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SITTING DAYS—2018

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FORTY-FIFTH PARLIAMENT
FIRST SESSION—SIXTH PERIOD

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

Senate Office Holders
President—Senator Hon. Scott Ryan
Deputy President and Chair of Committees—Senator Susan Lines
Temporary Chairs of Committees—Senators Bernardi, Fawcett, Gallacher, Ketter, Kitching, Leyonhjelm, Marshall, McCarthy, O'Sullivan, Reynolds, Sterle, Whish-Wilson and Williams
Leader of the Government in the Senate—Senator Hon. Mathias Cormann
Deputy Leader of the Government in the Senate—Senator Hon. Mitchell Peter Fifield
Leader of the Opposition in the Senate—Senator Hon. Penny Wong
Deputy Leader of the Opposition in the Senate—Senator Hon. Don Farrell
Manager of Government Business in the Senate—Senator Hon. Simon Birmingham
Acting Manager of Opposition Business in the Senate—Senator Hon. Jacinta Collins

Senate Party Leaders and Whips
Leader of the Liberal Party in the Senate—Senator Hon. Mathias Cormann
Deputy Leader of the Liberal Party in the Senate—Senator Hon. Mitchell Peter Fifield
Leader of The Nationals in the Senate—Senator Hon. Nigel Scullion
Leader of the Labor Party in the Senate—Senator Hon. Penny Wong
Deputy Leader of the Labor Party in the Senate—Senator Hon. Don Farrell
Leader of the Australian Greens—Senator Richard Di Natale
Acting Deputy Leader of the Australian Greens in the Senate—Senator Rachel Siewert
Chief Government Whip—Senator David Christopher Bushby
Deputy Government Whips—Senators David Julian Fawcett and Dean Anthony Smith
The Nationals Whip—Senator John Williams
Chief Opposition Whip—Senator Anne Elizabeth Urquhart
Deputy Opposition Whips—Senators Jennifer McAllister and Christopher Ronald Ketter
Australian Greens Whip—Senator Rachel Siewert

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

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<th>State or Territory</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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<th>Territory</th>
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<th>Senator</th>
<th>Party</th>
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<td>Scullion, N.G.</td>
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</table>

\(^{1}\) 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 Court of Disputed Returns to fill a disqualification (vice B Day), pursuant to section 44(v) of the Constitution.

\(^{3}\) Chosen by the Court of Disputed Returns to fill a disqualification (vice R Culleton), pursuant to sections 44 and 45 of the Constitution.

\(^{4}\) Chosen by the Parliament of Western Australia to fill a casual vacancy (vice C Back), pursuant to section 15 of the Constitution.

\(^{5}\) Chosen by the Court of Disputed Returns to fill a disqualification (vice S Ludlam), pursuant to section 44(i) of the Constitution.

\(^{6}\) Chosen by the Court of Disputed Returns to fill a disqualification (vice L Waters), pursuant to section 44(i) of the Constitution.

\(^{7}\) Chosen by the Court of Disputed Returns to fill a disqualification (vice F Nash), pursuant to section 44(i) of the Constitution.

\(^{8}\) Chosen by the Court of Disputed Returns to fill a disqualification (vice M Roberts), pursuant to section 44(i) of the Constitution.

\(^{9}\) Chosen by the Parliament of South Australia to fill a casual vacancy (vice N Xenophon), pursuant to section 15 of the Constitution.

\(^{10}\) Chosen by the Court of Disputed Returns to fill a disqualification (vice S Parry), pursuant to section 44(i) of the Constitution.
(11) Chosen by the Court of Disputed Returns to fill a disqualification (vice J Lambie), pursuant to section 44(i) of the Constitution.
(12) Chosen by the Court of Disputed Returns to fill a disqualification (vice S Kakoschke-Moore), pursuant to section 44(i) of the Constitution.
(13) Chosen by the Parliament of New South Wales to fill a casual vacancy (vice S Dastyari), pursuant to section 15 of the Constitution.
(14) Chosen by the Parliament of Queensland to fill a casual vacancy (vice G Brandis), pursuant to section 15 of the Constitution.
(15) Chosen by the Court of Disputed Returns to fill a disqualification (vice K Gallagher), pursuant to section 44(i) of the Constitution.

PARTY ABBREVIATIONS
AG—Australian Greens; ALP—Australian Labor Party;
KAP—Katter’s Australia Party; CA—Centre Alliance;
CLP—Country Liberal Party; DHJP—Derryn Hinch’s Justice Party;
IND—Independent; LDP—Liberal Democratic Party;
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—D Elder
Secretary, Department of Parliamentary Services—R Stefani
Parliamentary Budget Officer—J Wilkinson
### Turnbull Ministry

<table>
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<tr>
<td><strong>Prime Minister</strong></td>
<td>Hon. Malcolm Turnbull MP</td>
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<tr>
<td><strong>Minister for Indigenous Affairs</strong></td>
<td>Senator the Hon. Nigel Scullion</td>
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<tr>
<td><strong>Minister for Women</strong></td>
<td>Hon. Kelly O'Dwyer MP</td>
</tr>
<tr>
<td><strong>Minister Assisting the Prime Minister for Digital Transformation</strong></td>
<td>Hon. Michael Keenan MP</td>
</tr>
<tr>
<td><strong>Minister Assisting the Prime Minister for the Public Service</strong></td>
<td>Hon. Kelly O'Dwyer MP</td>
</tr>
<tr>
<td><strong>Assistant Minister to the Prime Minister</strong></td>
<td>Senator the Hon. James McGrath</td>
</tr>
<tr>
<td><strong>Deputy Prime Minister and Minister for Infrastructure and Transport</strong></td>
<td>Hon. Michael McCormack MP</td>
</tr>
<tr>
<td><strong>Minister for Regional Development, Territories and Local Government</strong></td>
<td>Hon. Dr John McVeigh MP</td>
</tr>
<tr>
<td><strong>Minister for Urban Infrastructure and Cities</strong></td>
<td>Hon. Paul Fletcher MP</td>
</tr>
<tr>
<td><strong>Assistant Minister to the Deputy Prime Minister</strong></td>
<td>Hon. Keith Pitt MP</td>
</tr>
<tr>
<td><strong>Minister for Foreign Affairs</strong></td>
<td>Hon. Julie Bishop MP</td>
</tr>
<tr>
<td><strong>Minister for Trade, Tourism and Investment</strong></td>
<td>Hon. Steven Ciobo MP</td>
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<tr>
<td><strong>Minister for International Development and the Pacific</strong></td>
<td>Senator the Hon. Concetta Fierravanti-Wells</td>
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<tr>
<td><strong>Assistant Minister for Trade, Tourism and Investment</strong></td>
<td>Hon. Mark Coulton MP</td>
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<tr>
<td><strong>Minister for Finance</strong></td>
<td>Senator the Hon. Mathias Cormann</td>
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<tr>
<td><strong>(Vice-President of the Executive Council)</strong></td>
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<tr>
<td><strong>(Leader of the Government in the Senate)</strong></td>
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<tr>
<td><strong>Special Minister of State</strong></td>
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<td><strong>Assistant Minister for Finance</strong></td>
<td>Hon. David Coleman MP</td>
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<td><strong>Treasurer</strong></td>
<td>Hon. Scott Morrison MP</td>
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<tr>
<td><strong>Minister for Revenue and Financial Services</strong></td>
<td>Hon. Kelly O'Dwyer MP</td>
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<tr>
<td><strong>Assistant Minister to the Treasurer</strong></td>
<td>Hon. Michael Sukkar MP</td>
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<tr>
<td><strong>Minister for Defence</strong></td>
<td>Senator the Hon. Marise Payne</td>
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<tr>
<td><strong>Minister for Defence Industry</strong></td>
<td>Hon. Christopher Pyne MP</td>
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<tr>
<td><strong>(Leader of the House)</strong></td>
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<tr>
<td><strong>Minister for Veterans’ Affairs</strong></td>
<td>Hon. Darren Chester MP</td>
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<td><strong>Minister for Defence Personnel</strong></td>
<td>Hon. Darren Chester MP</td>
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<tr>
<td><strong>(Deputy Leader of the House)</strong></td>
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<tr>
<td><strong>Minister Assisting the Prime Minister for the Centenary of ANZAC</strong></td>
<td>Hon. Darren Chester MP</td>
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<tr>
<td><strong>Minister for Home Affairs</strong></td>
<td>Hon. Peter Dutton MP</td>
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<tr>
<td><strong>Minister for Immigration and Border Protection</strong></td>
<td>Hon. Peter Dutton MP</td>
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<tr>
<td><strong>Minister for Citizenship and Multicultural Affairs</strong></td>
<td>Hon. Alan Tudge MP</td>
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<tr>
<td><strong>Minister for Law Enforcement and Cyber Security</strong></td>
<td>Hon. Angus Taylor MP</td>
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<tr>
<td><strong>Assistant Minister for Home Affairs</strong></td>
<td>Hon. Alex Hawke MP</td>
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<td><strong>Attorney-General</strong></td>
<td>Hon. Christian Porter MP</td>
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<td><strong>Minister for Communications</strong></td>
<td>Senator the Hon. Mitch Fifield</td>
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<tr>
<td><strong>Minister for the Arts</strong></td>
<td>Senator the Hon. Mitch Fifield</td>
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<tr>
<td><strong>(Deputy Leader of the Government in the Senate)</strong></td>
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<tr>
<td><strong>Minister for Regional Communications</strong></td>
<td>Senator the Hon. Bridget McKenzie</td>
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<tr>
<td><strong>Minister for Jobs and Innovation</strong></td>
<td>Senator the Hon. Michaelia Cash</td>
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<tr>
<td><strong>Minister for Small and Family Business, the Workplace and Deregulation</strong></td>
<td>Hon. Craig Laundy MP</td>
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<tr>
<td><strong>Assistant Minister for Science, Jobs and Innovation</strong></td>
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<tr>
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Each box represents a portfolio. **Cabinet Ministers are shown in bold type.** As a general rule, there is one department in each portfolio. However, there is a Department of Human Services in the Social Services portfolio and a Department of Veterans' Affairs in the Defence portfolio. The title of a department does not necessarily reflect the title of a minister in all cases. Assistant Ministers in italics are designated as Parliamentary Secretaries under the *Ministers of State Act 1952.*
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<tr>
<td>Shadow Cabinet Secretary</td>
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<tr>
<td><strong>Deputy Leader of the Opposition</strong></td>
<td>Hon. Tanya Plibersek MP</td>
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<tr>
<td>Shadow Minister for Education and Training</td>
<td>Hon. Tanya Plibersek MP</td>
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<tr>
<td>Shadow Minister for Women</td>
<td>Senator the Hon. Doug Cameron</td>
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<tr>
<td>Shadow Minister for Skills, TAFE and Apprenticeships</td>
<td>Andrew Giles MP</td>
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<tr>
<td>Shadow Assistant Minister for Schools</td>
<td>Terri Butler MP</td>
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<tr>
<td>Shadow Assistant Minister for Universities</td>
<td>Terri Butler MP</td>
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<tr>
<td>Shadow Attorney-General</td>
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<tr>
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<td>Shadow Minister for Ageing and Mental Health(2)</td>
<td>Hon. Julie Collins MP</td>
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<tr>
<td>Shadow Minister for Early Childhood Education and Development(3)</td>
<td>Hon. Amanda Rishworth MP</td>
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Each box represents a portfolio except for (1) which is in the Education portfolio, (2) which is in Treasury portfolio and (3) which is in the Health portfolio. **Shadow Cabinet Ministers are shown in bold type.**
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Monday, 18 June 2018

The PRESIDENT (Senator the Hon. Scott Ryan) took the chair at 10:00, read prayers and made an acknowledgement of country.

DOCUMENTS

Tabling

The Clerk: I table documents pursuant to statute. Details will be recorded in the Journals of the Senate and on the Dynamic Red.

Details of the documents also appear at the end of today’s Hansard.

COMMITTEES

Meeting

The Clerk: Proposals to meet have been lodged as follows:

Community Affairs References Committee—private meetings otherwise than in accordance with standing order 33(1) today, from noon and from 6 pm, for the committee's inquiry into mitochondrial donation.

Constitutional Recognition relating to Aboriginal and Torres Strait Islander Peoples—Joint Select Committee—private meetings otherwise than in accordance with standing order 33(1), followed by public meetings, from 10 am, today and on Monday, 25 June 2018.

Corporations and Financial Services—Joint Statutory Committee—

public meeting on Tuesday, 19 June 2018, from 5 pm, to take evidence for the committee's inquiry into the Franchising Code of Conduct and Oil Code of Conduct.

private meeting otherwise than in accordance with standing order 33(1) on Thursday, 21 June 2018, from 9.30 am.

