me, at this time, to discuss the details of individual permit holders. However, I am aware of the allegations of possible access and security breaches at the Cairn Hill mine, and I can confirm to the Senate that Defence takes these matters seriously.

I cannot discuss these matters publicly to afford all parties due process; I can say, however, that Defence does balance national security requirements with non-Defence activities under a coexistence framework at Woomera, where access is granted but only where it doesn't put Defence's interests at risk. To achieve this, Defence works very closely with security agencies to ensure its security posture and policy in the Woomera Prohibited Area is agile and also reflects current threats. Defence also conducts six-monthly audits of all permissions to access the Woomera Prohibited Area. In light of the evolving security environment, I have directed Defence to examine, review and audit processes of all permits.

The PRESIDENT: Senator Patrick, a supplementary question?

Senator PATRICK (South Australia) (14:29): What discussions has CU-River Mining held this year with Defence concerning the proposed expansion of its mining operations? When did the company make formal application to expand its operations in the prohibited area? What has been Defence's decision in relation to that?

Senator REYNOLDS (Western Australia—Minister for Defence) (14:29): Thanks, Senator Patrick, for that question. As I stated in my previous answer, dealings between individual permit holders and Defence are subject to security, privacy and commercial considerations, and therefore it's not appropriate for me to discuss the detail or outcomes of individual applications. However, what I will say is this: where necessary, permits will not be issued where the security of defence activities may be compromised. Where permits are issued, they may be subject to additional conditions to manage and mitigate risk or, as I said, they may not be issued at all.

The PRESIDENT: Senator Patrick, a final supplementary question?

Senator PATRICK (South Australia) (14:30): Given growing concerns about Chinese espionage in Australia, what assurances can the minister give that the presence of a Chinese-controlled mining company on the Woomera range won't undermine confidence in security there—a vital facility being upgraded to support increased defence trials by not only Australia but also our allies?

Senator REYNOLDS (Western Australia—Minister for Defence) (14:30): I can assure you and all in this chamber that Defence has a very strong legislative and policy framework which provides compliance, assurance and mitigation measures to uphold security in the WPA. The No. 1 priority of our government is to keep Australians safe. As I outlined to the chamber yesterday, the government is further strengthening Australia's response to the threat of foreign interference, with a new task force to disrupt and deter anyone attempting to undermine our nation's interests. The Morrison government will continue to take strong action
to deter acts of foreign interference and, as the threat evolves, defend against them where they occur, in accordance with Australia’s laws.

Murray-Darling Basin

Senator STERLE (Western Australia) (14:31): My question is to the Minister for Agriculture, Senator McKenzie. Last night, Minister, Senator Davey told the Senate:

… I facilitated a meeting today between members of the convoy and the Minister for Water Resources, David Littleproud, and the Minister for the Environment, Sussan Ley.

When did the minister first become aware of the meeting between irrigators, irrigation farmers, community members and business people with Ministers Littleproud and Ley?

Senator MCKENZIE (Victoria—Minister for Agriculture and Leader of the Nationals in the Senate) (14:32): Thank you very much, Senator Sterle. I became aware of that meeting when Senator Davey shared that with me earlier on this week. That has been something she has been working on as part of living, working, raising a family and running a business in the southern basin as a rice grower. She has been a strong advocate for irrigation communities. I would recommend that everyone in the Senate tune into the adjournment speech she gave last night, which spoke to the impact of the drought on these communities; the work that our government has done to assist farmers and their communities who are struggling with a lack of water; and her desire to see mutually beneficial outcomes between people who have concerns about the implementation of the Murray-Darling Basin Plan, the state government’s role, the water-sharing arrangements and, indeed, federal government policy. Hats off to Senator Davey for a fantastic meeting. I know that each and every one of our backbenchers here are continually raising issues with ministers, making sure that they broker meetings with their constituents and stakeholders in their respective states and areas of interest. That’s called being in government and assisting your constituents to get things done.

The PRESIDENT: Senator Sterle, a supplementary question?

Senator STERLE (Western Australia) (14:33): Minister, were you invited to participate in the meeting? If not, why not?

Senator MCKENZIE (Victoria—Minister for Agriculture and Leader of the Nationals in the Senate) (14:33): Well, there are a lot of meetings that happen, Senator Sterle. I’m not invited to a lot of them, as is the defence minister not invited to a lot of them, as is the minister for skills not invited to a lot of them et cetera. I’m the Minister for Agriculture. I’m involved in stakeholder meetings to do with the agriculture portfolio. The Minister for Water Resources, Drought, Rural Finance, Natural Disaster and Emergency Management, who is also responsible for the implementation of the Murray-Darling Basin Plan, is the absolutely appropriate minister to be conducting that meeting, as is Minister Ley, who has responsibilities for the Commonwealth water holder.

The PRESIDENT: Senator Sterle, a final supplementary question?

Senator STERLE (Western Australia) (14:34): It is, thank you, Mr President. Given Prime Minister Morrison was the first to announce an extension to government payments for drought affected farmers without Nationals leadership and that Senator McDonald has resorted to lobbying major supermarket CEOs herself, is the meeting facilitated by Senator Davey just the latest example of you, Minister, being bypassed?
Senator McKenzie (Victoria—Minister for Agriculture and Leader of the Nationals in the Senate) (14:34): What a long bow! As I said earlier to Senator McCarthy's question, National Party MPs and senators are not backward in coming forward when it comes to writing to and lobbying supermarkets about—

Senator Sterle: They wouldn't have done it to Bozzie!

Senator McKenzie: And Bozzie's a classic example—I'll take the interjection. Bozzie and Wacka and Barry are classic examples of former senators who've sat in this place and lobbied hard the CEOs of supermarkets, as we all have. We've sought to have better competition laws. It's the National Party that fought for changes to the Trade Practices Act and section 46 to actually back smaller producers against the might and market power of our retailers, and we don't shy from that at all. We're proud of that. It's actually what we're here to do on behalf of our communities and our industries.

Cybersecurity

Senator Abetz (Tasmania) (14:35): My question is to the Minister for Foreign Affairs, Senator Payne. Can the minister update the Senate on how the Liberal-National government's sound budget and economic management is guaranteeing essential services that protect Australians online, including what the government is doing to promote an open, free and secure cyberspace?

Senator Payne (New South Wales—Minister for Foreign Affairs and Minister for Women) (14:36): I thank Senator Abetz for his question and his interest in these issues. An open, free and secure cyberspace is essential to driving economic growth, to protecting national security and to promoting international stability, but it isn't something that we can take for granted. Ours is a whole-of-government approach. The Minister for Home Affairs is leading the development of Australia's next cybersecurity strategy, and internationally we're focusing on maximising opportunity and minimising risk.

The boundaries of acceptable behaviour in cyberspace are being challenged, whether by states or by cybercriminals. The damage, the disruption, the disinformation caused by malicious cyberactivity is significant and growing. In New York, in September, I co-sponsored the Joint Statement on Advancing Responsible State Behavior in Cyberspace with the United States and the Netherlands. That statement has so far been affirmed by 28 countries. Led by our Ambassador for Cyber Affairs, Toby Feakin, Australia is helping to build the technical, policy, legislative and enforcement capacities of our regional partners as well.

We also have to make every effort to deter those who would seek to misuse cyberspace as a vehicle for repression and control and instability. Our rapidly developing critical technologies, such as artificial intelligence and quantum computing, are already having profound strategic and foreign policy impacts. Other technologies, such as deepfakes, have the potential to disrupt relations and to undermine public trust and confidence. The government is taking a coordinated strategic approach to ensure Australia continues to benefit from technological advancements. The work we are doing is widely regarded and highly respected around the world. It is something of which we can be very proud and on which the government is very focused.

The President: Senator Abetz, a supplementary question?
Senator ABETZ (Tasmania) (14:38): I thank the minister for that very detailed answer. Can the minister advise how Australia is working with international partners to promote stability in cyberspace?

Senator PAYNE (New South Wales—Minister for Foreign Affairs and Minister for Women) (14:38): We’re a leader in shaping the future of cyberspace to ensure it remains a positive driver of economic growth and sustainable development. We’re working with our Five Eyes partners as well as through the United Nations—through the ASEAN Regional Forum, for example—to help build stability in cyberspace. We promote the application of international law in cyberspace and reinforce norms of state behaviour that complement confidence-building measures. In both of my roles, as Minister for Foreign Affairs and Minister for Women, we are focused on ensuring that women be involved in the cybersecurity conversation, including by supporting the attendance of a number of female diplomats from South Pacific and ASEAN countries at UN discussions on cyber in New York.

The PRESIDENT: Senator Abetz, a final supplementary?

Senator ABETZ (Tasmania) (14:39): Can the minister advise on steps the government is taking to deter and respond to malicious cyberactivity?

Senator PAYNE (New South Wales—Minister for Foreign Affairs and Minister for Women) (14:39): I thank Senator Abetz for what is a very important supplementary question. Australia, and a growing number of other states, are cooperating to deter and respond to malicious cyberactivity. Having established a firm foundation of existing international law and norms of responsible state behaviour, the international community also has to ensure that there are consequences for those who engage in unacceptable behaviour in cyberspace. Australia is taking a strong stand against malicious cyberactors. In fact, in cooperation with international partners to ensure the maximum strength of our message, we have previously publicly attributed malicious activity to Russia, North Korea, China and Iran. We will continue to make our decisions on public attribution of cyberincidents in our national interests and particularly in relation to those with the potential to disrupt global economic growth, national security and international stability.

Veterans: Suicide

Senator LAMBIE (Tasmania) (14:40): My question is to the Minister representing the Minister for Veterans’ Affairs, Senator Reynolds. Julie-Ann Finney has collected nearly 270,000 signatures on a petition to the minister to call a royal commission into veteran suicide. Ms Finney’s son David was a veteran who suffered from PTSD and, sadly, took his life in February. Last month the minister rejected calls for a royal commission into veterans affairs. He reportedly told Ms Finney that he would rather hold hundreds of coronial inquests than call a royal commission. Does the minister believe that DVA’s approach to veteran suicide is working?

Senator REYNOLDS (Western Australia—Minister for Defence) (14:41): I thank Senator Lambie for her question. I also commend the senator for her deep and abiding interest in and support for our veterans. It’s greatly appreciated. Can I start by saying that it is a national tragedy that over 3,000 Australians take their own lives every year. There is no single solution to this sad and highly complex issue. When it comes to suicide, the only acceptable
The number of veteran suicides is zero and the only acceptable number for the Australian people more broadly is also zero.

The government recognises the sacrifices made by ADF members and their families. The loss of a current or former member is deeply felt by the entire Defence community and also, I know, by all in this chamber. The government considers that all options should be on the table to address this complex issue of suicide across the Australian community, which, of course, includes our veterans. As the Prime Minister has said, and, I understand, has just reaffirmed in the other place, it has not been ruled out and it is under active consideration, along with the government's response to the Productivity Commission report, and a range of other issues.

The Productivity Commission report itself was tabled in parliament on 4 July this year. It outlines very comprehensive recommendations to update a century-old system of support for veterans and their families to ensure that it is fit for purpose for the next 100 years. We're very grateful for the bipartisan approach adopted by those on the other side of the chamber.

We are talking extensively to veterans, their families and all other stakeholders to co-design the next DVA and Defence mental health and wellbeing strategy and also a national action plan for veterans. But transforming DVA is only part of the solution. The broader issue of veteran suicide cannot just be fixed by government alone. Like suicide more generally, it is an issue for us all. (Time expired)

The PRESIDENT: Senator Lambie, a supplementary question?

Senator LAMBIE (Tasmania) (14:43): Our veterans are clearly struggling to cope with PTSD and other afflictions that they have developed as a result of their service, but DVA seems hell-bent on making their lives more miserable than ever. Is the minister aware that the department is currently fighting the claims of 94-year-old World War II veteran, and holder of a Military Cross, John Hutcheson. Why is the DVA going after vulnerable war veterans at 94 years of age?

Senator REYNOLDS (Western Australia—Minister for Defence) (14:43): Mr President, I will have to take on notice the particular case that Senator Lambie cited. But can I just say that I do not for a second believe that DVA has anything but the best interests of all veterans at heart. I just want to quote some of what the Prime Minister has just said in the other place. He said that he wanted to thank the department and the ADF for the changes that have been implemented. Again, I note that they have had bipartisan support through the various tranches of legislation that have already gone through this chamber. The Prime Minister said, as he said to Julie-Ann Finney:

I wish that those arrangements had been in place when her son was in the Defence Force. I wish they had been in place for all of those Australians who have served in our defence forces and have passed away by their own hand.

The Prime Minister said that all of those lessons are now being put into place. He also said that he welcomes further input and feedback from veterans on the other side of the chamber—in fact on all sides of the chamber. Today he met with the member for Herbert to discuss this further. (Time expired)

The PRESIDENT: Senator Lambie, a final supplementary question?

Senator LAMBIE (Tasmania) (14:44): Stories like this one show that the DVA and Defence are not looking after our veterans who are vulnerable. The Minister for Veterans'
Affairs won't commit to holding a royal commission, so I have to ask this, as one woman who served to another. You were a brigadier. Both Defence and DVA have diggers under them who are actually hurting a lot and not getting their claims through the Department of Veterans' Affairs. I want to know why the top brass—or it used to be the top brass—in our military are not standing by their former diggers and asking for a royal commission? *(Time expired)*

**Senator REYNOLDS** (Western Australia—Minister for Defence) (14:45): Again, I thank Senator Lambie. I will extend an offer to Senator Lambie to come to me, please, with specific cases and specific details, or to go to the Minister for Veterans' Affairs, and we can work through those individual cases.

But just to confirm: the Prime Minister has again reiterated today that he has given an undertaking to reflect further on the issue of a royal commission. He will reflect on that deeply over the break, including doing more consultations. I'll also say, Senator Lambie, that Defence does recognise that transitioning from military service to civilian service can be a significant life-changing event for the 5½ thousand people every year who transition out of Defence. While the vast majority do transition very successfully, we do know and understand that there is a percentage who do not. This is why we have put in a comprehensive range of measures within both Defence and DVA, to make sure that we identify the people potentially at risk much earlier and assist them—*(Time expired)*

**Minister for Agriculture**

**Senator BILYK** (Tasmania) (14:46): My question is to the Minister for Agriculture, Senator McKenzie. I refer to an article published by *The Guardian*, entitled, 'Row between two National MPs—

*Government senators interjecting—*

The PRESIDENT: Order! Pause the clock! I would like to be able to hear the question. I've got to the title of the article, Senator Bilyk; please continue.

**Senator BILYK:** 'Row between two National MPs prompts bullying complaint from Michelle Landry'. When did the minister first become aware of the bullying allegations, and has she, as Deputy Leader of the Nationals, taken any action as a result?

**Senator McKENZIE** (Victoria—Minister for Agriculture and Leader of the Nationals in the Senate) (14:47): Thank you for your question, Senator Bilyk. We take bullying very, very seriously within the National Party. Any matters of that ilk are dealt with by the administrative wing and are taken very, very seriously. We have a fully developed bullying policy, and our federal president, Larry Anthony, and our federal director, Ben Hindmarsh, take any such accusations very seriously.

The PRESIDENT: Senator Bilyk, a supplementary question?

**Senator BILYK** (Tasmania) (14:47): *The Guardian* reported that the argument between Ms Landry and Mr O'Brien broke out after Mr O'Brien 'had accused McKenzie of allowing One Nation to take credit for the dairy code of conduct, and said it had been his intention to call a spill against her'. Can the minister confirm that her poor performance as Minister for Agriculture is causing tensions in her own party room?
Senator McKENZIE (Victoria—Minister for Agriculture and Leader of the Nationals in the Senate) (14:48): Thank you very much, Senator Bilyk. It's been great to head down to your home state recently to talk about how gangbusters agriculture is going in the great state of Tasmania. And it's not just agriculture: thanks to the election of the Liberal Hodgman government, it's fisheries and forestry as well. Our side of politics backs agriculture, its growth and development. The National Party knows how important a vibrant agricultural industry is to regional employment and how it underpins our national economy. That is exactly what we've been doing post the election: focusing on how we grow and develop agricultural employment and more market access; ensuring that our farmers are more competitive internationally—

The PRESIDENT: Senator Bilyk on a point of order.

Senator Bilyk: I'm rising on a point of order, on relevance. The minister has not gone anywhere near answering the question, which was: can she confirm that her poor performance as Minister for Agriculture is causing tensions in her own party room?

The PRESIDENT: Order. Senator Bilyk, I'm not going to allow the word 'relevance' to be inserted before re-reading the second part of a loaded question. It would be difficult for me to rule the minister out of order because, as I said yesterday, as long as ministers are directly referring to or addressing, including challenging, material or assertions contained in a question or a preamble—as long as they are directly doing that—I think that is being directly relevant. Senator McKenzie.

Senator McKENZIE: I reject the second part of that very long-winded question, but I'm very proud to talk about our government's performance in agriculture since the election.

The PRESIDENT: Senator Bilyk, a final supplementary question?

Senator BILYK (Tasmania) (14:50): Mr President, thank you; it is my final supplementary question, so maybe we can get an answer. Is the minister confident that she retains the support of her party room? One question.

Senator McKENZIE (Victoria—Minister for Agriculture and Leader of the Nationals in the Senate) (14:50): Well, Senator Bilyk, yes I do. We are very excited about the program we, as the National Party in government, continue to deliver for our regional communities, as we have for 100 years in this place. We're ensuring that not just our dairy farmers, through delivering a mandatory code six months' earlier than planned, but also our research and development corporations are fit for purpose in the 21st century. We're ensuring that we're going after new market access so that our beef industry, our fishing industry and our dairy industry have competitive prices around the world for our safe, sustainably harvested food production. We're making sure the changes we're making in workforce application right across the country ensure farmers have the workforce they need in the places, the areas they need them to get the crop off. We're making sure our water policy is right, because in this country you can't grow anything if you don't have your water policy settings right. I am absolutely confident in our agenda to deliver for agriculture. (Time expired)

Infrastructure

Senator RENNICK (Queensland) (14:51): My question is to the Minister representing the Deputy Prime Minister and Minister for Infrastructure, Transport and Regional Development, Senator Canavan. Can the minister advise the Senate how the Liberal-National government's
sound budget and economic management is guaranteeing funding for the infrastructure that Australian families and businesses rely on, including projects like the Inland Rail, in my home state of Queensland?

Senator CANAVAN (Queensland—Minister for Resources and Northern Australia and Deputy Leader of the Nationals in the Senate) (14:52): Thank you, Senator Rennick, for that very important question. There's a lot going on in infrastructure in Queensland. It's all part of our more than $100 billion spend—a record spend—on infrastructure. This government is making a record spend on infrastructure. That's supporting more than 80,000 jobs in Australia at the moment, with projects under construction.

You mentioned the Inland Rail, Senator Rennick. I know you're a big supporter of opening up agricultural opportunities in particular in this country, and the Inland Rail does just that. The Inland Rail is a nation-building project that will hook Melbourne up to Brisbane for the first time with a proper inland freight rail network. This will cut time, save money and support jobs.

Opposition senators interjecting—

Senator CANAVAN: It will create a steel Mississippi through the spine of our country, a corridor of commerce.

Opposition senators interjecting—

The PRESIDENT: Senator Rennick on a point of order?

Senator Rennick: Point of order, Mr President: despite being on the same side of the chamber, I'm having problems hearing the minister because of the interjections from the other side.

Opposition senators interjecting—

The PRESIDENT: Order! I would urge senators to heed the request of other senators who would like to hear an answer.

Senator CANAVAN: As I was saying, this will create a corridor of commerce in inland towns through our country. The CSIRO has estimated that this project will cut $76 a tonne off freight costs between Melbourne and Brisbane; it will allow it to be transported in under 24 hours. For the first time we'll have rail journeys between Melbourne and Brisbane taking less than a full day.

It is a shame that the speaker of Queensland is no longer with us, because I know he takes a keen interest in rail projects in his home state. Last week we signed a bilateral agreement with the Queensland government to finally get this project going in Queensland, and a big part of the spend—about $6 billion of the $9 billion project—will be spent in Queensland—in your home state, Senator Rennick, and my home state. This fantastic project is supporting more than 7,000 jobs in Queensland; around 15,000 jobs will be created through the life of this project. But it's not just about the jobs that are created during construction; it is about opening up our nation for commerce, it is about connecting up rural towns for better freight options, and it is supporting agriculture and the expansion of agricultural industries, because the closer they are to port then the closer they are to their customers in Asia, which will mean more production and more jobs here in Australia.

The PRESIDENT: Senator Rennick, a supplementary question?
Senator RENNICK (Queensland) (14:54): Can the minister outline how the government's sound economic management is enabling investment in this transformative infrastructure?

Senator CANAVAN (Queensland—Minister for Resources and Northern Australia and Deputy Leader of the Nationals in the Senate) (14:54): The only reason that this government has the capacity to make these nation-building investments—these game-changing investments for our country—is that we have managed our nation's budget. It's because we've managed other people's money better than others have done before us. We are producing the first surplus in this nation in a decade, and that allows us to have the capacity to invest in things that will make this country stronger. So, yes, this Inland Rail project is a large project, at over $9 billion, but by managing the budget properly we can have the funding to open up these opportunities for Australian farmers and for Australian regional communities.

But it doesn't stop there. We're also investing—

A government senator: There's more?

Senator CANAVAN: There is more. We're investing $44 million in a facilitation program—in an infrastructure improvement program—alongside the Inland Rail to help small projects, like to hook up with grain silos and sidings off this major trunk line. This will open up opportunities for small towns through rural New South Wales, rural Queensland and rural Victoria. This is a fantastic project that we are building on over many years to build a better, stronger—

The PRESIDENT: Order, Senator Canavan. Senator Rennick, a final supplementary question?

Senator RENNICK (Queensland) (14:55): How many jobs will the government's infrastructure agenda create in my home state of Queensland?

Senator CANAVAN (Queensland—Minister for Resources and Northern Australia and Deputy Leader of the Nationals in the Senate) (14:55): It will create thousands of jobs—thousands upon thousands of jobs will be created. I've already mentioned the 7,000 jobs from the Inland Rail. There are a lot of other projects as well. A few weeks ago we announced that we'd bring infrastructure funding forward to create more jobs sooner in Queensland. Around 28 infrastructure projects will start in Queensland next year. So as we go into Christmas—only a few weeks away from next year—we're only a few weeks away from thousands of jobs being created in Queensland due to our infrastructure funding. For example, there will be upgrades on the M1 Pacific Motorway from Eight Mile Plains to Daisy Hill and from Varsity Lakes to Tugun. Those two projects will create over 1,500 jobs. On the Bruce Highway a range of projects—including the Mackay Northern Access Upgrade, the Cairns Southern Access project, the Saltwater Creek Upgrade, the Maroochydore Road Interchange and Deception Bay Road Interchange—will all start next year, creating over 1,300 jobs. I'm going to run out of time, but there are other projects creating over a thousand jobs as well. Jobs and jobs and jobs and new infrastructure programs—

The PRESIDENT: Order, Senator Canavan.

Minister for Energy and Emissions Reduction

Senator WATT (Queensland) (14:56): My question is to the Minister representing the Minister for Energy and Emissions Reduction, Senator Birmingham. The minister yesterday refused to confirm whether the Minister for Energy and Emissions Reduction would submit to
an interview by the special strike force, Strike Force Garrad, established by the New South Wales police's State Crime Command's Financial Crime Squad to investigate his possible criminal behaviour. I ask the minister, will Minister Taylor submit to an interview with Strike Force Garrad: yes or no?

Senator BIRMINGHAM (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (14:57): That is not what I said to the chamber yesterday. I said very clearly that the minister has indicated, and the government has indicated, that we will cooperate, the minister will cooperate and his office will cooperate with the investigation.

The PRESIDENT: Senator Watt, a supplementary question?

Senator WATT (Queensland) (14:57): The minister yesterday undertook to update the Senate if the Minister for Energy and Emissions Reduction or anyone in his office had spoken to the New South Wales police. Has Minister Taylor or anyone in his office been interviewed by police? Can the minister guarantee that all current and former staff of Minister Taylor will be made available for interview and that all office material will be securely archived in light of the investigation?

Senator BIRMINGHAM (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (14:58): I have reflected on the question that was asked by the opposition yesterday. The opposition have asked for this inquiry and this investigation. The opposition have sought it, allegedly seeking an independent inquiry and investigation into this matter. Out of respect for an independent inquiry and investigation into this matter, I don't intend to come into this chamber and seek to provide a running commentary in relation to this investigation. The government has been clear there will be full cooperation with this inquiry and investigation. If there are questions in relation to the conduct of that inquiry and investigation, those questions ought to be directed to the New South Wales police.

The PRESIDENT: Senator Watt, a final supplementary question?

Senator WATT (Queensland) (14:59): I note the minister's evasions of these questions. Can the minister guarantee that all current and former staff of Minister Taylor will be made available for interview and that all office material will be securely archived in light of the investigation? Just guarantee it.

Senator BIRMINGHAM (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (14:59): Mr President, it's a good thing the Speaker of the Queensland parliament has already left and couldn't see the lack of agility from Senator Watt in relation to that question that he still read, despite the fact that question was clearly dealt with in the previous answer. Those opposite want to run a kangaroo court—

The PRESIDENT: Senator Wong, on a point of order.

Senator Wong: Mr President, this is about whether staff—who are actually the Prime Minister's staff, because all staff are the Prime Minister's staff—will be made available for the New South Wales police? The minister has evaded it once. I think the chamber's entitled to an answer.

The PRESIDENT: On the point of order, Senator Cormann.
Senator Cormann: On the point of order, not only was the minister directly relevant, he actually directly answered the question. He absolutely directly answered the question. As much as the Labor Party might think it’s a matter for Labor not only to write letters and initiate investigations but also to conduct these investigations, the minister is not in a position to provide a running commentary in relation to the conduct of an independent law enforcement investigation. The point of order that Senator Wong raised should be dismissed.

The PRESIDENT: It is not for the chair to rule on the content of answers as long as they are directly relevant. It is not for me to instruct the minister how to answer a question. There is an opportunity after question time for debating answers. The minister is being directly relevant, even if it is not the preferred mode of answer of those asking it. Senator Birmingham to continue.

Senator BIRMINGHAM: The government could not have been clearer about the full cooperation that will be provided to this investigation. But those opposite, who asked for this investigation, now seem to be doing everything possible to try to undermine or corrupt the investigation, rather than letting it run as an independent investigation. You don't like it, do you, Senator Wong?

The PRESIDENT: Order! Senator Wong, on a point of order.

Senator Wong: That is an inappropriate inference. We are not trying to influence the investigation. We're asking whether you will make your staff available, because we remember what Minister Cash did.

The PRESIDENT: Senator Cormann, I will take a submission from you on the point of order.

Senator Cormann: Again, Senator Wong is not raising a valid point of order; she is raising a debating point. Very clearly, the Labor Party think that not only should they be initiating a politically motivated investigation, they should also be conducting it and providing judgement.

Senator Wong interjecting—

Senator Cormann: This is a kangaroo court and a witch-hunt, if ever I've seen one.

The PRESIDENT: Order, Senator Cormann and Senator Wong. Senators Cormann and Wong, please resume your seats.

Honourable senators interjecting—

The PRESIDENT: Really? At the centre table? Senators Cormann and Wong, order! It is not for the chair to be ruling on the content of answers nor instructing ministers how to answer them, and points of order are not supposed to be debating points. Senator Birmingham to continue.

Senator BIRMINGHAM: The government has been clear: we will cooperate.

Senator Wong interjecting—

Senator BIRMINGHAM: We will cooperate, Senator Wong. We will cooperate throughout this investigation. You don't like the fact that we say we'll cooperate and that it's now an independent investigation, because you know what your track record is from independent investigations, initiated by Mr Dreyfus: eight-zip!
Tuesday, 3 December 2019

The PRESIDENT: Order, Senator Birmingham! Time for the answer has expired. Senator Cormann.

Senator Cormann: I ask that further questions be placed on the Notice Paper.

ANSWERS TO QUESTIONS ON NOTICE

Aged Care

Senator KENEALLY (New South Wales—Deputy Leader of the Opposition in the Senate) (15:03): I seek leave to ask the Minister for Aged Care and Senior Australians when the Senate can expect an answer to a question he took on notice in question time on Tuesday 26 November 2019.

Leave granted.

Senator KENEALLY: In question time on Tuesday 26 November 2019, the Minister for Aged Care and Senior Australians took on notice a question asked of him by Senator Ciccone. The question was: 'How many Australians have died whilst waiting for their home-care package in the last financial year?' On Monday 2 December 2019, I wrote to the minister and noted that he had not come back to the chamber with an answer to the question. I invited him to provide an answer to this question at the conclusion of question time yesterday, which he did not do. I ask the minister if he has an answer to the question: how many Australians have died whilst waiting for their home-care package in the last financial year? I indicate that the opposition will grant him leave to answer.

Senator COLBECK (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (15:04): As I indicated when Senator Ciccone asked me the question: it is a legitimate question and it's a serious question. What I would like to do is provide accurate information to the chamber. I commit to doing that as soon as I possibly can. I have received some advice from my department which I've asked for some additional information on. My office has gone back to the department to clarify that. I will supply an answer to the chamber as soon as I possibly can.

Senator KENEALLY (New South Wales—Deputy Leader of the Opposition in the Senate) (15:05): I seek leave to take note of the minister's response.

The DEPUTY PRESIDENT: Leave is granted for up to 10 minutes, Senator Keneally. I understand arrangements have been made.

Senator KENEALLY: I move:

That the Senate take note of the response.

We want an answer. We in the Labor Party want an answer to this question. Senator Ciccone asked Minister Colbeck a very straightforward question last Tuesday: Minister, how many Australians have died whilst waiting for their home package in the last financial year?

Whether by shame or incompetence, the minister has failed to provide this chamber with an answer. I wrote to the minister yesterday asking him to provide a response to the chamber after question time. We heard nothing from the minister yesterday and his silence, his lack of an answer here today, has necessitated this action. I note that since last Tuesday a number of government ministers have come to this place and provided answers to questions they took on notice or updated responses that they had given to the chamber. This is standard practice for
ministers. It's one of their most basic responsibilities. Yet, Minister Colbeck has even failed to do this today.

At Senate estimates on 23 October, Senator Watt and Senator O'NeiI asked officials about the number of people who had died in the 2018-19 financial year while waiting for their home care packages. Just to be clear: in October, Labor senators asked, 'How many people died in the 2018-19 financial year—a year that had come and gone—while waiting for their home care packages?' We know the figure for the previous financial year: 16,000 Australians died before they got the home care package that they were assessed as needing. Senators Watt and O'Neill were told that the department didn't have the updated figures yet for this last financial year. When pressed for a date that they would be available, the department responded: 'It is certainly close. I think it would be within a month'. Well, a month has come and gone. They have missed that deadline. We're now in the final sitting days of parliament for this year, and we are still without an answer from the minister and his department.

This is just like the contempt that the Prime Minister is showing for ministerial standards in relation to the Minister for Energy and Emissions Reduction. Here we have the minister for ageing showing contempt for this parliament and, more disgracefully, showing contempt for older Australians who need a home care package. Here we are, in the parliament, and the minister is refusing to answer a basic question in his portfolio. That may not grab the attention of the public in the same way it is grabbed by a minister in the other place who is being investigated by the New South Wales Police Force through a criminal task force—

Senator McGrath: You'd know all about that, wouldn't you?

Senator KENEALLY: That is not what this is. This is a minister, though, who is showing the same contempt for ministerial standards: that is, he is not answering a basic question asked of him in this parliament about a basic figure within his portfolio. It is a basic figure he should know, but it is not basic in terms of the import that it has for older Australians who are waiting for their home care packages, when 16,000 died waiting the previous financial year. All we want to know is how many died in the last financial year waiting for their home care packages. How far will ministerial standards slip under this third-term Liberal-National government? The minister has acknowledged that this is a legitimate question. He said last week:

This is a legitimate question. It's one of the reasons why the government takes the issue of aged care and the growth of aged care home care packages so seriously.

Well, if he takes it so seriously, how can he not know the answer? How can he be talking about increasing home care packages when he doesn't even know how many people are missing out on home care packages—how many people are dying waiting for their home care package?

It would appear that the basic responsibilities of a minister—answering questions from his parliamentary colleagues and being accountable to the Australian people—are a bridge too far for Senator Colbeck. He has shown contempt for the parliament. But more importantly and more significantly, through his administration of the ageing portfolio, which looks after older vulnerable Australians who need our help, seniors who have given their lives to building their families and their communities—in their time of need, when they need a home care package, what do they get from this government? Neglect, lack of information and an insufficient
Like many on this side of the chamber and in our community, I take the care of our older Australians very seriously. That's why late last month I asked the Minister for Aged Care about the number of Australians who have, sadly, passed away whilst waiting for a home care package. I and many others in this chamber, like many in our community, were horrified by the interim report handed down by the royal commission on aged care and, in particular, the number of older Australians who were left without the care and support they need so that they can live comfortably in their own homes.

The fact of the matter is that home care packages are drastically underfunded by this conservative government. Thousands and thousands of older Australians, sadly, are dying before they get the chance to receive the care that they deserve. Members of the community are right to demand transparency from their government on this issue as much as anyone else. They have a right to know how many older Australians have died waiting for a package this year, last year and the year before that. But, when I asked the minister a very simple question, the simple answer that we got from the minister at the time was that he simply did not have the latest figures. That is why we are seeking to have those figures tabled here in the chamber, and we gave the minister an opportunity again this afternoon to place on the record what that simple figure is. He has a whole department behind him—thousands of people who could easily provide him with that figure. From the comments that were provided by the minister earlier, I suspect that that figure is slowly making its way through. But, for whatever reason, the minister refuses to provide this chamber with a simple answer to a very simple question.

My community in Victoria deserves to know what the truth is. Every older Australian who is waiting for a home care package, and their family members and carers, deserves the truth. The minister must come to the Senate by the end of the week—ideally today or tomorrow—and provide an answer to my question. The fact that he didn't know the answer when I asked him in late November is outrageous enough. It demonstrated to all of us in this place that he is either uninformed about matters relating to his own portfolio or lacks interest. To delay his answer even further to hide the truth from the Senate and, through it, the Australian community is shameful. One is left to wonder why it is that other ministers, as Senator Keneally articulated earlier, have been able to table answers to questions asked in this chamber a lot sooner than Senator Colbeck has so far been able to do in relation to my question. What is the minister hiding? I think people in the gallery and those who are listening have a right to know why it is that the minister has taken so long to provide an answer to a very simple question.

It is a fundamental responsibility of this place to hold any government of the day to account. The Australian community expect us as senators to ask these very questions. These questions need to be asked. For any minister of the Crown to simply ignore this place—to disrespect the Senate and, through it, the Australian community—is very much unacceptable. I and my colleagues call on the minister to provide an answer to my question as soon as possible.

Question agreed to.
QUESTIONs WITHOUT NOTICE: TAKE NOuTE OF ANSWERS
Dairy Industry
Murray-Darling Basin
Minister for Agriculture

Senator CHISHOLM (Queensland) (15:16): I move:

That the Senate take note of the answers given by the Minister for Agriculture (Senator McKenzie) to questions without notice asked by Senators McCarthy, Sterle and Bilyk today.

I rise to take note of the answers given by Senator McKenzie to the questions asked by Senators McCarthy, Sterle and Bilyk. There's not much I want to remember about the federal election campaign, but there's one thing I do remember, and that is that Senator McKenzie demanded the agriculture portfolio. She actually went in there and said, 'I want the agriculture portfolio.' You would have to ask yourself why. Why did she want that portfolio? If you look at three significant issues that are confronting rural and regional Australia—and these have an impact on all Australians—on every issue the minister has either gone missing in action, mismanaged or failed to deliver. Let's look at those three issues. The dairy code of conduct: leaving dairy farmers hanging now for so long as they are doing it tough. The Murray-Darling Basin Plan: yesterday a target of protesting farmers in this place and around parliament. The drought response: always responding and never putting forward a cohesive plan for those communities impacted.