Electoral Matters—Joint Standing Committee—private meetings otherwise than in accordance with standing order 33(1), followed by private briefings, from 9.40 am, on Wednesday, 20 June and Wednesday, 27 June 2018.

Finance and Public Administration Legislation Committee—private meeting otherwise than in accordance with standing order 33(1) on Thursday, 21 June 2018, from 4.30 pm, for the committee's consideration of the 2018-19 Budget estimates.

Finance and Public Administration References Committee—private meeting otherwise than in accordance with standing order 33(1) today, from 1.55 pm.

Intelligence and Security—Joint Statutory Committee—

public meetings today, from 10.30 am and from 6 pm, for the committee's review of the Foreign Influence Transparency Scheme Bill 2017.

in camera hearings, from 9.30 am, on Thursday, 21 June and Thursday, 28 June 2018.

private briefing on Wednesday, 27 June 2018, from noon.

National Broadband Network—Joint Standing Committee—

private meeting otherwise than in accordance with standing order 33(1) on Wednesday, 20 June 2018, from 4.30 pm.

private briefing on Thursday, 21 June 2018, from 11.30 am.
Rural and Regional Affairs and Transport Legislation Committee—
private briefing on Wednesday, 20 June 2018, from 9.30 am.
public meeting on Monday, 25 June 2018, from 5 pm.

The PRESIDENT (10:01): I remind senators that the question may be put on any proposal at the request of any senator. There being none, we will move on.

PARLIAMENTARY REPRESENTATION

Australian Capital Territory

The PRESIDENT (10:01): I table an order from the Court of Disputed Returns declaring David Smith duly elected as a senator for the Australian Capital Territory.

Senators Sworn

Senator David Smith made and subscribed the oath of allegiance.

PARLIAMENTARY REPRESENTATION

Senator MARTIN (Tasmania) (10:05): I seek leave to make a statement relating to my parliamentary representation.
Leave granted.

Senator MARTIN: I advise the Senate that I have become a member of the National Party of Australia and will sit with the coalition government accordingly.

Senator ANNING (Queensland) (10:06): I seek leave to make a short statement.
Leave granted.

Senator ANNING: I wish to advise the Senate that I have joined KAP, Katter’s Australian Party.

Senator BURSTON (New South Wales) (10:06): I seek leave to make a short statement relating to my political party status.
Leave granted.

Senator BURSTON: I advise the Senate that, from this day forward, I will be sitting as an Independent senator. I also advise the Senate that I should be designated as a whip for the purposes of standing order 24A, relating to the Selection of Bills Committee.

BUDGET

Consideration by Estimates Committees

Senator DEAN SMITH (Western Australia—Deputy Government Whip in the Senate) (10:07): I seek leave to make a short clarifying statement.
Leave granted.

Senator DEAN SMITH: On behalf of the Joint Committee of Public Accounts and Audit, I wish to provide additional information in relation to my statement of 8 May 2018 regarding the budget estimates of the Australian National Audit Office. Each year, the Joint Committee of Public Accounts and Audit is required by legislation to consider the draft budget estimates of the Australian National Audit Office and report to parliament on the ability of the Australian National Audit Office to undertake its functions within the budget that it has been allocated. Since I made my statement to the Senate, the Auditor-General has provided the
committee with updated information in relation to the budget allocation for the Australian National Audit Office. Due to budget confidentiality provisions, the Auditor-General was unable to provide the committee with this information prior to the release of the budget. As I indicated in my statement, the Australian National Audit Office did not seek supplementation in the 2018-19 budget. In his recent communication, however, the Auditor-General informed the committee that the Australian National Audit Office budget appropriation has been reduced by $0.69 million in 2018-19 and $0.9 million over the forward estimates. The Auditor-General is proposing using accumulated appropriation reserves to ensure that the Australian National Audit Office performance targets are still able to be met. The committee is currently considering how to ensure that it continues to have access to the information necessary to discharge its responsibility to consider the budget estimates of the Australian National Audit Office.

PARLIAMENTARY REPRESENTATION

Senator WATT (Queensland) (10:08): I seek leave to take note of the statement made by Senator Burston.

Leave not granted.

BUSINESS

Rearrangement

Senator BIRMINGHAM (South Australia—Minister for Education and Training and Manager of Government Business in the Senate) (10:08): I move:

That the following bills be considered today at the time for private senators' bills:

No. 78 Treasury Laws Amendment (Axe the Tampon Tax) Bill 2018

Animal Export Legislation Amendment (Ending Long-haul Live Sheep Exports) Bill 2018 (subject to introduction).

Question agreed to.

BILLS

Treasury Laws Amendment (Axe the Tampon Tax) Bill 2018

Second Reading

Consideration resumed of the motion:

That this bill be now read a second time.

Senator RICE (Victoria) (10:09): I rise to speak on the Treasury Laws Amendment (Axe the Tampon Tax) Bill 2018, which seeks to remove the goods and services tax from sanitary products. Sanitary products are defined in this bill as tampons, pads, liners, cups, sponges and other products used in connection with menstruation. Since the goods and services tax came into operation in the year 2000, people who menstruate have been paying tax on these essential products. That's 18 years of products that are essential to millions of Australians being 10 per cent more expensive than they should be. These are products that are essential to maintain health and hygiene while people menstruate. And it's frankly ridiculous that, while items like sunscreen, folic acid, toothpaste, lubricants, condoms and even Viagra are exempt from GST, sanitary products are not. Sanitary products are just as important to the maintenance of personal and public health as these exempt items. If cis men required sanitary
products because they bled every month, do you think there'd be GST added to them? Absolutely not. It is unfathomable that that would have been the case. This is a sexist and unfair tax on our biology, the biology of people who menstruate, and it should never have existed in the first place.

From the very beginning, there's been strong opposition from the public about the decision to apply GST to sanitary products. There have been protests here at Parliament House in Canberra and at universities and in cities around the country. For over 17 years, people have been protesting. In fact, I'm speaking here today bringing a very loud and a very clear message from a crowd of people who braved the Canberra cold just this morning out on the front lawns of Parliament House to say that it is way past time to axe the tampon tax. The first petition to this parliament opposing the GST on sanitary items was tabled in this place on 15 February 2000 with 10,355 signatures calling on the government to make tampons and sanitary pads GST free. And today, I'm able to tell the parliament that the most recent petition that has been brought together by the Greens and Share the Dignity has got over 127,000 signatures. This just shows the level of support from across the Australian community to scrap this sexist tax. Share the Dignity, who have collected many of these signatures on their petition, is a charity that works to distribute sanitary items to women who are homeless, at risk or experiencing domestic violence, and they have been campaigning hard to axe the tampon tax. I'm so humbled to have stood this morning beside their founder, Rochelle Courtenay, and their many supporters as they presented their massive petition to me to bring and share with this parliament. Rochelle is in the gallery today to observe this significant moment when this Senate has got the opportunity to pass a bill that would axe this sexist tax. It's clear: Australians have had enough. They want this unfair, sexist tax on sanitary products gone once and for all.

The justification for keeping the tax that's been put forward by the government is that it's impossible to make the change without the support of the states and territories, who are the recipients of the GST revenue. It is certainly not impossible. It is a change that can be enacted by this federal parliament. The legislation to impose GST on sanitary items was made federally, and the federal parliament should lead the way and fix it. The engagement and the input of the states and territories is, however, very important to this issue, which is why I wrote to the state and territory treasurers to urge their support for removing this unfair tax. We know that the majority of states and territories already support this reform, and I commend them for their support to axe the tampon tax. The only states that currently do not support axing the tax all have Liberal governments. The Prime Minister needs to show leadership, bring the remaining states into line, and support this Greens bill to axe the tampon tax. Or is the Prime Minister seriously telling the people of Australia that he doesn't have any influence over his coalition colleagues? That he doesn't have influence over just $35 million a year—0.05 per cent of the total GST revenue of over $62 billion? That he doesn't have influence over this tiny proportion of the GST revenue? Perhaps it is best if we just leave this question unanswered, if that's what the Prime Minister is saying—that he does not have influence over his coalition colleagues.

This is not a genuine obstruction to changing the act. All that's needed is political will from our Prime Minister. That such will is in short supply tells you all you need to know: this government is not governing in the interests of ordinary Australians. The government found
$122 million out of its back pocket last year for a non-binding, non-compulsory postal survey on marriage equality. Surely it can cover the shortfall in revenue from axing the GST on sanitary products, and do what's fair and remove this tax. For state, territory and federal budgets, this tax is a drop in the ocean, but for some people—for the people who have to pay this tax—the impact of the GST on sanitary products means going without these essential health products. This tax disproportionately affects low-income women and transgender people, many of whom have insecure work and housing. It's easy for some to dismiss this as a non-issue, but there are people who are sometimes faced with having to make a choice between buying tampons and buying food. The fact that they are charged more for an essential sanitary product because of the GST is simply unacceptable.

The Greens urge the parliament to remove this discrimination. We could axe this unfair tax this week, if the government supported this bill. I thank Senators Hinch, Griff and Leyonhjelm for co-sponsoring this bill's introductory motion in May. I'm sorry that our limited time this morning does not give them the opportunity to speak on this matter. I thank the Labor senators in this place for their strong position against the tampon tax. I also pay tribute to my Greens colleagues who are going to support this bill today and to our former parliamentarians who have worked for this reform for years—in particular, Larissa Waters, who I'm so pleased is going to join us here again in this place soon. Larissa laid vital groundwork in the campaign to scrap the tampon tax, and she campaigned so strongly for this change.

This bill is a very simple bill. It removes the GST from sanitary products. It is a very straightforward, very simple bill—a small change that would make a huge difference to the people of Australia. I've introduced this bill on behalf of every person who has signed a petition, every person who has attended a protest, and every person who has written to an MP or felt the financial burden of this tax. This reform is long overdue. I want us to look back and remember that, in 2018, parliament did the right thing and finally axed the bloody tampon tax—because, as anyone who menstruates knows, menstruating is not a luxury.

Senator STOKER (Queensland) (10:19): I rise today to debate the question of what is being colloquially called the tampon tax. Of course, it isn't just a tax on tampons; it represents the application of the goods and services tax to almost all items that are for sale for consumption in this country. One will recall that at the time it was passed, back in 2000, it was intended to be a tax that applied across the board, but there was a process of negotiation which meant that certain items were excluded.

Now, that was a necessity to get the deal done at the time. But I'm not ashamed to say the tax would have been better if it had applied to all goods, and that's because a broad based consumption tax is what is fairest for all Australians; it is what is simplest for all Australians; and it is what makes the compliance burden of taxation easiest for our small, medium-sized and big businesses. When we reduce the cost of that administrative burden, we do a service to all Australians because the efficiency that arises from it is sounded out in more jobs and better wages for Australians. It's sometimes hard to understand that because it's a benefit that is seen a few steps down the path, but we should not lose sight of the importance of keeping a GST spread along a broad base. Nevertheless, I understand that this is a sensitive matter for many women in our community.
Under the Intergovernmental Agreement on Federal Financial Relations and Commonwealth legislation, a change to the rate or the base of GST requires the support of all of the states and territories, as well as the passage of legislation by both houses of this parliament. It's easy for the Greens to come into this chamber and ask for the tax to be removed from sanitary products, and it's easy for my Labor colleagues to jump on the bandwagon. But the reality is that there are five state governments that are controlled by Labor—five—and they have not provided their support for or assent to such a change. Indeed, at the most recent opportunity to raise that, at the meeting of state and territory treasurers in Melbourne, not a single state or territory raised this as an issue with the Treasurer and not one of them indicated that they as a jurisdiction had changed their point of view.

There is a good reason for that. For every product that has a tax reduced or removed, there is less revenue available in GST for that state or territory to be able to spend. It's a simple maths scenario. So we aren't surprised to find that the state governments who depend on the GST are not advocating this change. They require the consistency of revenue that comes from a broad based GST, and they are not going to be making arguments that single products here and there should be exempt from the tax, based on short-term political expediency. The reality is that if we want to be as fair as we can to all Australians, including those who are doing it tough, then the GST needs to have a broad and consistent base.

The Turnbull government has been taking action to address the problem of a narrowing GST base to assist the states and territories, and it is doing that through increased integrity measures—an expansion of the GST into digital services and low-value goods. That's expected to yield an additional $1.9 billion next year. That will mean more funds are available for state and territory governments to allocate to their ordinary responsibilities, such as hospitals, schools and police services. It may increase the political will of those state and territory governments to consent to the removal of the GST from sanitary goods, but that political will is not there today. While Senator Rice's intent is good, it is simply not borne out in the actions or words of the state and territory governments, in particular the Labor controlled state and territory governments, of this country.

This chamber might recall that at the tax summit in 1985 former Prime Minister Paul Keating attempted to introduce a consumption tax, but withdrew the proposal following pressure from the Australian Council of Trade Unions. The influence of unions has increased in the succeeding 33 years. Those unions have certainly got richer from their business-like activities in the areas of superannuation, training, insurance and other activities. We might also recall that the wholesale sales tax on sanitary products was increased during Prime Minister Keating's time.

So, while we're debating the GST on sanitary products—tampons—perhaps we also need to have a debate on why the union movement and its commercial activities are exempt from the GST. There is no rational reason why unions are allowed to grow their businesses behind the protection of a non-taxing status. Unions exist either to specifically focus on their members' needs or to operate as businesses. Despite their accumulation of millions of dollars, not a jot has been contributed to the GST. Is this really fair? There hasn't been a corresponding offset in the fees charged to members, despite the influx of these millions of dollars. What is the purpose of this huge accumulation of money when it doesn't seem to be passed on to members? It does, interestingly, manage to pay the fines of those unionists who
engage in lawless behaviour and who flout the laws that apply across Australia. That's been recognised across many courts, but most recently by the Federal Circuit Court's Judge Vasta, who acknowledged the recidivism of some union members.

A major selling point of the GST was that the Commonwealth Grants Commission would adjust payments to the states and territories as part of a progressive removal of state taxes, duties and levies. That was foreshadowed as part of the quid pro quo for the introduction of the GST. I can tell you that, now, in my own state that just hasn't happened. In fact, the recent state budget brought down by the Palaszczuk Labor government has imposed five new taxes, driven largely by the need to deal with an ever-increasing appetite for funds, which is also driven by their incompetent financial management. So, on the one hand we have the imposition of new taxes by a state and on the other hand we have the same party in a different chamber making a politically-motivated demand for the reduction of tax. I would say that we must call that out for what it is: contrary behaviour, reflecting political expediency, that could not be characterised as much more than a hypocritical act.

More concerning, on the broad issues of taxes and financial management not only has my own state of Queensland decided that feeding from the tax trough is the answer to poor management but the Treasury has revealed an embarrassing black hole of $10 billion in federal Labor's retiree plan. That's a plan to slug all of those people who have made the effort throughout their working lifetime to make provision to support themselves in their older years. We on the coalition side know that numeracy and the management of other people's money have never been strong suits for the Labor Party—but then how could you calculate your revenue from Labor's retiree tax proposal to start with $59 billion, then recalculate it to be $55.7 billion, only to later land on the number of $45.8 billion. The constant shifting in numbers is quite frightening, particularly to those people who depend on the extra dollars they have saved to enjoy life after years of personal endeavour.

Labor excels at taxing. If there were an Olympics for it, Labor would always be the odds-on favourite. The retiree tax that has been put up by Labor is by far the biggest item over the forward estimates and it will hit retirees and small businesses to the tune of almost $5 billion per year. The really concerning question is: what new taxes will Labor look to to make up for this shortfall? In this context it makes today's debate over the relatively small sums involved in the tampon tax interesting. Labor promoting a reduction in tax on sanitary items while needing to cast around for other means to fill the black hole in its budget is almost a Shakespearean plot in its complexity. As concerning as the Treasury's exposure of a $10 billion black hole in Labor's costings must be, the suspicion that Labor always has over its shoulder is there because its figures never really do add up. Why hasn't Labor released its own costings from the independent Parliamentary Budget Office? There's an unsettling essence to all of this. If ever there were an Olympics for obfuscation, Labor would again be the odds-on favourite.

The people who are in the firing line of Labor's discriminatory and punitive tax are the people who have battled all their lives to save, to support themselves and who have worked to climb, throughout their lives, to improve their personal circumstances. Why would you want to punish the people who have been the bedrock of Australia's success, socially and financially, by being able to carry themselves throughout? It just beggars belief.
Of course, this mess-up is not unique. The Rudd-Gillard-Rudd era of financial mismanagement had its own memorable moments. The persistent overestimation of revenue and the expenditure of non-existent money were the hallmarks of their financial and fiscal ineptitude. Sadly, it's in Labor's DNA to nail Australians on the tax front to make up for their management deficiencies. So, when they come into this chamber and criticise the implementation of a broad based consumption tax, one that is applied at point of consumption to all Australians on the broadest possible base, that criticism rings hollow.

The application of the goods and services tax to sanitary products raises about $40 million a year. If the tax were removed from those products, that shortfall would need to be made up by the states and territories or by this parliament. And, honestly, I just can't see the states and territories, particularly those that are run by Labor governments, having cash to spare to be able to do without that $40 million. Again, in Queensland, the budget has never looked worse, and for them to do without their share of the GST raised from sanitary products would only shift more burden onto future generations, and Queensland's children would bear a disproportionate share of government debt.

It is really good that this government has been looking at other arrangements to deal with a narrowing GST base, but, speaking for myself, I'd like to see it applied across the board in the way that it was intended—in the way that it delivers the most possible value for Australians and the most possible fairness for those who are doing it tough.

Of all the issues that face women in this country today, what can we say are the most important ones? You might say it's the increasing participation of women in the workforce that's front of mind—some very good news on the women's front. You might say that ongoing concern about domestic violence is something that is front of mind for Australia's women. You might think that Australia's women are interested in the improvements that are being made to the provision of education in this country, because as a mother I know the education of our children is always front of mind for women in this country. What's not front of mind for women in this country is the approximate $11 a year they pay in GST on tampons. It makes a nice political gesture, a nice symbol, a nice little political point to be scored but, ultimately, when we think about the things that are facing women in this country, this is not the most important issue they face. Indeed, the costs that would be faced by women as a consequence of the GST not having the broad base it was intended to have would hurt women more than the gain of $11 a year if this tax were removed.

There are a small number of women who are doing it tough and who might find that $11 a year a stretch, but, for most Australians, and indeed most of the Australians who are campaigning most loudly for this measure, that $11 is not the most pressing amount they face. For those who do struggle with the $11-a-year cost, I commend the work of groups like Share the Dignity, who do what they can to supply these products to those who need them. The number of people who are being pushed into poverty because of this $11 slug is small, but we should never turn a blind eye to people in need in this country. That's why I'm so pleased to see so many measures in this budget that are designed to help people doing it tough to get into work, get into stable, full-time jobs and get the kind of consistent income that will mean they don't need to be so concerned about the sum of $11. I look forward to the day when the people doing it tough can reap the advantages of the coalition's budget and the coalition's plan for
jobs. The one million jobs that have been created by this government since it came to power is something to commend, and 75 per cent of those jobs are full-time.

Women's participation in the workforce has never been higher. The coalition government is doing all it can to make sure women across Australia have the kind of stable income and wealth that they yearn to have, so that the $11 a year that this tax costs them is not the pressing issue that it might seem. I look forward to all women in Australia reaping the benefits of the coalition's plan for more jobs. I am sure it will deliver wealth to women across this country, especially to women who are the most in need, so that this $11 cost is not something that becomes too much to bear.

Ultimately, the barrier to reducing taxes on tampons in this country does not rest with the coalition. I'm sure that if the respective state treasurers brought it to the treasurers' meeting and lobbied for it, this government would consider what it could do to try to make it work—but, you know what, that's not what's happening. Not a single state or territory treasurer has asked for this tax to be reduced, or for it to be removed from sanitary products—not a single one. So it rings hollow to hear members of the opposition talk about it here, as though it's an idea they have been fighting for since day dot. It just isn't. It's empty talk, the kind of empty talk we've come to expect. The only team you can count on to be working hard for women, and working hard to make all women wealthier, is the coalition. I oppose the bill.

**Senator PRATT** (Western Australia) (10:38): I move:
That the question be now put.
Question agreed to.

**The ACTING DEPUTY PRESIDENT (Senator Ketter)** (10:39): The question now is that the bill be read a second time.
Question agreed to.
Bill read a second time.

**Third Reading**

**The ACTING DEPUTY PRESIDENT (Senator Ketter)** (10:39): As no amendments to the bill have been circulated, I shall call Senator Rice to move the third reading unless any senator requires that the bill be considered in Committee of the Whole.

**Senator RICE** (Victoria) (10:39): I move:
That this bill be now read a third time.
Question agreed to.
Bill read a third time.

**Animal Export Legislation Amendment (Ending Long-haul Live Sheep Exports) Bill 2018**

**First Reading**

**Senator HINCH** (Victoria) (10:40): I, and also on behalf of Senators Rhiannon and Storer, move:
That the following bill be introduced: A Bill for an Act to amend the law relating to the long-haul export of live sheep, and for related purposes.
Question agreed to.
Senator HINCH: I present the bill and 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 HINCH (Victoria) (10:41): I move:
That this bill be now read a second time.

I seek leave to table the explanatory memorandum relating to the bill.

Leave granted.

I table the explanatory memorandum. As an intro to this now, sadly, repetitive debate about a cruel, barbaric practice—which I promise you will end very soon and, on that, Hinch's hunch has never been so confident—I have to go back to my record-breaking first speech, or maiden speech, delivered in September 2016. I know I spoke for 47 minutes when I should have bruised your ears for only 20 and I, belatedly, apologise for my unprecedented verbosity. But I mention it today in this debate on the Animal Export Legislation Amendment (Ending Long-haul Live Sheep Exports) Bill 2018 because I had been accused by some Labor critics back then of using my first speech to jump on the live export bandwagon because 'some of us have been campaigning on this since 2012'. In my first speech, I said:

As for jumping on the live export bandwagon, I brought my first petition to Canberra, urging the federal government to ban live exports, in 1981. I handed the then primary industry minister, Peter Nixon—in the Rose Garden—a petition with 30,000 names on it …

Thirty thousand names—and that was well before social media, Twitter and Facebook campaigns. Now, millions of Australians support a ban on live exports. Back then, we were protesting against the live exports of horses to Japan and live sheep to the Middle East. That was 37 years ago. It was prompted by a maritime disaster off Fremantle when more than 40,000 sheep took up to four days to die in a fire aboard an overloaded multideck carrier, which had been abandoned by the crew.

It was around the same time that some of us were protesting against cruelty to circus animals. There were not a lot of us. I think that at Burnley Oval in Melbourne on a cold winter's night there was me, Lynda Stoner and a couple of others and a dog—because bloody animal lovers were all nut jobs back then, remember? More recently, I also supported New South Wales Premier Mike Baird's decision to ban greyhound racing from 2017, and I said I hoped that eventually it would have a domino effect and lead to a phased-in ban in all states of Australia. They had had decades to clean up this corrupt, cruel sport and they did not, would not or could not do it. Of course, Baird caved to National Party pressure, and then he quit his job. But a greyhound racing ban, I believe, will eventually come in. As Gough Whitlam once told me about the republic: 'It's not revolutionary, dear boy, it's evolutionary.'

Back to my first speech: unlike Senator Hanson's first speech—when all the Greens ostentatiously walked out in protest, making sure they avoided the first exit door and trooped out behind her camera—for the record, only one senator walked out on mine. That was the
Nationals' braces-clad Senator Barry O'Sullivan, when I started talking about banning live exports.

At a recent estimates committee hearing, where he was the chair, I reminded Senator O'Sullivan about this. He said, 'I walked out because I had to stand my ground.' I did gently point out that, by walking out, he actually hadn't stood his ground, but maybe it was a touch subtle.

Anyway, this bill to ban the export to the Middle East of live sheep: as Kiwi actress Rachel Hunter would say, 'It won't heppen overnight, but it will heppen.' And that's the truth. It will happen. The Lyn Whites and Lynda Stoners of their passionate and compassionate world will win.

Even if the Libs hadn't blinked in 'the other place' last month and pulled their supposedly urgent and important legislation about increased penalties, the writing was then on the wall.

And, as I said on *PM Live* on Sky News—the Minister for Agriculture and Water Resources (who, remember, had beaten his chest in protest and said the cruelty to sheep en route to the Middle East during the northern summer was 'bullshit') that minister, David Littleproud, had very little to be proud of.

I am pragmatic. I know, in hindsight, the Gillard Labor government's decision to instantly ban live cattle exports to Indonesia after that savage, damning *Four Corners* report was wrong. Knee-jerk reactions to any situation are usually not wise.

And, in fact, back then on Melbourne radio, on 3AW, I said to Lyn White and her cohorts: 'Don't pop the champagne corks just yet. This ban will not last.' And it didn't. I think it held for four to six weeks.