Let's go through each of those issues in a bit more detail. On dairy, the minister has overseen a complete market failure. They're not my words; they're the words of Senator McDonald, her own National Party colleague. Yesterday, what we saw in this place was the government refusing to allow debate on a bill that would secure milk prices and save the industry. The government would not even let us debate that issue. As we know, they have been keen to shut down debates on a number of issues over the last week.

In regard to the Murray-Darling Basin Plan, we know the minister was sidelined in the meeting between irrigators, impacted communities and businesspeople—a meeting once again organised by one of her own National Party colleagues, Senator Davey. Mr Littleproud was invited and Minister Ley was invited but the agriculture minister was not invited to that meeting yesterday that had those impacted irrigators, communities and businesspeople.

And we know that the response on drought has been flat footed. We know that the National Party and the minister have been ignored by the Prime Minister consistently on this issue. The minister is always on the back foot, so never putting forward a cohesive plan to deal with drought and look after these communities so that they know they have a long-term plan. Always playing catch up. Then, when the Prime Minister did make a piecemeal announcement, the National Party and this minister were sidelined.

There are so many issues to confront for regional and rural Australia. On every occasion this minister is not delivering. So damaging has this minister's performance been that it is causing divisions within the National Party itself. We know the position of the member for Lyne, Dr Gillespie. He warned that if the minister's draft code dudded farmers he would refuse to rule out a leadership tilt as a result. Her own colleagues are targeting this minister in terms of her performance when it comes to dairy. We also know that the minister's...
performance is causing colleagues to turn on each other—we know this from the question
time question put by Senator Bilyk to the minister in regard to a row between the member for
Capricornia and the member for Wide Bay over the minister's performance. So even her own
colleagues are turning on each other over the minister's performance, refusing to rule out a
challenge to her position, because they know that the performance of this minister is having
an impact in communities in rural and regional Australia.

Minister McKenzie's performance post election is: dairy code dysfunction, chaos in the
handling of the Murray-Darling Basin Plan and flat-footed on drought response for those
communities impacted. At the centre is National Party infighting over the minister's
performance, so much so that even Queensland's National Party colleagues are turning on
each other because of this performance. This minister is responsible for a policy failure on
dairy, a policy failure on the Murray-Darling Basin and a policy failure when it comes to
drought response in this country for so many communities that have been impacted so
devastatingly by the drought, and is standing by as rural and regional Australians are
suffering. The minister is responsible for these issues that are so important to these
communities, yet the minister is standing by and becoming a target of criticism for her own
colleagues. The National Party members are turning on each other. Instead of fighting for
those people who are suffering, those communities who are suffering and those people who
voted for them at the election, they're actually getting stuck into each other—so bad is the
performance by the minister. Not only do those dairy farmers in Queensland deserve so much
better but also rural and regional Australia deserves so much better from this minister and this
government.

Senator SESELJA (Australian Capital Territory—Assistant Minister for Finance, Charities and Electoral Matters) (15:21): If you wanted an example of why the Labor Party
are in opposition, we saw it in today's question time. We saw it in that performance from
Senator Chisholm, talking about their performance in Queensland, which we will come back
to, and we see it in the pathetic attacks on Senator McKenzie in this place. Senator Bilyk
asked about bullying in one of her questions. What I have seen over a period of time from the
Labor Party is that every time we have a high-performing senior female cabinet colleague the
Labor Party seeks to bully them. We see it with Senator McKenzie. We see it with Senator Watt all the time. We heard it from Senator Chisholm. We used to get it ad nauseam
from Senator Cameron. Every time there was a female colleague, particularly people like
Minister Cash, you would have the disgraceful bullying attacks coming from Senator Cameron.

Let's be clear: this pile on is not based on any substance. I listened very closely to these
questions. Issues around the dairy industry are very important, as is getting these things right,
but the questions didn't go to that. They went to tidbits of gossip that are being published by
unnamed sources in such and such a paper, in such and such a publication, asking about
absolutely nothing. This is what the Labor Party have resorted to. They're not prepared to
actually sit and debate the issues.

Senator McKenzie is going through the process of getting this right. Do you know what? A
reform like this is not easy. You are dealing with disparate interests in different parts of the
country. If it were that easy, it would have happened a long time ago. She is getting on with
the job of taking on that difficult reform. Instead of engaging in that discussion, we have the
politics of smear and bullying from the Labor Party which we have seen so often. I'm reminded again of Senator Cameron, when he would come into this place and say to Senator Cormann, 'Why do you need to hold Minister Cash's hand?' I remember Senator Cameron coming into this place and calling female colleagues 'silly school girls' when he didn't like what they were saying. This has been the modus operandi of the Labor Party, right up to the last election. They have been at it for the whole six years they have been in opposition. They have been at it for the six months since they were consigned to opposition again. If you want to get to the why, it is because they don't want to address the substance.

There are a lot of important issues to be talking about in this place, and the Labor Party have failed to address them. That is why they go to the politics of fear and smear. They are walking away from their attack on Minister Taylor. After having a fruitless go at Minister McKenzie, they come right at the end. I wonder why they're walking away from that attack. I put it to senators: why? It might be because, far from it being Minister Taylor's credibility that's now on the line, it's now shadow Attorney-General Dreyfus's credibility that is on the line.

Senator Walsh interjecting—

Senator SESELJA: You may laugh, Senator, but when you've got a record of that many vexatious referrals to the police, that much wasting of the resources of police on your baseless political attacks, who is going to hold you to account? If the police were to come back and say, 'Nothing to see here,' as they have every other time that Minister Dreyfus has actually referred someone, wouldn't it be time that shadow Attorney-General Dreyfus resigned? How many more times can he get it wrong?

They don't want to talk about that anymore because that attack isn't working. They're very comfortable in the bullying, gossipy, aggressive attacks on Minister McKenzie, which are getting nowhere near the substance. I'll tell you this, Deputy President: they don't want to talk about the facts because when it comes to policy, we know where they stand. When it comes to the economy, they know they don't have a leg to stand on. What was their economic policy, and what is still their economic policy? It's $387 billion of extra taxes. The politics of envy. The politics of class warfare. They talked about the NDIS in their questions. Let's look at their record. They weren't able to deliver the NDIS. They didn't have the money. They left a funding gap. They couldn't list drugs on the PBS anymore because they couldn't manage the budget and couldn't manage the economy.

When your record is as bad as the modern ALP, I would suggest it is time to change tack. Senators opposite, the bullying and smearing and politics of fear may suit your personalities but it does nothing to benefit debate in this country and nothing to bring you back into government. (Time expired)

Senator WALSH (Victoria) (15:26): The minister has been asked important questions that go to her capacity and her performance in her portfolio. She's been asked about delays to her long-awaited dairy code. She's been asked why her backbench is taking matters into their own hands and going straight to industry themselves in search for solutions. She's been asked how her dairy code has 'duded' farmers—that's a quote from her own side, not from the Australian Labor Party—and how her dairy code has caused leadership rumblings in her own party. She's been asked today why meetings about solutions for farmers are being held by the
Nationals without the Minister for Agriculture even being invited. She's been asked today about growing tensions in her own party room about her leadership.

These are questions that result from her performance in this portfolio, a critical portfolio for Australian farmers and, of course, for many communities. At a time when hundreds of dairy farmers are being forced to leave the land, these questions raise really serious issues about the minister's capacity to come up with solutions. They raise serious issues about her capacity to manage her portfolio and they raise serious issues around this minister's leadership. What we've heard from the minister today in answer to our questions are statements along the lines that she supports dairy farmers and that she acknowledges that dairy farmers are doing it tough. She says that she is confident in her ability to deliver, but the question is: is her party confident in her ability to deliver? Are Australian dairy farmers confident in this minister's ability to deliver? Is the community confident in her ability to deliver?

Today Senator McKenzie's answers are really all just words. This minister is all delay and no action. Now we're seeing a revolt in the Nationals, in her own party, against her performance in this portfolio. When you listen to the comments made by Senator Seselja today as well, even he has failed to back her in. All he could do today, in his efforts, was attack the record of the Australian Labor Party, but what we're asking about today is Senator McKenzie's record. We're asking about her record, her accountability to the Australian people and her accountability to Australian dairy farmers.

It seems that, yet again, the junior partner of the coalition is in quite some strife. We know that this government is used to airing their dirty laundry publicly when it comes to their leaders, and they're not shy about kicking them out either. But the fact that we have yet another member of the National's leadership team with a question mark over her leadership is absolutely unbelievable. Let's face it, after her answers to our questions we are no closer to finding out whether she actually does have the true confidence of her colleagues and her party room. It certainly doesn't look like she does from the commentary of her own party over the last few weeks.

Over the last few weeks we've seen, time and time again, examples of Nationals senators and MPs publicly calling the minister out. They've been calling her out on her record, going behind her back, bypassing her and even refusing to rule out a challenge to her leadership position. That is where we are with the Nationals today. If this is the level of confidence in the minister from her own party, how can the parliament and the public be confident in her ability to do her job?

We are really yet to see any meaningful action on the crisis facing dairy farmers today from this minister. This is an industry that is in crisis, and what they don't need is a minister in crisis, they don't need a National Party in crisis and they don't need a government in crisis.

(Time expired)

Senator BROCKMAN (Western Australia—Deputy Government Whip in the Senate) (15:31): I know that the Labor Party has sunk to new lows following the election. I know they're struggling to get back in the game but, really, outsourcing their agricultural policy to One Nation? That is just quite extraordinary. We had Senator Chisholm stand up and describe how they were supporting the proposal put forward yesterday in this place—the dairy bill put
forward by the One Nation party. I find that just so extraordinary, because it just shows how little knowledge the Labor Party actually has of the bush and of agriculture.

That policy would be absolutely disastrous. Floor prices, as I have spoken about in this place before, are a disaster for agriculture. They have been repeated disasters across wool, sheepmeat in Western Australia and the wheat market. Various other forms of price control and controlled marketing have been an absolute disaster for the Australian agricultural sector repeatedly and over generations. The wool reserve price scheme, which collapsed in the early nineties, led to 10 to 15 years of struggle for that industry. Only in the last six or seven years has it found its feet after a period of stagnation. Floor prices have disastrous outcomes.

Let's have a look at the bill that One Nation has put forward and which Labor is enthusiastically supporting. Think about that again, those opposite, and those listening here today: you're enthusiastically supporting a rural policy put forward by One Nation. It makes it an offence for processors to purchase milk at a price below a determined base price. This is going to be a deterrent for processors to buy milk from farmers in regions with a higher farmgate price. Think about that for a moment: why are you going to buy milk from farmers in places like Queensland, where Senator McGrath comes from, my home state of Western Australia or northern New South Wales if they have a floor price which is too high? You would go for the cheapest source of production, which, in Australia, is the Victorian farmers, who largely supply an international market.

The proposed bill therefore incentivises the purchase of milk away from those higher-cost producers in Queensland, northern New South Wales and Western Australia. That makes it even more difficult for those places to compete. This bill will destroy the fresh milk market in places like Queensland, northern New South Wales and Western Australia—my home state. Farmers will be left with milk in vats because their milk will not be nationally competitive.

Minister McKenzie is doing an absolutely outstanding job. The dairy code of conduct is a very important reform, but it is something that this government, and Minister McKenzie, is absolutely determined to get right. She wants the whole industry on board, understanding what the code is going to do and how it will operate, and to make sure that the dairy code of conduct is fit for purpose. That means significant amounts of consultation, which is what Minister McKenzie has been doing.

Those opposite also want to attack the government over the response to drought. It is a comprehensive response, and it should be acknowledged and talked about as a positive that we do have the resources to be able to respond to difficult circumstances, to be able to help those farmers in need and to be able to make it the highest priority of government, as this government has done, particularly since coming back into government. What have we done? In our latest announcements we have committed over $709 million to support farmers. There is $50 million to extend the Drought Communities Program to even more councils, $10 million to keep kids in schools and $5 million for child care. There are drought loans of up to $2 million with no repayments or interest for the first two years, a new small-business drought loan, $200 million extra in the Building Better Regions Fund and $138.9 million in Roads to Recovery for drought affected areas. We've committed an additional $355 million to step up our drought response. Our latest announcement triples this to more than $1 billion since the election, as well as more than $1 billion in new interest-free loans to help see people through
the hard times. This government is acting. This government cares about the bush. (Time expired)

Senator MARIELLE SMITH (South Australia) (15:36): I also rise to take note of answers to questions from Senators McCarthy, Sterle and Bilyk, but before I do I can't help but call out the appalling hypocrisy of senators on the other side, particularly Senator Seselja, who accused members on this side of sexism. Are their memories so short? I remember the Gillard prime ministership. I remember the 'Ditch the witch' posters out the front of Parliament House which senators and members stood in front of. I remember the way our first female Prime Minister was treated. I remember the way other Labor women members of parliament have been treated. Instead of defending the minister in question, Senator McKenzie, defending her performance and her record on these issues and defending her policy failures, they have the audacity to come after Labor senators on the issue of sexism—the audacity! I remember, we remember, the public remembers how you treated our first female Prime Minister.

Now to the issue, and the issue is Minister McKenzie and the performance of a minister in the portfolio of agriculture, which is a portfolio she wanted and a portfolio that seems to be run by backbenchers. That's what the questions today were about. They were questions on backbenchers being better advocates for the dairy industry to the CEOs of Coles and Woolworths than is the minister. They were questions about backbenchers organising policy meetings which the minister wasn't invited to. Actually, we had the extraordinary revelation that there are lots of meetings that the minister isn't invited to. I wonder how many others in her portfolio she is ignored on and separated from? Backbenchers are running the portfolio.

When we asked questions about the leadership within the Nationals, questions about internal instability and questions about debates over policy we got deflect, deflect, deflect. Then, when we came in here to debate this issue further, we got that extraordinary display from Senator Seselja. We got not a defence of the minister; not a defence of policy failures; not a defence of whatever's going on in the National Party; and not an admission that backbenchers, not the executive, are running the show. We got not an admission that backbenchers are running the portfolio. They are running the show. When you don't have anything to talk about yourself, when you don't have your own policies, when you can't control your backbench, when your leadership is in trouble, when your position is in trouble, you go after us. As you keep reminding us, day in, day out, we're not the government; you are. You're the government. These are your responsibilities to own up to. This is your portfolio to take control over—to take control off the backbench and give it to the executive—but you don't. You just focus on us. You focus on One Nation. The Nationals are meant to be standing up for rural and regional South Australians. That's what they tell us every day. That's their constituency—rural and regional South Australians. Where are they on dairy? I know where the backbench is actually—they're doing a pretty reasonable job. Where's the minister? What's she doing?

How are the Nationals going in South Australia? That's where it's heading. If you can't get control over this, if you can't get control over the policy, if you can't show leadership, if all you can do is focus on us, if all you can do is stoop so low as to launch those extraordinary attacks on Labor senators, given the track record of your side on these issues—what hopelessness is that? How hopeless for the people who depend on the Nationals. How
hopeless for our dairy farmers. How hopeless for people in rural and regional Australia. How hopeless is it that backbenchers are running the show. The backbenchers are advocating more than the minister, and we're asking: where is she? What's she doing about it? And all you will do is focus on us. Focus on the policy.

Question agreed to.

**Climate Change: Great Barrier Reef**

**Senator WATERS** (Queensland) (15:41): I move:

That the Senate take note of the answer given by the Minister for Trade, Tourism and Investment (Senator Birmingham) to a question without notice asked by Senator Waters today.

I asked about the state of the reef because, of course, over the weekend, the government handed in Australia's homework to the World Heritage Committee. People might remember—I certainly remember—that four years ago the reef narrowly avoided being listed as 'in danger'. Such a listing would have, of course, sent massive shock waves through the tourism industry. This government really had a strong warning then. Do you think they did anything about it in the intervening four years? Sadly, no. What we saw over the weekend was a glossy report that contained phrases like, 'We're actively managing the key pressures.' And rather than acknowledging what has been a drastic decline in the health of the reef it uses phrases like, 'There have been impacts on the overall universal value of the reef.' Those impacts are dire indeed. After those two bleachings in 2016 and 2017, 50 per cent of the coral cover of the reef died—it bleached and then it died, so it isn't coming back from that. Not only that, we then saw the Great Barrier Reef Marine Park Authority do its standard assessment of the reef's health and downgrade its assessment of the long-term health of the reef from 'poor'—which is already an embarrassment—to 'very poor'. This is the government's own agency sending a damning assessment of the long-term health of the Great Barrier Reef. And what does this government do? It hands in its homework basically saying, 'Go back to sleep. Everything's fine.' And this is after our delegation, at that World Heritage Committee pre-meeting, had lobbied for climate change to not be a relevant consideration when thinking about whether sites should be on the endangered list. So I'm afraid this government has got an absolutely atrocious track record when it comes to addressing the health of the reef. I asked the minister this, and his response was: 'We made a record investment.' They privatised the management of the reef by giving almost half a billion dollars to a small charity that may well do good work but that certainly hadn't sought half a billion dollars of public funds to somehow manage the terrible state that the reef is in.

We've had subsequent Senate inquiries along those lines, and my colleague Senator Whish-Wilson has done some excellent work in uncovering the absolute dodginess and lack of transparency in that particular financial decision of government. But that doesn't deter this government—the privatisation of the reef and an absolute tone deafness to the climate science.

I then asked the minister: 'What about the IPCC report?'. That is the international regular climate report that says coral reefs are in real strife. We all know that the climate has already changed by one degree, but these scientists are saying if we hit 1½ degrees, we'll lose 90 per cent of coral reefs. And what's even more scary is that, if you hit two degrees of warming, you lose all coral reefs—100 per cent gone, nada. The livelihoods of 64,000 people who rely on the Great Barrier Reef remaining in the state that it is in, remaining moderately healthy,
would be gone. That would be all of those jobs and one of the seven natural wonders of the world gone.

Rather than sit with the enormity of that scientific advice, this government instead does the 'la, la, la, la, we are meeting and beating our targets'. The science is saying your targets are too weak. Nobody accepts you are going to meet them, even if you did, they are still too weak. They have us on track for at least three degrees of warming, when at two degrees we lose all coral reefs. When are you going to wake up? I ask why the reef homework didn't mention the millions of dollars in donations from big coal, big oil and big gas to this government and, frankly, to the Labor Party as well, because we think that’s why we have non-existent climate policy and we think that’s why the reef is in such a predicament—because this government is getting paid by the coal and fossil fuel industries to have terrible policies that trash the reef.

The President, who is in the chair at the minute, said there wasn't enough link between that issue and my question about the reef. If you can't understand the link between coal and climate change and the fact that it is cooking the reef then that is indeed a grave problem. So I maintain that the question was perfectly relevant; in fact, that is the whole point. This government cannot see that and it is an absolute travesty because we have the future of the largest living organism on the planet at stake. The scientists have been ringing the warning bells and alarm bells for years. There are 64,000 people who deserve to have their jobs protected. You don't hear this mob talking about their jobs or their livelihoods because they're too busy taking the money from big oil, big coal and big gas. We will keep advocating and working as hard as we can to protect what is left of the reef. But this government just keeps taking the money and the reef's future is at stake.

Question agreed to.

NOTICES

Presentation

Senator McGrath to move on the next day of sitting:

That the Senate—

(a) notes that the Urannah Water Scheme will:

(i) increase water security for the Mackay, Isaac and Whitsunday regions,
(ii) provide a storage capacity of over 1.5 million megalitres,
(iii) generate electricity with a hydro-power plant, and
(iv) create new jobs in regional Queensland; and

(b) commends:

(i) Bowen Collinsville Enterprise, including its Chairman, Mr Paul McLaughlin and former Chairman, Mr David Evans, for their long and continued advocacy of the Urannah Water Scheme, and

(ii) the Federal Government for providing a $10 million grant to fund a detailed business case and Environmental Impact Statement of the Urannah Water Scheme.

Senator Dean Smith to move on the next day of sitting:

That the Senate—

(a) notes that the 2020 Australian of the Year Awards finalists were announced on 13 November 2019;
(b) notes that the Australian of the Year Awards has four categories, including Young Australian of the Year, which celebrates exceptional 16 to 30 year-olds who have succeeded from all different walks of life;

(c) recognises the 2020 WA Young Australian of the Year nominee, Mr Yarlalu Thomas, a Nyangumarta Pitjikarli man from Warralong, south-east of Port Hedland, Western Australia; and

(d) congratulates the other nominees from Western Australia:
   (i) Ms Annie Fogarty, AM, of the Fogarty Foundation, Perth, nominated for 2020 WA Australian of the Year,
   (ii) Professor John Newnham, AM, of the University of Western Australia, Perth, nominated for 2020 WA Senior Australian of the Year, and
   (iii) Ms Suzy Urbaniak of the CoRE Learning Foundation, Victoria Park, nominated for 2020 WA Local Hero.

Senator Fierravanti-Wells to move 15 sitting days after today:
That the Financial Sector (Collection of Data) (reporting standard) determination No. 30 of 2019, made under the Financial Sector (Collection of Data) Act 2001, be disallowed. [F2019L01196]

Senator Hanson to move on the next day of sitting:
(1) That the Senate notes that—
   (a) the number of registered Australian dairy farms has fallen from 5699 in July 2018 to 5200 at present;
   (b) milk production has fallen from 12 billion litres in 2000 to 8 billion litres in 2019;
   (c) dairy foods play an important part in Australia’s food security and human health;
   (d) none of the recommendations contained in the final report of the Australian Competition and Consumer Commission’s Dairy Inquiry, dated April 2018, have been implemented;
   (e) Australia is forecast to import more dairy products than it exports by 2023;
   (f) four foreign-owned milk processors control an increasing proportion of milk production in Australia setting the price at the farm gate, and that during the period 2013 to 2017, these processors had revenues in Australia of over $160 billion but paid less than $160 million in income tax or a rate of less than 1%;
   (g) the main dairy export countries, including New Zealand which is the largest dairy exporter in the world, have a regulated farm gate milk price;
   (h) regulation of farm gate milk prices is correlated with growth in milk production and increasing exports, whereas Australia’s export of dairy products has been in decline;
   (i) on 11 November 2019, the Federal Government voted against the Protecting Australian Dairy Bill 2019; and
   (j) on 2 December 2019, the Federal Government voted against debating the Saving Australian Dairy Bill 2019.
(2) That the Senate requires the Minister for Agriculture to attend the Senate on Thursday, 5 December 2019, before government business is called on, to provide an explanation of no more than 10 minutes of the Government’s plan to save the dairy industry from long-term decline.
(3) At the conclusion of the explanation, any senator may move to take note of the explanation.
(4) Any motion under paragraph (3) may be debated for no longer than 60 minutes, shall have precedence over all business until determined, and senators may speak to the motion for not more than 10 minutes.
**Senator Urquhart** to move on the next day of sitting:

That there be laid on the table by the Minister representing the Minister for Industrial Relations, by no later than 12.45 pm on 5 December 2019, the government’s response to the report of the Education and Employment References Committee, *The people behind 000: mental health of our first responders*, tabled on 14 February 2019.

**Senators Davey and Henderson** to move on the next day of sitting:

That the Senate—

(a) notes that:

(i) the Intergovernmental Panel on Climate Change, which advised the United Nations Framework Convention on Climate Change, stated in their 4th Assessment: ‘A sustainable forest management strategy aimed at maintaining or increasing forest carbon stocks, while producing an annual sustained yield of timber, fibre or energy from the forest, will generate the largest sustained mitigation benefit’,

(ii) all Australia’s native forests, including the Victorian native forest estate, are certified to the global standard of Programme for the Endorsement of Forest Certification, which is the world’s largest certification scheme for forestry and is only available to countries that practise sustainable forest management,

(iii) on 7 November 2019, the Victorian Labor Government announced it will cease all native forest harvesting in state forests by 2030, stepping down production from 2024,

(iv) the annual economic impact on the native forestry value chain and regional communities is expected to be more than $297.3 million,

(v) more than 4700 workers, their families and communities will be negatively impacted as a result of the Victorian Labor Government’s decision,

(vi) regional towns and communities across Victoria, including Orbost, Benalla, Heyfield, Noojee, Violet Town, Powelltown and Corryong, are likely to be negatively affected by this decision, and

(vii) this decision creates a disturbing precedent undermining confidence in communities relying on native forestry across Australia; and

(b) calls on all parties to:

(i) recognise the significant contribution the Victorian native hardwood forestry industry contributes to the economy and to rural and regional communities,

(ii) condemn the Victorian Labor Government for seeking to destroy the Victorian native timber industry and forestry workers right to earn a living, and

(iii) call on the Victorian Labor Government to listen to the regional communities directly affected, and reverse this decision.

**Senator Gallagher** to move on the next day of sitting:

That the Senate—

(a) notes that:

(i) the Australian Public Service (APS) performs an essential role, from protecting our national security to supporting the most vulnerable members of our community,

(ii) the APS is an enduring institution in our democratic system that exists to serve the government of the day but remains impartial in its delivery of frank and fearless advice, and

(iii) for the APS to continue to meet the needs of the Australian community and adapt to a changing environment, it will need strong leadership, cultural change and long-term vision from governments of both political persuasions;
(b) notes that the Independent Review of the APS, the 'Thodey Review', touted as a 'once in a generation review', is yet to be released despite being received by the Federal Government two months ago; and

(c) calls on the Federal Government to release the 'Thodey Review' to the public before the end of 2019.

**Senator Cash** to move on the next day of sitting:

That the following bill be introduced: A Bill for an Act to amend legislation relating to transport security, and for related purposes. *Transport Security Amendment (Testing and Training) Bill 2019*.

**Senator Cash** to move on the next day of sitting:

That the following bill be introduced: A Bill for an Act to amend the *National Vocational Education and Training Regulator Act 2011*, and for related purposes. *National Vocational Education and Training Regulator Amendment Bill 2019*.

**Senator Siewert** to move on the next day of sitting:

That the Senate—

(i) notes that:

(ii) the low rates of payments means they are unable to afford gifts and the additional costs associated with the festive season, resulting in exclusion from participating in seasonal activities and events,

(iii) the social isolation and exclusion people feel when they cannot participate in their community or partake in family activities is devastating for their emotional and social well-being and sense of being part of the community, and

(iv) this situation is particularly hard for children; and

(b) calls on the Federal Government to immediately increase Newstart and Youth Allowance so that people in our community are not isolated and excluded.

**Senator Roberts** to move on the next day of sitting:

That there be laid on the table by the Assistant Minister for Superannuation, Financial Services and Financial Technology, by 9.30 am on 5 December 2019, the draft response to the recommendations of the Royal Commission into Financial Services that relate to the Banking Code of Practice enforceable provisions and penalties for non-compliance.

**Senator Roberts** to move on the next day of sitting:

That there be laid on the table by the Minister for Defence, by 10 am on 4 February 2020, blood and/or genetic testing on humans and livestock, that:

(a) was taken within the contamination zones, including private land, related to RAAF Base Richmond, RAAF Base Williamstown and Williamtown Airport;

(b) shows the level of per- and poly-fluoroalkyl substances (PFAS);

(c) is the actual testing result for each test taken; and

(d) are all the tests taken within the last 24 months.

**Senator Faruqi** to move on the next day of sitting:

That the Senate—

(a) notes that the Federal Government has announced a review of Australia's foreign aid program;

(b) notes with concern that:
Australia's foreign aid budget has been cut by 27% since its peak in 2012-13, and is well below the average for countries in the Organisation for Economic Co-operation and Development (OECD),

(ii) the Liberal Government cut $117 million from the aid budget in 2019-20—if current trends continue, Australia's foreign aid program will be in the bottom third of all OECD countries by 2020-21,

(iii) Australia's current aid commitment stands at an abysmal 0.21% of Gross National Income (GNI), well below Australia's United Nations obligation of 0.7% of GNI,

(iv) aid programs in south and east Asia have been cut drastically, and

(v) the Liberals' budget cuts and political repurposing of aid to serve Australia's self-interest have decimated our foreign aid program;

(c) calls on the Federal Government to ensure the review is conducted independently and the findings are shared publicly; and

(d) calls on the Federal Government to:

(i) increase our foreign aid budget to at least match Australia's UN obligation at 0.7% of GNI, and

(ii) use the review as an opportunity to reset their approach to foreign aid and put poverty reduction, climate resilience and social justice at the heart of our foreign aid program.

Senator Di Natale to move on the next day of sitting:

That the Senate—

(a) acknowledges that the Australian Medical Association, the Royal Australasian College of Physicians, the Australian College of Emergency Medicine and the Australian College of Rural and Remote Medicine, representing more than 50,000 Australian doctors, have all declared climate change a public health emergency;

(b) recognises that these highly-respected health and medical organisations have stated that climate change now poses an unprecedented and deadly threat to human lives, and have urgently called on all governments to address the climate emergency by:

(i) expediting the transition from fossil fuels to zero emission renewable energy across all economic sectors, with support to affected communities,

(ii) developing and implementing a national climate change and health strategy based on the framework developed by the health sector, and

(iii) advancing comprehensive heat hazard reduction strategies to minimise heat exposure and sensitivity across Australia, paying particular attention to the needs of vulnerable populations;

(c) further acknowledges that, through the Climate and Health Alliance, more than 50 health, social welfare and conservation groups have joined together in an open letter to the Parliament, to highlight the unprecedented and profound threat of climate change on the health of people and the health system; and

(d) calls on the Federal Government to listen to the experts, and act now to follow the 965 jurisdictions in 18 countries that have already declared a climate emergency, and take the urgent actions required to protect human and environmental health.

Senator Watt to move on the next day of sitting:

That paragraph (5) of the resolution of the Senate of 4 July 2019, appointing the Select Committee on the effectiveness of the Australian Government's Northern Australia agenda, be amended to provide: That 3 members of the committee constitute a quorum of the committee, provided that the quorum shall include one Government member and one Opposition member.

Senators Stoker and Carr to move on the next day of sitting:
That the time for the presentation of the report of the Legal and Constitutional Affairs Legislation Committee on the provisions of the Native Title Legislation Amendment Bill 2019 be extended from 28 February 2020 to 16 April 2020.

**Senator Rice** to move on the next day of sitting:

(1) That the Senate notes that:

(a) in briefings prepared for the Assistant Treasurer, the Australian Bureau of Statistics indicated that the October 2019 field test for the 2021 Census would include questions on sexual orientation and gender identity;

(b) the Australian Statistician has given evidence to the Economics Legislation Committee that the Assistant Treasurer, or his office, expressed a preference about the use of forms without questions on sexual orientation or gender identity in the field trial; and

(c) the October 2019 field trial proceeded without questions on sexual orientation or gender identity.

(2) That there be laid on the table by the Minister representing the Assistant Treasurer, by no later than 2 pm on 5 December 2019, all communications to the Australian Bureau of Statistics from the Assistant Treasurer, or his office, in relation to these questions, including any reasons for not proceeding with these questions in the field trial.

**Senator Rice** to move on the next day of sitting:

That the Senate—

(a) notes that—

(i) two gay Saudi journalists are currently being detained by the Australian Government after fleeing their home country where homosexuality is punishable by death,

(ii) it is reported that the two men were outed by their own government after contact with foreign media, and feared death and torture, and

(iii) the men have drawn similarities between their treatment in Saudi and their treatment in Australian detention—they have allegedly been threatened with violence from other detainees in the centre and been intimidated by guards; and

(b) calls on the Australian Government to:

(i) acknowledge the increased risk these men face being held in detention due to their sexuality, and

(ii) expedite the assessment process for these two journalists and ensure their safety while their claims for asylum are assessed.

**Senator Waters** to move on the next day of sitting:

That the Senate—

(a) notes that:

(i) the overall national toll for women killed by violence since the start of 2019 now stands at 51, as reported by Counting Dead Women Australia from Destroy The Joint,

(ii) there is no national government reporting program to record the ongoing toll of women killed by violence in real time,

(iii) on average, one woman is murdered every week by her current or former partner,

(iv) according to the Australian Bureau of Statistics Personal Safety Survey 2016:

(A) more than 370,000 Australian women are subjected to violence from men each year,

(B) 1 in 3 Australian women has experienced physical violence,

(C) 1 in 5 Australian women has experienced sexual violence,
(D) 1 in 6 Australian women has experienced physical or sexual violence by a current or former partner,

(E) 1 in 4 Australian women has experienced emotional abuse by a current or former partner,

(F) Australian women are nearly three times more likely than men to experience violence from an intimate partner, and

(G) Australian women are 2.5 times more likely to be hospitalised for assault injuries arising from family and domestic violence than men, with hospitalisation rates rising by 23% since 2014-15,

(v) in 2017, young women aged between 15 and 34 accounted for more than half of reported sexual assaults,

(vi) there is growing evidence that women with disabilities are more likely to experience violence,

(vii) Aboriginal and Torres Strait Islander women report experiencing violence at 3.1 times the rate of non-Indigenous women,

(viii) in 2016-17, Indigenous women were 32 times as likely to be hospitalised due to family violence as non-Indigenous women,

(ix) the Fourth Action Plan of the National Plan to Reduce Violence against Women and their Children 2010-2022 states that the overall prevalence of violence against women will only start to decrease in the very long term as gender roles change, and

(x) the Fourth Action Plan recognises that demand for domestic and family violence services has increased, and will continue to increase; and

(b) calls on the Federal Government to:

(i) recognise domestic violence against women as a national security crisis,

(ii) adequately fund frontline domestic, family and sexual violence and crisis housing services to ensure that all women seeking safety can access these services when and where they need them,

(iii) legislate for 10 days paid domestic and family violence leave so that women do not have to choose between paying the bills and seeking safety,

(iv) ensure that all government-funded counselling services for domestic and family violence are delivered by expert family violence service providers, in accordance with the National Outcome Standards for Perpetrator Interventions,

(v) implement all 25 recommendations contained in the report of the Finance and Public Administration References Committee on domestic violence in Australia, tabled on 20 August 2015, and

(vi) maintain and publish an official real-time national toll of women killed by violence in Australia.

Senator Di Natale to move on the next day of sitting:

That the Senate—

(a) notes that:

(i) there were 10.9 million medical ultrasound examinations funded by Medicare last year,

(ii) the outcome of an ultrasound is reliant on the competence and expertise of the sonographer,

(iii) sonographers are the only medical imaging profession not regulated in Australia, and

(iv) calls to have sonographers regulated under national law are supported by the Australasian Sonographers Association, the Medical Radiation Practice Board, the Australian Medical Association and other medical fraternity, Australian health unions and the diagnostic imaging industry; and
(b) calls on the Federal Government to support the proposal for sonographers to be regulated by adding the profession to the list of imaging professions already regulated by the Medical Radiation Practice Board of Australia.

**Senator Keneally** to move on the next day of sitting:
That the Senate—
(a) notes that:
(i) the Department of Home Affairs employs nearly 2000 dedicated and hardworking Australians to process visa applications across the country and the world,
(ii) this is crucial work that ensures the integrity of our visa processing system and is the cornerstone of our sovereignty as a nation,
(iii) the Federal Government’s plan to privatise Australia’s visa system threatens the livelihoods of thousands of Australians and their families, and
(iv) privatising Australia’s visa system will lead to increased costs of visas, greater risks of worker exploitation, data security breaches and will make protecting national security more difficult;
(b) condemns the Federal Government for auctioning Australian jobs off to the highest bidder, and for undermining the integrity of our visa processing system and our nation’s sovereignty; and
(c) calls on the Federal Government to guarantee the protection of the 2000 visa processing jobs which will be lost under the Morrison Government if they persist with their efforts to privatise Australia’s visa system.

**Senator Keneally** to move on the next day of sitting:
That the following bill be introduced: A Bill for an Act to amend the Telecommunications Act 1997, and for related purposes. *Telecommunications Amendment (Repairing Assistance and Access) Bill 2019*.

**Senator Keneally** to move on the next day of sitting:
That the Senate—
(a) notes that:
(i) on 16 November 2019, applications opened for two new skilled regional visas – the Skilled Work Regional (Provisional) visa (subclass 491) and the Skilled Employer Sponsored Regional (Provisional) visa (subclass 494),
(ii) the New Skilled Regional Visa (Consequential Amendments) Bill 2019 (the Bill) is an important piece of legislation which would ensure that ‘holders of these provisional skilled regional visas will have the same access to welfare payments and government services as permanent visa holders where eligible’,
(iii) the Bill was introduced by the Federal Government into the House of Representatives on 31 July 2019,
(iv) the Bill passed the House of Representatives on 14 October 2019, and was introduced in the Senate on 17 October 2019, and
(v) to date, the Bill has remained without debate in the Senate for nearly two months;
(b) condemns the Federal Government for:
(i) failing both new Australians and our rural and regional communities through their mismanagement of their limited legislative agenda, and
(ii) prioritising the privatisation of Australia’s visa processing system over appropriately supporting current visa holders and the communities that they now call home; and
(c) calls on the Federal Government to properly consider and debate the New Skilled Regional Visas (Consequential Amendments) Bill 2019, as a matter of urgency.

Senator Griff to move on the next day of sitting:

That the Senate—

(a) notes that the 35th edition of the Australian Gambling Statistics, published by the Queensland Government Statistician's Office and released this week, show:

(i) $24.88 billion was lost by Australians in the year 2017-18,
(ii) over half of the total gambling losses came from pokies—with $12.52 billion lost, and
(iii) losses from the sports betting industry grew by 16.3% to $1.2 billion;

(b) further notes the response from Alliance for Gambling Reform chief advocate, Reverend Tim Costello, that there are direct connections in some instances between gambling harm and family violence and mental ill-health; and

(c) calls on the Federal Government to address gambling harm as a public health issue.

Withdrawal

Senator DI NATALE (Victoria—Leader of the Australian Greens) (15:48): I withdraw general business notice of motion No. 296 standing in my name relating to the establishment of a select committee.

BUSINESS

Rearrangement

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (15:48): At the request of Senator Ruston, I move:

That on Wednesday, 4 December 2019, consideration of the business before the Senate be interrupted at approximately 5 pm, but not so as to interrupt a senator speaking, to enable senators to make valedictory statements relating to Senator Bernardi.

Question agreed to.

MOTIONS

International Day of People with Disability

Senator URQUHART (Tasmania—Opposition Whip in the Senate) (15:48): Before moving general business notice of motion No. 217, I wish to inform the chamber that Senators Bilyk and Ruston also will sponsor the motion. I seek leave to amend general business notice of motion No. 217 relating to the International Day of People with Disability.

Leave granted.

Senator URQUHART: At the request of Senators Brown, Bilyk and Ruston, I move the motion as amended:

That the Senate notes:

(a) that 3 December 2019 is the International Day of People with Disability;
(b) that the theme for 2019 is 'Promoting the participation of persons with disabilities in their leadership: taking action on the 2030 Development Agenda';
(c) that 3 December is recognised each year as the day for the celebration of the achievements of people living with disability;
(d) that it is also the day when we promote awareness of the challenges faced by people with
disability, and the role that communities and society can play in accelerating the eradication of barriers
to social inclusion, equality, participation and citizenship;
(e) that approximately 1 billion people worldwide, and 3.96 million people in Australia, live with
disability—this represents 15% of the global population and 20% of the population of Australia; and
(f) the remarkable contributions people with disability make to Australia, and congratulates all of the
organisations and communities throughout Australia that are celebrating this important day.
Question agreed to.

Transport Industry

Senator SHELDON (New South Wales) (15:49): I, and also on behalf of Senators
Gallacher, Bilyk and Sterle, move:
That the Senate—
(a) notes that:
(i) the road transport industry is Australia’s deadliest industry,
(ii) a 2016 report by the Bureau of Infrastructure, Transport and Regional Economics stated ‘Heavy
trucks are disproportionately involved in casualty crashes: approximately 16% of road crash fatalities
and 4% of injuries involve these vehicles’—this is despite Bureau of Infrastructure, Transport and
Regional Economics data that trucks make up only 2.45% of registered vehicles, and
(iii) the latest Safe Work Australia statistics show there have been 138 workplace deaths since the
start of the year, of which 51 have been transport workers;
(b) recognises that:
(i) a significant driver of the road transport task is retail supply chains—all major retailers in the
supply chain should be accountable for their impact on safety, wages and fair dealings with transport
operators,
(ii) on 15 October 2019, Channel 9 News aired shocking evidence of a disregard for safety: safety
doors blocked, fire equipment hemmed in, chaotic food storage, filthy floors, faulty electrics, poor
lighting for truck drivers delivering goods and a flooded yard outside a loading dock at Aldi stores
across Australia, and
(iii) on 16 October 2019, truck drivers across Australia took part in nationwide protests to
highlight concerns they have with safety at Aldi; and
(c) congratulates transport workers and their worker representatives, the Transport Workers Union of
Australia, on helping bring the safety issues in the retail supply chain to light.

The PRESIDENT: Senator Sheldon, are you seeking leave to make a short statement?
Senator SHELDON: Yes.

The PRESIDENT: Leave is not granted. To explain, there’s generally a view that the
mover of the motion does not get given leave to make a statement as the motion speaks for
itself. I’m getting nods from the whips and managers on that point.
Question agreed to.

Watson, Mr Samuel William

Senator URQUHART (Tasmania—Opposition Whip in the Senate) (15:50): Before
moving general business notice of motion No. 316, I wish to inform the chamber that Senator
Waters will also sponsor the motion. At the request of Senators Watt, McCarthy, Green, Dodson, Chisholm, Siewert and Waters, I move:

That the Senate—

(a) records its deep regret at the death, on 27 November 2019, of Mr Sam Watson, a proud member of the Munnenjarl and Biri Gubba Juru tribal nations, with blood ties to the Yuggera, Kalkadoon and Noonuccal peoples and one of Queensland’s most significant Indigenous leaders;

(b) recognises the lifelong activism, leadership and advocacy for social justice and the rights of his people;

(c) places on record its appreciation of the long and tireless contribution Mr Sam Watson Senior made to the advancement of the rights of Indigenous Australians; and

(d) offers our condolences to his wife Cathy, his children Nicole Watson and Sam Wagan Watson, and the many Australians whose lives he has touched—we are all the poorer for his passing.

Question agreed to.

**Pensions and Benefits**

**Senator SIEWERT** (Western Australia—Australian Greens Whip) (15:51): I move:

That the Senate—

(a) notes that:

(i) the Federal Government continued with the draconian robodebt program long after the harrowing evidence of the Senate inquiry in 2017 and the recommendation that it be put on hold while issues of procedural fairness were dealt with, and long after the major flaws with the income averaging process were identified,

(ii) despite the announcement of the changes to income averaging via leaked emails, the silence by the Minister for Government Services on the way forward is once again leaving people worried and anxious,

(iii) the Federal Government needs to be transparent about the new review process so that people know what is going on, and

(iv) it will take extensive resources to identify and compensate the thousands of people who have been caught up in the robodebt scheme, and who have paid debts that were incorrectly calculated; and

(b) calls on the Federal Government to:

(i) stop trying to evade responsibility for their systemic targeting of people on income support through income averaging and robodebt, and

(ii) address the reduced revenue raising as a result of the new process, the cost to review income averaging cases of the robodebt program, including the projected number of people who may be eligible for compensation and/or a refund, as well as the staffing required to investigate these cases in the 2019-20 MYEFO.

**Senator DUNIAM** (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (15:51): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

**Senator DUNIAM**: The government has announced a further refinement of the income compliance program, which has already undergone a number of iterations and refinements since its inception. These changes will make the program more robust by requiring additional evidence when using income information to identify potential overpayments. This means we will no longer raise a debt where the only information we’re relying on is our own averaging
of ATO income information. Income compliance activities are not ceasing, and the department will still review payments for discrepancies.

Question agreed to.

Department of Home Affairs

Senator URQUHART (Tasmania—Opposition Whip in the Senate) (15:52): At the request of Senators Keneally, Gallagher, McAllister, O'Neill, Sheldon and Ayres, I move:

That the Senate—

(a) notes that:

(i) the Department of Home Affairs employs over 240 dedicated and hardworking Australians to process visa applications in New South Wales and the Australian Capital Territory,

(ii) this is crucial work that ensures the integrity of our visa processing system and is the cornerstone of our sovereignty as a nation,

(iii) the Federal Government's plan to privatise Australia's visa system threatens the livelihoods of over 240 Australians and their families in New South Wales and the Australian Capital Territory, and

(iv) privatising Australia's visa system will lead to increased costs of visas, greater risks of worker exploitation, data security breaches and will make protecting national security more difficult;

(b) condemns the Federal Government for auctioning Australian jobs off to the highest bidder, and for undermining the integrity of our visa processing system and our nation's sovereignty; and

(c) calls on the Federal Government to guarantee the protection of these 242 jobs in New South Wales and the Australian Capital Territory, and the 2000 jobs across Australia, which will be lost under the Morrison Government if they persist with their efforts to privatise Australia's visa system.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (15:52): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator DUNIAM: As has been the case with the rolling set of motions relating to this issue across the states, the government is not privatising visa decision-making. The Department of Home Affairs is conducting a tender process for a new workflow tool which will support digital visa application and decision-making. This modernisation process is necessary due to the continued exponential growth in visa applications, and these reforms are needed to reduce processing times and support high-quality visa decision-making. This will ensure we can effectively manage national security threats at the border and support key export industries, like tourism. The provider of the workflow tool will have no role whatsoever in visa decision-making, and this process is not being driven by a desire to reduce departmental staffing or cut costs. Claims that this process will lead to wholesale job losses and office closures are simply false.

Question agreed to.

Climate Change: Great Barrier Reef

Senator WATERS (Queensland) (15:54): I move:

That the Senate:

(a) notes that:

(i) on 1 December 2019, the Federal Government submitted the State Party Report on the state of conservation report of the Great Barrier Reef (the Reef) World Heritage Area,
(ii) the State Party Report responds to the World Heritage Committee Decision in 2015, requesting the Government to outline how the Reef's Outstanding Universal Value is being protected to avert a World Heritage In Danger listing,

(iii) the State Party Report recognises that mass coral bleaching events in 2016 and 2017, tropical cyclones, flooding, and crown-of-thorns starfish have impacted the Outstanding Universal Value of the Reef since 2015,

(iv) the Great Barrier Reef outlook report 2019 found that the long-term outlook for the Reef's ecosystem has deteriorated from poor to very poor, and climate change and land-based run-off remain the key threats,

(v) the State Party Report states that the Government is 'actively managing the pressures over which we have direct control through investment and regulation based on the best available science',

(vi) United Nations scientific reports have confirmed that if global temperature rises by 1.5°C, 90% of coral in the Reef will be lost and 100% of coral will be lost at 2.0°C,

(vii) the Government has established a Senate inquiry questioning the water science informing regulation of land-based run-off into the Reef,

(viii) Government representatives have advocated for the removal of climate change threats as a consideration for World Heritage In Danger listing decisions, and

(ix) fossil fuel companies have donated nearly $5 million to the Liberals, Nationals and Labor parties over the past four years; and

(b) calls on the Federal Government to:

(i) implement a climate policy to limit global warming to 1.5°C to protect the Great Barrier Reef,

(ii) manage the key pressures over which it has control by revoking all federal approvals for the Adani Carmichael mine and not approve any new coal in Australia, and

(iii) ban corporate donations to political parties from the fossil fuel industry, an industry which financially benefits from this Federal Government's lack of action on climate change.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (15:54): I seek leave to make a short statement.

The President: Leave is granted for one minute.

Senator DUNIAM: The government is taking real and practical action with our climate solutions package. The most recent data shows that Australia's annual emissions have come down and are lower than when we came to office in 2013. The government is opposed to the Greens' policies to destroy jobs and the economy and to increase cost-of-living pressures. The government supports the Adani Carmichael mine project, which will create around 1,500 direct jobs and almost 7,000 supporting jobs, and which already has 800 people working across operations and projects in Queensland.


The President: Leave is granted for one minute.

Senator GALLAGHER: Whilst Labor supports elements of this motion, we won't be supporting it today. I think this motion goes to all of the issues we raised yesterday about the Greens continuing to behave as they behaved 10 years ago in seeking to drive wedges between progressive politicians who should be working together to deliver an outcome. Instead, they seek to move motions that try to divide the chamber. Their antics on this during
the campaign may have got Senator Waters elected but they also returned a Morrison government, which I don't think the planet or anyone else in progressive politics in Australia thanks them for. As such, we will not be supporting this motion.

The PRESIDENT: The question is that motion No. 323 in the name of Senator Waters be agreed to.

The Senate divided. [16:00]

(The President—Senator Ryan)

Ayes ....................9
Noes ....................49
Majority ...............40

AYES
Di Natale, R
Hanson-Young, SC
Rice, J
Steele-John, J
Whish-Wilson, PS

Faruqi, M
McKim, NJ
Siewert, R (teller)
Waters, LJ

NOES
Abetz, E
Askew, W
Bernardi, C
Brogan, S
Carr, KJ
Colbeck, R
Duniam, J
Gallacher, AM
Green, N
Hanson, P
Hughes, H
Lambie, J
McCarth, M
McGrath, J
Molan, AJ
O'Sullivan, MA
Patrick, RL
Pratt, LC
Roberts, M
Ryan, SM
Seselja, Z
Smith, DA
Sterle, G
Van, D
Wong, P

Antic, A
Ayers, T
Bragg, AJ
Canavan, MJ
Chandler, C
Davey, P
Fierravanti-Wells, C
Gallagher, KR
Griff, S
Henderson, SM
Hume, J
Lines, S
McDonald, S
McMahon, S
O'Neill, D
Paterson, J
Polley, H
Rennick, G
Ruston, A
Scarr, P
Sheldon, A
Smith, M
Urquhart, AE (teller)
Walsh, J

Question negatived.
ORDER FOR THE PRODUCTION OF DOCUMENTS

Senator HANSON-YOUNG (South Australia) (16:03): I move:

That there be laid on the table by the Minister representing the Minister for Industry, Science and Technology, by 9.30 am on 5 December 2019:

(a) all correspondence between the National Offshore Petroleum Safety and Environmental Management Authority (NOPSEMA) and Equinor on its request for Equinor to modify and resubmit its environmental plan in relation to the Stromlo-1 Exploration Drilling Program;

(b) all correspondence between NOPSEMA and Equinor in relation to the notice issued by NOPSEMA on 8 November 2019 requesting further information about matters relating to consultation, source control, oil-spill risk and matters under Part 3 of the Environment Protection and Biodiversity Conservation Act 1999; and

(c) all correspondence between NOPSEMA and Equinor, up to 2 December 2019, in relation to the Stromlo-1 Exploration Drilling Program since the issuing of the notice on 8 November 2019.

The question is that motion No. 319 be agreed to.

Ayres ...................... 13
Noes ...................... 44
Majority ............... 31

AYES

Di Natale, R
Griff, S
Hanson-Young, SC
Patrick, RL
Roberts, M
Steele-John, J
Whish-Wilson, PS

NOES

Abetz, E
Antic, A
Askew, W
Ayres, T
Bernardi, C
Bragg, A J
Brockman, S
Canavan, MJ
Carr, KJ
Chandler, C
Colbeck, R
Davey, P
Duniam, J
Ferravanti-Wells, C
Gallacher, AM
Gallagher, KR
Green, N
Henderson, SM
Hughes, H
Hume, J
Lines, S
McCarthy, M
McDonald, S
McGrath, J
McMahon, S
Molan, AJ
O’Neill, D
OSullivan, MA
Paterson, J
Polley, H

The PRESIDENT: The question is that motion No. 319 be agreed to.
Question negatived.

**MOTIONS**

**Australian Broadcasting Corporation**

**Senator McGrath** (Queensland—Deputy Government Whip in the Senate) (16:07): I move:

That the Senate—

(a) notes that, for the first time since 1952, the ABC will not have a live radio broadcast of the Olympic Games; and

(b) expresses disappointment that the ABC has indicated that it will not reverse its decision not to broadcast the 2020 Olympic Games in Tokyo.

**Senator Urquhart** (Tasmania—Opposition Whip in the Senate) (16:07): I seek leave to move an amendment to general business notice of motion No. 317, moved by Senator McGrath.

Leave granted.

**Senator Urquhart:** I move the amendment as circulated in the name of Senator Kitching:

After paragraph (b), insert:

(c) notes that the ABC cited 'budget pressures' and 'competing budget priorities' as part of its decision not to pursue the non-commercial radio rights for the Tokyo 2020 Olympic Games; and

(d) notes that the ABC warned that the Government’s decision to impose an indexation pause of $83.7 million over the next three years would make it very difficult for the ABC to meet its Charter requirements and audience expectations.

**The President:** The question is that the amendment moved by Senator Urquhart in the name of Senator Kitching to motion No. 317 be agreed to.

The Senate divided. [16:12]

(The President—Senator Ryan)

Ayes .................. 33
Noes .................. 33
Majority ..........0

**AYES**

Ayres, T ............. Bilyk, CL
Brown, CL ........... Carr, KJ
Chisholm, A ........ Ciccone, R
Di Natale, R ........ Dodson, P

CHAMBER
Question negatived.

The PRESIDENT (16:14): We now move to the motion as it originally stood—without the amendment—as moved by Senator McGrath.


The PRESIDENT: Leave is granted for one minute.

Senator GALLAGHER: On the basis that the amendment was lost, Labor will support the government’s motion. However, we do think it is important to mention the fact that the
reason given for not being able to pursue radio rights for the Olympics was that it is due to budget pressures which are directly related to the government's latest round of cuts totalling $83.7 million over the next three years, which would make it very difficult for the ABC to meet its charter requirement and audience expectation. We thought that was an important component to have in the motion, but we will put it on the record and support the motion unamended.

Senator HANSON-YOUNG (South Australia) (16:15): I seek leave to make a very short statement.

The PRESIDENT: Leave is granted for one minute.

Senator HANSON-YOUNG: The Greens will support this motion. However, it needs to be understood very clearly that the reason that the Olympics will not be broadcast on radio is that this government continues to cut the ABC's budget. We know there are people on the benches of the government who want to cut it even more. They even have their hand up proudly. These people want to undermine everyday Australians' having access to news, sports coverage and Australian stories because they want the ABC cut, cut, cut.

Senator PATRICK (South Australia) (16:16): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator PATRICK: For the first time since 1952 the ABC, our national broadcaster, will not have a live radio broadcast of the 2020 Tokyo Olympic Games. It's not because the ABC doesn't want to do that; it's simply because of the freezes that have occurred in the budget. These repeated effective funding cuts from government result in reduced program content and uncertainty amongst its staff.

Senator McGrath interjecting—

Senator PATRICK: We will, of course, support the motion, but I find it ironic that Senator McGrath is interjecting across the chamber when he is the person who is calling for them to cover the events.

Question agreed to.

DOCUMENTS

Prime Minister

Order for the Production of Documents

Senator URQUHART (Tasmania—Opposition Whip in the Senate) (16:17): I seek leave to amend general business notice of motion No. 321 standing in the name of Senator Pratt for today proposing an order for the production of documents concerning the City of Sydney Annual Report 2017-18.

Leave granted.

Senator URQUHART: At the request of Senator Pratt, I move:

That there be laid on the table by the Minister representing the Minister for Energy and Emissions Reduction, by no later than 12.45 pm on 4 December 2019, the following documents:

(a) the copy of the City of Sydney annual report 2017-18 the Minister for Energy and Emissions Reduction (Mr Taylor) claims was downloaded directly from the City of Sydney website in September 2019; and
(b) any documents that support the Minister's claim.
Question agreed to.

MOTIONS
Schools

Senator FARUQI (New South Wales) (16:18): I move:
That the Senate—
(a) notes that:
(i) the Federal Government has announced $10 million in Special Circumstances Funding to
drought affected schools, but has specifically excluded public schools from receiving this funding, and
(ii) more than 80% of students in rural and remote areas are enrolled in public schools and they
are also deeply impacted by the drought; and
(b) calls on the Federal Government to establish a fund for government schools facing hardship as a
result of ongoing drought conditions.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (16:18): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute,

Senator DUNIAM: Government schools are the responsibility of state and territory
governments. As the predominant funder of non-government schools, it is appropriate that the
Commonwealth government support non-government schools affected by natural disasters,
including drought and flood. The recently announced $10 million special circumstances
funding assistance will help ensure the viability of many non-government schools that expect
to provide fee relief, counselling and other support for many students from drought affected
areas.

The PRESIDENT: The question is that motion No. 322, in the name of Senator Faruqi,
be agreed to.

The Senate divided. [16:24]

(The President—Senator Ryan)

Ayes ......................32
Noes ......................32
Majority ...............0

AYES
Ayres, T
Brown, CL
Chisholm, A
Di Natale, R
Faruqi, M
Gallagher, KR
Griff, S
Lambie, J
McCarthy, M
O'Neil, D
Polley, H
Rice, J

Bilyk, CL
Carr, KJ
Ciccone, R
Dodson, P
Gallacher, AM
Green, N
Hanson-Young, SC
Lines, S
McKim, NJ
Patrick, RL
Pratt, LC
Sheldon, A

CHAMBER
AYES
Siewert, R
Steele-John, J
Urquhart, AE (teller)
Waters, LJ

NOES
Abetz, E
Bernardi, C
Brockman, S
Cash, MC
Colbeck, R
Duniam, J
Fierravanti-Wells, C
Hughes, H
McDonald, S
McMahon, S
O'Sullivan, MA
Payne, MA
Reynolds, L
Ruston, A
Scarr, P
Smith, DA (teller)

PAIRS
Farrell, D
Keneally, KK
Kitching, K
McAllister, J
Watt, M
Wong, P

McKenzie, B
Birmingham, SJ
Cormann, M
Askew, W
Stoker, AJ
Henderson, SM

Question negatived.

DOCUMENTS
Dairy Industry

Order for the Production of Documents

Senator URQUHART (Tasmania—Opposition Whip in the Senate) (16:26): At the request of Senator Sterle, I move:

(1) That the Senate notes the hardship and financial difficulty being faced by dairy farmers in many parts of the country.

(2) That there be laid on the table by the Minister for Agriculture, by no later than 11.45 am on 5 December 2019, a legislative instrument giving legal effect to a dairy code, and if the instrument has not been tabled prior to the appointed time, the Minister be called on to table the instrument before petitions are called on that day.

(3) That if the legislative instrument required by paragraph (2) is not tabled, the Senate requires the Minister for Agriculture to attend the Senate at 3.30 pm on Thursday, 5 December 2019 to provide an explanation, of no more than 20 minutes, of the Government's response to paragraph (2).
(4) That following the Minister's explanation, or in the event the Minister fails to provide an explanation, any senator may move to take note of the response required by paragraph (3).
(5) That any motion under paragraph (4) may be debated for no longer than 60 minutes, shall have precedence over all business until determined, and senators may speak to the motion for not more than 10 minutes.

Senator PATRICK (South Australia) (16:26): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator PATRICK: Centre Alliance supports the intent of the motion. We have sought advice from the Clerk, and it is unprecedented that an order for production has been used to seek the tabling of a legislative instrument. On that basis alone, we won't support the motion, but we will consider an alternative.

The PRESIDENT: The question is that motion No. 324, in the name of Senator Sterle, be agreed to.

The Senate divided. [16:28]

(The President—Senator Ryan)

Ayes ....................32  
Noes ....................32  
Majority...............0

**AYES**

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**NOES**

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Question negatived.

**MATTERS OF URGENCY**

**Newstart Allowance and Youth Allowance**

The ACTING DEPUTY PRESIDENT (Senator Bernardi) (16:31): I inform the Senate that at 8.30 am today 12 proposals were received in accordance with standing order 75. The question of which proposal would be submitted to the Senate was determined by lot. As a result, I inform the Senate the following letter has been received from Senator McKim:

Pursuant to standing order 75, I give notice that today I propose to move that, in the opinion of the Senate, the following is a matter of urgency:

"That people on Newstart and Youth Allowance do not enjoy the same Christmas spirit as other Australians and struggle during the summer holidays due to the low rates of the payments and the Government’s punitive compliance programs."

Is the proposal supported?

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

The ACTING DEPUTY PRESIDENT: I understand that informal arrangements have been made to allocate specific times to each of the speakers in today’s debate. With the concurrence of the Senate, I shall ask the clerks to set the clock accordingly.

Senator SIEWERT (Western Australia—Australian Greens Whip) (16:32): At the request of Senator McKim, I move:

That, in the opinion of the Senate, the following is a matter of urgency:

That people on Newstart and Youth Allowance do not enjoy the same Christmas spirit as other Australians and struggle during the summer holidays due to the low rates of the payments and the Government’s punitive compliance programs.

For many Australians, Christmas and the festive season is a happy time of the year, where people spend time with their loved ones and their family and close friends. But, for a significant proportion of Australians, it is the worst time of year. It’s a time of hardship, frustration, loneliness and isolation. Just today I got an email, as I'm sure many of us did,
about Roy Morgan's findings predicting pre-Christmas spending and what kids say they want for Christmas. Their list includes Netflix, iPads, iPhones and PlayStations. I'm sure parents among us won't be surprised by that. But those living on Newstart and youth allowance won't be buying their kids these presents. They simply can't afford them. They'll be lucky if they can buy presents for their children.

Today, over three million Australians are living below the poverty line, and one in six Australian children are living in poverty. The Christmas and holiday period is an incredibly difficult time for Australians who are living in poverty and, particularly, for those living on income support payments such as Newstart and youth allowance. There are things that many of us take for granted over Christmas that thousands of people on Newstart won't be able to afford—simple things like having Christmas lunch or dinner, buying gifts and going to, for example, the Boxing Day movie premieres. These things are exceptionally difficult, if not impossible, to do when you are living on less than $40 a day. People in poverty already make difficult choices every day, such as skipping meals, choosing between eating and medication, paying the rent or not turning on the heating. The list of what people on Newstart and youth allowance miss out on is very, very long. The low rates of income support payments mean that people living on Newstart are also excluded from participating in festive activities and events.

We always see a huge demand for charities and food release services over the Christmas period, with millions of Australians needing support. Each year Australian charities get ready for the holiday season by running Christmas appeals, asking for food donations—in fact, asking for gift donations—and putting the call out for volunteers. In recent years more and more charities are saying that they are seeing a rising number of families seeking relief over Christmas. Last year the Salvation Army released findings just before Christmas from a poll. They expected that 15.5 per cent of Australian adults were likely to contact a charity for help with basic necessities such as food, power or other bills that Christmas. They estimated that as many as 3 million Australians were likely to be seeking help from a charity at Christmas. Given that we haven't seen an increase in Newstart this year—and since, in fact, 1994—there's no reason to suggest at all that this situation won't be the same, if not worse, this year.

I'm incredibly worried about the growing number of people reaching out for emergency support over the Christmas period. Typically, more than 300,000 people turn to the Salvation Army alone for support at Christmas, and we know that there are many charities that are supporting people and those in need. They distributed over 100,000 meals. People who access emergency relief services are undergoing severe hardship, as highlighted by the Salvation Army's 2018 national economic and social impact survey. The survey revealed that 95 per cent of all households who access the Salvo's emergency services are living in poverty. The average person is living on just $21 a day after paying for accommodation. It found that 43 per cent have limited social connections and feel isolated most of the time. It found that 67 per cent report that food affordability is their greatest challenge on a day-to-day basis.

But what does it mean to access emergency relief services over Christmas? It means that you're experiencing financial hardship, food insecurity, housing stress and social disconnectedness. Hardship, loneliness, depression and anxiety are already heightened for many people over Christmas. Imagine what this feels like if you are living below the poverty line on Newstart or youth allowance. Social isolation is even worse when you can't afford to
access public transport to visit your family or you can't afford to participate in the social activities that many of us take for granted. They can't afford a gift, food for their own meals, food to take to a celebration, or to invite family and friends to their home for a meal. The social isolation and exclusion people feel when they cannot participate in their community or partake in family activities is devastating for their emotional and social wellbeing and sense of being part of the community.

Many parents living on Newstart, especially single parents, feel the added pressure to provide more over the Christmas period. Then they feel shame that their children are missing out. Single-parent families in Australia already experience the lowest standard of living and biggest gap below the poverty line. Imagine trying to provide a normal Christmas experience for your children as a single parent on Newstart. This is the reality for many single parents who experience significant and serious financial hardship. This situation is particularly hard for children, especially the 22 per cent of children already experiencing food insecurity.

Our charities and social services are filling the gap in supporting people at Christmas time while the government continues to dodge its responsibility to look after all Australians. It is not fair that our charities, who are already struggling, are left to pick up the pieces and meet increasing demand for food relief, because people simply can't make ends meet on Newstart and youth allowance. Today I'm urging people in this chamber to think about what it means if you are living on income support payments over Christmas. Think of the impact that it is having on those families.

I would like to finish by sharing what it is really like to experience Christmas on the breadline. At the Senate inquiry into the adequacy of Newstart and other income support payments, we have been hearing from many people who are on Newstart. Nigel shared how his experience is so different from the Christmas displayed in the television commercials. He said:

I am on Newstart. It's coming up to the time of year where we will see commercials on television about Christmas. They will show happy people all celebrating, all enjoying each other's company and all sharing gifts with their loved ones. They'll all be in large homes with copious amounts of food for the traditional Christmas dinner. Television commercials are designed to present an ideal. However, they do not represent my reality. I cannot afford to buy all the gifts I am told my loved ones deserve. I cannot buy all the food I am told will make my Christmas the best it can be. This is not unique to Christmas. This is how I live all year round.

At the Perth hearing we heard from Renna about the difficulty of getting ready for Christmas. She said:

I feel exhausted because, on top of all those things, there is the rego once every three months. I lost my pension card because I had to go onto Abstudy when I started uni five months ago—and I can't believe I'm at uni; I never went to high school. It is going to be about $200 per month. Parking is $100 per month. Child care is about $120 per month. All of this said, Christmas is coming up and I feel really frightened that I can't afford to buy anything for my children. Since moving over to Abstudy from Newstart a few months ago, I've lost my pension card, so I'm no longer eligible for the rebates that I used to get on my utilities, on my registration, on my licence. Essentially all of my costs have gone up greatly, and yet my eligibility for any rebates has gone down.

Those are examples of people's lived reality in this country.
I feel so desperately for those who are struggling to survive already on Newstart and youth allowance. I think about what Christmas means to them. It means stress, anxiety, not being able to share your food, and not being able to properly enjoy Christmas and enjoy your children's Christmas, because, as has been outlined here, people can't afford to buy gifts and put food on the table. Many people isolate themselves or are isolated, because they can't afford to participate. We need to increase Newstart. (Time expired)

Senator O'SULLIVAN (Western Australia) (16:42): Thank you very much, Acting Deputy President Bernardi. I note you are in the chair at the moment and this may well be my last speech with you as Acting Deputy President, so I will take this opportunity and I appreciate the privilege that it is. I rise to speak on this urgency motion brought before the chamber by the Greens, and I thank them for the opportunity to do so. Whilst on this side of the chamber we believe in having a strong economy, which creates jobs and provides more opportunities and new skills for all Australians, sadly that is not always shared. Whilst we on this side of the chamber believe in having a strong economy, which creates jobs and provides more opportunities and new skills for all Australians, sadly that is not always shared. Whilst we on this side of the chamber believe in lowering the cost of and raising the national standard of living, again, sadly this is not always shared. Those on the other side of the chamber don't believe in lowering energy prices, don't believe in tax relief, which allows businesses of all sizes to employ more people, and they don't believe in lowering the tax burden on individuals. In fact, they believe quite the opposite.

They believe in putting policies in place that will see the Australian economy weaken, job creation evaporate and the cost of living increase exponentially. I have lost all hope that they will ever realise that a strong and robust economy that is able to withstand the headwinds that ours is facing is what makes service delivery in this country sustainable. Their ignorance reminds me of the famous quote by Winston Churchill:

I contend that for a nation to try to tax itself into prosperity is like a man standing in a bucket and trying to lift himself up by the handle.

If we lived in the Greens' version of this perfect world, where all their nation-weakening policies were put in place, any chance of Australians out of work finding meaningful, well-paying and long-term employment would be gone. If that wasn't enough, under their vision regional communities, those that are doing it the toughest, would all but cease to exist. They don't support any industry that drives our economy. We want to see, on this side of the chamber, the agricultural sector grow to $100 billion by 2020, and they want to see much of that shut down. We want to encourage new investment in resource projects across the country, which drive jobs in regional centres and lift millions—millions around the world, in fact—out of poverty. Sadly, they do not. We want to futureproof regional Australia through new investment in water infrastructure and resilience. I guess we can come to our own conclusions about where they sit on this. This is the type of country they want to see Australians living in: no investment, no industry, no jobs, no regional economies and no future. This is all for the sake of putting in place their socialist fantasies, as if we do this in this place as some type of left-wing board game.

Well, as a government, no-one is saying that it's easy to live without a job. I know many people, and I've worked with many people throughout my career, who have had that as the reality in their lives. We recognise that there are times when people need a safety net to help them get through when they're down on their luck. Few countries provide the strong safety net that we get to enjoy here in this country. Australia has one of the most targeted welfare
systems in the world. Newstart is a non-contributory taxpayer funded allowance that provides a safety net for people while they look for a job. It's increased twice a year, in spite of what we heard Senator Siewert saying, in line with CPI, and it is not a wage replacement.

Our social services system touches almost all Australians at some stage in their lives. The safety net provided for the most vulnerable among us is particularly important. That's why it's critical and crucial that the system remains sustainable. It's the responsibility of government to ensure that our social security welfare system is sustainable into the future so that it can continue to provide support for those who need it most. Newstart was never meant to be a salary or wage replacement. It's a safety net for people while they are looking for work. It's often a convenient point of oversight by those across the chamber that everyone who receives Newstart is eligible for other forms of additional assistance from our welfare system, which is one of the most wideranging in the world.

It's also a convenient point of oversight that this government has a range of programs and initiatives in place to ensure our strong and job-creating economy is one that delivers benefits and opportunities for all Australians. The Morrison government is delivering the job opportunities, providing pathways and breaking down barriers for people on welfare, and I want to go through just a few of those. There are programs, such as Try, Test and Learn; individual placement support and Youth Jobs PaTH, which are providing a new and bright future for so many in this country who want nothing more than to get a job. As a Liberal, I'm proud of the results of the Transition to Work program, which is delivering on our investment of more than $570 million. I encourage those who are listening to have a look at this program and to understand the transformation that's happening in the lives of people—young people in particular—across this country through this program. Employees can ensure that they have access to intensive pre-employment support and become job ready. And employers can make sure that jobseekers have the skills that are requisite for the jobs that they have, setting them up for long-term employment. Since starting this program in 2016, Transition to Work has placed more than 40,000 young Australians into their career of choice. They are provided with the support that is necessary for them to be able to get a job and, importantly, then be sustained in those jobs after they're placed. It's an excellent program that needs to be examined. It's something that could actually inform the future of the more mainstream program called jobactive.

Throughout my life, I've worked with people from all walks of life, in all parts of the great state of Western Australia and, indeed, in the nation. From our cities to our remote regions, many individuals and families who find themselves entrenched in our welfare system with significant barriers to employment are being able to see the transformative effect that happens in their lives when they're able to move from welfare and into a job. And I've never heard them sympathise with the unfunded empathy of those opposite. They don't like the empty promises. They don't like hearing the rhetoric. What they want to say is: 'Give me the tools; equip me. Help me to be able to get into meaningful employment.' They want the skills and they want meaningful employment. I've been privileged to see the reality and the practical effect of this in countless lives. When you lift people up so that they can see over the horizon, when they earn their first pay cheque, and when they see that they can independently support their family and take part in all the advantages of 21st century life, the transformation is truly amazing. This is why I'm proud to be part of a government that's created 1.3 million jobs.
since coming into office—a government which is overseeing an economy that will create 1.25 million jobs over the next five years.

Our promise on this side of the chamber is to do everything we can to get people off welfare and into jobs, but that doesn't fit within the narrow ideology of those opposite. We believe in individualism, opportunity and, importantly, personal responsibility, whilst providing support for those who need it most. They believe only in policies which recognise collectivism, enable intergenerational dependence, create extortionate cost-of-living pressures and kill industries which drive the national economy. The Morrison government is focused on growing the economy, getting more people into work and delivering a well-targeted social security system that is funded through a strong budget.

The topic of this debate is nothing more than a cruel hoax on the part of the Greens. If they really want to deliver for those they claim to represent they would be working with us to ensure a strong economy, not working against us. Work with us to drop the cost of living; work with us to grow the economy; and work with us to get more Australians off welfare and into work.