And looking back here, if we are all being really honest, that instant ban was wrong. It hurt many farmers—it hurt them financially; it hurt them emotionally. It probably, also inadvertently, caused some animal cruelty, to stranded, superfluous cattle.

That is why this time we are being more practical. We must have a phase-out period. The Greens wanted two years. I wanted three. I have talked to Labor's Joel Fitzgibbon, a passionate Labor shadow minister who wants this evil trade ended as well and has bravely, I believe, been streets ahead of his own party leader. So, I say thank you, Joel. And thanks to Craig Emerson, the former Labor minister who feels so strongly about this issue it has led him to break down in tears on TV—and that vulnerability has seen him mocked on Sky News.

Let me be blunt here. This live sheep trade is putrid. There are crap arguments being put up all the time—for example, 'We need it for halal killing.' Well, halal killing has been going on here in Australia, I'm told, for about the past 40 years. 'There is no refrigeration in the Middle East.' Bulldust. Check out their supermarkets.

The other one: 'If we don't do it this way, other countries will.' Well, let them. I don't intend to make my standards of decency, morality, anticruelty, be dictated to by some other country's traditions or lack of decency, morality and anticruelty. What? If we're not cruel jerks, somebody else will be? WTF.

In conclusion, I truly believe this is the last time that thousands of stressed sheep will leave Australian shores on what have become maritime ovens, to die agonising deaths—cooked alive. We couldn't have stopped it this year anyway (despite the Animals Australia court case
which I shall stay out of) because even if Sussan Ley's bill had been introduced into 'the other place' it would have failed with the dual citizenship dissolution of Labor supporters. And, even if it had passed, it could not have achieved royal assent until near the end of the northern summer, anyway.

But, as I have said, as I have pledged, this is the last summer these ships of shame will set sail.

That is my pledge. I've been campaigning in Australia and the United States on this issue for nearly 40 years, and I now say with full confidence: victory, finally, will be ours.

**Senator O'SULLIVAN** (Queensland) (10:48): I rise to make a contribution to the debate on the Animal Export Legislation Amendment (Ending Long-haul Live Sheep Exports) Bill 2018. Oftentimes when bills and issues like this present, my temptation first of all is to come in guns blazing—two six-guns out, cocked and ready to go. But, Senator Hinch, I have a great deal of respect for you. I tell the yarn that I'm in love with one of Senator Hinch's former wives, but he tells me that's okay; he's still in love with the magnificent Jacki Weaver as well. I don't want to do anything that might impede my opportunity to meet her in the future!

I know that some of the concerns you've raised are shared by all Australians. It doesn't matter whether they're in pastoral industries, they're involved in the live export industry itself or they're mere observers of what's happening. But the thesis of my contribution will be that prohibition is not the answer. It is within the powers of this nation and the people in this industry to engage in the export of live animals in a humane fashion. We ought not ever see a repeat of the events that have obviously given rise to your bill and to the current concerns of the Australian people. It's important that we all acknowledge that that footage was traumatic. The behaviour of the people who were responsible for the circumstances and conditions that that consignment of live sheep found themselves in—and I know there have been other incidents and other episodes. As far as I'm concerned, they should be expelled from the industry, and our government should take whatever measures are required to ensure that we mitigate, neutralise and, in fact, abolish circumstances where we see anything like that again in the future.

Before I get to the key points, I want to go back to the farm. I've been involved in pastoral activities now all of my adult life. In fact, I happen to be part of a fifth generation Australian family that's been involved in pastoral industries—predominantly the cattle industry, although there has been engagement with the sheep industry and other live animals over that period of time. Whilst there are always exceptions to the rule, I can tell you, through you Mr Acting Deputy Chair to Senator Hinch, that almost to a man and woman, in terms of the producers of livestock, there is massive respect for the animals that are in their care. I've said it in this place before—and my experience is no different to thousands of others, who, in the early hours of the morning, by the lights of the utility have been pulling cattle and sheep out of the bogs and ensuring that their water supplies operate efficiently. In fact, I got a text from my nephew this morning on one of our family properties. It was minus three degrees up there, and it would seem that just about every water pipe on the property has busted from its source. We've got 19 bores there that supply water. I'll tell you what the staff there are doing today, into tonight, and probably through until tomorrow, and that is to make sure that they repair the reticulation of water so that all of our stock have access to it as a matter of life.
It leads me to the second principle: it is simply not in the interests of people who produce live animals to do anything that damages them—even if they were just to treat them as a commodity, and they do not. I can say that, of the entire population, it doesn't matter where you are, there will be people who will be cruel to animals. It is very hard to oversee. We have 360,000 complaints of animal cruelty in this nation each year. It is a shame on us as a society that so many domestic animals and pets are treated in the manner that they are. We've seen it in the greyhound racing industry. We've seen it with different individuals outside of the commercial livestock sector. I haven't even heard you disagree, Senator Hinch—you may not have turned your mind to it and it may not play a large part in your motive in relation to this bill, but I haven't heard anyone in this place directly attack a culture within the livestock production industry that's directed at the principal producers. I know, as I've said from my life's experience, that that is not there as a feature.

It is possible to transport animals—whether by truck, with drovers by road, by ship or by other modes of transportation, such as rail—and not have this problem. We have cattle that are transported by truck in my home state of Queensland, where in excess of 60 per cent of the national herd resides. Sometimes that journey can take up to 30 hours. There are rules and regulations in place as to how that will happen. For example—and I'll use cattle as an example—cattle are offloaded, they are given periods of rest from standing, fresh water and feed. There are rules around that, but even before there were rules, a pastoralist knew the impacts of transporting livestock. There is no other way to take them to processing plants or to market other than to transport them. We're talking about massive distances here, thousands of kilometres in some instances. There are tens of millions of livestock that are moved by one or more of those modes of transport each year here in my home state of Queensland. I imagine the same challenges exist in the northern part of Western Australia and in many of the western parts of New South Wales, and I know they exist in the Northern Territory. We all want to live in Tasmania or Victoria, where you can load stock and be at a marketplace or a processing plant within a matter of hours. But that's not the nature of our nation.

We have demonstrated and continue to demonstrate an ability for industries to create an environment for the humane transport of livestock from point A to point B. I'm not going to retreat from the fact that the circumstances that give rise to our debate, with respect to the consignment of sheep that went to the Middle East, offended almost every single principle. It would seem the ship wasn't properly designed to transport that cargo. It would seem that the supervision in place wasn't, how would one say, instructive enough to ensure that problem didn't happen. That problem was all but foreseeable long before those sheep were loaded onto that ship. As far as I'm concerned, everyone in the chain of events that led to those sheep being on the ship ought to be punted. There is no space or job for them in pastoral industries, now or into the future, with respect to the transport of livestock. But it remains within our reach to design both procedures and environments for these sheep—and let's just concentrate on sheep for a moment—to be transported to the Middle East in a humane fashion so that their life in transport meets all of the high standards that we have in general transport in the country.

The minister for agriculture, Mr Littleproud, has taken this matter very seriously from the get-go, and I support his mode of solution. His approach was not to leap immediately to prohibition of the trade, as happened in 2011 with the live export trade; his approach was to
make a statement that we have a capacity to get this right, and that he's going to leave no stone unturned to ensure that that's what happens into the future. Mr Littleproud brought down the wrath of his office, not only regarding the events that occurred—a number of inquiries are going to look at them thoroughly; one has made some interim recommendations and the other one, I understand, is a work in progress—but also onto the department of agriculture, to find out how we found ourselves in these circumstances in the first instance. I've conceded that they were almost foreseeable. If you put too many sheep in a confined space and take them into a northern summer, with the climatic conditions and temperature variations as they are, you're going to have the same result again and again. But it is fixable.

Can I go back to the marketplace itself. Let me indulge the chamber in some short discussions about what happened in 2011 when we suspended the live cattle trade. We will talk first about the impacts on people, particularly on the producers. They are not just the producers of cattle destined for Indonesia, in that case, but the producers of cattle nationwide here in Australia. That suspension was a wrong decision. I note, Senator Hinch, that you have a phase-in period for your suggestions, and that much in itself is welcome. But that suspension was a wrong decision at the time, where hundreds and hundreds of families, generational families on properties, lost their properties. We had quite literally hundreds and hundreds and hundreds of thousands of head of livestock that couldn't stay where they were—that were destined for an export market—come into the domestic market, as opposed to those that perished. We had reports of tens of thousands of head of livestock that perished in the paddock because that decision was so abrupt. The impacts on the domestic market were enormous and are still playing through the balance sheets of many farms, and many of those farms that were impacted went into this prolonged drought event.

What are the alternatives? If we were, for example, to suspend or bring in a prohibition on the export of live sheep from this country to the Middle East, what happens to the sheep that have been produced, and have been produced for a very long period of time, for that purpose? It is no good our sitting here thinking that the domestic market simply will absorb that capacity. It cannot. It doesn't have the capacity to, and if it did it would collapse the market price. There would be so much downward pressure on the value of sheep that it would have a crippling effect. In fact, some producers would run at a loss if they moved the sheep to market. We saw this in the 1970s, when millions of head of cattle and sheep at various times were euthanised in the paddock because the market collapsed under their feet.

I hear the argument frequently that we should process these commodities onshore and export chilled carcasses or boxed meat. That would be all right if the market at the other end wanted chilled carcasses or boxed meat, but it does not. There may come a time when it does. There may come a time in the future when the middle class of Indonesia and parts of the Middle East all will have the capacity to have a two-door fridge in their home so that, like us, they can take in and keep commodities that need to be chilled or frozen, but that's not the case now, so there is no market.

One thing I disagree with in your presentation, Senator Hinch, related to the argument that if we fail to get it right, if we fail to create a humane environment and export these sheep and meet these market demands, we ought not care about where the market is met somewhere else in the world. I said this in estimates recently: the little piggy doesn't want to go to market in the first place. But if little piggy has to go to market little piggy would prefer to be an
Australian little piggy going to market, where we make at least the best endeavours—and for the most part we are successful—in humane transportation and in oversight of the way they are processed at the other end. We are the only country to do that to the standard we do. I don't think we should relax the standards or the objectives that we set out to create an almost foolproof humane environment for the transport of these animals. But I don't think it is fair to say, 'I really don't care about North African sheep. I care about my sheep. I care about our sheep'—these are sheep that won't exist in the future if this market is prohibited—'but I don't care about millions of sheep across the water.' I don't want to reflect on other nations, but we do know that it is a matter of accepted course that other nations do not have the same high standards of humane treatment of animals as we do in Australia. There have been some horrific stories from North Africa.

There are a million pigs killed in a large Asian nation to the north of where we are, and I have physically witnessed the treatment of those animals as they go to abattoirs. They're often pulled out of the back of the transport with a baling hook driven into their shoulder, their rump or whatever is facing the transport operators at the time to drag them off the truck. That is horrific. As a nation in a global marketplace I don't believe that we can simply say, 'That doesn't matter. That feature does not come into play as we consider what we do.'

If it is in within reach for us, as a developed nation, to create an environment where we can, and should as an obligation, humanely transport livestock for export then I think that needs to remain writ large an objective of our nation if it makes a contribution to animal welfare across the world. I don't accept the argument that we've just got to look after our backyard, because if that were true we'd talk about the 340,000 complaints of animal cruelty in this nation each year. If that were true we'd talk about how cats, dogs and canaries are treated in our homes. I'm not challenging your genuine concern in this space. From before you arrived here, Senator Hinch, you have been consistent in your resistance and in the diligence that you've applied to making sure that we get this right.

As my time expires, I want to leave the point that I've made. Prohibition is not the answer. Prohibition is not the answer for people who produce for this export market. Prohibition is not the answer for clients nor for the marketplace at the other end—wherever they are destined for. I for one—and I asked you, Senator Hinch, to join me—don't want to abandon the ideal that in a modern society we can design ships, we can design the environment on the ships and we can design all of the preprocessing that occurs. We had ewes on the ship that lambed, and that is unacceptable. We were told that there were processes in place to prevent a pregnant ewe going onto the ship. Well, obviously that failed. That technology is there. It's been around for decades now. We simply have to get this right. We, as a nation, have to get this right.

Senator Hinch, if your voice and the voice of others join the voices of us who are in these industries and who fight for these industries, we will have a much better chance of changing the environment around the transportation of these animals so that we are able to achieve what ought to be a basic moral goal on behalf of a nation, and that is moving animals who have no control over their own environment that are controlled by us. I will take this up with you outside of this contribution. I'll be urging you to join me to become an evangelist to get it right—not to stop it; but to get it right in the first instance.

Senator CAROL BROWN (Tasmania) (11:08): Labor is pleased to be given the opportunity to speak on the private senator's bill introduced this morning. The bill basically
replicates the private member's bill introduced by the member for Farrer, Sussan Ley, and Labor's amendment to the Export Legislation Amendment (Live-stock) Bill 2018, which the government is currently refusing to debate in the House of Representatives. The only logical reason for the move by the government to delay debate and a final vote on its own bill in the other chamber is because it's running scared that its own members will cross the floor of the House of Representatives. The refusal is also denying the will of parliament to see an end to the live sheep trade during the Middle Eastern northern summer and to see a phase-out of the live sheep trade.

The model relied upon by the live sheep trade is fundamentally broken. It has three basic flaws. First, it is reliant on the dreaded Northern Hemisphere summer trade, a trade which is incompatible with reasonable animal welfare standards. The science leaves us in no doubt that this is the case. Second, the trade externalises animal welfare cruelty. The premiums earned by exporters as a result of cruel conditions like excessive stocking densities are externalised in the form of higher than normal payments to sheepmeat producers. This in turn can place local processing at an economic disadvantage. Third, both consumer preference and community tolerance for poor treatment of animals are turning away from the live sheep trade model.

Members and senators from no fewer than five of the nine parties represented in the Australian parliament have expressed support for the objectives of this bill: an immediate stop to the northern summer live sheep trade and the phase-out of the balance of the trade within the next five years. I note that, during the last sitting of the House of Representatives, the member for Hunter foreshadowed his intention to move the main provisions of this bill as an amendment to the bill that the government introduced to increase penalties for breaches of animal welfare standards in the live export sector. I further note that the government withdrew its bill from the House program following the member for Hunter's announcement. I'm now advised that the bill has not been listed for further debate in the other house prior to the long winter non-sitting period. This is the bill that the government previously described as urgent.

Why would the government pull its own bill? There can only be one reason. It is fearful that the member for Hunter's amendments will succeed—in other words, that a sufficient number of coalition MPs will defy the Prime Minister and support the amendments. The desperate and dysfunctional government should allow the House of Representatives to express its will. It should let the House vote on the member for Hunter's amendments.

I applaud the courage that Sussan Ley and her co-sponsors have shown by moving a bill in the House of Representatives with the same objectives as the bill we are debating in the Senate today. We are acutely aware of the pressure they are under from those who either don't understand the weight of the issue or simply aren't prepared to do the right thing, because it's too politically difficult for them to do so. If only they shared the member for Farrer's courage.

Fortunately, the Prime Minister has less power to prevent the Australian Senate from expressing its will. The bill we are debating today is more than likely to secure the approval of this chamber. It certainly has the support of the Australian Labor Party.

Community concern about the live sheep trade sector is not new. Parliamentary reports responding to real and alleged breaches of animal welfare standards date back to at least the early 1980s. We have seen evidence both in the McCarthy review and from the Australian Veterinary Association, and during the recent Senate estimates, that the live sheep trade cannot assure the Australian community, our farmers or the parliament that further extreme
heat conditions won't occur. I remind the Senate that the Australian Veterinary Association recommended:

Irrespective of stocking density, thermoregulatory physiology indicates that sheep on live export voyages to the Middle East during May to October will remain susceptible to heat stress and die due to the expected extreme climatic conditions during this time. Accordingly, voyages carrying live sheep to the Middle East during May to October cannot be recommended.

Finally, in 2011, the ABC's Four Corners program screened terrible acts of animal cruelty in Indonesian abattoirs. The weight of community reaction left the then government with little choice but to suspend the live cattle trade. It was an extraordinarily difficult time for producers and exporters alike. But what grew from it was ESCAS, an internationally-recognised animal welfare assurance system. It is doubtful the industry would have ever accepted ESCAS if it had not been for the suspension of the trade. There were those who argued the regulation and enforcement of animal welfare standards in other countries was not possible. It was possible, and so is the transition of the live sheep trade to a domestic high-value processing sector in Australia. I commend the bill to the Senate.

Senator RHIANNON (New South Wales) (11:15): I'm very pleased to co-sponsor the Animal Export Legislation Amendment (Ending Long-haul Live Sheep Exports) Bill 2018 today with Senators Derryn Hinch and Tim Storer. This bill sets out a framework over five years to transition away from the very worst of the live-export sea voyages, those long-haul live sheep and lamb shipments that sail into the Northern Hemisphere summer months and into the riskiest of shipping routes through the Red Sea and the Persian Gulf.

Our priority in preparing this particular bill has been to end the shocking cruelty that tens of thousands of sheep must endure when they are exported for overseas slaughter. We've been working closely with animal welfare organisations, the meatworkers union and other stakeholders to create a transition plan that is better for animals, better for Australian workers and better for farmers and local economies. We stand with the majority of Australians in wanting to end the live-export trade. An independent poll commissioned by RSPCA Australia and conducted this year found that three in four Australians demand an end to live exports. This confirms previous polls, and the hundreds of thousands of Australians who have taken actions to let their demands be known.

This issue is being debated now because of the actions of a courageous young Pakistani trainee ship's officer. His name is Faisal Ullah. He filmed the death and suffering that occurred on the Awassi Express. I express my thanks to him, and I believe he needs to be acknowledged. He took that action of filming the horror so the world could see the reality of the live-export trade, because he knew how important it was to end this cruelty. He follows in the footsteps of courageous live exporter vet Lynn Simpson and others who have borne witness and have revealed their evidence. I acknowledge the massive contribution of Mr Ullah and the extensive work of Animals Australia, the RSPCA, and many other animal welfare and animal rights groups and individuals who have campaigned for decades on this issue.

The solution is to start transitioning away from the trade, and this bill before the Senate offers a fair pathway to achieve that. The trade must end. As we know, attempting to regulate the trade has failed time and time again. That individual exporters are profiteering from the profound suffering which is the live-export trade is unacceptable enough, but let us not forget
that successive Australian governments have explicitly supported and facilitated a continuing cruelty that would see any Australian farmer prosecuted and possibly imprisoned if they had engaged in actions that resulted in such cruelty. The exporter Emanuel Exports, whose ship the *Awassi Express* caused the death of 2,400 sheep in last year's August voyage, illustrates the extent of this failure. That live-export ship passed official inspections 39 times in the last five years, and the company was granted the permit to continue sailing with sheep on board without sanctions. This is despite 3,000 sheep dying on one of its other ships, the *Al Messilah*, on the same long-haul route the year before, in 2016. This same company was found guilty of animal cruelty under Western Australian animal welfare laws in 2008, but had to be acquitted because state animal welfare legislation is suspended by federal laws that take over when the live-export ships and their suffering cargo leave Australian shores.

The Australian government has refused to prosecute or sanction any breaches of these federal laws, and those breaches are so clear. Evidence collected from live animal shipments continues to show extensive breaches of Australian regulations and international World Organisation for Animal Health standards, known as OIE standards, as well as the WA Animal Welfare Act. These breaches have resulted in systemic and extreme suffering for thousands of sheep. Significantly, the evidence demonstrates that Australian producers, MPs and the wider public have been deceived by the government and corporate interests in the live export industry.

The Australian Livestock Exporters' Council, the peak body responsible for setting industry policy, has publicly stated that their social licence to operate is based on their no-fear, no-pain animal welfare commitment. The *Awassi Express* vision clearly shows that export companies are breaching this commitment. The level of heat stress and its consequences are business as usual and reveal why this industry does not have a social licence.

I want to put on record the level of breaches occurring, as this is one of the key reasons why we have brought this bill before parliament to end the live sheep trade over the next five years. The following standards have been breached: the Australian Standards for the Export of Livestock, the Australian Meat and Live-stock Industry (Standards) Order 2005, the Export Control (Animals) Order 2004, the WA Animal Welfare Act 2002 and the OIE guidelines.

Clearly enough is enough. The live sheep export trade has been given too many chances. Let's remember that this latest horrific scandal is not the first incident of mass suffering and deaths inflicted on thousands of exported animals. Other examples abound. In 1980 one crew member and 40,000 sheep died on the *Farid Fares*. In 1996 one crew member and 67,000 sheep died in the *Uniceb* disaster. In 2006 live exports to Egypt were suspended after footage of animal cruelty was aired on *60 Minutes*. There were mass protests after footage of cruel treatment of live exports in Kuwait in 2010 and in Indonesia in 2011. The list goes on and on.

The scale of suffering is hard to visualise. Government agencies extract these figures into visually cleaner and smaller percentages that render the terrible reality more publicly palatable. For example, the total of 15,591 sheep that died during live export voyages in 2011 is rendered into a tidy industrywide mortality rate of less than one per cent—0.86 per cent, in fact—for one year. If less than two per cent of the total livestock die during a voyage, this can mean hundreds of thousands of deaths, but when portrayed as two per cent it doesn't sound very much. It's a way to gloss over it for business to continue as usual.
The animal export legislation amendment bill before us will end this suffering. The bill immediately prohibits shipments of live lambs or sheep through or to any place in the Persian Gulf or Red Sea both during the worst of the baking Northern Hemisphere summer months of July, August and September and if the voyage is 10 days or more. These are the worst of the live export voyages, which usually include multiple unloading ports. The suffering of sheep is increased on voyages of 20 or 30 days in hot and humid temperatures that consistently reach levels where bodies begin slowly shutting down, and the death rates are some five to 10 times the usual mortality rates on Australian sheep farms.

After a five-year transition period the bill will prohibit absolutely all live sheep and lamb long-haul ships to or through the Persian Gulf or the Red Sea regardless of the time of year or the length of the voyage. This allows plenty of time for governments to support a transition package, as has been done in the past for other dying industries. This bill also reaffirms the government's own stated support for the international minimum standards for animal welfare established by the World Organisation for Animal Health—that is, the OIE standards.

The government repeatedly states not only that the OIE standards inform its Exporter Supply Chain Assurance System—that's the ESCAS framework—and the Australian Standards for the Export of Livestock but that Australian standards, in most instances, exceed the OIE standards. However, Australia's ESCAS and ASEL frameworks are meaningless, given the continuing horror on live export ships, without governments using their available powers to sanction all breaches. As the government's own accepted standards, they must be embedded in law as a bare and uncontroversial protection. This bill thus requires that live exporters must adhere to the OIE's code for the transport of animals by sea. As per the House of Representatives bill, any suspected breach of the bill requires that the livestock export licence holder must be issued with a written 'show cause' notice by the secretary.

The bill's prohibition of live sheep long-haul export voyages will remove the well-considered major risks to the exported animals. Live export voyages of 10 days or more constitute long-haul live export voyages, on which significantly increased numbers of sheep or lambs suffer and die during the voyage. The longer periods at sea compound endemic shipboard sheep illnesses, resulting from failure to eat manufactured pellets that are so far removed from the fresh growth of paddocks, and related enteritis and salmonella syndrome. The prolonged confinement of the animals in accumulated masses of faecal and urine matter further increases animal welfare, morbidity and mortality risks. If the fact of the barbarism that is the live export trade isn't enough, the cruelty is also a clear reputational risk to Australia and its domestic chilled meat trade.

Thirty-three years ago a Senate inquiry recommended phasing out the live export industry on animal welfare grounds alone, to be replaced by a supported transition to the chilled meat trade; 33 years ago, a Senate committee made that clear recommendation. It really is time we caught up. In 2013 New Zealand ended the live export trade, with its peak farming body, the Federated Farmers of New Zealand, stating the scale of the industry's cruelty was too great a reputational risk for its important chilled meat industry. Just last year the Victorian state director of the government's own export finance credit agency revealed that the agency did not fund the live export trade because it involved too much cruelty. Not surprisingly, those comments were quickly buried by the agency.
Let's also remember that this cruel trade across all live export is also cannibalising Australian jobs and rural economies by exporting processing and supply chain employment overseas, when people load their ships with frightened animals. In 2004 a Western Australian ministerial task force described the growth in the live export trade as coming at the expense of the domestic meat-processing industry. In 2010 a report by SG Heilbron, *The future of the Queensland beef industry and the impact of live cattle exports*, found:

- The rapid and unchecked growth of live cattle exports is inflicting significant damage on Queensland's beef processing industry.

... ... ...

- Live cattle exports are cannibalising Queensland's beef industry striking at the heart of its value chain.

Pity Senator O'Sullivan isn't in the chamber to hear those comments! Really, it makes you wonder whose interests Senator O'Sullivan represents. The 2012 ACIL Tasman economic analysis of the inputs and outputs of live cattle export farms in Australia's Top End shows they are financially sustainable over the long term regardless of the live export market and are problematic from a whole-business perspective.