Senator McALLISTER (New South Wales) (16:52): Surviving below the poverty line is a reality for millions of Australians. In Australia, the poverty line is $433 for a single adult living alone or $909 a week for a couple with two kids. When you think about the basic payments that you make each week for rent, bills, groceries and petrol, $433 would barely see you make ends meet. But over three million people in Australia are currently living on less than this, including 739,000 children. The holiday season can be a pretty stressful and isolating time if you don't have a lot of money. If you don't have a lot of money, it's basically impossible to find extra money for Christmas presents or decorations or lunch. So at this time of year, while lots of us are counting down the days to the holiday season and looking forward to spending time with family and friends, too many people on low incomes, including Newstart and youth allowance recipients, find themselves feeling anxious, stressed and isolated.

You'd think that might be a priority for a government that's in search of an agenda. You'd think that implementing a real plan for the economy and providing Australians with the services and support that they need to lift them out of poverty might be an opportunity for the government. That's not what we've got. The Morrison government is actually planning further cuts to Newstart. Just yesterday, the government's social security integrity bill passed the House of Representatives. There's that word 'integrity' again. It's funny, isn't it? The government loves to talk about integrity. Why is it that, under the people over there, integrity only applies to working people, poor people and middle-income people. It certainly doesn't seem to apply to Minister Taylor, it certainly doesn't seem to apply to the Attorney-General and it certainly doesn't seem to apply to Mr Morrison.

This bill will cut Newstart by doubling the liquid assets waiting time from three months to six months. That means Australian workers who are made redundant with $18,000 in liquid assets will be forced to wait six months before they can access income support. That isn't a lot of money, not if you need to stretch it out over six months and not if you need to look after children or other family members.

These changes will disproportionately impact middle-aged and older workers who've recently been made redundant and people who live in regional areas where unemployment is
higher than the national average. Imagine Joan, the kind of person I meet a lot, a 55-year-old woman who’s been made redundant from her job in regional New South Wales. It’s pretty difficult if you’re an older woman to find a new job in regional New South Wales. And this woman’s liquid assets total $18,000, but her assets actually aren’t money just sitting in the bank waiting for her to get it out. She’s previously lent money to her children and she’s owed money from a previous job, and that all counts. She’s left now with no income because she’s been made redundant, and she needs some support. She has worked her entire life. She’s paid taxes. She’s never accessed social security. But she’s not going to get support from the government under their proposed arrangements. I tell you what: her story would not be uncommon. In fact, her story is very common, because half of all Newstart recipients are 45 years or older and 25 per cent of people on Newstart are over 55. Last month at Senate estimates, the department fessed up that the government’s proposed six-month waiting period will impact 10,000 Australian workers each year for the next four years—that is 40,000 Australian workers.

What is this about? Australians are doing it tough. Wages are stagnant. Jobs are less secure. This is a cut to the safety net, and it is a low blow. And, once again, it demonstrates a government that is completely out of touch. I look at the senators opposite and I wonder how often the senators opposite do go and speak to people in regional Australia, do hear their stories, do hear their anxieties, do hear their worries—I really do. I wonder how you could contemplate supporting legislation of this kind that is so cruel, because the government continues to run a cruel and inhumane agenda. It is entrenching millions of people in poverty, and, with the holiday season approaching, it is time for the Morrison government to show some compassion and some leadership and deliver some much-needed support to the people who need it.

**Senator FARUQI** (New South Wales) (16:57): You lot are nothing but grinches working overtime to steal the joy right out of people’s lives. Prime Minister Morrison has nothing but ‘Bah! Humbug!’ to say to people who are doing it tough this Christmas. We know that there are people who are struggling to put food on the table and who are struggling to keep a roof over their heads. And what is this government giving them for Christmas? Nothing, zilch, zero.

We learned just last week that people on Newstart and youth allowance are being forced to suffer shocking levels of deprivation. A joint survey by the National Union of Students, YOUNG Campaigns and the Australian Council of Social Services found that over 60 per cent of young people on Newstart or youth allowance are left with just $14 a day after paying rent. Young people are being forced to live in poverty.

Take Harry Holbrook, for example, who works as a waiter in Potts Point while studying at the University of New South Wales. He pays $255 per week towards rent in his share house. After paying rent, he has, depending on his work schedule, between $150 to $200 a week left for everything from food and bills to uni expenses. Harry says, ‘Even between the two—work and youth allowance—it’s pretty unliveable.’ How can we let our young people down so badly?

We know, of course, that the low rate of Newstart and youth allowance has forced people to couch surf and live in all sorts of unstable accommodation, teetering just on the edge of homelessness. More than nine in 10 skip meals, and over one-third have had to withdraw
from their studies because of lack of funds. It is actually physically impossible to live a healthy life on Newstart and youth allowance. That is the state of affairs in our country, and it's absolutely shameful. This government's wicked stubbornness in not increasing Newstart and youth allowance means they are pushing already vulnerable, already struggling, people further and further away from training and studies, and further and further away from any semblance of a good life. People on Newstart are almost seven times more likely to suffer poor health and are up to twice as likely to end up in hospital as compared to wage earners. It is clear that the low rate of Newstart is making people sick. They do not have the quality of life and health that everyone deserves. In real terms, Newstart hasn't seen an increase since the mid-1990s—that's how long it has been.

As the holiday season approaches, it is extraordinary that the Prime Minister continues to talk up compassion—albeit a conservative variety of compassion—while displaying the exact opposite. This is a display of complete and utter hypocrisy that is not uncharacteristic of the Liberal-National party, I have to say. What a heartless bunch you are—draining every bit of joy from people on welfare as we approach Christmas. You are grinches.

Senator MOLAN (New South Wales) (17:01): The matter of urgency that we're addressing today, brought on under the name of Senator McKim and spoken to by a number of other people, is that people on Newstart and youth allowance do not enjoy the same Christmas spirit as other Australians enjoy and struggle during the summer holidays due to the low rates of payment and the government's so-called punitive compliance program. What an absolute and unmitigated travesty of a motion. What about those affected by the fires and the droughts who actually pay for Newstart and youth allowance? What about their Christmases? Here we are focusing on these people, but what about the people who pay for Newstart and for youth allowance?

First, let me refute this motion's assertion that the compliance system that surrounds Newstart and youth allowance is punitive. It is not. It is appropriate when dealing with public money. That's what it needs to be, when dealing with public money, and it can be applied compassionately. Newstart and youth allowance, along with home care packages, age pensions, disability allowances and the NDIS, form the basis of our social welfare system, which supports those less fortunate in our society. And no-one is saying that it's easy to live without a job. It's also not easy to live if you're affected by drought and by fire. But it's not the point of such allowances—allowances which are paid for by taxpayers, of course—to make Christmas and the holidays more pleasant for those without jobs. This fact undercuts any validity in the proposition of the motion in Senator McKim's name, but, of course, that's never been a particular concern of the Greens.

Senator McKim and the Greens understand that Newstart was never meant to be a salary or wage replacement. It's a safety net, as Senator O'Sullivan said. It's a safety net for people, while they are looking for work. It's not as though over the Christmas and holiday period—which Senator McKim is so worried about, as others are worried about their farms and their homes—the recipients of Newstart allowance should totally cease looking for a job. That's not the intention, although obviously the opportunities will be less over that period. But of course, as we who live in the real world know, over the Christmas or festive period—or whatever Senator McKim would like to call it—irregular and part-time work is available, obviously.
As most people know, everyone who receives Newstart is also eligible for some form of additional assistance from the welfare system. It is duplicitous to infer what Senator McKim is inferring in this motion. It's incumbent on government to ensure the sustainability and fairness of the welfare system, including being fair to the taxpayers who pay for it. As I said before, Newstart allowance is just one of the elements of the system of support that government offers to Australians doing it tough. Our broader payment system—jobactive and other services—make up $170 billion plus; this is the money that the government spends on social security and welfare every single year. The Morrison government is delivering job opportunities. We know that. We are providing pathways and breaking down barriers for people on welfare and managing the budget to ensure the sustainability of the welfare system into the future, and that is absolutely critical.

There are any number of programs to encourage people into work, like Try, Test and Learn and individual placement support. These operate for part, at least, of the so-called festive, Christmas and holiday seasons. But let's not forget that two-thirds of recipients of Newstart are transitioned off Newstart in the first 12 months. It is a transition allowance because the aim of government is to get people back to work, because the best form of welfare is a job. We do everything we can to get people off Newstart and into a job—at Christmas, during holidays or whenever. To bring this up now is nothing other than a cruel hoax on the part of the Greens; and, as Senator O'Sullivan said, it is classical, unfunded empathy. Let's never forget that few countries provide the strong safety net that we enjoy. Australia has one of the most targeted welfare systems in the world.

Newstart is a non-contributory, taxpayer funded allowance that, as I said before—and this should be the most important takeaway from this debate—provides a safety net for people while they look for a job. It's increased twice a year every year, in line with the CPI. It is not a wage replacement, nor is it a Christmas gift. We are a compassionate government, as our border and immigration policies show. We recognise there are times when people need a safety net to help them when they're down on their luck, be it at Christmas or at any other time of the year, but, because it's funded by taxpayers, it needs to be managed responsibly. Newstart is managed appropriately, responsibly and not punitively.

Let's face it: we also have a responsibility to future generations who will have to meet the cost of the system in the decades to come. It's not Newstart or youth allowance recipients who are the sole focus of this issue. Of course, the government's position on Newstart and, indeed, the Prime Minister's position is very, very clear: the best form of welfare is a job, and the government is absolutely focused on getting people off welfare and into work. The Greens, in bringing forward this motion, know that the Morrison government is delivering job opportunities, providing pathways and breaking down barriers for people on welfare. And, as the Greens well and truly know, this government has seen the largest increase in jobs since the global financial crisis, with over 1.4 million jobs created since we were elected. Stronger labour market conditions are encouraging more people to enter the labour market, with the participation rate at 66 per cent compared to a 10-year average of 65.2 per cent. Against this backdrop, Australia's unemployment rate has declined to 5.3 per cent and is below the 10-year average of 5.5 per cent. This is the success we are having as a government.

So, really, this motion is inventing a problem. As far as I can see, the 2019-20 budget forecasts employment growth to be solid over the next few years, though the rate of growth is
expected to be a little lower and to moderate to 1.75 per cent in 2019-20 and 2020-21. Just think about this, those who are advocating this approach to Newstart: there are 333,000 fewer working-age recipients of income support payments between 14 June and 19 June because they have a job. In addition, as at 18 June, the proportion of Australians receiving working-age income support payments has fallen to its lowest level in 30 years at 14.3 per cent. We will continue to invest in programs such as jobactive and disability employment services to help people get and keep a job, even over the festive season and the Christmas period. And, as those who proposed this motion know perfectly well, everyone who receives Newstart is eligible for some form of additional assistance from the welfare system as well.

We should never forget that about one-third of the Commonwealth's budget is spent on welfare. Accordingly, as I've said a number of times, government has a responsibility to taxpayers to ensure that welfare is targeted and is sustainable. Social services, as we know, touch almost all Australians at some stage in their life. The safety net provided for the most vulnerable amongst us is particularly important, and is why it is crucial that the system remains sustainable. If there is one takeaway from this debate, it should be that Newstart should never be seen as an incentive not to work. There are jobs out there, if people are willing to take them. Newstart is only meant as a stopgap measure for people to access when they are looking for a job and transitioning from one job to another job, and that applies whether it is Christmas, the festive season, the holiday period or any other time of the year. The best form of welfare is not to increase Newstart; the best form of welfare is a Christmas job. (Time expired)

Senator POLLEY (Tasmania) (17:11): For Senator Molan's information, there are two million Australians either looking for work or looking for more work. I think that contribution has just demonstrated very clearly how out of touch this government is and these senators are, because trying to live on youth allowance or Newstart is not about living a normal life; it's about trying to survive.

The member for Cook, Prime Minister Scott Morrison, is the grinch who is stealing Christmas this year from thousands of Australians. This year, he's also targeted another 40,000 Australians with cuts to Newstart. This is the same Prime Minister who, after the election in May this year, said that what Australia needed was more love. Well, he's demonstrated no love for people who are trying to look for work and trying to survive on Newstart. He has also attacked the very people who were trying to make ends meet on their penalty rates because he has also cut them.

We know that those opposite don't know, don't care and don't understand what it's like counting up your coins before you go to the supermarket. They don't understand that you have to budget day to day and week to week if you're on Newstart just to pay for some of the essential things, like food, petrol and your everyday living expenses. Those opposite, after all, are the party that said, 'Poor people don't drive cars.' And who can forget, 'If you need to save for a home loan, just get a loan from your parents.' These are the views that are in the DNA of those on the government benches. That's their attitude.

Time and time again they come in here and lecture people to 'just go and get a job'. Well, in my home state of Tasmania we are losing jobs. Not only are we losing jobs week by week, but our wages are actually going backwards! They're going backwards in my home state. So don't come in here and lecture us about how putting up a motion like this to be debated is a
stunt. These motions do need to be debated. There are far too many Australians who need more work. They're already in the workforce, but they need more hours. Those people opposite have done nothing about the casualisation of the workforce in this country. There are around 470,000 Australians who are long-term unemployed—that is, they've been on Newstart for more than 12 months. It's totally unacceptable.

Those opposite are unable to create jobs. They talk about jobs—leading into the last election, it was 'jobs, jobs, jobs!'—but what have they delivered? Nothing for the Australian people. On this side of the chamber, Labor will always stand up for those people who are doing it tough in this country because we understand how hard it is to try to manage on $14 a day. I know full well that those people on that side have no empathy and no understanding about the real world. We saw that so clearly demonstrated in the contribution by the previous speaker, Senator Molan.

We also know that age discrimination is a big issue in this country. People of mature age who have been made redundant find themselves, quite unexpectedly, in unemployment lines and having to try and survive on Newstart. What's this government doing about that? Absolutely nothing. We have people on disability, and the government comes in here and lectures about that. How many people with a disability are actually employed by this federal government? Those people talk the talk but they can't walk the walk. What we need is some leadership. That's what we need in this country, but we've seen no economic plan, no plan to create more jobs. What we've seen is this government under this Prime Minister, and former prime ministers Abbott and Turnbull, attacking the most vulnerable people in our community: those who need protection. Newstart is there as a safety net, but their net is full of holes. If the Prime Minister wants to do something for the people in this country so that we can move forward together, he needs to create an economic plan. He needs to create the economic circumstances so that jobs can be created, not what's happening in my home state of Tasmania, where we have long-term unemployed in my home state who need a helping hand; they need help to get a job and to get back into the workforce.

Senator STEELE-JOHN (Western Australia) (17:16): Three million Australians live in poverty. That's one out of every six children. For people struggling against poverty, struggling to make ends meet on Newstart, Christmas is transformed from a time of joy and celebration and togetherness to one of isolation and frustration and shame. Christmas is the time when it so often seems that our society turns into a mirror in which your reflection is seen and in which is cast upon you all the things you are told you should be able to provide for your family, that you should be able to give to your friends yet can't. And that is turned into something that you yourself have done wrong, though you may be applying for every last job you can find, though you may be competing with hundreds of members of your community to get that one part-time, casual retail job which falls through. Upon that turns your entire festive season. The struggle to know where the next meal is coming from, the struggle to know how you're going to make the sums add up so that you can afford to go to the doctors, so that you can travel a couple of hours to see friends or neighbours—all of these issues are made so much worse at Christmas time. Poverty comes home to bite in a real way.

This year, this government has had an opportunity that is afforded to very few governments, the opportunity to take a bipartisan step forward in the alleviation of poverty. Everyone agrees that Newstart is too low. From the Australian Council of Social Service to
John Howard to Barnaby Joyce and everybody in between, everyone agrees Newstart must be raised, yet this government has stubbornly, arrogantly, cold-heartedly held out against the tide of history. They should go back to their electorates this Christmas ashamed of themselves, ashamed that they rejected the opportunity to act and help those who need help, help those who are struggling against a social safety net with far too many holes in it.

Finally, I would like to pay tribute to one of my colleagues in this place. There are so many who have contributed so much to the campaign to raise Newstart. It has been a whole-of-community campaign. I am proud to have been and to be a member of a party which has led that campaign. I am proud to be part of communities that have come together to bring forward the urgent need to raise Newstart. And I am particularly proud to work alongside my colleague, Rachel Siewert, who has, on this issue and on so many other issues, been the moral guiding compass of this chamber. She has worked as I have never seen any other person work to bring about this consensus and to bring to the fore this issue, giving us an opportunity for change—an opportunity which this government must now take up. There can be no ifs and no buts: we must raise the rate.

Senator WALSH (Victoria) (17:21): I am grateful to have the opportunity to talk on this issue and to contribute to the debate about Newstart and the youth allowance, because it is an incredibly important issue for so many Australians who find themselves on Newstart right now and who are struggling to make ends meet.

It's true that that struggle is all the more difficult over the summer holidays and Christmas, because that's when people really feel the gaps between the have and the have-nots. It's hard to enjoy the festive season when you're finding it hard to pay the bills, when you're finding it hard to put food on the table and when, on top of that, you're worrying that your kids are going to miss out on the experience that you really want to give them at this time of year. If you're on Newstart right now then you're living on a payment that is well below the poverty line.

There is no doubt in my mind that the rate of Newstart needs to be raised. It needs to be increased right now. There is no doubt in the Labor Party that Newstart needs to be increased. So it's difficult, at this time of year, to avoid calling out this government for its scrooge-like behaviour. Here we are, only a few weeks from Christmas, so let's talk about what this government now has on its agenda. It has cuts to Newstart that will impact 40,000 Australian people who find themselves without work at this time of year. This is really the opposite of what people falling on tough times need to see from this government. They need to see some support and they need to see an increase to Newstart payments, not a cut.

Of course, we're not alone, on this side of the chamber, in calling for an increase to Newstart. There are a whole range of community organisations and supporters—former political leaders, economists, the Reserve Bank governor, Deloitte and numerous charities and advocacy groups—who are calling for an increase to Newstart. And while everyone else is thinking about Christmas, those on the government benches are looking to cut Newstart for hard-up Australians—40,000 Australians. I'm talking about their proposed changes to the liquid assets waiting time. They want to change that from three months to six months, and that is really going to increase the pressure on Australians who have just lost their jobs.

If a worker is made redundant and they have $18,000 in liquid assets, they will be forced to wait for six months before being able to access Newstart under the government's proposed
changes, and $18,000 is just not a lot of money to live on over six months. In fact, doing this will mean that people who are in that situation will have to use up the only financial buffer that is now standing between them and poverty when they lose their job, it will mean that people won't have money for emergencies and it will mean that people will really be in trouble if a member of their family gets sick or their car breaks down. Doing this at a time when, on this government's watch, we're seeing an increase in insecure work, stagnant wage growth and an ever-increasing cost of living is really a grinch-like move from this government.

If the government don't want to look after Australians who fall on hard times—and often, it must be said, after decades of paying their taxes—then what are their priorities? Last month, Westpac, one of the major banks, was accused of breaking money-laundering laws 23 million times. What did the government do about that? What did the government say needed to be done? Nothing. 'That can just sit with the board.' The rampant wage theft that we're seeing sweeping across the nation? Still waiting for a government response on that.

Instead, the government are far more concerned about penalising people who fall on hard times, attacking low-income Australians and demonising social security recipients. There is a whole list of the government's efforts in those regards, whether it's their refusal to raise Newstart, despite the fact that it hasn't risen in decades and despite the mounting calls in the community; the indiscriminate and demeaning drug tests that they're planning to roll out to people who are receiving social security; the cashless debit cards that they want to expand that exclude people from being able to participate meaningfully in their local communities; their constant attacks on Australian workers and trade unions; or now, at this time of the year, more cuts to Newstart. At a time when more people than ever before are calling for an increase to Newstart, the government wants to cut it. What does this government have against Australians who are on low incomes or who rely on social security? This government's priorities are all wrong. They are focusing on the wrong people.

People on Newstart and youth allowance actually need the rate to be increased because it's too low. This is meant to be a temporary payment, yet we know that recipients are spending an average of three years on Newstart. That has nothing to do with people not working hard enough or not having a go, as Prime Minister Morrison so often loves to say. Let's look at the fact that the jobs aren't there. There are 1.9 million Australians who are underemployed or unemployed. They want to work and they want to work more, but the jobs just aren't there for them. Newstart is compounding that problem for them because it's so low that it's often preventing people from getting work. Newstart is stopping people from having a go and it's trapping people in poverty, because you cannot live on $40 a day. It doesn't cover the cost of living, your rent, your food, your bills and the additional costs of looking for work, like appropriate clothing, access to the internet and transport to interviews. That is a really long way for $40 a day to stretch.

At this time of the year, when so many Australians are enjoying the festive season, looking forward to Christmas with their families and looking forward to exchanging gifts and sharing a special meal, how is $40 a day supposed to stretch even further? The Newstart rate excludes people from fully enjoying the holiday period and also excludes them from wider society. The Prime Minister has previously said that the harder you work the better you do. Essentially, what he was saying was that if you're stuck on Newstart, if you're poor or if you're struggling
it must be your own fault; perhaps try a little bit harder. That really couldn't be further from the truth. That sort of statement really shows us where this government's priorities lie.

This is a Prime Minister who is doing nothing to tackle poverty in our country. Thirteen per cent of Australians are living below the poverty line, many of them on Newstart. That's three million people, including over 700,000 children living in poverty today. These are children who often don't have secure homes or enough to eat. It really doesn't need to be this way. The government could help hundreds of thousands of Australians and their families if they showed some compassion and raised the Newstart rate, but this is a government that absolutely lacks compassion, and we've seen that time after time, decision after decision.

In a lot of classic Christmas stories, the scrooge or the grinch characters, who start off as selfish, greedy and uninterested in the plight of others, quite often redeem themselves by the end of the story by seeing the error of their ways. Will that happen with this government? Unfortunately, given the government's track record, I think we're going to need a Christmas miracle for them to see the error of their ways and to increase Newstart. No family should have to struggle, particularly at this time of year. The government should show some compassion.

Question agreed to.

PETITIONS

Home Affairs Legislation Amendment (Miscellaneous Measures) Act 2019

Senator McKIM (Tasmania) (17:31): by leave—I table a non-conforming petition to save the medevac legislation, signed by 5,040 Australian doctors. For the benefit of the chamber, this has been agreed to by the whips.

DOCUMENTS

Consideration

The following documents were considered:

Documents tabled earlier today (see entry no. 2 in today's Journals) were considered as follows:

Motion to take note of documents nos 2, 3 and 4 moved by Senator Bilyk. Consideration to resume on Thursday at general business.

COMMITTEES

Procedure Committee

Report

Senator BILYK (Tasmania) (17:32): On behalf of Senator Lines, Chair of the Procedure Committee, I present the committee's third report of 2019, on the routine of business, and I move:

That the recommendations in the report be accepted.

As part of its oversight of Senate practice and procedure, the committee recommends a trial of arrangements intended to streamline aspects of Senate business without any reduction in business time. The arrangements proposed in this report effectively transfer one hour of business time from Thursday evening sittings to Monday evening, converting the current Senate dinner break into an extra hour of debating time to be undertaken on a no-divisions basis.
The average start time for the adjournment debate on Thursdays in recent years has been around 6.30 pm, with the Senate adjourning between 6.50 and 7 pm. With one hour of business time now added to proceedings on Mondays, the committee proposes to bring the Thursday adjournment time forward by one hour so that the adjournment will be proposed at 5.30 pm and the Senate will adjourn no later than 6 pm. The committee also proposes different arrangements for the consideration of committee reports and other documents on a Thursday afternoon.

More broadly, the committee also proposes a trial of reduced speaking times on bills and in other general debates so that more senators may participate in the available time. The main effect of this will be that general debate on second reading motions and the like will be reduced from 20 to 15 minutes, and contributions in Committee of the Whole will be reduced from 15 to 10 minutes, remembering that senators may make multiple contributions in committee.

The motion I have moved would see these arrangements apply on trial basis from the first sitting day next year until the end of the first sitting week in August. The committee would welcome feedback from senators on the trial, and I commend the report to the Senate.

Question agreed to.

National Disability Insurance Scheme Committee
Report

Senator CAROL BROWN (Tasmania) (17:34): I present the report of the Joint Standing Committee on the National Disability Insurance Scheme entitled NDIS planning interim report together with the Hansard record of proceedings and documents presented to the committee. I move:

That the Senate take note of the report.

The report of the joint standing committee that we've just tabled is a very important report. It coincides, as you would know, with the International Day of People with Disability. The report is an interim report and also a unanimous report. The report is an interim report because the issues that were raised were so important that the committee felt that an interim report needed to be put together and tabled. The interim report examines a number of issues associated with the NDIS planning process, with a particular focus on draft plans and joint planning. It makes 14 very important recommendations to improve the operation of the planning process and the NDIS more generally.

The committee is very concerned that a number of issues outlined in the interim report have been raised in previous inquiries. In fact, at the very first hearing that was held in Brisbane, Kirsten Deane, the campaign director of Every Australian Counts, highlighted this repetition to the committee—and, in fact, the responses to questions without notice from the minister today also, to me, felt very much like what Ms Deane described was happening within the NDIS. So I want to go to what Ms Deane said:

... people with disability and their families feel like they're trapped in some NDIS version of Groundhog Day where they keep saying the same things over and over again about what the problems are and what the potential solutions are but they wake the next morning to find that very little has changed. If I could summarise our submission it would to make a plea to the committee, to say that
the problems with the NDIS are well known and the solutions are well known—what we're really missing is action.

I would echo Ms Deane's words. I would say that these problems and these issues do keep recurring in the NDIS inquiries that we are conducting, and these are issues that create great stress and great pressure on NDIS participants and their families.

There are a number of recommendations; as I said, there are 14. The first recommendation—and it is an important recommendation—really does go to the heart of the problems that have been stated time and time again not only by advocates, providers and participants but by the very people and families that the NDIS seeks to support. The recommendation is that a fully costed, detailed draft plan be made available to participants at least one week prior to their meeting with the official who has the authority to approve the plan and that, at the meeting, the participants have the opportunity to rectify that plan. We've been very careful in the way the committee has put that recommendation forward because what has come out of the hearings is that around as many as eight out of 10 participants don't actually have a meeting or a conversation with the delegate who is responsible for approving the plan. This is very important for people to understand, because, quite frankly, some of the information that we have been getting from the NDIA has confused this point. What we've heard is that many of the participants—approximately 80 per cent—are dealt with by LACs. They build the plan and then they send it up to the NDIA. So many participants may never ever see or speak to the person who is going to have the fundamental power to enable them either to have a good plan under which they are able to live the goals that they have put forward, or to have a bad plan. Unfortunately—and I say 'unfortunately' because this is not the way the NDIS was supposed to be operating—we have many examples of people who have had unfortunate meetings and have come out of those meetings feeling more stressed than when they went in.

In my home state of Tasmania, we had a town hall session where a number of people came in to tell their stories about their interactions with the NDIA. Unfortunately, some of the information that was provided was heart-wrenching—and avoidable. In regard to unspent funds, one mother said:

There appears to be an emphasis on the unspent funds and plans, particularly at the moment, given the underspend evident in the budget recently. In our case we would have loved to have been able to spend all of our allocated funds, but the reality is that we have to book therapy 12 months in advance. There's no flexibility, due to the severe skills shortage of allied health professionals in Tasmania …

This goes to the crux of the issue around the government's underspend. It's not, as they would like you to think, because the demand isn't there. The demand is there, but there is an issue around services that people can actually access.

There also is an issue around the staffing cap. It's not just the Labor Party and advocates who are calling for the lifting of the staffing cap; it's the Productivity Commission as well. But this government will not budge. This is an important measure that the government can do to get the NDIS working as it should.

I would like to end on what was a very heart-wrenching statement that one of the mothers at the Hobart hearing gave. She gave a highly emotional contribution about her interactions with the NDIS. She ended by saying:
SENATE
Tuesday, 3 December 2019

I haven't even touched on the emotional burdens that attach to this damn system! There's a lot of work that needs to be done. It's hard, it's emotional and you just keep going, because you can't give up.

All I would ask of the government is to listen. Read this unanimous report. Again, it has recommendations that go to the very heart of the problems that are occurring with the NDIS. It provides solutions, just as participants, families and advocates have. I ask the government to please start acting on these recommendations.

Senator STEELE-JOHN (Western Australia) (17:45): Before getting to the substance of the document itself, I want to acknowledge that today is the International Day of People with Disability. It is the 27th year that this incredible day has been celebrated—this year, with the theme of promoting the leadership of disabled people. And what incredible leadership we have shown this year as a community. Across the nation people came together, from all parts of our country and our community, to send a very clear message to the major parties in this place that we urgently needed to establish the royal commission into the violence, abuse and neglect of disabled people, coming on the back of nearly a decade of systemic advocacy around this issue. It is the latest success in 27 years worth of struggle and progress around the rights of disabled people. Across those 27 years disabled Australians have claimed for ourselves the tools of our liberation from the discrimination that we face, the tools with which we have begun to tear down the barriers that we face in our communities and elsewhere.

We campaigned tooth and nail for the establishment of the NDIS. There is many a party and many a person in this place and in others who gladly claim credit for the creation of the NDIS. But its origin—the reason that it exists—is the tireless advocacy of disabled people to bring into being a system which supported the rights of disabled people to live life on our terms, in line with human rights, in which we are able to define our presence and chart our future.

There are many problems with the NDIS. There are many problems with the royal commission. There are many problems still to address in our society overall. There is much, much work to be done. And so much of that work must urgently be led by disabled people. It must place our rights at the centre. There is so much listening and learning that urgently needs to be done by non-disabled folks. But today I celebrate and am proud that the disability community have brought this country to the cusp of a cultural revolution that will see places and spaces, culture, communication, art, industry and everything in-between remade and reborn fully accessible, fully inclusive, and open and welcoming to all.

The NDIS is such a critical part of that cultural change. It has been the victim of shocking ignorance on behalf of this government. There has been many a mistake made by all sides of politics when it comes to the successful implementation of the scheme. What we heard in this inquiry and what we have heard so many times before is that people feel as though they have to fight a system that was brought into being to support them. They feel like they have to justify themselves and navigate a system set up to see them fail. What we have laid down really clearly in this report are recommendations that will go to improving the heart of the NDIS process—the planning process.

These are simple recommendations calling for things like the ability of participants to see their plan before it is signed off. No member of this place would buy so much as a garden shed without being able to see what it was they were buying before they bought it. Yet this scheme often expects disabled people to sign off on their plans and have them put into force
before they have been able to see a proper draft. It is the essence of ridiculousness. The NDIS was not set up to be a giant, mutated Centrelink. It was set up to be an insurance scheme which promoted the human rights of people, which gave participants the ability to live life on their terms. It was set up to end decade upon decade of a faulty funding system which pitted disabled person against disabled person for ever-dwindling resources. It was set up to create processes that support the rights of disabled people, not processes that you have to fight. Yet this is where disabled people are in 2019—still having to fight the system far too often.

The solutions offered in this report, so clearly elucidated, are drawn from the very clear evidence given by disabled people, their advocates, their organisations, their families. The government should study them in detail, for they provide a road map to fixing so many of the issues that we see in the scheme today. If we are going to tackle the challenges that exist within the NDIS or the challenges that confront disabled people in any other space, part of the process is for non-disabled folks to realised that they have got to sit down with us and listen—leave their privilege at the door, leave their sanctimony at the door and leave their preconceived ideas at the door, and listen and be guided by what disabled people say.

Senator CICCONE (Victoria—Deputy Opposition Whip in the Senate) (17:52): I seek leave to take note of the report and continue my remarks at a later time.

Leave granted; debate adjourned.

Joint Standing Committee on Trade and Investment Growth

Government Response to Report

Senator COLBECK (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (17:53): I present the government's response to the report of the Joint Standing Committee on Trade and Investment Growth inquiry into the trade system and the digital economy. I seek leave to have the document incorporated in Hansard.

Leave granted.

The document read as follows—

Introduction

The Australian Government welcomes the Committee's report and its recommendations to support the responsiveness of Australia's regulatory system to the needs of the digital economy, and the cyber resilience of Australia's trade-focused business sector. The Government supports the direction of all the recommendations, noting that work is already underway to address them.

The Government recognises that new technologies are transforming Australian industries, workforces and communities. Our ongoing success depends on our ability to harness technological advances to improve existing businesses, create new products, services and markets, and enhance daily life.

The Government also recognises that a cohesive and coordinated approach to digital economy policy is necessary to enable businesses and citizens to take full advantage of an increasingly globalised and digitised world. This is why the Government released the digital economy strategy, Australia's Tech Future (Rec. 3 of the Committee's report) on 19 December 2018.

The Government developed Australia's Tech Future in consultation with a wide range of businesses, community groups and academics, integrating input and feedback from agencies responsible for issues related to the digital economy. There is substantial work on the digital economy occurring across all sectors, including trade. The digital economy strategy will improve the coordination and cohesion of digital economy policy and awareness. The Government will continue to work with key stakeholders,
including state and territory governments to discuss, coordinate and collaborate on activities to strengthen Australia's tech future.

Responses to individual recommendations are set out below.

**Response to recommendations**

**Recommendation 1**

4.75 The Committee recommends that the Australian Government as a matter of priority, creates a single *portal of information*, with particular regard to exporting digital goods and services, including information about the development of digitally native processes.

*The Australian Government supports in principle this recommendation.*

The Australian Government notes that a single portal of information for businesses already exists - [business.gov.au](http://business.gov.au). The portal is a trusted one-stop shop for small business with relevant links to specific exporting information (Austrade), customs information (Department of Home Affairs) and free trade agreements (Department of Foreign Affairs and Trade).

The Government will consider expanding trade-related information on [business.gov.au](http://business.gov.au) to include exporting digital goods and services.

**Recommendation 2**

4.76 The Committee recommends that the Australian Government, as a matter of priority, creates a single *window trading system*, with particular regard to exporting digital goods and services. This single window must be developed with a focus on interoperability to ensure rich data flows can be maintained and transmitted across borders.

*The Australian Government supports in principle this recommendation.*

The Australian Government is already committed to a single window through its obligations under the World Trade Organisation Trade Facilitation Agreement, which entered into force in February 2017. Australia already has a "customs" single window, the Integrated Cargo System (ICS). The ICS enables electronic reporting of legitimate physical goods that move across Australia’s borders.

The Department of Home Affairs is leading an agenda to transform and modernise trade that flows through Australia's international supply chain (e.g. air cargo, sea cargo and international mail). This agenda aims to create a future international trade system for Australia that is seamless, digital, interoperable, automated and user-friendly. This system would be underpinned by an enhanced single window for international trade for physical goods only.

As digital goods and services are currently not subject to customs treatment at borders, the ICS and future single window are not relevant to digital goods and services.

**Recommendation 3**

4.77 The Committee recommends that the Australian Government release its Digital Economy Strategy.

*The Australian Government supports this recommendation.*

The Australian Government released its digital economy strategy, *Australia's Tech Future*, on 19 December 2018. *Australia's Tech Future* highlights the significant economic and social benefits that digital technologies will bring to Australian individuals and businesses. The whole of government strategy details how Australia will maximise these opportunities of technological change through policies focused on people, services, digital assets and the enabling environment.

**Recommendation 4**

4.78 The Committee recommends that the Australian Government continue to take future workforce needs into account in Australia’s education system, from school through to tertiary education.

*The Australian Government supports in principle this recommendation.*
The Australian Government is committed to ensuring Australia's education and training system remains well-functioning in supplying industry skills needs.

Australia already produces a wealth of reliable information about the labour market and takes account of this when shaping policies, including education and training policies, to reduce skills imbalances. The Australian Government is developing a framework for forecasting long-term skills needs including digital skills, to help prepare Australians for the changing labour market.

**Australian Curriculum and Supporting STEM in schools and the early years**

Responding to the challenges of the twenty-first century, with its complex environmental, social and economic pressures, requires young people to be creative, innovative, enterprising and adaptable.

In September 2015, all education ministers endorsed the Foundation to Year 10 Australian Curriculum, which sets the standards for what all students should learn, regardless of where they live or their background, and is designed to help students thrive in the twenty-first century.

Science, technology, engineering and mathematics (STEM) skills are important in this context. Through its National Innovation and Science Agenda, the Australian Government has allocated over $64 million for school and early years STEM initiatives aligned to the Australian Curriculum and the Early Years Learning Framework.

The National STEM School Education Strategy 2016-2026, endorsed by all education ministers in 2015, outlines an agenda to support all young people to become more STEM capable and to increase participation in challenging STEM subjects in the senior secondary years.

The Australian Government is also committed to addressing the gender imbalance in STEM education and careers to ensure all Australians have the skills and opportunity to participate in the future workforce. In the 2018-19 Budget, the Australian Government committed $4.5 million over four years to support long-term strategic approaches to encourage girls and women's participation in STEM (refer Department of Industry, Innovation and Science).

**National Career Education Strategy for school students**

The Australian Government has a number of initiatives that aim to support students to transition from school to further education, training or work. The Government committed to develop a National Career Education Strategy, under Quality Schools, to prepare students for life beyond school and the jobs of the future.

**Future Ready: A student focused National Career Education Strategy** focuses on the importance of building skills and general capabilities in the Australian Curriculum, strengthening school and employer collaboration, and developing students’ career management and navigation skills so they can make informed choices about post school study and manage multiple careers in their lifetime. To bring the strategy to life, a number of projects are underway including a report on the STEM and digital literacy skills students leaving school will require. More information is available at www.education.gov.au/national-career-education-strategy.

The Australian Government is trialling the Pathways in Technology (P-TECH) pilot program, which involves establishing long-term partnerships between employers, schools and tertiary education providers that enable industry to play an active role in supporting young people to develop the skills they need for the jobs of the future. P-TECH offers secondary school students an industry supported vocational education and training (VET) pathway to a STEM related post-school qualification.

**Industry engagement in the development of vocational training**

The Australian Government supports strong industry engagement in the development of national competency standards (training packages) for vocational training. Training packages underpin the design and delivery of qualifications to ensure graduates have the competencies required by employers. To develop training packages, the Australian Industry and Skills Committee draws on advice from a
network of over 60 Industry Reference Committees (IRCs), representing key industry sectors across the Australian economy. A recent report by the OECD\(^3\) commended the work of the IRCs in reviewing and developing VET training packages.

In 2018, the AISC announced that it would establish an Industry 4.0 IRC to identify the competencies need in areas such as big data supply chains, automation, digital skills and cyber security. A Digital Transformation expert panel of industry leaders has been convened to provide advice to the AISC on how to coordinate and align the work of the IRCs in relation to digital skills needs across multiple industries.

**Cyber Security**

Training package development is currently underway to develop 25 cyber security units of competency to add cyber security specialisations to Information and Communications Technology (ICT) qualifications. Additionally, a further eight units of competency about enhancing cyber security awareness have been developed for non-ICT specialists for use across multiple industries.

**Higher education**

A wide range of professional associations are involved in the accreditation of higher education courses and thus are able to influence the design or delivery of higher education courses to ensure graduates have the skills and knowledge to meet future job requirements in their specific disciplines.

A National Strategy on Work Integrated Learning, which commenced in 2015, has enhanced the understanding of the skills that employers value most in university graduates, thus enabling universities to better tailor courses to meet the future job market needs.

**Improving our tertiary system**

Australia has a high quality tertiary system that delivers strong results for individuals, businesses and the economy. However, the Australian Government acknowledges that with globalisation, technological progress and demographic pressures we must continue to ensure the tertiary system is coherent, sustainable and fit for the future. A number of initiatives are currently underway in the tertiary, future of work and lifelong learning space.

The VET Information Strategy is the first Australian Government-led long term communications and stakeholder engagement program to raise the status of VET as an equal choice pathway, showcase its multiple training and career opportunities, and to improve national information publically available about the benefits of VET.

The Expert Review of the VET sector, *Strengthening Skills: Expert Review of Australia's Vocational Education and Training System* identified the need to raise the standing of VET to which the Government has responded as part of its $525 million *Delivering Skills for Today and Tomorrow* skills package announced in the 2019-20 Budget. Key measures announced in the package include:

**National Skills Commission**

The Commission will drive research and analysis of future skills needs across industry to ensure the VET system addresses national labour market priorities including those arising from developing technologies such as automation and artificial intelligence.

**Pilot Skills Organisations**

The Government will pilot two Skills Organisations, including in the digital technologies industry (with a particular focus on cyber security), to trial new, industry-led methods of qualification development and assessment, and develop standards for industry to endorse Registered Training Providers.

**The National Careers Institute**

The National Careers Institute (the Institute) will provide leadership in the delivery of high quality, evidence-based career development to enable Australians to make informed decisions about their
learning, training and work pathways. The Institute is commissioning research on the state of the Australian and international careers sector which will then inform and shape its strategic priorities and incorporate the needs of industry.

**National Careers Ambassador**

The National Careers Ambassador will support the National Careers Institute to improve the quality of and access to career education nationally and, in particular, raise the profile of VET as a way of training for a job, retraining and upskilling for a new career.

**Recommendation 5**

4.79 The Committee recommends that the Australian Government investigate options to fund and deliver training for those already in the workforce, to give them the skills to fully participate in the digital economy.

**The Australian Government supports this recommendation.**

The Australian Government recognises the importance of skills and life-long learning for workers of all ages and is cognisant that supporting workers to re-skill and up-skill so they can move quickly into new jobs is fundamental to responding to technological change.

In November 2018, the Government announced that from 1 July 2019 it would extend the Support for Adult Australian Apprentices (SAAA) payment to employers who commence an eligible Australian Apprentice aged 21 years and over. From 1 July 2019, eligible employers of an adult Australian Apprentice will receive $4,000 once the apprentice has successfully completed 12 months of training.

As part of its 2019-20 Budget package the Government allocated $156.3 million over four years for an Additional Identified Skills Shortage payment of $4,000 for eligible employers and $2,000 for eligible apprentices in ten shortage occupations in Australian with an Australian Apprenticeships pathway. The skills package also included $44 million to streamline incentives for employers of apprentices and trainees, and modernise the National Skills Needs List.

As part of the Australian Government's More Choices for a Longer Life Package announced in the 2018-19 Budget, the Government is investing $17.4 million over four years into the Skills Checkpoint for Older Workers Program (the Program) to provide up to 20,000 eligible Australians aged 45-70 with advice and guidance on transitioning into new career opportunities. The Program targets those currently employed but who may be at risk of unemployment, or those recently unemployed, and not registered for assistance through an employment services program.

The Program uses individually tailored assessments and referrals, to provide workers with advice on how best to use their existing skills in the workforce, or identify opportunities for upskilling. It can also refer participants to educational and training opportunities to assist with transitioning to a new role in their current industry or switching to an entirely new career. From 1 January 2019, older Australians are also able to access up to $2,200 (GST inclusive) to undertake training opportunities identified through the Program. The individual or their current employer must match the Government’s contribution, ensuring a joint investment in the skills development of older Australians. The $19.3 million Skills and Training Incentive will provide funding for up to 3,600 places per year.

Continued and ongoing access to education and training is at the forefront of Government policy. As such, as part of Higher Education Support Legislation Amendment (Student Loan Sustainability) Act 2018, a renewable component will come into effect from 1 January 2020. That is, starting from the 2019-20 income year, repayments of income contingent study loans will re-credit a person’s Higher Education Loan Program (HELP) balance (including for VETStudent Loans) which will enable amounts that are repaid to be re-borrowed in the future, up to the current HELP loan limit. This will allow individuals to pursue further study to retrain, change careers or further specialise in their current profession.
Recommendation 6

4.80 The Committee recommends that the Australian Government continue to promote digital trade standards, both technical and regulatory, with an emphasis on openness, technological neutrality and interoperability.

The Australian Government supports this recommendation.

The Australian Government will continue to take a leading role in promoting digital rules and standards globally that support business while ensuring adequate protections for consumers, as set out in the International Cyber Engagement Strategy.

In the multilateral context, Australia continues to lead efforts at the World Trade Organization (WTO) to establish an agreement that specifically governs digital trade. More than 70 WTO Members signed on to the Australian-led Joint Statement on Electronic Commerce (Davos Statement) in the margins of the World Economic Forum Annual Meeting Davos in January 2019. The Davos Statement signals members' intention to commence WTO negotiations on trade related aspects of electronic commerce.

Australia will continue to pursue rules that promote openness in our regional and bilateral trade agreements. Our most recent free trade agreements (FTAs)—including the Comprehensive and Progressive Agreement for Trans-Pacific Partnership, our bilateral agreements with Peru, Indonesia and Hong Kong, the Regional Comprehensive Economic Partnership, and the 2017 review of our Singapore agreement—contain some of the most ambitious e-commerce provisions in the world, including rules targeting restrictions on data flows such as data localisation requirements. We are also pushing for high standard e-commerce outcomes in ongoing negotiations, including with the Pacific Alliance, and with the European Union.

In shaping these rules, Australia will remain mindful of the importance of technological neutrality and interoperability. These considerations will guide, for example, our approach to rules on electronic authentication, electronic signatures and legal frameworks governing electronic transactions.

The Australian Government engages in multilateral economic bodies including the OECD, G20 and APEC, to advocate the development of rule-making on digital trade. In these fora, we are taking practical steps to help build consensus on digital trade rules, including supporting initiatives on digital trade measurement, consumer protection, and undertaking research on enablers of digital trade.

Together with rules, technical standards play an important role in shaping an enabling environment for digital trade. Harmonising these standards between countries improves the conditions for global digital trade by making it easier to do business across borders. The Australian Government will continue to promote the development of interoperable global standards, including by supporting Australia's contribution to the development of standards through the International Organisation for Standardisation and the International Electrotechnical Commission.

The Australian Government will continue to support cooperation between national standards bodies and regulatory agencies across the Indo-Pacific. This includes supporting work through the ASEAN-Australia Digital Trade Standards initiative, which provides a framework to cooperate with ASEAN in developing, adopting and using international digital trade standards that support inclusive economic growth in the region.

The Australian Government is working with the New Zealand Government to implement a common approach to electronic invoicing (e-Invoicing), progressed most recently at a meeting between Prime Minister Morrison and Prime Minister Ardern in February 2019. This is based on a shared technical standard and will enable interoperability of e-Invoicing systems. e-Invoicing will allow direct, electronic exchange of invoices between suppliers' and buyers' financial systems, improving the ease of doing business between Australia and New Zealand.
Recommendation 7

4.81 The Committee recommends that the Australian Government continue to support a permanent moratorium on duties for data flow.

The Australian Government supports this recommendation.

It has been the Australian Government's long-standing position to support a permanent moratorium on customs duties and to advocate this position in the WTO. Australia views the WTO moratorium on customs duties on electronic transmissions as applying to all goods and services transmitted electronically, and we do not see any benefit in WTO members applying customs duties on these. Any move to apply customs duties would increase the costs of goods and services purchased online and may act as a disincentive for business and consumers to engage in e-commerce.

The Australian Government believes the moratorium acts as a driver for growth in e-commerce as it maintains liberalising trading outcomes and provides predictability for businesses and consumers. This supports our ambitious trade agenda and ensures Australian businesses have the opportunity to access key international markets.

The Australian Government has already made the moratorium permanent with some trading partners through commitments in FTAs.

Recommendation 8

4.82 The Committee recommends that the Australian Government work within the WTO to develop an internationally consistent system of measuring data flow.

The Australian Government supports in principle this recommendation.

The Australian Government will continue to work through a range of relevant international organisations, including the OECD, to bring about an internationally consistent system for measuring data flows.

Research into measuring digital trade, including data flows, is already being carried out by international organisations, in particular through the Inter-Agency Task Force on International Trade Statistics whose members include the OECD, the WTO and the IMF. Complementing this work, the OECD has developed a Digital Services Trade Restrictiveness Index (Digital STRI). Building on the existing OECD STRI, the Digital STRI aims to identify, catalogue and quantify barriers to trade in digitally enabled services.

Recommendation 9

4.83 The Committee recommends that the Australian Government ensure that all Commonwealth agencies comply with the Australian Signals Directorate's Essential Eight cyber security and resilience mitigation strategies.

The Australian Government supports this recommendation.

The Australian Government is committed to ensuring all Commonwealth entities raise their level of cyber security and understand the risks they face. The Essential Eight represents the Australian Signals Directorate's (ASD's) best advice on the measures an entity can take to mitigate the threat of a cyber incident and manage their risks.

The Government is working with all agencies to improve their cyber security maturity, including:

- continuing to require compliance with four of the Essential Eight requirements;
- strongly recommending implementation of the other four Essential Eight strategies; and
- requiring reporting data on implementation of the Essential Eight as part of a new Protective Security Policy Framework reporting maturity model.
In addition, the Department of Home Affairs and the Australian Cyber Security Centre will take more proactive steps to establish effective behaviours and lift Commonwealth agencies' cyber security.

As noted in the response to Australian National Audit Office Report No.53 2017-18 Cyber Resilience tabled on 28 June 2018, the Department of Home Affairs, Attorney-General's Department and ASD will also work together to strengthen the standard of cyber security of Australian Government networks through enhanced technical guidance, improved verification and increased transparency and accountability.

The Joint Committee on Public Accounts and Audit has made similar recommendations and the Government response' to this will be tabled shortly.

**Recommendation 10**

4.84 The Committee recommends that the Australian Government investigate ways to assist Australian SMEs to improve their cyber security awareness and resilience levels.

**The Australian Government supports this recommendation.**

The Australian Government recognises the important role that cyber security awareness and resilience plays in protecting small businesses operating in the digital economy, and is working to lift the cyber security awareness and resilience of Australian small to medium-sized enterprises.

The Australian Cyber Security Centre (ACSC) helps Australian small business owners operate safely and successfully online. The Australian Government has committed $26 million to support the ACSC to expand its assistance to the community, including small businesses. The ACSC will develop a comprehensive online cyber security training program providing practical cyber advice for small business, older Australians and Australian families. The ACSC's 24/7 cyber hotline will be expanded to include a dedicated helpdesk for small and medium sized businesses, older Australians and families to report cyber security incidents. Specially trained staff will be able to provide tailored technical advice in preventing and responding to incidents.

The Stay Smart Online campaign provides topical, relevant and timely information on how small businesses can best protect themselves from cyber threats.

Other Australian government support mechanisms are available through the Business Management element of the Entrepreneurs' Programme (EP). Under this program, eligible businesses have access to a national network of experienced business advisers and facilitators to help firms improve their business practices, including in cyber security.

The Australian Government has also announced the development of Australia's new Cyber Security Strategy for delivery in 2020 (the Department of Home Affairs is the responsible department). The Strategy's development underscores the Government's commitment to keeping Australians safe from cyber security threats and it will succeed the 2016 Strategy.

The Australian Government will continue to look at new ways to improve cyber security awareness for all Australians and ensure that it leads to behavioural change on cyber security.

**Recommendation 11**

4.85 The Committee recommends that the Australian Government require all agencies when developing policy, legislation or trade agreements to consider whether what is proposed is technologically neutral and whether it could create barriers to the digital economy, including by limiting interoperability.

**The Australian Government supports in principle this recommendation.**

The Australian Government understands that adopting a technology neutral approach to policy and regulations will enable businesses to adopt approaches that best suit their business model and consumer preferences. It will also ensure that regulators can readily respond and adapt their oversight to take account of innovation and development of new technologies.
For example, in data policy, the Government is committed to ensuring that all new systems adopted by its agencies "support discoverability, interoperability, data and information accessibility and cost effective access to facilitate access to data." This is reducing barriers to data sharing and access.

The Australian Government will continue to address barriers to the digital economy through our trade agreements and our engagement in international fora. This includes pursuing trade rules that facilitate e-commerce and promote data flows across borders (including by limiting data localisation requirements), while providing adequate protections for consumers and ensuring sufficient public policy space.

In doing so, Australia will also continue to emphasise the importance of technological neutrality and interoperability including, for example, in developing rules on electronic authentication, electronic signatures and legal frameworks governing electronic transactions (as noted in the response to Recommendation 6 above).

The Australian Government continues to seek stakeholder input, to help assess current digital trade rules and possible improvement and will continue this engagement to ensure we pursue trade rules that fit the current and future operating environment for business.


Cyber.gov.au/business/


Public Works Committee

Report

Senator DEAN SMITH (Western Australia—Government Whip in the Senate) (17:54): On behalf of the Parliamentary Standing Committee on Public Works, I present the report of the committee on referrals made at September 2019.

Treaties Committee

Report

Senator BROCKMAN (Western Australia—Deputy Government Whip in the Senate) (17:54): On behalf of the Joint Standing Committee on Treaties, I present report 188, entitled Investments Uruguay, ISDS UN Convention and Convention SKAO, and move:

That the Senate take note of the report.

The report that has just been tabled contains the committee's review of three treaty actions:

- the Agreement Between Australia and the Oriental Republic of Uruguay on the Promotion and Protection of Investment;
- the United Nations Convention on Transparency in Treaty-based Investor-State Arbitration; and
- the Convention Establishing the Square Kilometre Array Observatory.
The observatory is something that is very important to myself and my fellow senators from Western Australia, as one of the key sites for the SKA will be in the Murchison region of WA.

Australia's approach to investment treaties has evolved over time to keep up with modern investment treaty practices. To reflect these changes, the government has undertaken reforms to update our older-style treaties. This is the case for the new investment treaty with Uruguay. The agreement replaces a 2002 bilateral investment treaty. Updated provisions include explicit procedural and substantive safeguards for investor-state dispute settlements, or ISDS.

The need for greater transparency in relation to ISDS proceedings has been a longstanding matter of public concern. The United Nations convention will enhance transparency and public accessibility to ISDS arbitration. It will allow for the existing UN Rules on Transparency in Treaty-based Investor-State Arbitration to apply to a wider pool of investment treaties.

ISDS provisions provide protection to Australian businesses investing abroad and for that reason are desired by countries entering into trade agreements with Australia, such as Uruguay. ISDS allows investors to enforce their rights directly under international investment treaties. Rights include being treated the same as local investors, being treated the same as other foreign investors and receiving compensation if investments are expropriated or nationalised. ISDS does not stop the government from regulating in the public's interest, including in relation to health and the environment.

Australia has had ISDS arrangements in place for over 30 years and during that time has had only one ISDS case brought against it before a tribunal, which Australia successfully defended. In contrast, the government is aware of at least five Australian corporate companies that have made ISDS claims against other governments. Australia is not party to these disputes.

Most particularly from a Western Australian perspective, I wish to acknowledge the work being done by Australian scientists, particularly around the work they are doing in establishing the Square Kilometre Array Observatory in the Murchison region of Western Australia. The SKA is a global big-science project to build the world's largest and most capable radio telescope. The project began in the early 1990s and is an international partnership to build and operate the world's largest, most advanced radio observatories. Australia and South Africa will each host SKA telescopes. The governing body, the SKAO Council, which is headquartered in the UK, will be responsible for the overall strategic and scientific direction of the project, including policies, rules, regulations and budget. Australia's involvement in the project is expected to provide a range of benefits. These will include reinforcing Australia's commitment to international cooperation in scientific and technological fields. Australia's astronomer-at-large Professor Watson assured the committee that the SKA is expected to generate Nobel prizes. He expects some of those to come to Australian scientists.

My fellow senator Matt O'Sullivan and I were fortunate enough to travel to the Murchison region around a month ago and visit the SKA future site. Already in that location we have the SKA Pathfinder, which is doing groundbreaking work gazing back into the earliest origins of our universe. To see some of the equipment they're using up there—some of which looks like it was put together by a farmer while some of it is the most highly scientific apparatus, such
as a giant Faraday cage housing a massive data centre—is quite remarkable, and it is in the middle of one of the most remote parts of Australia. As a Western Australian, I am very proud that Australia is being a very important part of this in an international sense.

As a whole, the committee recommends binding treaty action be taken for all three treaty actions reviewed in this report.

On behalf of the committee, I commend the report to the Senate.

Question agreed to.

Joint Standing Committee on Trade and Investment Growth

Government Response to Report

Senator URQUHART (Tasmania—Opposition Whip in the Senate) (18:00): I move:

That the Senate take note of the document.

I seek leave to continue my remarks.

Leave granted; debate adjourned.

DOCUMENTS

Religious Discrimination Bill 2019

Order for the Production of Documents

Senator COLBECK (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (18:00): I table a document relating to the order for production of documents concerning the Religious Discrimination Bill consultation.

ANSWERS TO QUESTIONS ON NOTICE

Aged Care

Community Sport Infrastructure Program

Senator COLBECK (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (18:01): I table responses to questions taken on notice by the Minister for Aged Care and Senior Australians during question time on 14 November 2019 relating to aged-care home packages and the Community Sport Infrastructure Program. I seek leave to have the responses incorporated in Hansard.

Leave granted.

The answers read as follows—

Dear Mr President,

Further to my answer during Question Time in the Senate on 14 November 2019 relating to the Community Sport Infrastructure Program, I wish to table the following information provided to me by the Australian Sports Commission.

Senator Farrell asked whether an application under this program was sent back for reassessment at the request for Senator McKenzie or her Ministerial office?

The Australian Sports Commission has confirmed that no request for reassessment was made to them.

Yours sincerely,

Richard Colbeck
Dear Mr President,

Further to my answer during Question Time in the Senate on 14 November 2019 relating to access to Home Care Packages.

Senator O'Neill asked how many older Australians living in rural, regional and remote areas of Australia are waiting longer than 18 months to access their approved home care package?

I write to inform the Senate that the specific number is 5,832.

This is the equivalent of 14.3% of those awaiting an approved package in regional, remote or very remote Australia, which is commensurate with that of major cities. In addition, 93.9% (5,477) of these older Australians had been offered an interim level home care package.

Yours sincerely
Richard Colbeck

COMMITTEES

Environment and Communications References Committee
Legal and Constitutional Affairs Legislation Committee

Membership

Senator LINES (Western Australia—Deputy President and Chair of Committees) (18:01): Order! The President has received letters requesting changes in the membership of various committees.

Senator COLBECK (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (18:02): by leave—I move:

That senators be appointed to committees as follows:

Environment and Communications References Committee—
Appointed—Substitute member: Senator Whish-Wilson to replace Senator Hanson-Young for the committee's inquiry into the impact of seismic testing on fisheries and the marine environment
Participating member: Senator Hanson-Young.

Legal and Constitutional Affairs Legislation Committee—
Appointed—Substitute member: Senator Whish-Wilson to replace Senator McKim for the committee's inquiry into the Anti-Money Laundering and Counter-Terrorism Financing and Other Legislation Amendment Bill 2019
Participating member: Senator McKim

Question agreed to.

BILLS

Social Services Legislation Amendment (Payment Integrity) Bill 2019

First Reading

Bill received from the House of Representatives.

Senator COLBECK (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (18:02): I move:

That this bill may proceed without formalities and be now read a first time.

Question agreed to.
Bill read a first time.

Second Reading

Senator COLBECK (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (18:03): I move:

That this bill be now read a second time.

I seek leave to have the second reading speech incorporated in Hansard.

Leave granted.

The speech read as follows—

The government is committed to ensuring our welfare system is sustainable into the future so that we can afford the essential services that Australians rely on.

This bill reintroduces three measures designed to improve the integrity and sustainability of the welfare payment system:

- enhancements to residency requirements for pensioners;
- changes to the payment of the pension supplement for permanent departures overseas and temporary absences; and
- an increase to the liquid assets test waiting period to increase self-reliance.

Together, the measures in the bill are estimated to improve the budget bottom line by $291.5 million over the forward estimates.

Enhanced Residency Requirement for Australian Pensions

From 1 January 2020, the first measure in this bill will strengthen the residency requirements for the age pension and disability support pension, (DSP).

Currently, to qualify for the age pension or DSP, a person must be an Australian resident for a total of 10 years, with at least five of those years being continuous. However, there is no requirement for those 10 years to be during a person's working life—that is, between 16 years of age and age-pension age—or for a person to demonstrate self-sufficiency during that time.

Under this measure, to qualify for the age pension or DSP, a person needs to have 10 years continuous Australian residence and either five years of this residence during their working life; or greater than five cumulative years residence while not in receipt of an activity tested income support payment.

The community reasonably expects that people choosing to migrate to Australia, including those who come later in life, should be self-sufficient to the greatest extent possible. It is estimated that less than one per cent of the people applying for the age pension or DSP will be impacted by this measure.

This measure is expected to result in savings of $32.3 million over forward estimates (DSS administered impacts only).

Changes to the payment of the pension supplement for permanent departure overseas and temporary absences

The second measure in the bill will cease payment of the basic amount of the pension supplement. The pension supplement is designed to alleviate the cost-of-living pressures for income support recipients living in Australia.

Currently, if a recipient goes overseas, their pension supplement is reduced to the basic amount after six weeks temporary absence from Australia, or immediately for permanent departures.

The basic amount of pension supplement is equivalent to the former GST supplement, which was introduced to compensate recipients for increases in the cost of living as a result of the GST. Income
support recipients who are outside of Australia for more than six weeks, or who leave Australia permanently, do not need to receive this ongoing compensation.

This measure will provide savings of $154.4 million over the forward estimates based on a 1 January 2020 start date.

Increase to the liquid assets test waiting period to increase self-reliance

The final measure in this bill will increase the maximum liquid assets test waiting period from 13 weeks to 26 weeks for new income support claimants from 1 January 2020.

The liquid assets test waiting period is the period of time that a person claiming youth allowance, Austudy, Newstart allowance or sickness allowance is expected to use their liquid assets—such as cash, bank deposits, shares—for self-support before relying on taxpayer funded income support.

The liquid assets test waiting period may be between one and 13 weeks, depending on the amount of liquid assets the person has. The length of the waiting period increases by one week for every $500 held above the threshold for single people with no children, or $1,000 for couples and people with children.

For example, a single person with no children and $5,500 in liquid assets would serve a one-week liquid assets test waiting period. A person with $6,000 would serve two weeks. This ensures that the liquid assets test waiting period better reflects the current profile of claimants and their capacity to support themselves.

Claims lodged on or after 1 January 2020 will be subject to the new maximum length of the liquid assets test waiting period. Claimants already serving a liquid assets test waiting period on 1 January 2020 will not have their liquid assets test waiting period extended.

This measure is expected to result in savings of $104.8 million over the forward estimates.

We have a duty to taxpayers and recipients alike to make sure that Australia's welfare payment system is fair and sustainable.

Together, the measures in the bill will make sensible changes to safeguard the long-term sustainability of our welfare payment system while still ensuring appropriate support for those who need it.

Debate adjourned.

Customs Amendment (Growing Australian Export Opportunities Across the Asia-Pacific) Bill 2019

Customs Tariff Amendment (Growing Australian Export Opportunities Across the Asia-Pacific) Bill 2019

Assent

Messages from the Governor-General reported informing the Senate of assent to the bills.

COMMITTEES

Foreign Affairs, Defence and Trade References Committee

Reference

Senator PATRICK (South Australia) (18:04): I, and also on behalf of Senators Lambie, Bernardi, Hanson, Griff and Roberts, move:

That the following matter be referred to the Foreign Affairs, Defence and Trade References Committee for inquiry and report by 26 November 2020:

Australia's relationship with the People’s Republic of China.
This is the fifth occasion that I have moved a motion seeking a Senate inquiry relating to Australia's relationship with China. Perhaps I'm a sucker for punishment, but this is too important an issue to let go.

Over a year ago, on 13 November last year, I moved for an inquiry into Australia's engagement with China's Belt and Road strategy. That proposal was prompted by the Victorian government's decision to signed an MOU with China relating to cooperation on Belt and Road projects, a decision that was apparently made without coordination with the federal government. On that occasion, the coalition and Labor combined against the crossbench to negate the proposal. It was a similar story 10 months later, when I moved another motion on 9 September, proposing a broad Senate committee inquiry into all aspects of Australia's relationship with China.

As senators would be aware, that proposal for an inquiry initially enjoyed support from both the coalition and Labor members of the Senate Foreign Affairs, Defence and Trade Committee, including the references committee chair, Senator Kitching, who agreed to co-sponsor the motion. However, other forces prevailed. The foreign minister decreed that China was too sensitive a subject for any Senate inquiry. So too did the shadow foreign minister. Senator Kitching was required to withdraw her co-sponsorship of the motion, and both the coalition and Labor again voted against the crossbench to negate the proposed inquiry.

It was the same story, of course, when I moved a similar motion on 16 September and again on 11 November. I moved those motions, and I do so again today, because developments and controversies in Australia's relationship with China have repeatedly underlined the importance of the parliament becoming engaged in a positive way on this key international relationship. Last week we saw the emergence of new allegations of attempted Chinese-government-directed interference in Australia's political affairs. This is not the first time that such allegations have been made. There have been a series of allegations, extending back well over a decade.

With regard to the allegations raised last week, the Director-General of Security, Mike Burgess, was prompted to issue a statement indicating that those allegations were being actively investigated and that hostile foreign intelligence activities continued to pose a real threat to Australia. Significantly, the director-general couldn't bring himself to actually name the country in question, which was China. That omission and the broader reluctance of the government and opposition to talk forthrightly about these problems are characteristic of much debate about the state of Australia's relations with China. There are big headlines in the newspapers and no shortage of partisan sniping, but there is a marked reluctance by ministers and opposition frontbenchers to speak forthrightly, even when the issue includes the Chinese Ministry of State Security hacking the computer systems of this parliament.

Obviously, there are considerable diplomatic sensitivities involved and we have allowed ourselves to become hugely economically dependent on the export of raw materials to the Chinese market. But it is a worrying thing when debate in this parliament is politically constipated for fear of reaction from Beijing. It is worth noting that some other countries, including our closest allies, are rather more direct in how they describe the increasing security challenges posed by China, especially in the fields of espionage and political interference. Last month, the director of the United States FBI, Christopher Wray, bluntly observed that Chinese espionage, especially in the economic field, is:
the single greatest counterintelligence threat we face. Period.

In testimony to the US Senate, the FBI highlighted China's aggressive theft of defence technology and intelligence property, with the assistant director of the FBI's Counterintelligence Division, saying: 'Technology is the key to military and economic power. Time and again the Communist Party has shown that it will do whatever is necessary in an effort to supplant the United States as the pre-eminent military and economic power.'

Earlier, in April this year, Canada's National Security and Intelligence Committee of Parliamentarians—a committee similar to our Parliamentary Joint Committee on Intelligence and Security but with a significantly wider mandate—identified China as a 'significant and clear espionage threat' and a 'country actively seeking to interfere in Canadian political life'. The Canadian committee's report observes:

China is known globally for its efforts to influence Chinese communities and the politics of other countries. The Chinese government has a number of official organizations that try to influence Chinese communities and politicians to adopt pro-China positions, most prominently the United Front Work Department—

The report highlights a 2017 warning from a former Canadian ambassador in Beijing about China's political interference and influence peddling efforts in Canada. To get what it wants, Beijing mobilises student groups, diaspora groups 'and people who have an economic stake in China, to work behind the scenes.' The report also notes the unsavoury business of political donations on offer from Chinese businessmen with close links to China's Communist Party leadership.

Of course, some of this might sound familiar. But you won't find such candour in the reports of the PJCIS or, for that matter, in ASIO's annual reports—perhaps they're hidden in Aldi bags! The director of the Canadian Security Intelligence Service, David Vigneault, has not shied away from singling out China as a growing security threat. In a presentation to China's top university administrators earlier this year the Canadian security director said China represents 'the most significant and clear' challenge when it comes to espionage targeting university campuses. He warned that foreign intelligence services, 'especially those in China and Russia', were engaged in 'monitoring and/or coercion' of students, faculty and university officials in an effort to further their political influence. Again, this may sound familiar. Most recently, Vigneault warned an international cybersecurity workshop that China's building of 5G networks around the world was giving rise to 'new espionage and disruption risks'. He described China as the biggest threat because of the wide range of its cyberespionage targets.

Similar observations about Chinese espionage and interference have been made by a number of European countries, even those that are usually focused on security challenges from Russia. Perhaps some of the most forthright observations can be found in a just released annual report of the Czech Republic's Security Information Service, the Czech equivalent of ASIO. At a glance one might think that Prague would not be a major priority for Chinese espionage. However, Czech security observes the intensity and scale of Chinese intelligence activities has grown significantly. All of the most important Chinese intelligence services are reported to be active in the Czech Republic: the external military intelligence service, the International Liaison Department of the Central Committee of the Communist Party of China, the Ministry of State Security and the Ministry of Public Security.
Chinese career diplomats are also alleged to have resorted to crude pressure tactics to advance China's interests. The Czech security services provide some insight into the modus operandi of Chinese espionage and interference, and I'll quote from the report:

In the context of Chinese activities aimed at the Czech academia, security bodies and state administration, the BIS—

which is their security service—

identified a growing number of Chinese invitations addressed to Czech citizens for trainings, seminars and excursions. China offers to cover all expenses for the invited individuals (transport, accommodation, food allowance, registration fees) and even to give Czech guests spending money. Such journeys ensure a whole range of benefits for China—the country thus establishes a contact network of individuals, who will regard it with favor, or more specifically feel that they "owe China something" and will be willing to be forthcoming towards China. From an intelligence point of view, the most risky aspect is the physical presence of the guest in China. Chinese intelligence services usually use the stay of persons of interest in China or in a third country … to approach them for cooperation.

That's what is said in the report. One wonders how many Australian MPs have been approached over the years. The Czech security service highlights China's exploitation of social media to target potential sources or cooperators, like academics, students, civil servants and other persons potentially with access to sensitive information. Reference is also made to the activities of a Chinese cyberespionage group that targeted the Czech ministry of foreign affairs.

Australia is geopolitically and economically much more important to China than a small Western European nation such as the Czech Republic. We are also economically much more dependent on our trade with China and have extensive people-to-people ties as a consequence of the large Chinese diaspora and a large Chinese student presence. Canberra, Sydney and other Australian cities are a much bigger focus for covert Chinese government activity than far away Prague.

Some former Australian security officials have been more forthright than current ministers and officials. The recently retired ASIO director, Duncan Lewis, has warned the Chinese government is seeking to use insidious foreign interference operations to take over Australia's political system. According to Mr Lewis, Chinese authorities are trying to place themselves in a position of advantage by winning influence in political, social, business and media circles. He said:

Espionage and foreign interference is insidious. Its effects might not present for decades and by that time it's too late. You wake up one day and find decisions made in our country that are not in the interests of our country.

These are very serious concerns expressed by someone with long experience of government and Australia's counterespionage circumstances. He is indeed a former military officer as well.

That is only part of the story. As I have previously stated, Australia's relations with China are increasingly challenging, but they're also multifaceted and include great economic and other opportunities. We would be wrong to consider these issues solely through the lens of security. That is where recent debate has focused, and there has been an increasing partisan edge to that. In that regard, I think it's useful to refer to recent observations by a highly
qualified observer of China-Australia relations, Yun Jiang, a former officer of the Department of the Prime Minister and Cabinet, the Department of Defence and the Department of the Treasury, who has published some thoughtful commentary on the Lowy Institute's blog, The Interpreter. She observes:

It is in Australia's national interest that we continue to contemplate China's role in the world and to debate how Australia should respond to the challenges posed by China. This is a conversation that needs to be conducted based on facts and the merits of the argument, not on insinuation of intention.

Yun Jiang makes three specific suggestions for improving the quality of our national debate:

- **Stop personal attacks.** We should debate with goodwill, first and foremost, and recognise that most public commentators in Australia have Australia's national interest at heart. Often the difference in views comes down to the priorities attached to different facets of our national interest.

- **Promote greater knowledge.** Scholars, policymakers, and the media need to work together and disseminate China knowledge and research. This would help improve understanding of the issues and put news stories in context.

- **Reach across disciplines.** Scholars and policymakers from different disciplines (e.g., economics and national security) need to have more fundamental discussions about the assumptions and frameworks inherent in each discipline.

All three of these suggestions would be advanced by a Senate inquiry—a forum through which senators can engage in a nonpartisan thoughtful way drawing on the full range of available expertise from government, business, universities and NGOs.