As long as 12 years ago, a 2006 Hassall report into the live export industry forecast sheepmeat imports progressively displacing live sheep in Middle East markets, and demand for chilled meat growing. This is in fact happening, with halal-certified carcasses and meat processed in Australia increasingly sold in Middle Eastern supermarkets as a preferred clean, green option. With the shocking vision of faecal matter covering and killing so many animals, you have to wonder if we are going to be able to keep that image of our other products.

Middle Eastern demand for fresh and chilled sheepmeat is now three times greater than live exports and it's expanding, resulting in a 60 per cent decline in live exports to that market in just over a decade. Here the economic figures from the export trade show that the change is occurring now, and, by not driving the change, this government is actually jeopardising the future for farmers and jeopardising our own economy because they are beholden to some of the very rich pastoralists in this country.

In fact, trade figures confirm that, for over 10 years, the average value of chilled sheepmeat has been worth around 11 times more in export dollars than the live sheep export trade. As the number of live sheep exported has declined, the price of sheep has risen in Australia. Recent analysis by Pegasus Economics finds just six per cent of Australian sheep are sold into the live export trade, with 80 per cent of those animals coming from Western Australia. Live sheep exports represent 0.1 per cent of annual income for most farmers. Even specialist sheep farmers find 0.5 per cent of their income from live exports. Again we have to ask the question: who are the Nationals really representing when they don't get behind the trade that can really benefit the farmers of this country?

Not only this; Western Australian and South Australian abattoirs have enough capacity right now to absorb more than the numbers of sheep currently live exported and create the extra regional jobs to deliver that capacity. Government just needs to invest in the extra supporting infrastructure, transitional processes and job training to make this happen. It has done it before, providing over $2 billion in structural adjustment packages for other struggling agricultural sectors such as tobacco, sugar and the dairy industries. Additionally, international market factors beyond Australia's control present a constant threat to the sustainability of the
live export industry. One clear and present risk is when Middle East governments end their food subsidies that prop up the dying live export industry. Australia has a responsibility to remove this certain risk for those few farmers who supply the export companies. Consider when live exports to Bahrain stopped because it removed its food subsidies: Australian chilled meat took over the market completely.

There is only one answer here. This bill will end the barbarism of the Australian live sheep export trade. It will benefit the domestic meat-processing industry and create more Australian jobs. I wish to warmly congratulate Sussan Ley, the member for Farrer, for introducing a bill to the House of Representatives to transition out of the live sheep export trade—a bill that will end the mass cruelty. Our bill mirrors the groundbreaking work Ms Ley has undertaken. The Turnbull government should back this bill. The Prime Minister and the minister for agriculture, David Littleproud, should admit that their response to the Awassi Express has failed.

The independent review for the conditions of the export of live sheep failed to make any recommendation that will guarantee that the mass deaths of the sheep on the live export ships will truly end. The minister effectively set this inquiry up to deliver recommendations that suit the interests of the live export industry. We have no doubt that the review's author, Mr McCarthy, conducted his investigations in good faith; however, by not allowing the review to countenance a complete transition away from the trade, the minister has ensured the review worked in the interests of those who want the trade to continue. Nobody seriously believes more ventilation will end the cruelty of heat stress and long-haul travel.

The boxed, chilled meat trade is a win-win. It's a way to end the cruelty and boost jobs in regional Australia. I congratulate the meatworkers union for their work in this year and over many years, and I particularly thank Grant Courtney from that union for his advice on how to the transition plan can be managed so it delivers jobs for regional Australia, ends the cruelty of the live export trade and brings certainty to farmers in managing their stock. The Greens' five-point plan to end the live export trade, launched in 2012, was launched with the support of the meatworkers union and many animal welfare groups.

The government needs to face that the tide has turned on the cruel live export trade. This bill provides certainty for Australia's agriculture industry, and we do urge that all members support it.

Senator STORER (South Australia) (11:34): I welcome this opportunity to add my support to this much-needed private senator's bill, the Animal Export Legislation Amendment (Ending Long-haul Live Sheep Exports) Bill 2018. I speak now to the 3,213 constituents in South Australia who contacted me directly about the live export trade. I am sympathetic to your concerns, which I know are shared by many other South Australians. Like you, I was horrified by the recent revelations about the conditions suffered by sheep en route to the Middle East. No animal deserves to be treated with such cruelty. That is why I said to you that we must develop a plan to phase out all exports of live sheep. This bill offers a fair and responsible way forward through a five-year transitional period. The stress and cruelty visited on sheep being transported long distances by sea in what are inevitably stressful and often fatal circumstances should be stopped for both moral and economic reasons.

It is essential that such a plan for transition contain arrangements to enable producers and exporters to shift to boxed lamb with minimal disruption to their business. It not only would
be more humane but also would add economic value to currently underutilised abattoirs across Australia. Sales of boxed lamb to the Middle East are on the increase. Producers and exporters should be encouraged. Exporters should be encouraged to step up efforts to increase this aspect of the trade. The live sheep trade is already in economic decline, and steps need to be taken urgently to phase it out in a responsible and predictable way. As we have heard today from Senators Hinch and Rhiannon, the economic case of transitioning away from live exports is strong. ACIL and Pegasus economic analyses have shown this over the last decade. This bill is a first step towards that end. I strongly support this important first step to ending live exports, which is why I am a co-sponsor of this bill. I will continue my remarks at a later date.

Senator SINGH (Tasmania) (11:36): I am pleased to rise on behalf of the Labor Party in support of this private senator's bill, the Animal Export Legislation Amendment (Ending Long-haul Live Sheep Exports) Bill 2018, and join my Labor colleagues in applauding the courage of those who have brought forward this bill here in the Senate and its equivalent in the other place. Australians have for some time now been terribly horrified by revelation after revelation of the cruelty of the live export trade—a cruelty that I think drew its last straw when the devastating footage was aired on 60 Minutes on 8 April, which made it very clear at that point in time, yet again, that thousands of sheep have been suffering over a period of time now and dying on the Awassi Express. Those shipments from Australia in 2017 were of course filmed in secret but aired publicly. There was a separate investigation in August 2017 of an incident on a trip from Perth to Doha, which found that 2,400 sheep died on the Awassi Express due to extreme heat—almost twice the acceptable mortality rate.

The Australian community wants this live sheep trade to end. However, it's not only the Australian community that is firmly behind this policy change; it is the science as well—science that cannot be ignored but continues, unfortunately, to be ignored by this current Turnbull government. I do believe that regardless of the good intent—and I say that clearly: the good intent—of this bill and those in the other place, it is only a matter of time before this live sheep export trade ends. That is because, with the onset of the northern summer, it is once again a time of extreme risk for Australian sheep. I heard during recent Senate estimates evidence from the McCarthy review, the government's own commissioned review, that the Australian Veterinary Association confirmed that, regardless of stocking density, extreme heat conditions and resulting mass mortality events cannot be prevented by the industry. They cannot be prevented.

But what is so concerning is that, regardless of that being made clear by departmental officials during Senate estimates, this government will not be accepting those key recommendations from the McCarthy review relating to revising the heat stress risk assessment model from one based on mortality rates to one based on animal welfare measures. Why is this the case? Why is the government ignoring the science? Why is the government ignoring key recommendations from its own administered review?

The science was laid out clearly, in graphic detail, during the detailed briefings from the RSPCA's chief scientist, Dr Bidda Jones, and Animals Australia's chief investigator, Lyn White, to parliamentarians, which I hosted on behalf of Parliamentary Friends of the RSPCA with my co-chair, Jason Wood, in May this year. As I said then, Labor believes very strongly that a transition away from the live sheep export trade will increase the value of the product
we produce here, and it will build on our own brand as a producer of clean, green, safe and ethical animal products being produced right here in Australia. Even more importantly, it will create jobs and create a vibrant industry for those farmers to have their sheepmeat produced right here in Australia. That is important because it means higher returns for our farmers, and of course it means an improvement in animal welfare standards.

The RSPCA, like other stakeholders, has welcomed Labor's commitment to ending live sheep exports and has endorsed our approach of a collaboration and consultation to secure a better future for Australian farmers and for Australian sheep farming. This is about growing our sheep-farming industry right here in Australia and growing it through jobs, whilst at the same time having that benchmark of decent animal welfare standards—something that this government cannot stand by and say it is implementing at all, when it won't even implement key recommendations of its own administered review.

Departmental officials acknowledged to me during Senate estimates that the recommendations from the McCarthy review would lead to the end of the summer trade. That is why this is not happening. What we say is that there should be an immediate halt on the summer trade because the summer trade is when high temperatures from climatic conditions cause the damage to the sheep that leads to their death, that led to 2,400 sheep dying last August. When are the government going to wake up and recognise that they are simply ignoring the science and ignoring what is needed and what is expected by our Australian community? They need to face the facts and the science. They need to face reality and accept that the best way forward is to commit to the end of this live sheep trade.

This morning, our own shadow minister Joel Fitzgibbon provided Labor's private member's bill, which complements the bills that have been debated both in the other place, through Sussan Ley's bill, and also this morning through the senators who have brought this bill on in this place. It is growing. The support is continuing to grow for the end of this live sheep trade, and I don't think this government should be standing in its way.

Senator IAN MACDONALD (Queensland) (11:43): No Australian would countenance any activity or any action that in any way was cruel to animals. We are a nation of animal lovers and we feel for our animals, whether they be domestic pets or animals that we produce for our own consumption and for trade. Cruelty to animals is something that is foreign to all Australians. But we mustn't overlook cruelty to our fellow human beings. I know most of the senators who have spoken in this debate come from the capital cities in the south. They don't really understand the cruelty that occurred to human beings, to families, at the time of the live cattle export ban. At the time, the stories were there—and they've been repeated in this chamber time and time again—of families who had to take children out of school, because they simply could not afford to keep them there, because of the sudden ban on the live cattle export trade. Whole communities were devastated at the time. The distress caused to human beings was something that you really had to experience to understand fully.

Apart from Senator O'Sullivan—Senator O'Sullivan, might I say, is a very big exception—none of the senators who have spoken today, none of those from the Greens or the Labor Party, would ever have understood the hurt, the anxiety and the cruelty that happened to many of our rural families at the time of the live cattle export ban. Senators from the capital cities will dismiss it because they don't experience it, but people like Senator O'Sullivan, Senator Williams and I actually deal with and understand those families and understand the hurt, the
trauma and the loss of self-respect that occurred at the time of the banning of the live cattle trade. Unless you've seen it, as Senator Williams, Senator O'Sullivan and I and other senators on this side have, you don't understand the cruelty to human beings. Whilst we would never countenance cruelty to animals, we believe we should adopt the same standards for human beings. Those from the Labor Party and the Greens will dismiss that, laugh at it and talk about the importance of preventing cruelty to animals. As I say, no-one would disagree with that, but I wish that, just sometimes, they would get out of their ivory towers in the capital cities and go and see what life is like in those parts of Australia that actually produce the food and fibre that we need for ourselves and that are exported.

I'm a Queensland senator, and there is no live sheep export trade from my state—quite differently to live cattle, which is a very, very significant part of my state—but I do feel equally for the farmers of Western Australia, parts of South Australia, New South Wales and Victoria whose livelihoods and the livelihoods of whose communities very often depend on all aspects of the sheep industry, including the live export of sheep. There are some 1,800 jobs directly dependent upon this live export trade, and none of the speakers, apart from those on this side, seemed to care at all about the welfare and ongoing livelihoods of those workers. In certain parts of Australia the live sheep trade is a very, very significant part of our economy.

We can't on any occasion countenance or condone cruelty to sheep, cattle or any other animal, and we don't. Senators should be aware of the very significant regulations and provisions that were put in place with the live cattle trade to ensure that cruelty did not occur. Without rehashing the debates of those days, one must also realise that the live trade in animals will continue no matter what Australia does. But I think it's recognised around the world that animals being exported live from Australia are treated far more humanely than animals from many other parts of the world. If the Australian trade were to stop, that wouldn't mean the trade in live animals would stop. It would continue because there is a demand for the acquisition of live animals in various parts of the world. So the trade will continue no matter what Australia does. If you're genuinely interested in the welfare of all animals and not just Australian animals then you would prefer Australian regulations and Australia's humanity towards animals to be at the forefront, rather than the way some other countries treat their animals in the export of live animals.