As I have previously said, China is the No. 1 issue in Australia's foreign relations. There can be no question about that. How can the Senate stand aside from this? We have a much more complex and challenging relationship, a relationship that is increasingly fraught in some respects, and it is all the more important that the Australian parliament fully engage on this vital question. As I have previously said, an issue that could very usefully be examined is China's strategic ambitions in South-East Asia and the Pacific, including Beijing's growing influence in Timor Leste, the Solomon Islands, Papua New Guinea and elsewhere. The inquiry could examine our vital trade relations with China, including our dependence on raw material exports and the potential to develop new trading opportunities and a more balanced export trade pattern. There's also the question of Chinese investment in Australia in resources and critical infrastructure as well as agriculture. We need to consider the federal aspects of our relationship with China—not only the role of the Australian government agencies but also the engagement of state and territory governments with Chinese trade and investment activities. We also need to take a close look at China's influence and alleged interference in Australia, including the activities of the so-called 'united front' organisation and the role of Chinese government controlled student organisations on Australian university campuses. There's no getting around those issues. They must be examined and directly dealt with by this parliament.

There would also be the opportunity to examine human rights issues, including the deeply worrying case of imprisoned Australian Yang Hengjun. As I've said previously, I've no doubt that the Chair of the Senate Foreign Affairs, Defence and Trade References Committee, Senator Kitching, would lead a very measured and substantive inquiry. The shadow minister for foreign affairs has repeatedly asked the government to provide parliamentarians with
confidential briefings on China. The government has declined this request, although it has also said departments and agencies will brief appropriate parliamentary committees.

A Senate inquiry, such as that proposed by this motion, should provide an opportunity for the government and opposition to move beyond partisan positioning and work together in our national interest. The inquiry proposed by this motion would engage all elements of opinion within the Australian parliament: the coalition, Labor, the Greens and the crossbench. If the government and opposition cannot support this proposed inquiry, they should at least offer some more substantive arguments and alternatives than they have offered to date. Who knows, if they do not reconsider their position, we might just find our way through partisan controversy and move towards developing a forward-thinking approach to this critically important relationship. We might just find a way forward that would enjoy support not only across this parliament but across the broad Australian community. If we don't do that, Australia may eventually pay a very considerable price in terms of internal partisan division, potential social conflict and very real harm to our national interest and our sovereignty.

Senator CANAVAN (Queensland—Minister for Resources and Northern Australia and Deputy Leader of the Nationals in the Senate) (18:23): The government will not support this motion from Senator Patrick. The China relationship is important and complex, engaging a full range of national interests. We have a comprehensive strategic partnership, which benefits both countries. We remain focused on areas of cooperation that support both our interests. We seek to address differences through dialogue and with respect. The government's China policy is clear. It is prosecuted in our national interest, in line with our values. When managing relations with China, clarity and consistency is essential. This is what the coalition will continue to deliver.

Senator ROBERTS (Queensland) (18:24): As a servant to the people of Queensland and Australia, I would like to say that One Nation is supportive of the motion that Australia's relations with the People's Republic of China be referred to the Foreign Affairs, Defence and Trade References Committee for inquiry and preparation of a report into the Liberal-Labor club. I want to commend Senator Rex Patrick. This is his fifth attempt—I thought it was his fourth, but it is his fifth attempt. He must be seeing visions of Groundhog Day. Nonetheless, let's proceed. I want to set the context.

It is imperative that Australia and China maintain a mutually respectful and beneficial bilateral relationship. That requires respect from both parties in any relationship. China is Australia's largest two-way trading partner, export market and import source, representing 24 per cent of total trade with a value of $183 billion. That alone shows influence. Australia is China's sixth-largest trading partner and fifth-biggest supplier of imports. Twenty five per cent of Australia's manufactured imports come from China and 13 per cent of Australia's exports include thermal coal to China. A free-trade agreement was signed between the two countries in June 2015.

In more recent times China has embarked on the One Belt, One Road initiative. This is a Chinese economic and strategic agenda where Eurasia, Africa and Oceania are more closely tied along two routes—one land and one maritime. Those who support the initiative say it facilitates the development of infrastructure and economic aid to needy economies. On the other hand, it can be said to facilitate Chinese economic and strategic domination of smaller countries on the routes. It's about strategic control—and the emphasis is on 'control'. For
Australia, we see growing Chinese involvement in projects from northern Australia to Tasmania, all providing little benefit to Australia but substantial benefits to China. Other examples of Chinese involvement have been in the funding and support of local academic conferences and seminars—the influence peddlers.

One of the ongoing issues of mutual concern relates to regional and global security. The growing tensions between the United States of America and the People's Republic of China in terms of the imposition of trade tariffs is placing Australia in a challenging position given the importance of Australia's relationships with both these countries. Similarly, the views taken on China's growing military influence in the South China Sea remain of concern to the United States of America and, necessarily, Australia as an established ally of the United States. Regionally, China is having a growing influence by funding infrastructure projects for some of the Pacific island countries and Papua New Guinea. This runs the risk of changing the dynamic between Australia and our near neighbours.

Australia is a destination of choice for many Chinese students to further their education in an Australian academic institution. In 2018 there were more than 166,000 enrolments of Chinese students in Australia, representing 43.3 per cent of the total international student cohort. A concern noted in some Australian universities is the potential dependence on full-fee-paying international students of the overall money pool available to university budgets. The concern is that, should those numbers suddenly diminish, it may leave some of the universities destitute.

The unfettered Chinese development of five research bases within the Australian Antarctic Territory is of growing concern to many, at a time when Australian investment into its three bases in that territory has been considered relatively conservative by comparison. Given the potential for military and strategic use of these bases by China and resource extraction at some future time, there is need to consider this factor when examining our relationships with China.

Australia is a favourite destination for Chinese tourists. This is shown by recent numbers. More than 1.3 million Chinese tourists visited Australia last year, representing 15 per cent of total visitors. This is a clear positive for Australia. At the same time there is a growing boom of tourists heading for China, which is welcoming tourists from around the world, including 700,000 from Australia.

So we have a complex and strong relationship, but with potential for being derailed and hurting our country. Consider some of these recent developments. The Liberal Party's Andrew Hastie wants an inquiry into the relationship. He speaks out against China's violations. He was recently banned from visiting that country—just for speaking out. From memory Senator Kimberley Kitching, from the Labor Party, co-sponsored one of Senator Patrick's motions, yet we see the New South Wales Labor Party immersed in ICAC revelations. And we remember that former Senator Sam Dastyari's bills were being paid by the Chinese.

There are questions over the Liberal Party's interactions with Chinese influencers. There is the Gladys Liu affair with its sloppy answers and repeated memory failures. She is honorary chairman of an institution of which she doesn't know the daily operations. There are contradictions, or at least serious questions, about facts. Bo 'Nick' Zhao was found dead in a Melbourne motel soon after claiming publicly that the Chinese government had approached
him to stand as a candidate to be their man in this building. Are there others? Is Chinese Gladys Liu their person?

The DEPUTY PRESIDENT: Senator Roberts, I remind you to refer to those in the other place by their correct title.

Senator ROBERTS: Thank you, Madam Deputy President. There is also Senator Patrick's vote on 12 September 2019, just days after we debated this motion for the second time, which enabled the government to escape scrutiny over the Liu affair, as it's known.

The DEPUTY PRESIDENT: Senator Roberts, unless you're quoting, that's really inappropriate. You need to refer to those in the other chamber by their correct titles.

Senator ROBERTS: Okay, I thought I was talking about the Liu affair, but I'll say the affair that involved Ms Gladys Liu.

Senator Farrell: Don't forget to include Xenophon!

Senator ROBERTS: We'll get to that. Essential infrastructure like Darwin's port: how was the government not thinking strategically when it allowed China into this important northern gateway for 99 years? This port is the home of our local naval presence. Andrew Robb gave them the deal and then ended up on a salary of $880,000 immediately on leaving the parliament. Then we consider Mr Peter Dutton's recent comments, which were reported on 12 October this year:

One of the Morrison Government's most senior figures has taken a direct swipe at Beijing, accusing the Chinese Communist Party of behaving in ways that are "inconsistent" with Australian values. That is significant for the third part of my contribution. Key points from Mr Dutton's comments were:

Mr Dutton said the Federal Government would call out state actors if it was in the national interest.

He said he wanted universities to be free from foreign interference—

this is a senior Liberal government minister—

The Home Affairs Minister also criticised China's Belt and Road Initiative and defended a ban on using Huawei to help build Australia's 5G network

The report continued:

… Minister Peter Dutton warned Australia would "call out" foreign interference in universities, as well as cyber hacks and theft of intellectual property ... insisting it was the right thing to do.

He, a senior minister in an important portfolio, is concerned. The article continued:

It represents some of the strongest language yet from a Federal Government minister—

just a month and a half ago—

on the threat posed by China.

Mr Dutton was further quoted:

Our issue is not with the Chinese people—

I wholeheartedly concur—

not with the amazing Chinese diaspora community we have here in Australia, my issue is with the Communist Party of China and their policies to the extent that they're inconsistent with our own values," Mr Dutton said.

Look at the government's gatekeepers of our country. The first is the Foreign Investment Review Board. We see the unhindered growth of Chinese assets in this country. China now owns 10 times the amount of Australian land that it did in September 2018—12 months, 10 times. They acquire the best of our assets, as Senator Patrick pointed out, for less, with little or no benefit back to the Australian people. As Senator Patrick said, they're picking the eyes out of the treasures—agricultural, mineral reserves, businesses, processing and assets in general. They're moving into secondary and manufacturing industry, as well as primary. The Foreign Investment Review Board, the gatekeeper, faced 11,855 investigations with a staff of one full-time executive and seven part-time people—4½ full-time equivalents, with one of them being an executive. Of the 11,855 investigations, five, or 0.04 per cent, were knocked back. How can these people possibly give full and proper consideration to each investigation? They cannot. It possibly needs to be renamed as the FISB, the 'foreign investment skimming board', or the FITB, the 'foreign investment tick and flick board'.

Now consider the dairy industry. China has taken our best farms and our best milk products. They now ship our milk and milk products to China, paying a low cost here and value-adding and taking the profits to China. A couple of weeks ago, Bellamy's, a large producer of infant formula, went into Chinese hands. Dairy farmers out the front here at Parliament House today told me that the Chinese are not competent in the dairy industry and are wrecking the industry.

Energy—think of the primacy of energy. I've discussed that many times. Energy is essential for competitiveness, for productivity, for wealth generation and for all aspects of our lives. I've talked about Kileoy and the investment the Chinese look to be getting there in a massive solar industrial complex, which will end up with toxins in Brisbane's water supply, a removal of productive agricultural land, high energy prices—when we subsidise the Chinese investment—and unsightly blight on the countryside. When the Japanese government bombed Darwin in 1942, John Curtin didn't send them a letter and a cheque saying, 'You need subsidies to protect your bombing.' But that's what we are doing with these Chinese who are investing in our solar and wind generation.

Clive Hamilton has repeatedly warned us of the insidious threat from China. Huawei was banned from 5G implementation in this and in other countries. Huawei announced just yesterday that its new strategic counsel is Xenophon Davis. We all know that Nick Xenophon is a former senator, and I have learnt that Mark Davis is a former ABC and SBS journalist.

Let's move to the third aspect. We've seen the huge potential—the strong relationship. We've also seen the recent increases in the intricacy. Now let's look at the incompatibility of Australian and Chinese government values. Chinese people are fine, but Australian values do not mesh with those of the Chinese government. Consider Australian citizen Yang Hengjun. I will read from an article in *The Weekend Australian* on 31 August 2019 that was written by Arthur Moses, a contributor, who is President of the Law Council of Australia. He said that Hengjun 'has been held in harsh conditions without charge, with limited access to consular
assistance. He has not been permitted to talk to his lawyers or see his family. That goes against Australian values. His lawyers do not know the particulars of the allegations against him—just dragged off and incarcerated. As a blogger he has written thousands of articles promoting the rule of law, democracy and human rights and has built up a large following in China. All of that is entirely appropriate for an Australian. Our country goes back to the Magna Carta, the Constitution and the presumption of innocence. Not in China. Yang and detainees like him must be humanely treated in a fair, transparent manner. In his article, Arthur Moses further states: 'It is the rule of law that most strongly drives economic performance'. China does not have the rule of law; it has the rule of despots.

Another article, just yesterday, stated:
Australia says the treatment endured by one of its citizens in criminal detention in China is "unacceptable".
That is what our government is saying of an Australian citizen. The article continues:
Chinese-Australian writer Dr Yang Hengjun has been held in Beijing since January. He has been accused of espionage—charges denied by him and the Australian government.
He now faces daily interrogations while being shackled and has been increasingly isolated, Canberra said.
Imagine that in this country! The article stated further that on Monday 25 November, Foreign Minister Marise Payne, a senior member of this government's cabinet, said she was 'very concerned' about his condition, which was reported in a recent consulate visit. So the government, at the senior level—the home affairs minister and the foreign minister—knows about this. The article continues:
Australia has also repeatedly requested that he receive "basic standards of justice, procedural fairness and humane treatment" during his detention.
The government is aware of China's standards and its power. The article went on to say:
Australia's political class was rocked last week by allegations of Chinese espionage and interference in domestic issues. China has strongly dismissed the claims as "imaginary fears".
Chinese government behaviour is not compatible with Australian values, and yet it has influence over some—many, possibly—Chinese in this country and influence over political parties, companies and who knows what else.

Human rights is a huge issue where China and Australia have competing views—different views; incompatible views. Australia is a democracy and a signatory to many international agreements that preserve basic human rights. China, though, is a republic following a Communist regime that is very rigid, with little room to question the state and having limited rights for the individual. One only has to turn on the news and watch the demonstrations for freedom happening in Hong Kong to see how that goes down. Many Australians remember the events of Tiananmen Square that brought our Prime Minister at the time to tears. The detention of those whose views differ from that of the regime is a continuing disgrace and worthy of further review.

Let's come to the next part of this, the fourth section. The Liberals and Labor have sold out Australia's heritage; the government and Labor have sold out Australia's inheritance. No wonder they don't want us to have a review of this catastrophe. What the Liberal-Labor-Greens triopoly has not sold out it has destroyed. We have bankers in charge, but a code of
practise that is solid and truthful; it has integrity. We have the failure to implement the Hayne royal commission recommendations with integrity. According to the government, in the near future we'll have the imposition of a cash ban bill, if it gets through the Senate. That's not reinforcing integrity. We have the Glass-Steagall bill that's being avoided; that would eliminate vertical integration to ensure integrity.

The government is not ensuring integrity, it is running away from integrity. We had the theft of property rights from 1996 onwards by both the Liberals and Labor, destroying productive capacity and the heart and soul of our rural sector. That is not integrity. It was led at the time by the Prime Minister, John Howard, who went around the Constitution to prevent farmers getting the compensation which they were rightly entitled to under the Constitution. We ask for restoration of compensation. I'll be doing that every time until they get it.

Our productive capacity with water is being destroyed. We had thousands of farmers out the front yesterday and this morning, begging for action to fix that and to restore productive capacity. As I said a little while ago, our energy is being destroyed—our productive capacity. We are going from the lowest prices for electricity in the world to the highest. Meanwhile, we're exporting our key resource—the No. 1 export income earner for Australia—to China so they can generate cheap electricity and steal our jobs. Then we have the Defence department running roughshod over productive farmers by neglecting them, even after their own committee recommended buying back businesses affected by PFAS contamination. We're doing this within our own country, led by the Liberal-Labor governments of the last 20 years. And, at the same time, Liberal and Labor governments are refusing to investigate or to inquire into our relationship with China.

These actions by China would appear to threaten the relationship of mutual respect between the two countries, and are worthy of inquiry. The actions of China threaten our honesty, fairness and humanity. One Nation supports the call for such an inquiry into a nation exerting powerful influences over our nation, with potentially far more powerful influences in our nation's future. For the people of Australia, we support Senator Patrick's motion.

Senator LAMBIE (Tasmania) (18:43): I rise to commend the motion to the chamber. It's about time the people in this place woke up to China's attempts to infiltrate our economy and our democracy. I can tell you that the other 25 million Australians out there have. Both sides of politics need to take a good, hard look at themselves and make sure they're acting in our national interest. Quite obviously, over China, they are not.

To be really clear to the Australian-Chinese community: I'm not talking about you. I've made that very clear in the past. Chinese-Australians have been here since the gold rushes, and their place in and contribution to Australian life is profound. I'm sure they join all Australians who are watching on in horror at the stories that have come out recently. It's unbelievable what is being tolerated from inside this chamber.

First of all we heard about a wealthy Chinese donor handing over an Aldi bag of cash to the New South Wales Labor Party. It contained $100,000. They tried to hide where it came from by splitting up the money and making it look like it came from a bunch of small donors. Does anyone really believe that money was handed over with no strings attached? Please! Does anyone really believe that it was just a friendly way for a Chinese property developer to support our democracy? I don't think anyone believes it. You might believe it in here, you lot on this side and that side, but I'll tell you what: the rest of the country isn't buying into it.
Everyone knows that the communist Chinese government uses money to influence our political processes. Everyone knows that money opens doors and starts conversations, especially in the Australian parliament. Everyone knows that these sorts of activities are undermining our national interest.

At least in New South Wales they got it right. They picked it up. They have a strong anti-corruption commission that can proactively stamp out this stuff, and they have some of the best donation laws in the country. This is why New South Wales regulators were able to smell a rat. It happened in other states too. The same Chinese donor, who, by the way, was stripped of his permanent residency and had his bid for citizenship rejected—geeze, this doesn't surprise me and it won't surprise many Tasmanians—$30,000 to the Tasmanian Liberal Party. We've heard pretty much nothing about it. It's: 'Nothing to see here,' according to the Tas Libs. Incidentally, in case the Tasmanian Liberals don't know, he's the same guy who was mates with Sam Dastyari, and Sam himself told the New South Wales ICAC that he believed the powerful Chinese property developer and major political donor may have been working to influence Australian politics. I'll take the 'may' out; I will call it: he was working to influence Australian politics. The fact is that there are basically no protections from stopping this happening at a federal level—not because there can't be but because there's no courage to make it happen. There's no enforcement of the rules and there's no follow-up if things look off. The scale of the problem is huge, and we've just been tinkering around the edges. The fact is that we'd never pick that sort of thing up if it happened at a national branch.

Now we've heard that Chinese attempts to infiltrate our politics go even further. It keeps getting better! They're not just trying to influence politicians with money; they're trying to get elected to sit in this chamber. In the dark side and over the other side too—wherever they can buy or get seats in the Australian parliament, they're coming. This is really something else, isn't it? To you watching and listening out there, to the Australian public, this is something else, isn't it? It's an absolute shocker to think that someone who has links to the Chinese Communist Party could waltz in here on the back of a major party ticket. It's unbelievable. But the problem is it's not unbelievable anymore. They're coming. It's not just the Communist Party agents who will be privy to internal conversations about policy priorities and the agendas of the major parties; it also gives them a chance to look for weaknesses, to hear the gossip that goes around this place and potentially use that to influence or even blackmail people. There are no security checks. There's little to stop it from happening. It's absolutely beyond shocking.

We're sitting ducks here. We're leaving ourselves open and we're letting the Communist Party in China come in here and undermine our democracy. There's still nothing to see here according to Labor and the Libs. People are literally showing up dead. Someone who was supposedly cultivated by the Chinese government to run as a Liberal Party candidate in the Commonwealth Parliament has shown up dead. Nothing's been proven, but it's really concerning, and I don't think anything needs to be proven; I think we all know what's going on here. What is clear is that China is actively trying to reshape our democracy, and no-one seems to be talking about that seriously enough. Honestly, where's your courage? What are you scared of? This is not some wacky conspiracy theory. This is happening.

Top security experts in Australia are getting really worried. They've been worried for some time. It wouldn't be the first time I've spoken about this influence in the last five or six years.
in and out of here. Duncan Lewis, formerly the Director-General of Security at ASIO, told the Nine newspapers only last month that the Chinese government is seeking to 'take over' Australia's political system through its 'insidious' foreign interference operations. It might take decades, he said. I don't think it will. I don't disagree with it. I don't think it's going to take decades. They're coming in by stealth. You need to wake up. He said, for Australians to know the effects of their efforts, the risk is that we could 'wake up one day and find decisions made in our country that are not in the interests of our country'.

This is an existential threat to our society, and Australians are scared. They're scared that our country is being bought up. The don't need to be scared because they already know what I do: it is being bought up. They're scared that their democracy may no longer represent them. It doesn't, by the way, Australians. I'll clear that matter up now. That's where we're going. I just want the government and the opposition to be honest with the people. They deserve honesty. They deserve it. That's all we're asking: just be honest about the scale of the problem and start working together to fix it. Ignoring the problem is not fixing it. Not having any courage to stand up to China is not fixing it. You're like a lame duck in here. Wake up.

Did you know that over 25 per cent of Tasmania's agriculture land is foreign owned? Our fisheries and farms are being bought up. Prime agricultural land is being bought up. Across Australia we've sold off everything from our ports to our infrastructure. Now we find out that after buying Bellamy's Organic milk for $1.5 billion, the China Mengniu Dairy Company struck a deal to buy Lion Dairy and Drinks—up in my end of town—for $600 million. I don't think there's much left for the Chinese to buy down in Tassie, I'll be honest. We're not up for bloody sale. Major Australian brands, including Big M, Dairy Farmers, Pura, Berri and Daily Juice will be Chinese owned under the deal.

Millions of Australians have questions that need answering on this, but we're so economically dependent on China—who puts all their eggs in one basket? The good thing is there are some of us up here that can't be blamed for that. There are two lots of parties to blame for that in here—one on either side: Liberal and Labor. The major parties have turned a blind eye. The tiny steps they have taken don't nearly match the scale of the problem. We're selling off Australian values for a quick buck. A third of Australian exports are China-bound. We ship out more than $120 billion in iron ore and coal exports to China and our universities—shame on them!—rake in over $32 billion from international students. They still keep propping them up. All up, we trade nearly $194 billion worth of goods and services between China and Australia—more than we trade with Japan and the United States combined. Who does that? Who leaves us in a position like that? All that money is making us complacent. There's no reason for us to be singularly focused on China.

It's about time we developed a national strategy to handle this relationship. We have to start putting in more protections against China's attempts to influence our political processes. We have to pull back our economic reliance on them to buy up all our exports. We need to think more carefully about how much more we can share of our research and innovation. This government can and should be doing more to protect our way of life and our Australian values. They can and should protect Australia from the influence of communist China. We desperately, desperately need to start having these conversations now. I can tell you now we are chasing our tail. We are chasing our tail, and we will continue to do that, and that will get harder unless you stand up and be brave and show some courage.
What's wrong with having these inquiries? What are you scared of? Not getting your brown paper bags with cash in them? Come on. You owe it to every Australian to have this conversation now. We need to know that the government has this under control, and you do not. We need to know that we have a plan for how to deal with this. At the moment it looks like you've taken your hands off the wheel. You have taken your hands off the wheel. It's been off that damn wheel for a long time. Labor and the coalition, I'm begging you, for the sake of this country, let's get this inquiry started. Let's get the ball rolling on this. Until we do, we're leaving our economy and our democracy exposed.

Senator BERNARDI (South Australia) (18:54): It's times like these that I feel the only words that are appropriate are: politics makes for odd bedfellows on occasion. A more motley bunch of bedfellows supporting this motion, I suspect, you will never see in this place. But in lending my support to the motion, I include myself in that, because we are this strange crew, all concerned about the Chinese Communist Party's influence in Australia.

Senator Farrell interjecting—

Senator BERNARDI: I note the rather unkind interjections about a former senator from Senator Farrell. I have something more to say about this, Senator Farrell, but—if I may, through you, Madam Acting Deputy President—when Senator Farrell wasn't here, no-one said anything ill of him; it was all goodwill and light. Nonetheless, I shall not delay the Senate any longer. I commend this motion and I commend Senator Patrick for putting it up for a fifth time.

Senator McKIM (Tasmania) (18:55): Senator Bernardi caught me on the hop. I thought he was going to make a contribution to the debate. This is actually a very, very serious issue. I thank Senator Patrick for demonstrating the persistence he has in attempting to convince the major parties—or in fact either one of the major parties would be enough—to ensure that this parliament can adequately and comprehensively assess Australia's relationship with the Communist Party of China through the mechanism of a parliamentary inquiry.

What the continued response of the major parties has been and will continue to be to these efforts by Senator Patrick shows us is in fact that both major parties in this place are riddled with CCP influence. It's not a claim that I make lightly, but it is a claim that is absolutely backed by evidence. There's abundant evidence. Senator Patrick went through some in his contribution; other senators went through some of it in their contributions. Ultimately, if you want to look for evidence, look at the vote that's about to happen in this place, where the two major parties will together vote no to a simple but important inquiry by this parliament and by its Foreign Affairs, Defence and Trade References Committee.

I say to the LNP and to the ALP: what are you worried about? What have you got to hide? If you haven't got any issues, you actually have nothing to worry about. We are in the ludicrous situation where the ALP have asked for briefings. They asked the government for briefings from security agencies. Government has said, 'No, you can't have briefings,' and Labor have once again fallen in a screaming heap and is refusing to stand up for our national interest. In fact, as Senator Patrick has just reminded the Senate, Labor to date have not even contributed to this debate and clearly have no intention of contributing to this debate. They have been gagged by the powerbrokers in their party, who know that Labor is riddled with CCP influence and we know that the LNP is riddled with CCP influence.
Democracies are an incredible, robust, vibrant system of government, but they are like sponges. As water infiltrates into a sponge so can foreign influence infiltrate a democracy. We had the laughable situation yesterday—it would have been laughable if it weren't so serious—where we discovered that former Senator Nick Xenophon, who has now been engaged as the mouthpiece for Huawei, seemingly does not have to register under the Foreign Influence Transparency Scheme. That's a scheme that was created relatively recently, in political terms, in order to, amongst other things, require that agents of a foreign influence register on an official government document. If Mr Xenophon is now going to act as a mouthpiece for Huawei—which, I might add, is effectively acting as a mouthpiece for the CCP—and he's not required to register under the Foreign Influence Transparency Scheme, that scheme needs amending and it needs amending urgently.

We're dealing here—in the CCP—with a government that has no regard for the rule of law. Their so-called justice system is actually a conviction factory. We've got millions of Uyghurs in prison being tortured by the CCP, and the Australian government seems incapable of resolving that situation. We've got a young child who was recently found to be an Australian citizen of Uyghur descent. The mother of that child has a visa to visit Australia, and the CCP will not allow them to leave China. And remember, Uyghur children are often adopted out into CCP state-run adoption agencies, have their names changed and are adopted out to Han Chinese couples. That is what this young, Australian citizen baby is currently facing. We've got millions of Uyghur people—some estimates put that number at over two million—locked up by the CCP in brainwashing camps or worse. In the middle of the last century, we saw a concerted effort to eradicate the Tibetan culture and many Tibetan people from the face of this earth. In the CCP, we are dealing with a government that does not respect the values of the rule of law, does not respect human rights, does not respect cultural integrity that is different from theirs and, ultimately, is exerting extreme influence in our country. And nowhere can you see that more than in my home state of Tasmania.

The day before President Xi visited Tasmania in 2014, I predicted that he was coming to case the joint, and in fact that's just as it has turned out. So we need to have a serious look at our relationship with the CCP and the state of China. And that's what Senator Patrick is attempting to deliver here—a serious look at this issue through the mechanism of a parliamentary inquiry.

But the LNP and the ALP—riddled with CCP influence as they are, riddled with dirty CCP money as they are—are going to collude, once again, to vote such an inquiry down. I'm telling you now, you're all standing on the wrong side of history here. History will be written one day. History will record those who stood up and tried to address this situation, and history will record those who rolled over and let the CCP tickle their collective bellies. And unfortunately, it remains the case that both major parties in this place will be on the wrong side of history.

Senator Patrick (South Australia) (19:04): I thank the Senate crossbenchers for their contributions. I note that the government made a very small contribution—something like a minute—on this extremely important topic. That surprises me somewhat. I don't know whether the government and the opposition have noted this yet, but we are having a discussion about our relationship with China, except it's not including people from either of the major parties. Indeed, unfortunately at this point we're not receiving any contributions from academia, experts in trade, strategic experts or people familiar with the relationship—
perhaps the Chinese government, the US government or Australian government officials. That's not happening. What we're getting, in effect, is silence. However, I will keep trying and keep debating this issue until such time as we get an inquiry up. I note that this is the fifth attempt I've made, this time with the support of all of the crossbench, in moving the motion. I note that the banking royal commission took 26 votes in order for the government to agree to it. I guess we have 21 more motions to go. Thank you.

The ACTING DEPUTY PRESIDENT (Senator Fawcett): The question is that the reference to the Foreign Affairs, Defence and Trade References Committee be agreed to.

The Senate divided. [19:10]

(The Acting Deputy President—Senator Fawcett)

Ayes ......................15
Noes ......................38
Majority ..................23

AYES

Bernardi, C
Faruqi, M
Hanson, P
Lambie, J
Patrick, RL (teller)
Roberts, M
Steele-John, J
Whish-Wilson, PS

Di Natale, R
Griff, S
Hanson-Young, SC
McKim, NJ
Rice, J
Siewert, R
Waters, LJ

NOES

Antic, A
Ayres, T
Bragg, A J
Brown, CL
Carr, KJ
Ciccone, R (teller)
Cormann, M
Dodson, P
Fawcett, DJ
Green, N
Hughes, H
McMahon, S
O'Neill, D
Paterson, J
Rennick, G
Sheldon, A
Smith, M
Stoker, AJ
Walsh, J

Askew, W
Bilyk, CL
Brockman, S
Canavan, MJ
Chandler, C
Colbeck, R
Davey, P
Duniam, J
Gallacher, AM
Henderson, SM
McDonald, S
Molan, AJ
O'Sullivan, MA
Pratt, LC
Scarr, P
Smith, DA
Sterle, G
Van, D
Watt, M

Question negatived.
Consideration resumed of the motion:
That this bill be now read a second time.

Senator BERNARDI (South Australia) (19:15): As if we haven't had enough conversation about communists and socialists subverting Australia's democratic traditions, we're going to go back into a debate where the Left—the licorice allsorts of Marxists, socialists, communists and Green totalitarians—want to continue to stifle the government's opportunity to control who comes through Australia's borders through an orderly immigration program. It's a deep shame that those who pretend they have conviction about protecting Australia's borders and stopping people from dying at sea always look for loopholes in which they can push their pernicious agenda, which is to subvert Australia's border protection. There's no doubt about that.

We saw the motley bunch of people this time last year gang together and ignore the brutal reality of what they were suggesting. We have seen the proof of the pudding in the eating. We have seen people self-harming by injecting their genitals to come to Australia. That's okay over there, because on Skype they said, 'I need some help.' We've seen them being brought out here, thanks to the wonders of the internet and modern medical technology, and refuse medical treatment here. It is just a shameless excuse to jump the queue and come here. We've seen people who have been offered places in America refuse those places. The land of the free. Who wouldn't want to go to the country run by Donald Trump, for goodness sake? Well, these people don't want to go there, because they may have to be held accountable for their actions. But that's not good enough for this place, because the Labor Party, the Greens and a couple of others want to see Australia undermined once again.

It fills me with dread and horror that the proof of what has happened over the last year is still being denied by those opposite. I remember that when former senator Derryn Hinch, a man with a tin ear if ever he had one, was advised that there was no character test—that alleged paedophiles, rapists and domestic abusers would be allowed in under this legislation—he turned away. He pretended that he didn't hear and he turned away, because he didn't want to be awake to the reality of what he was casting judgement on. He was seduced by that green dream of open borders, where everything can happen. Those who profess this, the global government mob on the other side, believe in open borders. They do not believe in an orderly migration program, because they will not put a number on the number of migrants that should come here or the number of refugees that should come here. They will not do that, because it would mean being held to account and they would have to say, 'There is a ceiling on our compassion.'

Well, let me tell you where the ceiling on my compassion is. It has to do with the thousands of people who have died trying to come to this country in a disorderly manner and weaken our border protection. The cavalier approach to those who have perished, smashed against the rocks on Christmas Island, by those in the Greens party is to say: 'Tragedies happen. Accidents happen,' as they're picking the bodies out of the water. It is those who will take no responsibility and always continue to seek opportunities to subvert the most efficient
and effective program the coalition has ever introduced: our border protection program. Let me pay homage to General Jim Molan. Welcome back to this place, General. You're a big part of this.

My time is up; I'm going to finish. I'll let someone else take up the cudgels, but I reject this socialist agenda of the Left.

Debate interrupted.

ADJOURNMENT

The ACTING DEPUTY PRESIDENT (Senator Fawcett) (19:20): Order! The time being 7.20 pm, I propose the question:

That the Senate do now adjourn.

Watson, Mr Samuel William

Senator DODSON (Western Australia) (19:20): I rise tonight to record the passing of Mr Sam Watson, an Aboriginal man from Brisbane of the Munnenjari and Biri Gubba Juru nations. He died in a Brisbane hospital last Wednesday after a short illness. He was just 67 and I extend my deepest sympathy to his family and to his relations.

Mr Watson was a rebel with many causes, proud to call himself an activist. He was a leader who never shrank from confrontation. He stood passionately for justice, especially for the rights of First Nations people. For many decades he was on the frontline of protests for Aboriginal rights, and not just in his home state of Queensland. He grew up in the era of Premier Joh Bjelke-Petersen and his zealous bureaucrat, Mr Killoran, who were both determined to subjugate First Nations people in Queensland and to choke any drift towards self-determination.

Even as a schoolboy, Mr Watson was ever ready to call out discrimination. As a student at Mount Gravatt State High School, he railed against the White Australia policy and fought, literally, those who were baiting Asian students. He signed up to campaigns against the Vietnam War and apartheid in South Africa. In 1971, with the late Dennis Walker, he founded the Australian Black Panthers party. Together, they declared the party to be, 'the vanguard for all depressed people.' In Australia they said, 'The Aboriginals are the most depressed of all.'

Inspired by the American Black Panthers, they made demands for equality of treatment in education, health and legal representation; the abolishing of discriminatory legislation; an end to police harassment; and the simple right to live without racism. Just as the American Black Panthers were monitored by the FBI, the activities of the Australian chapter were closely tracked by ASIO and by the infamous Special Branch of the Queensland Police Service—back then, a deeply corrupt organisation, rotten from the top down. In 1972, aged 19, Mr Watson was down here in Canberra, lending his weight to the protest at the Aboriginal Tent Embassy in the grounds of Old Parliament House. He worked as a full-time staffer at the embassy.

Throughout his life he was a staunch defender of the legal rights of First Nations people. He was an important player in the establishment of Aboriginal legal services in his home state and beyond. He worked at the Brisbane Aboriginal Legal Service in the early 1990s, campaigning to implement the findings of the Royal Commission into Aboriginal Deaths in
Custody. And he took to the streets to demand justice when Mr Doomadgee died in police custody on Palm Island in 2004.

Politics always held an attraction for Mr Watson. He was a co-founder of the first Aboriginal and Islander political party—the Australian Indigenous People's Party—and contested both state and federal elections. Later, he was a founding member of the Socialist Alliance party, for which he contested Senate elections in Queensland.

But Mr Watson was much more than a committed protester and activist; he was a man of letters and a man of the arts. He won the National Indigenous Writer of the Year Award in 1991 for his novel *The Kadaitcha Sung* and was short-listed for the Victorian Premier's Literary Awards. He was in demand at writers festivals, and, as Deputy Director of the Aboriginal and Torres Strait Islander Studies Unit at the University of Queensland, he taught courses in black Australian literature. He was a filmmaker and he wrote for the stage. In 1994 he wrote and co-produced his first film, *Black Man Down*. It was included in the award-winning *From Sand to Celluloid* collection of Indigenous short films and screened to audiences across the globe. The lives of First Nations peoples in Queensland—(Time expired)

**Small Business**

*Senator RENNICK* (Queensland) (19:25): I rise to speak on small business, the backbone of the Australian economy. Unlike Labor, who govern only for the unions, we govern for all Australians. If you listened to the speeches last week you would have thought the unions were the only part of the Australian economy, but this is not true at all. As a matter of fact, the people who underwrite wages, penalty rates and leave entitlements in this country are, indeed, our small business owners. Not only do they employ more people in this country than any other sector does, their taxes go a long way to paying for Newstart and other allowances.