You'll be aware that the government moved quickly to make changes to the welfare of exported livestock. Independent observers were immediately placed on vessels carrying our livestock to the Middle East, and three important reviews were progressed following this latest revelation about the inhumanity and cruelty in the sheep exports trade. The government has accepted all of the recommendations of the McCarthy review of sheep exports to the Middle East during the northern summer. That review, as senators will know, was released on 17 May this year. The review of the Australian standards for export of livestock and the review into the capability powers and culture of the independent regulator will report to the government in due course.

Senators may recall that our former distinguished colleague then Senator Chris Back has contributed his expertise as a veterinarian to some of those reviews. Former Senator Back—and it's a real disappointment that he's left us in the Senate—was a sound and wise head at the time of the live cattle export ban. He knew the industry. He knew the impact various government regulations would have on human beings, not just animals. He knew of the
distress caused and actual cruelty that occurred to many people and many communities of people who were affected by that ridiculous decision of a former government. He, more than most, was articulate and passionate about improving the welfare of animals being exported live but, at the same time, the importance of maintaining the communities and families that rely on that trade and that industry.

I often wonder about the Labor Party. They seem to think animals are more important than humans. Animals are important, but I know up my way, diverging slightly into the question of crocodiles versus human beings, it would seem that the Labor Party and certainly the Greens political party in my state of Queensland far prefer the life of a crocodile to the life of a human being. Crocodiles in Queensland have multiplied exponentially. They used to just be in remote parts of Queensland. They are now swimming along the beaches of Townsville, where I have my office and where tourists used to go swimming along the beach. We now have crocodiles there. But will the Greens political party or the Labor Party do anything about it? They say: 'Oh, no, the poor crocodile! He must stay there. It doesn't matter if he eats a couple of human beings along the way'—as has happened.

Honourable senators interjecting—

Senator IAN MACDONALD: The Greens again make jokes as I speak about the sanctity of human life, because they have no comprehension of what life is like outside their capital city ivory tower. Certainly, you don't get crocodiles on Bondi Beach. You don't worry about them there. But you can pass judgement on those who have to live in these areas, and more importantly tourists who used to go there and enjoy the northern beaches but are scared to do so now, because of the attitude of the Greens political party, who really call the shots for the Queensland Labor government in allowing crocodiles to run wild and humans to take their chances. I'm sorry: I'm a great animal lover, but I'm one of those people who do believe in the sanctity of human life. I believe that human beings are more important than animals, and the same applies to these live animal exports.

We can do both. By regulations, as we've done in the cattle industry, we can ensure that cattle who are transhipped are transhipped in good conditions that don't impact upon their welfare. In the cattle trade we've taken that even further. We've ensured that the abattoirs and the killing arrangements in countries beyond Australia have been forced to meet Australian standards. We've done that by contract. We can't regulate in other countries where we have no jurisdiction, but by contract we can ensure that our cattle being exported live are treated humanely and are slaughtered humanely, as they are in Australia.

I know there are some people who don't believe that we should kill any animals for food, and I appreciate their philosophy and their right to do that. But most of us like a good steak, like our lamb chops, like our lamb cutlets, like our lamb roast and like our pork roasts and, of course, to get them you have to slaughter an animal.

In Australia for many, many decades we have ensured that our abattoirs are humane and that the killing of the animals is done in a way that is very humane and that the animal doesn't really even know what's happening. We have exported our standards and our humanity towards animals to those countries to which we export both live sheep and cattle. The TV program that has generated concern around the countryside, and has mobilised GetUp! to get their emails working, was disgusting. No Australian would deny that. What I was more disgusted about was that the regulations that were in place before were not properly
administered, and that's something the administering authorities and those responsible should be held to account for.

As a result of that, there will be new regulations on the live export of sheep, which will ensure the welfare of those animals. At the same time, it will allow the human beings—the people who live because of that trade and those who are employed because of that trade—to continue in their way of a livelihood and a job.

The government supports farmers who rely on live export and the exporters who do the right things. I have to say, most of the exporters do fall into that category and they do the right thing. The government is committed to providing the standards of animal welfare that Australians respect. I must pay credit to Minister Littleproud for the proactive way he has handled this issue in his first few days as minister. I commend to the Senate the speech by my colleague Senator O'Sullivan, who went through this very clinically. I would suggest that Senator O'Sullivan knows the animal trade better than anyone in this chamber—perhaps not as well as Senator Williams, but Senator O'Sullivan and Senator Williams know the ins and outs of these trades.

Our farmers, the Australian community more broadly and our trading partners must be able to have confidence in our livestock export industry, and the measures the minister and the government are taking will ensure that that confidence is there and that the welfare of animals is paramount. It can be done. You can have the best of both worlds. Without being personal, those who speak in this debate from the Greens political party and the Labor Party have no idea of the contribution that the live cattle and live sheep exports make to our country. They have no idea, and they care little about the families and the people who rely on these industries and whose welfare, livelihoods and futures depend upon a continuation of these export industries.

The government will ensure that the regulations—as we've done with cattle—give paramount importance to the welfare of animals, because the way Australia does it is far better than any other exporter of live animals. If Australia were not in the business, these other exporters would have their own way without the regulations, without the concern and without the conditions imposed upon exporters of Australian animals. Those who have spoken are, perhaps, a bit nationalistic when it comes to the welfare of animals: their concern is only for the welfare of Australian animals, not the welfare of animals around the world. But Australia leading the way will promote the welfare of animals by example and by sheer foresight. By example, we will demonstrate to other shippers from other countries that this is the way it should be done. That must be a real gain for the welfare of animals across the world.

The government will continue to improve regulations to ensure the welfare of animals exported live. But we will do that while at the same time ensuring that these very, very valuable export industries for Australia and for the families and communities that rely on these exports are looked after by the Australian government. That's what the government is here to do, and that's what we will continue to do.

Senator GEORGIOU (Western Australia) (12:03): The images we saw from the Awassi Express earlier this year were horrendous and should never again be repeated. No animal should suffer what we saw, whether they are shipped to the Middle East, Asia or even to the eastern states. I believe in the strict enforcement of laws and regulations regarding the live
export of all animals. Furthermore, I fully support sanctions and penalties on any and all companies that do not comply with the laws and regulations. Personally, I believe that, if need be, they should have their export licences revoked. Make no mistake, I in no way endorse the mistreatment of animals. This legislation, however, has been hastily put together without thought or consideration for the welfare of the live export animals: sheep, cattle, goats and pigs. Neither has any consideration been given to the livelihoods of our farmers or our strategic allies.

It appears that the intention of this bill was merely to promote its author. Derryn Hinch has joined the list of eastern-state elites, including the Liberal's Sussan Ley and Labor's Joel Fitzgibbon, who have refused to come out west to speak to the farmers whose lives would be destroyed. Also, they engage in cheap political pointscoring. These elites should have the decency to come out and look the farmers in the eyes and explain why their livelihoods should be destroyed overnight.

Having spoken to Western Australian farmers, I personally saw the disgust on their faces after what they saw on the Awassi Express. Having read the evidence, I also know that WA farmers were not to blame. This bill does nothing to address the concerns of the welfare of the animals, nor does it acknowledge any of the measures brought forward by the farmers themselves to deal with the issue. It also fails to take into account the food security of Israel, one of Australia's closest partners and our fifth largest market for live exports. Banning live exports to Israel would increase the strain on their food security, given the regional instability that we are currently witnessing in that area.

I do not believe that now is the right time to turn our back on our allies. In Australia, we ask major projects to conduct the stakeholder consultation process and for socioeconomic impact assessments to be written. Just ask any mining company and they will tell you the process they must go through to prove that they have spoken to local communities and have assessed any major impacts. The Liberal and Labor parties, and now Derryn Hinch, are for some reason exempt from this. WA communities are not even worth speaking to—let that sink in. These politicians do not believe it's worth their time to speak to people whose livelihoods they want to destroy.

My role, as a Western Australian senator, means I have to represent the people of my state first and foremost. I have personally spoken to a wide range of people on both sides of the issue. Western Australians realise most that changes need to occur. What scares me, however, is that they are not being heard, that nothing is being done and that they're not being treated fairly. If I could do one thing in this debate, it would be to give a voice to those who are ignored by the elites. This is why I urge the crossbench not to consider any bill that ignores the people and communities directly affected by it, nor leave any loophole for the mistreatment of animals. I also invite my fellow senators to come out west and speak to some of the people whose lives they intend to affect.

Senator WILLIAMS (New South Wales—Nationals Whip in the Senate) (12:07): I rise to contribute to debate on the Animal Export Legislation Amendment (Ending Long-haul Live Sheep Exports) Bill 2018 put forward by Senator Hinch and the Greens. I don't think one Australian, or anyone around the world, would condone the treatment of the sheep on the shipping line we saw on the television program Four Corners—appalling treatment. It was overcrowded, had a very poor sewage system, had a lack of ventilation and so on. But surely
we should learn from the 2011 kneejerk reactions from the Labor Party and the Greens, when they were in government, to ban the live export of cattle to Indonesia when, once again, there was appalling behaviour in the abattoirs over there. Why they would want to bruise the animals before slaughter is beyond me. But, of course, the Labor Party just banned the whole export of live cattle. They put a freeze on it. Senator Joe Ludwig was the minister at the time. I don't think it was Joe Ludwig's decision. I think it was forced on him from above—by the Prime Minister et cetera at the time. But the effect was terrible on Indonesia. At the time they had nine A-class abattoirs, as good as anything in Australia, and many B-class abattoirs that could have been raised to those standards. We should have banned the export of cattle to those bad abattoirs but not holus-bolus. We've now got the trade going again, and it's going well. ESCAS is working; it's doing its job. We're one of the few countries who take responsibility for the animals when they land in the other country. What other countries who export live animals do that?

I'll take it back to live sheep exports. We've got the Greens here now wanting to ban live sheep exports. I'll tell you a bit of history about my time in the sheep industry. The Greens might listen to this. I'm taking it back to 1990-91. We had 170 million to 180 million sheep in Australia; it's down to about 70 million now. We had an oversupply in the market. We had 4½ million bales of wool held in wool stores, and of course the wool market crashed et cetera. What do we have to do with excess sheep when they get old, when they are six or seven years old? The first-cross ewes I sold just last week might have been nine years old. They can live a bit longer and produce lambs a bit longer. My brother Peter and I had to get rid of 1,000 sheep off the farm in about 1991. Winter was coming and the lambs were coming on. We had marked the lambs and so on. We had to get rid of 1,000 sheep. Senator Bartlett should listen to this. We literally gave away 500. We did not get one cent for them. We drafted off the 500 with the best condition and gave them away. The trucks came in. We gave them to the abattoir. We did not get a red cent for them. What did we do with the other 500? I'll tell you what we did. We built a temporary fence in the corner of a paddock amongst the gum suckers and a few trees. I stood there with a semiautomatic 22 with a 10-shot magazine in it and I shot the sheep one by one—500 of them. It was not a very good experience I can tell you. I wonder if Senator Bartlett or Senator Rhiannon have ever had to stand in the corner of a paddock and shoot sheep one by one. I'll bet you they haven't. What did we do the next year? Opened up the fence and marched another 500 sheep into the pen and shot another 500 sheep one by one. It got to the stage where the barrel of the rifle was almost glowing hot. It was the worst job I have ever had.

Sadly, when this was going on around Australia some of the farmers after shooting their animals turned the rifle on themselves. That's what happens when you stop overseas markets. If you cut the market off, that's the effect it has on the people here. The Greens and Senator Hinch would never have been through what I've been through in this patch of the woods. For them to stand up here and be popular in saying, 'Let's just ban the industry,' is disgraceful. Why don't we just improve the industry? Ban from carting livestock the shipping line that had the appalling treatment of the livestock. I think Minister Littleproud has handled this tremendously well. He now has inspectors on every ship going overseas and a commissioner here to report back to. Get it right: don't overcrowd them; give them space; give them ventilation; give them feed; give them water.
Mr Acting Deputy President Bernardi, you come from South Australia. So do I. Back in the 1970s when I was driving semitrailers I would cart loads and loads of sheep and wethers to Outer Harbor, where they would be loaded onto the boats. There might be 330 or 340 wethers to a truckload. We carted them from everywhere—the Flinders Ranges, the mid-north and you name it. When those sheep were placed on ships like the Danny F, which had 70,000 at a time, they put condition on when travelling to the Middle East. They improved their condition. I can tell you that animals under stress do not put condition on; they lose condition. They did a good job with the good diet, the good feed, and the good ventilation. We sent millions upon millions upon millions of sheep to the Middle East with no problem, through the hot months as well.

Mr Acting Deputy President, I have seen in South Australia 50 degree heat in the sun and sheep in the middle of a paddock without a tree, because the country was never timbered, like in the Jamestown country where I grew up. The sheep will stand in the middle of the paddock with their heads under each other's bellies, shading their heads. They cope with it no problem at all. They have fresh air, feed and water. The heat is not a problem as I see it on the ships. It is the fresh air, feed, water and ventilation that are the problems.