In the eyes of the Labor Party, these people do not matter. Why? Because they aren’t union members. Indeed, in their eyes, they are the forgotten people. As the Treasurer said on budget night this year, people running small businesses put their livelihoods on the line. They start early and finish late. They are the front desk and the back office. They pay their workers first and take their own wages last. Nine out of every 10 jobs are in the private sector, with small and medium-sized enterprises employing more than seven million Australians. Small and medium-sized business are responsible for more than three-quarters of the output in agriculture and more than half the output in construction. Those Australians who are bold enough to start a small business don’t get the luxury of penalty rates, long service leave, superannuation or even public holidays, on many occasions. Many work seven days a week and many have mortgaged their house against their business.

It was heartening to read last week a piece from the Treasurer highlighting that the Liberal-National government is establishing Australia’s first Business Growth Fund. It will be modelled on similar initiatives in the UK and Canada. The fund will have $540 million at its disposal to invest in small and medium-sized businesses and will fill a gap in the market. With a $100 million commitment from the Morrison government and $440 million from the four big banks, the importance of small business to our economy cannot be underestimated, and we know that. The Liberal Party, after all, is the party of small business. But many in this place put the cart before the horse. Those opposite call for the government to intervene to drive wage growth, but you will find that wages will only grow when small business starts to grow. The horse is the small business; without the horse, the cart goes nowhere.
Red tape is a significant constraint on Australian small to medium enterprises, and the Liberal-National government has cut nearly $6 billion of red tape since 2013. Let us include in this the confusing labyrinth of industrial relations law that can deter mum and dad businesses from recruiting. I remember in July last year Maurice Blackburn Lawyers, a law firm well known to Labor, fell foul of wage underpayment. To quote from the *Sydney Morning Herald* article published on 20 July 2018:

The latest casualty in the war on wage underpayment is an unlikely candidate. In an exquisite irony a law firm that holds itself up as the champion of workers’ rights, and is vocal in its criticism of underpayments at other companies, has underpaid hundreds of former and current part time workers, including university students, almost $1 million.

Four hundred Maurice Blackburn staff were affected. If a major law firm can’t get it right, let alone one whose bread and butter is employment law, what hope does small business have?

The Liberal-National government will continue to focus on implementing its agenda to keep our economy strong and to deliver 1.25 million new jobs over the next five years. This government will ensure that all hardworking Australians pay lower taxes to ease cost-of-living pressures. If Labor wants to see wage growth and better working conditions, then they should support measures designed to make it easier for small business to grow, because when small business is strong wages will be strong and Australia will be strong.

**Indigenous Australians**

Senator SIEWERT (Western Australia—Australian Greens Whip) (19:30): I rise this evening to talk about the day known to many First Nations people as Invasion Day or Survival Day—that is, 26 January. As Greens, we acknowledge this land we call Australia was stolen and that sovereignty was never ceded. We acknowledge that we have a lot of unfinished business in this country.

For First Nations people, 26 January marks more than 230 years of ongoing dispossession and oppression, dispossession that saw brutal frontier violence and massacres, the forced removal of children from their families, indentured and slave labour, and violent attempts to wipe out First Nations’ languages and culture—in fact, to wipe out First Nations people. The date is a potent reminder both of our history and of our failure to recognise the consequences of what settlement and invasion mean in our contemporary society.

The so-called debate around the day we celebrate this nation—Australia Day—is like groundhog day every single year. You can predict what every shock jock will say, but let me tell you what isn’t up for debate. What is not up for debate is the fact that First Nations people live around 10 less years than our non-Indigenous community. We are still seeing First Nations people shot by police. We continue to see First Nations people die in custody. Their children are still being taken from their families. And we have one of the highest, if not the highest, rates of incarceration of first nations people in the world.

How can we even start to address these issues when the leaders of this country are in denial about what 26 January means to us as a nation? How can we move forward to address these issues when we are a nation in denial about the start of the nation and its contemporary
consequences? Successive governments have failed again and again to address these issues; they've failed to implement so many findings and recommendations of royal commissions, reports and inquiries. They refuse to engage in a legitimate process of co-design on so many of these issues and to listen to the solutions offered by First Nations people.

Everyone agrees that we need to close the gap, but the fact is that we will not see justice until First Nations people are at the front of these discussions at all levels of government on all of these decisions. Successive governments have ignored First Nations people's repeated calls to have input into decision-making on issues that affect their lives. It is incomprehensible to have punitive and coercive policies—like the cashless debit card, income management, the Community Development Program, the Intervention, disgraceful levels of incarceration—and shamefully low rates of support and then expect to improve outcomes for First Nations people.

The government's top-down approach on those issues contradicts its commitment to the Closing the Gap Refresh co-design process, which I understand is going well. It is not consistent with Closing the Gap objectives, which they are applying co-design to, to then have these other policies in place that are not focused on self-determination. The Prime Minister needs to take a good hard look at the government's programs. The list of top-down approaches is endless, and they do not work. They further alienate and exclude First Nations people from participating in the community. First Nations people have told the government what they want many times, and have been ignored. They want to be at the heart of decision-making, to be consulted with, and to have and take control and leadership of their communities and of their lives.

It's time that all political parties acknowledge the truth of our shared history, listen to First Nations people when they tell this truth, and be a part of addressing the contemporary consequences of invasion and intergenerational trauma that have resulted in the dispossession and marginalisation that is part of our unfinished business—in other words, ensure we do truth telling. Justice for First Nations people must be at the heart of everything that we do.

Environment Protection and Biodiversity Conservation Act

Senator GRIFF (South Australia) (19:34): I rise to speak on the review of the Environment Protection and Biodiversity Conservation Act 2009 which commenced a little over a month ago. The EPBC Act is the Commonwealth's key piece of environment legislation and deals with issues of national significance, including threatened species, wetlands and heritage listings. This will be the second statutory review of the EPBC Act, and I welcome the decision to have the review chaired by Professor Graeme Samuel, who I'm sure will preside over a rigorous and inclusive process. However, I have concerns with the review. This will be a lengthy, complex exercise. The minister has indicated it will run for around 12 months and require significant input from expert stakeholders. It will come at substantial public and private expense. For that investment to be worthwhile, we must have some confidence in the review, not only that it will be run effectively and independently but also that the report and its recommendations will be acted upon by the government.

The previous review of the EPBC Act, known as the Hawke review, was undertaken by the esteemed Dr Allan Hawke and completed in 2009. That review received more than 200 submissions, undertook consultations across Australia and ultimately made 71 recommendations that aimed that ensuring the act was relevant, effective and efficient. It took
almost two years for the government to respond to that review. I acknowledge there were certain factors complicating the response, not least the change of Prime Minister, the complexity of the policy areas and the efforts to build opposition support, but the government ultimately agreed with 56 of the 71 recommendations.

Unfortunately not all of those 56 recommendations have been implemented. In fact, despite all of the time and effort of hundreds of experts and members of the public, a significant number of recommendations agreed by the then government have been essentially ignored. They have been ignored but not forgotten, because some of the recommendations are still worthwhile and will no doubt be raised in the latest review. They include the recommendations about ensuring access to information by either the public or decision-makers. For example, recommendation 12 requires that the government identifies critical habitats when it lists a species as being threatened. Recommendation 46 would have the department improve its website and allow for email alerts about EPBC processes. It also includes recommendations that will ensure the department of the environment is adequately resourced to avoid unnecessary delays and inefficiencies. This concern has very much not gone away.

The department's annual report for 2018 shows that two in five project decisions were late, largely because of workload issues. If the government wants the department to comply with the schedule, it should ensure it has the resources to do so. There are actions which are commonsense and uncontroversial—actions which have been studied, recommended and accepted—that could have and should have been implemented five or 10 years ago. If parliament cannot deal with uncontroversial reforms, how will it deal with issues that are more contentious, like whether to extend the EPBC protections to threatened ecological communities?

My concern with this latest review is that it runs the risk of being another very expensive, empty exercise. It needs to be taken seriously by the government, the opposition and my colleagues on the crossbench. The Senate's ability to serve the community depends on the community's willingness to engage with us through inquiries and reviews. When members of the public see reports left to gather dust on the shelf, it undermines their confidence in us and their willingness to engage with us. So I call on this government to take the EPBC Act review seriously, to listen to the stakeholders, to act on the concerns they raise and to respond to Professor Samuel's recommendations in a very timely manner, unlike the previous review. To demonstrate their seriousness, the government's response and consequential legislation should be introduced and dealt with very much during this term of government.

Queensland Government

Senator McGrath (Queensland—Deputy Government Whip in the Senate) (19:39): Democracy in Queensland is once again under attack from state Labor as the sunshine state becomes the sunset state. Labor have run Queensland since they were first elected 30 years ago. They have run Queensland for 25 of those 30 years as a fiefdom for Labor factions instead of for the people of Queensland—25 years of new and higher taxes, failing infrastructure, ballooning debt, hospital waiting lists and the highest unemployment in the country. The sunshine state really is becoming the sunset state as the sun sets on our future in Queensland.
Labor know they can't win on their record in government, so they keep changing the rules to suit themselves and their union paymasters. Consider this: before the last election, they changed the voting system with 18 minutes of debate. A key recommendation of the Electoral and Administrative Review Commission was the introduction of optional preferential voting. But to Labor? Nah. They changed it after 18 minutes. They brought in compulsory preferential voting. They did a dirty deal with the Greens to change the voting system to ensure that they could rort the voting to make sure they could keep the LNP out.

Second in this trifecta of rorting democracy in Queensland, they banned developers, and those associated with developers, from donating. So Queenslanders, whether directly or even indirectly engaged in a legal profession, cannot donate to a political party at a local, state or federal level—legislation clearly aimed at damaging the LNP. Of course, those dodgy corrupt unions can still donate despite their long record of lawbreaking. So bad and so targeted was this legislation that our own party president, an engineer, had to resign from his position because he would have been in breach of this law.

And then we get to the doozy, point No. 3 of Labor's cunning plan to rort the next election—and this really is the cherry on the icing on the cake of Labor's electoral rorting: the worst financial electoral gerrymandering since the Rum Rebellion. I've always said it is not surprising that us conservatives lose elections in Queensland but it's amazing if we win the odd election. Under these changes it will almost be impossible for the LNP to ever win again in Queensland, so bad and so corrupt are these proposed laws. These laws are designed to restrict, to damage, to hurt, to stop the LNP from ever being able to campaign on a level playing field.

Under Labor's caps, it will be $58,000 for each endorsed candidate to spend at a local level and a further $92,000 to be spent by a party for each endorsed candidate across the state—effectively $150,000 for each candidate in each seat. So the LNP already is behind because we are stuck at $150,000 while Labor and the Greens are on $300,000. And then the unions enter from stage left. Whereas once the Labor Party was the political wing of the unions, it is clear that the unions are the campaign wing of the Labor Party. There are 26 registered unions in Queensland, and all support the Left of politics. You don't have to believe that Jeffrey Epstein didn't kill himself to see where this is going. Unions, under these laws, can spend up to $1 million each. That's $26 million helping Labor candidates. Remember, you can't run as a Labor candidate unless you are a member of a union and supported by a union. So each union can spend up to $87,000 in each seat, and that caps out at $1 million across the estate.

So in the marginal seats of, say, Gaven, Aspley, Whitsunday, Cairns, Mansfield or Redlands, where we've got brilliant candidates in the field at the moment, the LNP candidate will have a spending cap that maxes out at $150,000 while the Labor and Greens candidates will have a combined spending cap of $2.562 million. Let me repeat that: it is $150,000 for the LNP candidate, who funds their campaign through selling raffles, but Labor's candidate gets $150,000 and then they get another $2.562 million when the unions come in with those trucks reversing going beep, beep, beep and dumping money and helping the Labor candidate. And for good measure the Greens can chuck in another $150,000.

This is political bastardry that puts the rorting into gerrymandering. And we know why. It's because they can't run on their record. They've got a Deputy Premier who spends so much time at the CCC she has a permanent car parking space there. We've got a Premier who has
found to be in contempt of parliament. They say that a fish rots from the head. In Queensland, the government is rotting from the head with a dodgy Deputy Premier. Queensland is no longer the sunshine state; it is the darkness date. These laws are designed by Labor to keep them in power, and they should be thrown out at the next election.

Workplace Relations

Senator SHELDON (New South Wales) (19:44): I'm trying to clear my throat from laughter after that contribution. I rise tonight to tell the story of Amita Gupta and her husband Santosh, who work as delivery drivers for Uber Eats. Amita and Santosh are hardworking Australians. You might even call them the quiet Australians, who the Prime Minister is always misrepresenting. They want to contribute to the workforce and earn some extra income on top of their disability support pensions.

Amita and Santosh are quiet no longer. Amita is taking on the Uber goliath in the Fair Work Commission, and for good reason. For over 2,700 hours of work, Uber Eats only paid Amita $21,000. That's $7.85 an hour—less than $8 an hour and less than half the minimum wage. Despite being a model worker, she was unceremoniously sacked by Uber Eats for being just 10 minutes late for a delivery. Uber's response was that because Amita is an independent contractor, she has no practical rights. Amita is taking her case to the Industrial Relations Commission to fight for all drivers and riders who are being unfairly treated by this global tech monolith. But Amita's case is only one example of what are fundamental issues in the industry. This industry—the gig economy—is a throwback to the piecework of the 1800s that our economy had so rightly moved on from but is now unfortunately returning to. Recent surveys of food delivery riders found that 75 per cent are paid below minimum award rates of pay. The government's inaction leaves companies like Uber, Deliveroo and DoorDash to self-regulate. It's quite clear that self-regulation doesn't serve the community or workers. It serves the CEOs and lobbyists, who make their living from an industry that leaves workers without entitlements and rights. Survey data has revealed that almost 50 per cent of food delivery riders in the gig economy have either been injured on the job or know someone who has.

A few weeks ago, I took the opportunity on an outreach program to meet and interview food delivery riders in the Sydney suburb of Newtown. I met a young man who had been working in the food delivery industry for over 18 months. He works an average of somewhere between 25 and 30 hours a week, making $500 before costs are taken out. Working days and nights in any manner of weather, this young man has been injured twice whilst on the job. The first time, he was hit by a car and was unable to work for six weeks. His company told him they had insurance in case of injury, but, no matter how many times he called the company, they refused to provide him with the details he needed to make a claim. The second time he was injured, a driver in a parked car opened their side door without looking. He was injured; his bike, which is his livelihood, was crumpled; and he was unable to work for two months. For three weeks he chased the company so he could make a claim. In the end, they gave him a few weeks pay of roughly $300 a week—a cut of 40 per cent in his average earnings—and no payment for his medical bills. You can't tell me this is the future of work to which the country should aspire.

Last month I was proud to stand with delivery riders and drivers who delivered a charter of rights to the head offices of Uber and Deliveroo in Sydney and Melbourne. They called for minimum rates of pay, transparency on how rates are set, collective bargaining for pay and
safety, an allowance for bad weather, training, and fully funded insurance for when they get injured at work, something that many Australians simply take for granted. In the absence of regulation, these tech giants regulate themselves. With no appropriate rights for riders or drivers, they are pushed into debt and bankruptcy, unable to seek redress. For people like Amita Gupta, we cannot allow this to continue to happen.

National Agriculture Day

Senator CICCONE (Victoria—Deputy Opposition Whip in the Senate) (19:49): I rise to acknowledge National Agriculture Day, which occurred a couple of weeks ago on Thursday 21 November. Ag day, as it’s better known, serves as an opportunity for all Australians, country and city, to celebrate our agriculture sector and the contribution that it makes to our economy and our community. There is no mistaking the fact that ag is big business in this country. Recent figures show that Australian agricultural exports total over $49 billion, making it one of our largest categories of exports. Whether it’s beef, veal, mutton and lamb, wheat, canola or dairy, our agriculture industry is one that we can and should be very proud of, with consumers all over the world paying high premiums for Australian products. It’s worth bearing in mind that the story of our agriculture sector is one that is quintessentially Australian. All of us in this place know how difficult it is to make a living off the land. We’ve heard of the difficulties facing farmers, from Sunraysia all the way to North Queensland and everywhere in between, as a result of the devastating drought. Yet our farmers persist, carving out a livelihood for themselves and their loved ones in the dust and pastures, powering our domestic economy ahead. They demonstrate each and every day, with hard work and determination, that, even in the face of overwhelming adversity, Australians can and do achieve great things.

Last month I had the opportunity to visit a number of farms throughout country South Australia as part of a committee that I’m a member of. I spoke with farmers directly about what more we in this place can do to support them and help their business to succeed. There is much more that we can do, such as providing meaningful and effective drought relief or access to both skilled and unskilled labour to meet the sector’s ever-growing demands. We can do more in this place to help our farmers and we must continue to do so over the weeks, months and years ahead, not just to prevent the contraction of the sector and potential damage to our economy but to support the 319,000 Australians, in over 85,000 agriculture enterprises, who rely on the sector to make ends meet.

Before concluding this evening, I’d like to also take this opportunity to acknowledge the 600 personnel from the Victorian Country Fire Authority, the CFA, who have put their lives on the line in recent weeks and months to protect agricultural land in regional Victoria and to help those north of the Murray in New South Wales. Since the outbreak of fires in New South Wales, there has been no shortage of Victorian firefighters who have volunteered their time to travel north of the Murray, with many of them heading for the Hunter, one of Australia’s largest agriculture regions. I want to place on the record that we in this place acknowledge them and their contribution. Their example to serve is an inspiration to all of us.
Student Financial Supplement Scheme

Senator FARUQI (New South Wales) (19:53): I rise to speak this evening about the ongoing impact of student debt on the community. I call on the government to forgive outstanding debt from the grossly unjust Student Financial Supplement Scheme. This scheme was a rort that targeted low-income and disadvantaged students from the start. For the government to continue to collect debts 15 years after its abolition is simply unconscionable. From 1993 to 2003, the Student Financial Supplement Scheme encouraged students, including minors acting without their guardian's authority, to trade in their youth allowance for a loan. For every dollar of income support a student gave up, they incurred $2 in debt. The scheme was always fundamentally unfair to students. When the Howard government shut it down in 2003, the then minister, Larry Anthony, described it as a costly, poorly targeted and inefficient way to reduce financial barriers to education that came at a high cost to students and Australian taxpayers. He acknowledged that the trade-in mechanism of the SFSS had been of great concern to students and student organisations. At the time, the government actuary estimated more than 50 per cent of loans might never be repaid. This estimate has proven correct. Right now, they expect barely 40 per cent of the outstanding debt to be repaid, a real sign that the scheme didn't care whether students would be able to repay their debts.

Tragically, the costs and concerns of students about the long-term effects of the SFSS have been realised. While more than 15 years have passed since the scheme's abolition, its harms continue to be felt by more than 88,000 Australians with standing SFSS debts. These people owe just over $1 billion, an average debt of about $11,600 each. Many people with SFSS debt have told me their stories and how the scheme continues to impact their lives. Sarah was 16 and living out of home when she was allowed to take on an SFSS debt. Now living with a chronic illness, she told me she's exhausted and worried that she's still paying for a childhood that was beyond her control. Edward, who came from a low-income family, told me he felt the scheme was deeply unfair and preyed on the most vulnerable. Despite having repaid almost $40,000 towards his debt, he still owes about $44,000. Many others, like Donna, have told me they had little idea what they signed up for and have struggled to access information about their debts in recent years. Stuart, who told me, 'I feel this debt will never be paid off,' described the overwhelming unfairness of the scheme when he said:

I was entitled to my Youth Allowance like all teenagers, but trading in $1 of my Youth Allowance for $2 and owing the $2 back seems like a scam.

Hayley, who works in education, told me:

As an Aboriginal woman who works with Aboriginal students, I hesitate to recommend university to students who will need to access HELP debts as I know that they will have this debt against their name for many years to come.

These stories indicate the real imposition the SFSS continues to have on its debtors. It limits their choices and opportunities, in some cases affecting their ability to get home loans. It colours their lives with the psychological impact of living with a debt they know to be unfair. Time and again people have told me they expect to be living with this debt for the rest of their lives.

It's time to ditch the debt. This has been allowed to go on for too long. The inescapable unfairness of the scheme makes demanding any repayment from its victims unfair. In recognition of its unfairness and the lasting harmful impact the scheme has had on its
participants, I'm calling on the government to forgive all outstanding SFSS debt. This is a vital step to bring closure and justice to Australians caught in the scheme, and it's not without precedent. This year the Morrison government has waived nearly $500 million in unjust VET-FEE HELP debt that should never have been issued. That's more than the value of all outstanding SFSS debt. They must now do the same for the victims of the Student Financial Supplement Scheme by abolishing their debts.

**Morrison Government**

**Senator WALSH** (Victoria) (19:58): I rise this evening to talk about integrity. The government last week was so desperately trying to call into question the integrity of trade unions, and I'm glad they were unsuccessful, because there is nothing wrong with the integrity of hardworking union members. This government is obsessed with scrutinising trade unions, but they are so desperate to avoid accountability and scrutiny themselves. This is a government that does not think twice about trying to silence those that disagree with it. Prime Minister Morrison loves to talk about the so-called quiet Australians, but, as the Labor leader pointed out today, what Prime Minister Morrison really means is that everyone should just shut up and listen to him. What happens if you don't agree with this government? They will try to silence you. Take charities, for example. The government has consistently attacked their right to advocate on environmental issues, legal issues, social issues, poverty, disadvantage and climate change. Why? Because the government doesn't want us talking about those things.

Recently, the government announced plans to ban consumer boycotts by environmentalists calling out bad corporate behaviour. Why? Because the protesters are talking about climate change, an issue the government just does not want to discuss.

Then there are the government's relentless attacks on unions and their members. Their recently defeated ensuring integrity laws threaten to weaken and even shut down unions. Why? This government is pretty keen to take us back to the Work Choices era and water down the rights of Australian workers. And what's the best way to do that? Silencing the organisations that stand up for workers today.

Let's talk about their behaviour towards journalists and the media. This government simply refuses to answer questions it doesn't like. It ignores its legal obligations to provide documents under freedom of information, and it appears to be comfortable allowing the Australian Federal Police to raid journalists' homes and expose their sources. Why do they do all of this? Because they don't like it when people hold them to account. Shutting down open and critical debate in a liberal democracy does not look like integrity to me.

In Australia, the public expect their right to know to be protected. They expect the freedom of the media to be protected. The government's attacks on these freedoms are as arrogant as they are shocking. But maybe that is just it—maybe this government is just arrogant. Just look at their response to the latest controversy surrounding Minister Angus Taylor. Here we have a government minister who is being investigated by the New South Wales police for using a doctored document to attack a political opponent. Past governments would have stood the minister aside during the investigation, but not this lot. Instead, the Prime Minister calls up his mate, who just so happens to be the police commissioner—and he does that in the presence of the Attorney-General, no less. And they refuse to provide a transcript or notes from the call,
even under an order for production of documents from the Senate. This stinks, and I cannot think of a previous government that would have acted in this way.

It is clear that this government wouldn't know integrity if it slapped them in the face. It is more important than ever before that this government is held to account. So I say to union members, 'Stand up and speak out.' And I say to the climate protesters, 'You are fighting for all of our futures.' And I say to the media, 'Keep asking the hard questions.' And I say to the charities and not-for-profits, 'Keep advocating for the people that you represent,' because our country won't grow stronger if you are silent. It is the efforts of those in our community who speak up, who advocate, who ask the questions and interrogate the answers and who hold governments to account that make us stronger.

Chile: Human Rights

Senator WATERS (Queensland) (20:03): Two weeks ago I met with Yari, Marcela, Sara, Anaïs and Camilla of Chile Woke Up Brisbane to discuss the ongoing human rights abuses being perpetrated in Chile. In October 2019, Chileans staged demonstrations against the rising cost of public transport—a country where many rely on this transport. The protests subsequently expanded to address broader inequality and cost-of-living issues facing the country. More than one million people took to the streets of Santiago, demanding a more just society and government action to secure their rights to health, water, education and social security.

Despite some lumpy economic progress in recent decades, inequality is still deeply entrenched in Chile. Many folk, even those with professions, including medical expertise, struggle with the cost of living, high prices, low wages and a privatised retirement system that leaves many older people in bitter poverty.

Faith in politics in Chile has been eroded by a series of corruption and tax-evasion scandals. The people want things to change. Rather than taking action to address the demands of Chilean citizens, on 19 October this year the President, Sebastián Piñera, declared a state of emergency. He cancelled APEC 2019 and he cancelled the climate change conference COP25 due to be held in the country. He called on the government's security forces to suppress the protests.

Throughout the weeks of protests, Amnesty International has raised concerns about the excessive and indiscriminate use of force by the Chilean national police and possible arbitrary detention of demonstrators. By late November, reports indicated that at least 26 people had been killed. At a small march in La Serena, soldiers opened fire on protesters. Twenty-six-year-old Romario Veloz was walking calmly in the peaceful protest, and died from a gunshot wound to the neck. Forty-one-year-old Rolando Robledo was shot in the chest and spent several days in a coma. Officials did not help either of those men. In fact, the army fired again on protesters who were trying to help them and on others who were wounded.

In Corico, 25-year-old Jose Miguel Uribe was shot in the chest by a soldier at an improvised roadblock. Officials did not help Jose, and he died from his injuries. Alex Nunez, 39, was crossing a demonstration in Santiago when he was stopped by three police officers. Alex was thrown to the ground and kicked violently. He later died from injuries sustained during the vicious beating. Manuel Rebolledo, 23, was run over by a soldier and killed.
The Chilean Public Prosecutor's Office has recorded numerous complaints of rape or sexual abuse by security forces. Yari and Marcela told me of female friends who had suffered violence and who were now too scared to attend protests. Misuse of teargas and riot weapons is rife. A 15-year-old girl at a peaceful gathering in Santiago was hit by multiple pellets fired by a police officer from a moving car.

The National Human Rights Institute in Chile reports thousands more injuries, including more than 1,400 people with gunshot wounds and more than 200 suffering eye trauma from beatings, pellets and tear gas, and that more than 7,000 people have been detained. This is just a sample of the abuses that Yari, Marcela, Sara, Anais and Camilla raised with me just a fortnight ago. According to Amnesty's Americas director, Erika Guevara-Rosas:

The intention of the Chilean security forces is clear: to injure demonstrators in order to discourage protest …

For Yari, Marcela and others in the Brisbane Chilean community, this violent repression of protests is particularly distressing. That's not just because they're worried about their own families and friends back in Chile but because many of them recall the horrifying incidents of the Pinochet dictatorship that led to their families seeking refuge in Australia in the first place, decades earlier.

The growing civil unrest is not isolated to Chile. From Extinction Rebellion protests in the UK and Australia to the uprisings in Hong Kong, Bolivia and Lebanon, communities are increasingly frustrated by inequality, by politicians who won't listen and by governments that favour the interests of their corporate donors over the interests of people and the planet. In Australia, we've seen massive climate strikes met with draconian anti-protest laws enacted in Queensland. There are even worse laws being considered in Tasmania, and the Prime Minister of the nation is proposing to crack down on secondary boycotts against those who speak against corporate interests. We need to turn this trend around. The Australian government must speak up against the human rights abuses being committed in Chile, but it must also recommit to democratic principles. It must listen to the legitimate concerns being raised by people across the country and respect the right to protest.

Perth Inner City Youth Services

Senator PRATT (Western Australia) (20:07): We are in a time of government indifference to our young people in this nation. We have rising unemployment and a social services system that stigmatises our young people, leaving them in deprivation.

Tonight, I want to give a shout out to an important organisation that is critically important to the welfare of the young people it serves, and that is Perth Inner City Youth Services. It offers non-judgemental and holistic help. It’s been operating since 1982 with young people in the inner city between the ages of 16 and 25 who are at risk of homelessness, or who are homeless and need support. They work with young people regardless of race, religion, disability, family composition, sexuality or gender diversity, and they sometimes work with clients who are simply not accepted anywhere else.

I value their work. Youth unemployment under this government is out of control, and we know that the stigma associated with seeking income support is making our nation's young people feel like they've done something wrong. We don't want to set our young people up to fail. If we look at what PICYS is doing, their recently published Most Significant Change
project tells the stories of 25 young people who accessed their services in the last couple of years. I had the opportunity to contribute to the report, but, most importantly, it's a collection of the experiences of young people who PICYS has worked with. These stories demonstrate the power of ensuring young people feel respected, heard and valued in their interactions with service providers. The report was done by the Youth Affairs Council and ECU in collaboration with PICYS, and I commend the report to members of the Senate and anyone in the community who's listening. Google it, you will be inspired. It is on the DSS website, and you’ll find it if you google these stories of change.

What stands out is how individualised these stories are. There are people who are dealing with drug addiction, sex work, being young parents, family rejection and breakdowns in the family unit. All of these young people say the support and understanding they were offered through PICYS has helped them get through very tough times. They are helped through counselling or accommodation but, most importantly, these young people cite having someone helping them work through the responsibilities of life giving clear and non-judgemental guidance and advice when needed as its success. What's most important is having someone listen and care about you. That is what has given these young people the tools they need to look after themselves. I give a shout out to their base camp service, which is a drop-in service that allows young people to catch up with staff and other young people. It fosters a sense of community and safety, acceptance and belonging that so many of these young people have been deprived of. I'm impressed by the bravery of the young people who walk through PICYS stores in search of help and advice.

Eighteen-year-old Maizie wrote:

I feel I can't find the most significant change because PICYS has helped me with so much. Since being with PICYS I found a therapist I can connect with, a case manager who wants to see me strive and, because of this, I have now found my self-worth. PICYS were awarded last month the Western Australian Mental Health Award in the category of diversity for its focus on assisting young LGBTIQA people that have experienced disconnection from their family and many mental health challenges and homelessness.

PICYS: thank you for giving these young people the care and support they deserve and, most importantly, thank you to all these young people who shared their personal story about getting through life's challenges. You are awesome.

Watson, Mr Samuel William
Queensland: Liberal National Party

Senator WATT (Queensland) (20:12): I begin by endorsing the adjournment speech of Senator Dodson earlier where he paid tribute to the passing of one of Queensland's most significant Indigenous leaders of recent years, Mr Sam Watson. Mr Watson made an incredible contribution to Queensland society in recent decades, and our state is very much the poorer for his passing. Unfortunately, today not every political party in this country is standing in solidarity with Aboriginal people in the way that we saw Senator Dodson do in his own adjournment speech.

What we've seen emerge today in Queensland is some extremely concerning video footage involving active and senior members of the Young LNP organisation insulting a range of
different racial groups within our community. These videos, which I certainly had not seen before and I think have only come to public attention for the first time today, are extremely concerning and, as I will detail, are part of a very worrying pattern of events that we are seeing over and over within the Young LNP and the senior LNP in my home state of Queensland. The video, which first emerged today and has now been widely publicised in the media, involves senior members of the Gold Coast Young LNP organisation posting videos where they pretend to interview schoolies at the recent schoolies week, including one young man who says the following on screen:

I mean, we've got to stop celebrating a culture that couldn't even invent the bloody wheel, for God's sake.

He is talking there about our First Australians, people who we should all have respect for and not denigrate in this way. This is a video that was posted on the Gold Coast Young LNP Facebook page today and involved the president of the Gold Coast Young LNP interviewing other Young LNP members.

Tonight, another video has emerged involving the same senior members of the Young LNP in Queensland, where they again use racial slurs, this time against Chinese people during a visit undertaken to China. I won't repeat the slurs that are used about Chinese people but it is all widely available in the media. Over the course of today, some have tried to dismiss this as just a bit of mucking around from schoolies or kids doing some silly business. In fact, every participant in these videos is an active participant and active member in the LNP in Queensland and has campaigned alongside numerous state and federal members of the LNP, including people who sit in this chamber and in the House of Representatives. There are numerous photos posted on social media involving the participants in these racist videos campaigning alongside the Prime Minister, Mr Morrison, Minister Dutton, Senator McGrath and the member for Petrie, Luke Howarth.

Some have also tried to dismiss these events today as a one-off incident and the kind of thing that happens, and that we shouldn't get too worried about that. But what is of most concern about this is that it is not an isolated incident. These are not the first videos that have surfaced involving highly racist and extremist thoughts being perpetuated by members of the Young LNP who are connected to senior federal LNP members in this chamber and in the House of Representatives. This goes to the fact that there is clearly something deeply wrong with the culture of the LNP organisation in Queensland that it fosters these kinds of attitudes and encourages this kind of behaviour.

As I said, this is not the first time we have seen this kind of behaviour from both Young LNP members and the broader LNP in Queensland. Only a couple of years ago newspaper reports surfaced of comments from the University of Queensland LNP President, saying that he would have been a Nazi if he had been around in the 1930s—a Nazi in the Young LNP organisation! Only a year ago we saw media reports of Young LNP members posing in photographs with Senator McGrath during election campaigning, where those Young LNP members are displaying, quite prominently, the white power symbol. We have also seen the notorious right-wing extremist Neil Erikson caught out attending a Gold Coast recruitment event for the Liberal National Party. It is no real surprise, because even a senator in this chamber, Senator Stoker from the Queensland LNP, has been prepared to share a stage at
CPAC with other extremists. There is a deep cultural problem in the LNP in Queensland and the Prime Minister needs to tackle it today.

Xenophon, Mr Nick

Senator PATTERSON (Victoria) (20:17): I know that all senators take an interest in the welfare of their former colleagues, so I thought I should update the chamber on the latest activities of former senator for South Australia Nick Xenophon. Those who served with Senator Xenophon will remember him as a crusader for good ethics and proper governance in this place. Indeed, in his maiden speech he said that he:

…tended not to see things in terms of Left or Right. Instead, I try to think about what is right and what is wrong.

He was often the first to call out the pernicious influence of money in politics and to call for greater scrutiny and oversight of lobbyists. So it came as a surprise to learn yesterday that his new law firm had signed up a big new client: Huawei.

More on Huawei in a moment. First, I will speak about Mr Xenophon's new firm, which was launched in August with his usual media fanfare. In articles promoting the firm, Mr Xenophon and his business partner boast of their political experience. Their website has the tagline 'Where law, politics and media converge'. They offer 'political advocacy where required'. Yet, they do not appear on the lobbyist register. In his interviews yesterday, Mr Xenophon said that, despite taking on a new foreign client, he wouldn't be signing up on the Foreign Influence Transparency Scheme because he didn't plan on having any contact with politicians. But contact with elected representatives is not the only criterion for the scheme. Another is communications activities 'for the purpose of political or governmental influence'. It is hard to imagine what purpose Mr Xenophon has been engaged by Huawei for if it is not to achieve their publicly stated goal of changing government policy towards the company.

Huawei is of course a company that, on a bipartisan basis, was rightly banned by successive Labor and Liberal governments from participating in the rollout of the National Broadband Network and the 5G network, thanks to advice from security agencies. Indeed, as a senator in 2017, Mr Xenophon himself described a decision by the Department of Defence and the Department of Foreign Affairs and Trade to purchase Huawei phones as 'bizarre'. It is a company that is facing charges in the United States right now for stealing trade secrets, bank fraud, wire fraud, money laundering and violating sanctions to do secret business in Iran. It is a company which, in February this year, attempted to silence a think tank, the Australian Strategic Policy Institute. Huawei wrote to its business partners, who are also sponsors of ASPI, in a blatant attempt to use its commercial leverage to shut down scrutiny of its conduct. In France, Huawei is again trying to silence its critics, this time using defamation law. A researcher, a journalist and a communications expert are all being sued for claiming that Huawei is controlled by the Chinese government, that their CEO is a former counterintelligence agent for the Communist Party and that the company is spying on the West.

In interviews yesterday, Mr Xenophon stated that his firm may also launch legal action against critics of Huawei in Australia. This is despite the fact that in the Senate he called for reform of defamation laws and warned about the impact that they were having on public interest journalism. Huawei was also recently implicated in the mass surveillance and detention of Uygurs in Xinjiang. They supply services to police departments, local
governments and propaganda outlets that are directly involved in the repression of minorities in western China. But, in the words of a UK spokesperson for Huawei:

I don't think it matters whether it is a dodgy regime. It matters what is in the law … We do not create any moral judgments on what we think is right or wrong.

Clearly not.

When former senator Stephen Conroy was employed by Responsible Wagering Australia after he retired from politics, then Senator Xenophon labelled it a cheap insurance policy on the part of the industry and proposed a five-year ban on retired ministers from doing any lobbying. He went on to say:

… if you're a former MP, whether you're a minister or not. I think it's not unreasonable to disclose how much you're getting paid and how much lobbyists are getting paid for particular jobs.

… I think we need to know that. That's a level of transparency that I think is essential.

Unfortunately, when asked on Sky News yesterday for the same information about his engagement with Huawei, he declined to answer. Mr Xenophon is of course not the only politician to go and work for Huawei—indeed, politicians from both sides of the aisle have done so. In their defence, they are no longer associated with the company and we now know a lot more about its activities than we did a few years ago.

Companies are entitled to representation and former politicians are entitled to earn an income, but they both must do so within the law. If politicians conduct themselves in their post-parliamentary careers in a way that blatantly contradicts what they stood for while they were in this place then they will be rightly judged harshly for it. Reputations are hard won and easily lost. If Mr Xenophon wants to throw his away representing a company so widely condemned then that is a sad end to a career of public service.

Murray-Darling Basin

Senator HENDERSON (Victoria) (20:22): I rise in this adjournment debate to welcome the Minister for Water Resources, Drought, Rural Finance, Natural Disaster and Emergency Management's announcement today that there will be a full investigation of water allocations under the Murray-Darling Basin Plan. Mr Littleproud will seek agreement from the ministerial council on 17 December to provide appropriate powers to the interim Inspector-General of Murray-Darling Basin Water Resources, Mr Keelty, to immediately investigate the impact of the changing distribution of inflows to the southern basin on state shares under the Murray-Darling Basin Agreement. The investigation will also consider any consequential impacts on state shares resulting from reserves required under the MDB agreement, including how these interact with state allocation policies.

As I raised in my first speech in the Senate, on 16 October:

… my very first task as a new senator was to travel to northern Victoria to meet with farmers. Many are facing crisis. In the Murray-Darling Basin, managing the impacts of drought is extraordinarily complex. We must always ask what more we can do, whether it be a serious review of environmental water allocations for the Murray or new water-trading rules to combat the corporate water hoarders and price takers.

As a regional senator for Victoria, I took the farmers' message back to Canberra that many farmers are in genuine crisis. Along with other coalition parliamentary colleagues, I advocated for greater support for farmers seeking water for fodder to support breeding stock,
as just one example, and was very pleased that the Prime Minister and the minister for water acted so quickly to announce the 100-gigalitre Water for Fodder program, which will open for applications very shortly.

We know that much more water is desperately needed and more needs to be done. I also raised with the Prime Minister's office and the responsible ministers the many concerns about the MDB agreement. The voices of our farmers have been heard. People power does matter. Mr Keelty will report back to the minister by 31 March next year and he will be provided with all the resources he needs to support his very important investigation. Along with the ACCC's investigation into the water market, this investigation of the MDB agreement will provide farmers and people living in regional communities with the ability to have their say as to what is wrong and why they want to 'can the plan'. I want to thank the many farmers with whom I have met and who have shared their profound concerns. They include Jan Beer, Chris Brookes and his son Stephen, and a number of farmers who have hosted me on their farms, including Cherie and Andrew Freeman.

That said, our national drought response plan is incredibly comprehensive. It includes: the $5 billion Future Drought Fund to deliver $100 million each and every year to regional communities—this is a fund, regrettably, that Labor initially voted against; $3.5 billion to build dams, weirs and pipelines; tens of millions for drought affected councils and shires; $200 million under the Building Better Regions Fund for drought impacted communities; better interest-free, repayment-free loans for two years, which could save farmers up to some $300,000 in repayments; and, of course, the extended Farm Household Allowance, which provides around $104,000 over four years to eligible households. I want to reiterate: there is more to be done, and I'm very proud to be part of a government which is doing so much to support our farmers and to support our communities which are struggling so seriously in drought.

I do believe that the ACCC should bring forward its reporting time lines on its water inquiry. This is an incredibly important inquiry. The hoarding of water by professional water traders, who are profiteering at the expense of farmers who are literally being driven from the land, is absolutely intolerable. I will continue to work extremely hard to represent farmers and other people living in regional communities across Victoria, including in relation to the critical issue of water. Again, I commend this announcement by the minister.

National Relay Service

Senator URQUHART (Tasmania—Opposition Whip in the Senate) (20:27): The National Relay Service allows deaf and hearing impaired Australians to make and receive telephone calls through the use of text relay services. The NRS can be accessed through different options, including CapTel, teletypewriters, SMS and internet relay. The Morrison government has decided to end access to CapTel for NRS users as of 1 February 2020.

Last sitting week I tabled a notice of motion which passed the Senate. The motion condemned the government for not consulting elderly CapTel users or their families before making a decision that would affect their welfare. The motion called on the government to stop imposing inferior communication options on CapTel users and instead consult with the community to find the best outcome. In Senate estimates, I asked about consultation and the changes. The official from the department said CapTel alternatives were 'a very comparable experience'. I then asked, 'Based on who's feedback is that?' The official said, 'That is from
our own experience.' This was clarified by me, 'Your own, not the CapTel users?' and the answer was, 'No.' The Morrison government didn't even bother to get feedback from those who use CapTel. The average CapTel user is 80 years old. This is an easy to use text relay service that allows users to make telephone calls to family, friends and others, and also to access emergency services.

Many of these older NRS users are simply not confident about relying on the alternatives to CapTel, such as an iPad or smartphone, and many live alone. This means they don't have the support structures to acquire and learn how to use these new devices. Since estimates I have received emails, phone calls and messages from many, many Australians and their families who will be affected by the change from CapTel services, and I want to share with the Senate some of the concerns that I've heard from them.

Albert, from Melbourne, said that he is a veteran and that he is totally reliant on CapTel. The alternative that was offered to him is absolutely useless to him. Myra said that she cannot use a smart phone or iPad or computer. The CapTel phone helps her fight depression and not to feel isolated because of her deafness. She said she would not cope if it were taken away. It's her constant companion. She said that she has her independence back with CapTel. Christine is a profoundly hearing-impaired user of CapTel. She's had many sleepless nights of worry and is recovering from depression. The upheaval of the changes has triggered impacts to her mental health. Her daughters, who are also hearing impaired, use CapTel in their workplaces to communicate effectively and with discrete equality. Shirley said:

Many will go back to a world of silence, loss of independence, loneliness, particularly in the case of the elderly. It already costs the Federal Government millions of dollars a year for those with hearing loss: this move if it becomes reality on 31 January will cost the government many millions a year more.

Cancelling the service just doesn't make sense. Many of us just cannot understand why the government is so intent in forcing us onto an old, antiquated TTY system that is slow, cumbersome and would be no use in this society where an older, antiquated system can't survive.

Andrew wrote on behalf of his 96-year-old father, who is one of the last two remaining crew who served on HMAS *Launceston* during World War II and who lives independently. Andrew said that the disconnection of the CapTel service will force him from his independent living into an aged-care facility. Andrew is his only family, but he lives over 100 kilometres from his dad and the CapTel system is his regular lifeline to medical care and essential meal services. Andrew said that his dad struggles with smartphones, tablets, computers, keyboard entries, even his TV remote, and that he doesn't use his digital control oven or microwave.

Andrew said:

Please wake up and own the difficulties that many aged people face and allow them the dignity to maintain a lifestyle and stop trying to unreasonably impose yours on them.

Mary rang my office from Queensland. She told me her 88-year-old mother had been drawing up a list of her loved ones to call before the end of January to say her final goodbyes while she still had her CapTel service. She said she and her mum have cried bucketloads over the past few months. She said the current government does not understand the value of CapTel to so many with hearing impairments and the huge impact of the axing of CapTel. Ian, on behalf of his 82 year old mum, Nancye, wrote that she has found the CapTel system to be very useful in retaining her independence, and that it seems to be a retrograde step to be using valuable public resources to go back to less usable technology. Jessica, who is just 34 years old, said:
One day we are all likely to know what it's like not to hear, even if only to some small degree. In one sense, everyone will join this club.

I'm described as a high achiever and learner, hold a Bachelor's degree and work as a professional in the public sector for over 10 years. Since birth, I have a severe-profound hearing impairment. Fitted with my first pair of hearing aids before I was one, I started my education before I was two—learning lip-read, speak and integrate into "mainstream" society. I am fortunate, and consider myself lucky. I am no stranger to seeking and using the right forms of assistive technologies and tools for different situations, of learning to use new technologies, of doing tasks differently, of educating people day in, day out.

I remember trialling the TTY in school—an amazing invention, for its time. But having since used CapTel, CapTel has significantly succeeded the TTY in use and practicality. Using CapTel has helped mitigate one mainstream workplace barrier. I pick up the phone, push a button, listen and read, and voice my response. Callers need to know nothing about my personal circumstances—they just dial the same number sequence, just like for everyone else.

These are just a few of the comments that I have received. There are many, many more.

I would ask: why is the Morrison government so intent on upsetting our elderly citizens and those who live with disability, who have forged their way through life with a system that helps them, that they would snatch it away without any consultation? It's time that the Morrison government stood up and showed some respect for our deaf and hearing impaired communities and took very seriously their concerns about the axing of CapTel. I call on the Morrison government to consult widely with those who use the service and their families.

Women's Economic Security

Senator POLLEY (Tasmania) (20:36): I rise to talk about something that I'm extremely passionate about, and that is equality for girls and women and how it relates to superannuation and homelessness. As a Labor senator for Tasmania, as a mother, a grandmother and as a woman, I'm always thinking about how government can make life better for all Tasmanians. I'm also committed to equality. That means I believe in the principle of equality, of opportunity, so every Tasmanian, regardless of where they come from, gets the same opportunities. There will be those who argue that women are now equal to men in every way, but we know that's not the case. There is still plenty to do. An area I am particularly interested in is the question around financial independence and financial security of women. This is something which is becoming increasingly difficult.

We have a superannuation system that disadvantages women. The idea was that superannuation could provide security and dignity to all Australians in their retirement. It was one of the great ideas of the 20th century. Although the super scheme in Tasmania is a wonderful initiative, unfortunately it isn’t without its problems. Employers don’t always honour their legal requirements to pay the Australian workforce their super. Australian women will today retire with 47 per cent less superannuation than men, with almost 40 per cent of older single women living in poverty and enduring poor economic security in retirement.

Why is this so evident in Australian society when women make up 46.9 per cent of today’s modern workforce? There are many factors that influence the gender imbalance disadvantaging a woman's ability to earn superannuation. It is well known that women working full time earn 18 per cent less than men. Noting that 43 per cent of women only work part time, women have an average salary of only $44,000. Almost 220,000 women miss out
on $125 million of superannuation contributions as they unfortunately fail to meet the current requirement to earn $450 per month from a single employer before tax. Many women work several jobs part time, and they often spend an average of five hours per day catering for family needs. Female graduates also earn $5,000 less than their male counterparts, in turn making it difficult to meet mandatory superannuation earning requirements. The current 9.5 per cent superannuation guarantee disadvantages most women to accrue enough superannuation savings for a comfortable retirement, meaning that 8.5 per cent of women between the age of 65 and 74 still have a mortgage to pay. Governments of all persuasions should be focused on protecting the universality of superannuation and rejecting any attempts to make super optional for Australian workers.

Yesterday I met with representatives and members of the Shop, Distributive and Allied Employees Association, the ASU and the ANMF and spoke to them about their stories, their own lived experiences of how they have been disadvantaged by not being in the workforce for the entire amount of time that men usually are. In fact, there was one woman whose marriage had broken down and she'd returned to the workforce at the age of 44, so she was severely disadvantaged in trying to ensure she had a retirement that provided her a level of comfort and dignity. I heard heartfelt stories of a system which is unfair. Many of these women lost tens of thousands of dollars in super because of the super guarantee freeze brought in by former prime minister Tony Abbott in 2014. This freeze has hurt people and in particular women who work in retail, hospitality, aged care and other service based industries. It was a poor policy decision, and women are hurting now and will hurt in retirement because of this sexist decision.

It is fundamental that the superannuation contribution guarantee rate is increased as soon as possible. This isn't going to happen any time soon under this government. Under current legislation, it is set to rise to just 10 per cent in 2021 before increasing to 12 per cent by mid-2025. Further reform which would make the system fairer would be to close the retirement gender super gap by paying a superannuation contribution at the prevailing SGC rate for the government's Paid Parental Leave scheme and on all government carer and family payments. We must continue to advocate for this reform because it will benefit all Australians.

Turning to my home state of Tasmania, the numbers are really very concerning when it comes to the superannuation guarantee freeze. There are 179,150 people affected by this freeze, and it equates to a total superannuation loss of $251.1 million. It also equates to a total extra personal income tax grab from the government of $89.6 million. This government's policy on super is hurting people in my home state of Tasmania, and women will be affected the most. It means low-income workers are missing out on lost superannuation, low-income earners are having a smaller retirement nest egg and low-income earners have been slugged with extra personal tax. Again, women are far worse off because of this government. Fifty-eight per cent, or over six million workers, earning under $52,000 are women. Fewer hours and lower pay contribute substantially to the retirement gender super gap, and super opt-out plans also compound the problems faced by female workers.

In moving forward, there are several self-help things women can do to improve superannuation savings, including salary sacrifice, where your super account contributions get taxed at 15 per cent. Essentially, the more salary you put into your super, the smaller your taxable income may be, and that could mean even more savings at tax time. I encourage
women to look at what options they have to increase their incremental savings so that they can provide a better retirement income for themselves.

Labor believes that no Australian should be penalised for taking time out of paid work to have children. Government makes it easier for employees to make extra payments into a women's superannuation fund, which means the Australian government should legislate to increase superannuation from nine per cent to 12 per cent—or, ideally, 15 per cent—sooner. People are living longer and I echo former prime minister Paul Keating's comments in this space. Australians deserve a good retirement not just an average retirement. Super must be increased to 15 per cent for the long-term security of people's retirement.

The fight for equality of opportunity continues but we must improve the social and economic outcomes for women. One result of a super system that disadvantaged one sex over the other is the increasing number of homeless women in our community. Homelessness in Tasmania has become an issue of real concern over the last five years. It is a failure of our society and government that we are looking for solutions to this problem. The fact is that people experiencing homelessness are increasingly likely to be women in their late 40s. Many women are forced into homelessness due to their economic circumstances or through domestic violence. Over a third of women over the age of 15 have experienced physical, psychological or sexual violence at the hands of a current or former partner. Many women have no choice in being forced out of their homes due to fears for their health and safety and the protection of their children.

**Palliative Care Tasmania**

**Senator BILYK** (Tasmania) (20:46): Two and a half years ago I successfully campaigned to save Palliative Care Tasmania from closure. I'm bitterly disappointed to have to rise again in this place and plead for their continuing survival. The organisation's three-year funding agreement, granted in 2017, expires in June 2020 and neither the Morrison government nor the Hodgman Liberal government in Tasmania has given them any further funding commitment. Palliative care throughout Australia is already grossly underfunded and under-recognised, as it has been for decades. So the thought that we would allow services to go backwards is mind-boggling.

Let me give some background on exactly what palliative care is and what Palliative Care Tasmania does, to explain why this organisation cannot be allowed to close its doors. Palliative care is defined as care for people with life-limiting illness. But it's not just medical care. As I explained a few weeks ago in this place, it is more a holistic form of care that covers many aspects of a patient's needs—physical, psychological, emotional, social, cultural and spiritual. Looking at care from this perspective, we can see that taking a purely medical approach to caring for someone in the end stages of life can actually do them more harm than good. People in the end stages of their life want their wishes to be carried out around how pain is managed, under what circumstances they will or won't receive medical intervention and, importantly, where they want to spend their final days.

But the purely medical approach to palliative care is what happens all too often. I've mentioned many times before the Grattan Institute's 2011 Dying Well study, which found that 70 per cent of Australians would prefer to die at home but only 14 per cent get to do so. Why does this happen? It is because too many people think of palliative care as just medical care
and they either don't consider the other aspects of palliative care or, sadly, consider them too late.

In my recent adjournment speech about palliative care for people with disability, I mentioned that the response of some disability service providers is to immediately send someone into acute care when they have a life-limiting illness. While a person may receive the best medical care possible in hospital, it does not necessarily give them ready access to the emotional support and comfort they could receive by being in a familiar environment and continually surrounded by people they love.

Best practice in palliative care tells us that we need this holistic approach to be adopted through policies in every setting that may have caring responsibilities for people with life-limiting illnesses—settings such as aged and disability care, for example. But let's not forget that it can also apply to children with life-limiting illnesses. These policies need to clearly identify that all aspects of care are to be addressed, and training and professional development must be provided to back up these policies.

But even that is not going far enough because everyone, for the sake of their own care and care of their loved ones, needs to understand what palliative care is. Every adult should make an advanced care plan in readiness for a time when they have a life limiting illness and discuss that plan with family members or close friends. Why do we all need to do this? Because if we don't have care plans by the time we need them, it could be too late. I do need to remind people that not everybody dies old and that a lot of people really don't know when they will die, so you really need to think about an advanced care plan while you're healthy.

Advanced care planning is vital to having a good death. Unfortunately, most Australians are very uncomfortable with talking about death and dying. We even avoid the words and replace them with euphemisms like 'passed away', 'gone' or 'departed'. To get Australians talking about their end-of-life wishes we need to get them to overcome their reluctance to discuss death, and this means driving a cultural change.

This brings me to the importance of organisations like Palliative Care Tasmania. Not only are they advocating for more government investment in quality palliative care but they are also driving cultural change in attitudes to palliative care within other organisations. They do this through policy advice and training. A case in point is their recent project, the Tasmanian Palliative Care Community Charter, which is an agreement on the principles of palliative care developed in consultation with service providers and the Tasmanian community.

Palliative Care Tasmania also held a conference in Hobart a few weeks ago, which I had the pleasure of attending and addressing on behalf of shadow health minister Mr Chris Bowen. The conference had around 200 delegates, from Tasmania and around Australia from the palliative care sector, who came together to share ideas on best practice in palliative care. There are some world-leading examples in Tasmania, such as the work of Li-Ve Tasmania, which I referred to in a previous speech in this place. Palliative Care Tasmania is not just improving the state of palliative care through their work with the sector; they're also driving cultural change throughout the broader community.

A community education program covering aspects of palliative care, death, dying, grief and bereavement, which was started with funding through Labor's Better Access to Palliative Care Program, has now been delivered to between 25,000 and 30,000 Tasmanians. One of the
The simplest ways to help people have a good death is to make sure they plan for and discuss their end-of-life wishes before they end up requiring palliative care. That's why community education is so important. It raises awareness for the need to plan now for the care you may need later in life.

If Palliative Care Tasmania loses its funding and is forced to close its door, this work will just grind to a halt. This means fewer Tasmanians will make advanced care plans, fewer Tasmanians will discuss their end-of-life care wishes with family or close friends and fewer Tasmanian organisations, such as residential aged care facilities and disability care facilities, will provide and facilitate quality palliative care. What is the ultimate consequence of this? Fewer Tasmanians will have a good death. In fact, more Tasmanian s will likely experience what the Grattan Institute's Dying Well report referred to as a lonely, lingering and impersonal death. Is this what those opposite, the Tasmanian parliamentary Liberal colleagues, want?

Palliative Care Tasmania's core funding is $500,000 a year. In the overall scheme of both the state and federal budgets, it's a drop in the ocean. With the amount of work they are doing, the goals they have been kicking and the respect they have from the sector, Palliative Care Tasmania is providing incredible value for money. The case for funding this organisation really should be self-evident. If the Tasmanian government tried to deliver these services directly through the Tasmanian Health Service, it would cost them millions more. With over 2,000 Tasmanians dying each year, surely half a million dollars is a small price to pay to ensure that a good portion of them can have a better end-of-life experience than they otherwise would have. But both the Tasmanian and Australian governments keep passing the buck to each other.

I've little time for the arguments over whose responsibility it is to provide the funding because, frankly, I don't really care. Either government needs to step up to the plate, or, failing that, Minister Hunt needs to get together with the Tasmanian health minister Sarah Courtney and work out a solution. Whoever comes forward with the funding, it simply won't be good enough to throw another three-year grant at Palliative Care Tasmania and then wait for them to again come begging, cap in hand, at the end of the grant period.

In addition to funding, they need funding certainty going forward. Without that certainty, each time the organisation comes to the end of a three-year grant period, their staff have to deal with the uncertainty of not knowing whether or not they will have a job. As staff leave the organisation, they take valuable knowledge, skills and contacts with them—assets which are extremely difficult to replace in this area. It also makes it impossible for Palliative Care Tasmania to engage in any meaningful, long-term planning—something which, from a policy point of view, is badly needed in the area of palliative care. Most other states and territories have palliative care peak bodies that receive ongoing, recurrent funding—not one-off grants every three years.

I've organised a petition on this issue, which so far has gathered hundreds of signatures, and I'll be tabling this petition in the Senate during the first sitting week of next year. I sincerely hope that, when the time comes to table the petition, it will have been made redundant. If, for the sake of saving a paltry $500,000 a year, the Morrison and Hodgman Liberal governments force Palliative Care Tasmania to close, they really should hang their heads in shame.
Media

Senator McCARTHY (Northern Territory—Deputy Opposition Whip in the Senate) (20:56): I rise tonight to pay tribute to our media industry. In an environment where our democratic rights are under attack, where we are governed increasingly by spin rather than substance, and under a government with a growing culture of secrecy, a free and informed media is vital. Media organisations in Australia have long been concerned about threats to journalistic freedoms. Police raids on journalists’ homes and offices, tighter laws—with the excuse of national security—and the proliferation of fake news are all having an impact on how our media can operate. It's worth reminding ourselves of this quote from the Chicago Tribune:

The freedom of the press still furnishes that check upon government which no constitution has ever been able to provide.

Australia's Right to Know coalition has been formed by all of our major media outlets and many of our smaller operators. It has six key proposals for reforms that would strengthen rights and protections for public interest journalism:

- The right to contest search warrants: Applications for search warrants to be made to a high-level judge, with the relevant media outlet to be notified and given the opportunity to challenge the warrant.
- Protections for whistleblowers: Expanded safeguards for government whistleblowing, including an expanded public interest test. The outlets want to see a culture of secrecy replaced with a culture of disclosure.
- Restrictions on secrecy: New rules governing what information governments can deem secret, with obligations to regularly audit the material being kept from the public.
- Freedom of information reform: A suite of changes to FOI law to reduce and restrict the significant delays, obstacles, cost and exemptions that allow government agencies to prevent disclosure.
- Journalist exemptions: Exemptions to protect journalists from prosecution under a number of national security laws. Media outlets can currently mount legal defences against charges under these laws but want this strengthened to exemptions for public-interest journalism.
- Defamation law reform: Overhaul of defamation law to adapt to the digital era, address inconsistency across states territories, and ensure it is operating as intended.

As a former journalist, I'm passionate about supporting a free press that shines a light on matters we deserve to know about. We should take the time to recognise and celebrate the role and achievements of our media and media workers.

I'd like to pay tribute to some of those who have been recognised by their peers and the wider industry and community recently. Last week in Alice Springs, the annual First Nations Media Awards celebration was held, recognising excellence in all forms of media production. Around 150 guests travelled from communities in the Torres Strait, Kimberley and Pilbara regions, Melbourne, Sydney, Adelaide, Port Augusta, Arnhem Land, Lismore, Brisbane, Yuendumu and other remote Northern Territory communities, the Ngaanyatjarra lands, Canberra, Wilcannia and New Zealand to join local Alice Springs community members for the awards, which were held in conjunction with the CONVERGE conference.

Under the guidance of their new CEO, Arrernte and Anangu woman Catherine Liddle, First Nations Media Australia is going from strength to strength as a peak body advocating for the
growing sector. That development is highlighted by the annual awards, where the scope and professionalism of the industry is on display. The First Nations Media Lifetime Achievement Award went to the legendary Freda Glynn. Freda is a founder of CAAMA and Imparja television. She was recognised for her vision to deliver essential information and news to communities in all the Central Australian Aboriginal languages—something that remains in action today, with CAAMA going from strength to strength in the heart of Australia under CEO Karl Hampton. In presenting the award, First Nations Media Australia Chair Dot West thanked Freda for her leadership, acknowledging that it was CAAMA that inspired and guided many of the communities around Australia to establish their own media organisations.

John Macumba, a frequent collaborator with Freda and one of the first Indigenous voices on the air, was recognised with the First Nations Media Legend Award. Wayne Bynder received the Outstanding Contributor Award in recognition of over 40 years of igniting passion for broadcasting across the Kimberley and generously sharing his knowledge across the industry. I commend all those nominees and all the outstanding winners of the First Nations Media Awards and all those who attended. I encourage senators to go online, have a look at the winners and see the calibre of our First Nations media industry and workers from right across the country who gathered in Alice Springs for that event.

I also want to specially mention and congratulate the journalists we have in the Northern Territory and thank them for the work they do in keeping government to account and telling stories for our audiences. We know times are tough in the media industry, with funding cuts and staff cuts. Journalists continue to do their job and in most cases do it well in this tough environment and against the odds. In that vein, I would like to congratulate the finalists and winners of the Northern Territory Media Awards, which were held in Darwin recently. ABC journalist Oliver Gordon was named the 2019 Journalist/Photojournalist of the Year. Gordon was acknowledged for his ABC Background Briefing investigation The Black and White Hotel: Inside Australia’s Segregated Hotel Rooms and associated coverage of racial profiling at a hotel in Alice Springs. He also won Best Current Affairs or Feature. NT News journalist Phillippa Butt received the other top gong for the night, the Marchbanks Young Journalist of the Year 2019 award, for a body of work including a story she followed up after an anonymous tip that workers at a domestic violence shelter were being told to ignore mandatory reporting guidelines and water down abuse reports. Well done, Philippa.

The ABC’s Jane Bardon took home three awards for her Background Briefing investigation Rough Justice: Can the NT keep its kids safe? as well as the Indigenous affairs reporting award for her and Owain Stia James' report Rough Justice: NLC investigation and Ngukurr’s Panadol clinic. Congratulations to everyone and thank you for your hard work. Again, I urge senators to go online and have a look at our Northern Territory media awards and the nominees and category winners. They are exceptional and I congratulate all those who not only entered but who worked diligently across the Northern Territory to tell the stories that matter, not only to the people of the Northern Territory but to Australia and the international community.

I’d also like to take this opportunity to acknowledge Katie Woolf. She’s a commercial radio announcer. Katie is an outstanding broadcaster, I believe, in terms of delivering not only the much needed information but also the debates, certainly the challenging debates, and interviews that can be quite interrogating, as they should be, of people in representative
positions, whether they're in government, local government, local businesses or the general community. She is an incredible broadcaster. Along with the recipients of the NT Media Awards, Katie Woolf, for her successes, took home the Brian White Award for radio journalism for a non-metro area at the Australian Commercial Radio Awards in Brisbane. She was also a finalist in the Best Talk Presenter category. Katie Woolf is a regular fixture on the Darwin commercial radio scene, hosting *360 with Katie Woolf* on weekdays from 9 am on Mix 104.9. She's a voice for Territorians, making sure local issues get the coverage that they deserve. I'm certain that many, many senators and members from the House who have been to Darwin have had the chance of being interrogated by Katie Woolf up there in the Top End. I certainly congratulate her and all of those who stand in the media industry to keep us—the people in the Senate, in the House of Representatives, in local governments and in state governments—accountable and responsible to the people of our respective state and territory jurisdictions and the people of Australia. They uphold an important tool for effective democracy in our country.

**South Australia: Infrastructure**

**Senator PATRICK** (South Australia) (21:05): Last week I rose to give a speech on Whyalla as a city with a population of 80,000. The speech was about a city with a population of 22,000 that would be transformed by a proposal by GFG Alliance relating to the steelworks in the city. The point of the speech was to make all and sundry, but particularly government ministers, appreciate that assistance to industry can result in a significant long-term benefit for a place like Whyalla and, indeed, for the region around that city, just by providing a little bit of help. During that speech I described a fantastic transformation that would involve a dual carriageway from Adelaide to Whyalla and an upgrading of all of the city's facilities, and I also mentioned a proposed port called Cape Hardy, located about 200 kilometres south of Whyalla. It's an area that could accommodate the Eyre Peninsula's first deepwater seaport, allowing for Cape class vessels to be loaded alongside a wharf and basically open up the Eyre Peninsula to the world.

I took the time over this weekend to travel to Port Lincoln, first, and then I drove north past Tumby Bay to the site where Cape Hardy is. I met with the Pfitzner family. Four generations greeted me when I arrived. The relevance of that family is that well over 100 years ago the family were advocating for a port for Cape Hardy. While I was there they showed me some of the documentation and they let me read the story. The advancement of the port all those years ago was frustrated by things like war and, indeed, different industries and different requirements. Nothing came of the Pfitzner dream—perhaps until now.

If senators were to examine Infrastructure Australia's Infrastructure Priority List, they would find a port under a project referred to as the Eyre Infrastructure Project. So the government's actually onto the idea that Cape Hardy will be a good thing for the Eyre Peninsula. It will be a good thing not just because of the benefit it will provide: to grain growers and the growers of other crops; to the iron ore companies; to the graphite companies that are interested in the site; to the hydrogen company that is interested in the site; to the fisheries people in and around Port Lincoln; and to all the other businesses that would be drawn to the proposed port. It will also be good because of the benefits it would bring to the local population. Those benefits would include employment opportunities for the 16,000 people in Port Lincoln, a reduction in the heavy-vehicle traffic that now takes grain from
around the Eyre Peninsula and brings it to Port Lincoln, because the Eyre Peninsular narrow-gauge railway has now shut. That's created a problem, but the port could provide an alternate export point and, in doing so, would remove that heavy traffic from the streets of Port Lincoln.

It would see an increase in passenger numbers out of Port Lincoln Airport, such that, hopefully, we would see greater competition and lower airfares. Port Lincoln would serve as a hub in support of the communities of Tumby Bay and Port Neill, which straddle both the southern side and the northern side of the Cape Hardy site. Then there's what would happen in the local communities of Tumby Bay and Port Neill. Those two townships would serve as the residence for many of the people who would come to work not just in the port but in the industries that surround the port. The towns will expand, the falling numbers that they currently have in the schools will reverse, the pubs will fill and the shops will sell more. I might point out that there's a great fish and chip shop in Tumby Bay that is well worth dropping into if you ever pass by, but the line might be longer if Cape Hardy Port were to go ahead. The shops there would be selling more and, as beautiful as the town is, we'd see upgraded esplanades and public areas, and those areas would be filled with young children and families. Their parents would be there on weekends enjoying the beautiful townships that both Port Neill and Tumby Bay are. All of the kids would require a school to go to. There would be child care and community services that are more sustainable. There would be sporting clubs, which would have to expand. The Tumby Bay Marina would need to be expanded, as well. All of these things are not related to the direct benefits that, of course, would flow from the port itself.

I've been talking up the benefit of the proposed port to the government, both to ministers and to officials, through things like estimates. I have to say that they appear to be listening and showing some interest in turning this Infrastructure Australia priority project into a real priority. The body language on the government side looks good. I hope the government will find a way to support this priority project. It will create jobs, it will spur economic activity in the region, and it will transform Lower Eyre Peninsula. It would be great for South Australia and it would seal the title of 'visionaries' for the Pfitzner family.

Wiesel, Professor Elie

Parents, Families and Friends of Lesbians and Gays Perth

Senator DEAN SMITH (Western Australia—Government Whip in the Senate) (21:13): As this adjournment debate comes to a close this evening, I'd just like to reflect on one person as a way of paying tribute to a number of very, very important and inspirational Western Australians. I'd like to start by reflecting on a gentleman by the name of Elie Wiesel, which is not a name that we talk about very often in this chamber, but I think it is someone we should keep constantly at the forefront of our considerations. He was a Romanian-born American professor, political activist, Nobel laureate and Holocaust survivor. In 1986 he was awarded the Nobel Peace Prize. In his extensive writings, which I encourage people to read in moments of reflection, like the summer period that's coming up, he's had a couple of things to say, two of which stand out to me. The first is that he has remarked that, 'Justice consists not in being neutral between right and wrong, but finding out the right and upholding it,' and, 'Neutrality is at times a graver sin than belligerence.' He also said—and this is a quote that I keep very, very close to me in my office here in the Senate:
We must always take sides. Neutrality helps the oppressor, never the victim. Silence encourages the tormentor, never the tormented. Sometimes we must interfere.

I reflect on those comments as a way of paying tribute to a small but energetic and passionate group of Western Australians who have decided not to stay neutral when it comes to upholding the values, the lifestyles and the love that they have for their children and for the children of other families in Western Australia. I talk about that group of people who are known as PFLAG Perth—the Parents, Families and Friends of Lesbians and Gays.

Yesterday, on 2 December, they celebrated—and it is a celebration—30 years since their inauguration. And if we stop to reflect and think about what Western Australia looked like and felt like for young gay and lesbian people, their parents and their brothers and sisters 30 years ago, it was a difficult place. I'm proudly Western Australian, I'm proudly Liberal and I'm a very, very proud gay man. But I don't dispute the fact that 30 years ago those things were very, very difficult for gays and lesbians. They were very difficult for the parents and friends of gays and lesbians. So tonight I want to pay tribute and acknowledge the founding committee members of PFLAG: the president, June Smyth, from Kenwick; the treasurer, Ms Helen Hornvedt; Mr John Pugh from Perth and Mrs Elfie Heller from Westminster. I've known Mrs Elfie Heller from Westminster for a very, very long time. I've known her for over 30 years. Elfie's youngest son, Martin, is one of my closest friends—a best friend. Martin's eldest brother, Mark, was gay. Elfie joined PFLAG and has been a solid contributor to that organisation ever since.

In honouring PFLAG this evening—PFLAG Perth, quite specifically—I want to recognise the efforts of those committee members and their supporters who have made PFLAG Perth a trusted and reliable contributor to the LGBTI community in Western Australia for the last 30 years. And in honouring those people that founded the organisation 30 years ago, I want to fast forward and thank those people today who keep the energy and the momentum of that organisation alive. I want to thank and honour for their continuing stewardship—and I'm sure I do this on behalf of many Western Australian senators and on behalf of many people in the Western Australian community—the current president, Mr John Wilson, from Dianella; I want to congratulate Liz Prendergast from Nedlands, who is also a very close friend; I want to honour Tracy Lilly from Perth; and, of course, I want to honour the secretary, Ms Denise Taylor, from Westminster.

As a parliamentarian, we get asked, on occasion, to be the patrons of organisations and to support organisations. A couple of years ago—not surprisingly, given the magnitude of a debate that our country engaged in—PFLAG Perth asked if I would be an ambassador for them. It was a great honour and is a great honour to continue to be an ambassador for them, because, as a parliamentarian, there can be no greater compliment, that people choose to trust you with their issues—to argue, to fight and to be a flag-bearer for their issues. And when we think about what Western Australia was like 30 years ago for gays and lesbians and their parents, their friends and their families, it was a difficult place. The people who created PFLAG Perth 30 years ago deserve to be honoured for their courage, honoured for the pride that they had in their children and honoured for the work that they did, not just in driving Western Australia to the decriminalisation of homosexuality but for their contribution in other debates—indeed, in the big debate that we've had in this country in the last few years. These are people who live in our suburbs—the quiet Australians—who demonstrate great personal
courage, who stand by their children and who stand by their communities. They deserve to be honoured.

In the last few days of the Senate before we go to Christmas the Senate program can be a little bit unreliable. I hope that I'll have an opportunity to put in writing my high regard for the work that they have done for the last 30 years. But in case I don't have the opportunity to do that, I wanted to honour them tonight in this adjournment debate. On behalf of all Western Australians who stand by and walk with gays and lesbian people—anyone in the LGBTI community—I am sure I speak for all of them this evening in honouring, congratulating and applauding the courage of PFLAG Perth.

Senate adjourned at 21:21