The footage we did see of the treatment of the sheep was disgraceful and appalling. We certainly don't condone that at all, but we shouldn't stop the industry and cut out our markets—and there is constant marketing of 1.8 to 2.3 million sheep overseas. It's not reducing. It has been going on for years. It has stabilised since 2012. As Senator Georgiou said, it's not the farmers' fault. They are excellent at growing good feed in this country, whether it be beef, sheep, lamb, cattle or vegetables. Australia's reputation for growing food is second to none in the world.

There is the claim that, if we stop the live exports, they'll take the chilled meat. No, they won't. Kuwait has made it quite clear: ban the live export of sheep and we will not buy your chilled boxed meat. They will simply get their sheep elsewhere. We see sheep being supplied from South Africa, Sudan and Ethiopia. They will fill the gap if we stop supplying live exports to these countries. It's just amazing that the Greens run the populous line: 'Chill the meat and process them here.' They said that with the beef. AACo kicked off the abattoir in Darwin, and a few weeks ago they closed it. Why did they close it? Because they lost tens and tens of millions of dollars operating an abattoir in Darwin. But I suppose the Greens have probably never visited an abattoir or been through one.

It's obvious. In the Top End of Australia we get the wet season. You can't transport stock off the stations when the monsoons are on. You would bog your trucks. We had enough trouble in South Australia in the Flinders Ranges. I tried to take my boys down there a couple of weeks ago to show them some of the stations I carted livestock out of in the Flinders Ranges. One I remember well is Umberatana station, which is 100 kilometres out from Copley. It took us six hours to drive that 100 kilometres empty and longer loaded when we took two decks of sheep out. You couldn't take three decks of sheep out; you'd tip the semitrailers over.

But the Greens would not be aware of that, because they have never done any of this work. They sit there and just say: 'Let's squash the market. Let's cut them off. Let's stop the live export of cattle and stop the live export of sheep. Let the other countries fill our gaps and take our market away. Two million sheep a year at $120 is $240 million to the farmers? That
doesn't matter. Wipe their income out. We don't care about them on the land. We don't care if they go broke.' It's just amazing how the Greens and others in this place can simply take a rushed decision. Didn't you learn from the Labor Party when they were in government in 2011 and saw what they did to the beef industry? What a disastrous mess they made of that. How many people in the Top End went broke and how many families broke up because of the pressure they were under? Think of the people as well as the animals.

As I've said, we now have inspectors on the ships, and they report back to the commissioner. I think Minister Littleproud has done a great job here. Now we want to increase the fines and the punishment, but Labor are playing political games with that. We've got the RSPCA and the NFF supporting us to increase the fines and punishment. It's simple: keep the industry going and do it properly. Don't shut it down. Don't cut out people's markets. I told you earlier on when I started this speech what I had to do with my brother Peter when it came to shooting the sheep, but probably no-one else in this building has had to do that. It is not a very good time, not a very good experience.

Get it right. As I said in the media, we've had thousands of human beings killed in plane crashes. We didn't ban aeroplanes; the manufacturers simply did their work better and made them safer to the stage where now it is safer—much safer—to fly an airplane than it is to drive a car down the road. You can shake your head, Senator Bartlett. You probably have never been out on a sheep property. Have you ever worked out there? Have you had to shoot any? No, you shake your head at it. Don't worry about the farmers. That is why they despise you Greens so much.

So be a bit realistic here. To call for the banning of live exports—can't they see it? It's clear: if we don't supply those two million sheep of live exports, they'll be kept here, abattoirs will overflow with meat, the market will be oversupplied, the price will fall and, most importantly, we'll lose our box sales. Those are sales like the ones that the great Roger Fletcher's works do now, exporting to over 100 countries with box meat. And other countries will fill the gap. Can't the Greens see that? If we don't send those sheep to the Middle East, who are importing nine million live sheep a year when we are doing about two million sheep, other countries are going to do it. Do you think you're going to stop live export of sheep to the Middle East? No, you are not. But whose are the best cared for? Whose are the best presented? Whose are the best prepared? The Australian sheep. The Australian graziers who look after them and produce so well that we've had one bad shipping line, one bad shipping experience.
Of course you get dead sheep. When you run livestock, you'll always have dead stock. Sadly, on our farm, when my wife and I run 300 or 400 sheep, we get the odd dead one as well. And these days, especially with the value of them, it's terrible. It's a tough time out there now in the drought. Many are buying feed from even as far as South Australia. But look after the industries we've got. Preserve them; don't shut them down.

Debate interrupted.

**Criminal Code Amendment (Impersonating a Commonwealth Body) Bill 2017**

**Third Reading**

Consideration resumed of the motion:

That this bill be now read a second time.

**Senator LEYONHJELM** (New South Wales) (12:20): I didn't speak during the second reading debate on the Criminal Code Amendment (Impersonating a Commonwealth Body) Bill 2017, because the speakers' list collapsed, so I now want to address the bill.

I oppose the Criminal Code Amendment (Impersonating a Commonwealth Body) Bill 2017. This bill is a piecemeal response to Labor's 'Mediscare' campaign at the last election. It introduces an offence punishable by up to two years imprisonment for recklessly impersonating a Commonwealth body, whether real or fictional, and it introduces an offence punishable by up to five years imprisonment for doing so intentionally. I oppose this bill because fraud is already illegal, so this law will be redundant. We should be getting rid of redundant law rather than adding to it.

I also oppose this bill because the law should not provide greater protection against fraud for government bodies compared with everyone else. The earlier the government gets into its head that it is here to serve the people rather than itself, the better. In fact, that goes for all of us in this place. But it is especially important for those who send bills to this place. As I said, I oppose this bill.

**The ACTING DEPUTY PRESIDENT (Senator Bernardi):** The question is that the bill be read a third time.

The Senate divided. [12:26]

(The Acting Deputy President—Senator Bernardi)

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**AYES**

- Anning, F
- Bilyk, CL
- Burston, B
- Colbeck, R
- Farrell, D
- Gallacher, AM
- Gichuhi, LM
- Hanson, P
- Hume, J
- Ketter, CR
- Lines, S
- Bernardi, C
- Brockman, S
- Bushby, DC
- Duniam, J
- Fierravanti-Wells, C
- Georgiou, P
- Griff, S
- Hinch, D
- Keneally, KK
- Kitching, K
- Marshall, GM
AYES

Martin, S.L
McGrath, J
Moore, CM
O’Sullivan, B
Patrick, RL
Pratt, LC
Seselja, Z
Smith, DA
Sterle, G
Storer, TR
Williams, JR (teller)

McCarthy, M
Molan, AJ
O’Neill, DM
Paterson, J
Payne, MA
Reynolds, L
Singh, LM
Smith, DPB
Stoker, AJ
Watt, M
Wong, P

NOES

Bartlett, AJJ
Hanson-Young, SC
McKim, NJ
Rice, J
Steele-John, J

Di Natale, R
Leyonhjelm, DE
Rhiannon, L
Siewert, R (teller)
Whish-Wilson, PS

Question agreed to.
Bill read a third time.

National Redress Scheme for Institutional Child Sexual Abuse Bill 2018

National Redress Scheme for Institutional Child Sexual Abuse (Consequential Amendments) Bill 2018

First Reading

Bills received from the House of Representatives.

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (12:31): I move:
That these bills may proceed without formalities, may be taken together and be now read a first time.
Question agreed to.
Bills read a first time.

Second Reading

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (12:32): I move:
That these bills be now read a second time.
I seek leave to have the second reading speeches incorporated in Hansard.
Leave granted.

The speeches read as follows—

NATIONAL REDRESS SCHEME FOR INSTITUTIONAL CHILD SEXUAL ABUSE BILL 2018

This Bill will establish legislation for a National Redress Scheme (the Scheme) for survivors of institutional child sexual abuse.
Children placed in the trust of our institutions were some of the most vulnerable members in our community. That any were sexually abused by the very people charged with their care and protection is a disgrace. No child should ever experience what they did.

The establishment of the Scheme is an acknowledgement by the Australian Government and participating governments that sexual abuse suffered by children in institutional settings was wrong. It was a betrayal of trust. It should never have happened.

It recognises the suffering survivors have experienced and accepts that these events occurred and that institutions must take responsibility for this abuse.

The Government acknowledged the need to provide public recognition of the suffering experienced by survivors and investigate the inadequate responses provided by institutions through the establishment of the Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission).

The Royal Commission's Redress and Civil Litigation Report recommended the establishment of a national redress scheme for survivors of institutional child sexual abuse. All governments and individual institutions were directed to make amends and take responsibility.

The Royal Commission estimates that almost 20,000 survivors were sexually abused in state and territory government institutions. The Royal Commission identified more than 4,000 institutions where sexual abuse took place.

The establishment of a National Redress Scheme acknowledges the abuse that occurred. It is the most significant step in addressing the wrongs of the past and providing a just response to survivors. It is also an important step towards healing. It ensures governments and institutions take steps to safeguard against these crimes being repeated in the future.

This Bill responds to the Royal Commission's redress recommendations and the Commonwealth Government's commitment to establish the foundation for a nationally consistent redress scheme.

Should the Bill pass, the participation of these governments will mean that, from 1 July 2018, the Scheme will be available for over 90 percent of survivors.

The establishment of a National Redress Bill will mean that these government and non-government institutions can be part of the scheme into the future.

The Scheme will provide survivors with three elements of redress, comprising:

1. a monetary payment of up to $150,000;
2. access to counselling or psychological services; and
3. a personal response from the responsible institutions.

The Scheme will adopt a survivor-focused and trauma-informed approach; access to redress will be simple, and support will be available throughout the application and acceptance processes.

The Scheme is not intended to replace legal avenues to seek justice. It is intended to provide a survivor with a means to access a sense of justice, through monetary redress and through restorative supports. It is intended to be faster, simpler and less distressing for survivors and to provide governments and institutions with the means to deliver justice to their survivors.

The Commonwealth consulted with, and listened to, a broad range of stakeholders in developing the Scheme and this Bill. The Bill aligns with the views of the Independent Advisory Council on Redress, which included many survivor groups, as well as the views of jurisdictions and non-government institutions.

Under this Bill, redress will be available for survivors of child sexual abuse that occurred in Commonwealth and any participating state or territory government or non-government institutions. For the Commonwealth, this includes situations where the minors were employed and where the
Commonwealth delivered state functions in the Australian Capital Territory and the Northern Territory prior to self-government.

Should the Bill pass, the Scheme will commence accepting applications from survivors of institutional child sexual abuse for which the Commonwealth and other participating governments and institutions are responsible from 1 July 2018.

The Scheme will run for 10 years, with all applications to be finalised by 30 June 2028. The Scheme can be extended if there is a need to do so.

For a person to be eligible for redress they must have suffered sexual abuse where a participating institution is responsible and it occurred when the person was a child before the Scheme’s commencement on 1 July 2018. A person must also be an Australian citizen or permanent resident at the time they apply for redress, although it will be possible to deem additional classes of people eligible for redress.

While a person must have suffered sexual abuse to be eligible, the Scheme will also acknowledge related non-sexual abuse, for example physical abuse. Sexual abuse rarely occurs in isolation and it is important to deal with the whole of the survivor’s experience.

Applications for redress under the Scheme are limited to one application per survivor, whether or not that person suffered sexual abuse in more than one institution. This will ensure that survivors will only need to complete one form to cover all instances of child sexual abuse experienced in institutional contexts during their childhood, something the Royal Commission recommended to achieve equal or fair treatment between survivors. Survivors providing the story of their experience in full will ensure the Scheme can consider the totality of their experience.

In order to maintain integrity and public confidence in the Scheme, there will be some limitations for people who have committed the most serious of crimes, such as homicide. However, to ensure the Scheme retains flexibility and is able to meet prevailing community standards, there will be a special assessment of applicants with serious criminal convictions.

If a person is convicted of an offence which received a custodial sentence of five or more years, the Operator may determine that the person is entitled to redress if providing redress to the person would not bring the Scheme into disrepute or adversely affect public confidence in the scheme.

When making this determination, the Operator must take into account any relevant information such as advice given by relevant Attorneys-General and the nature of the offence. People will not be able to make an application for redress if they are in jail. However, the Operator will have power to provide exemptions. This restriction is necessary as the Scheme will not be able to deliver many aspects of the Scheme to incarcerated survivors.

People must be 18 years of age before the Scheme sunset day to make an application for redress under the Scheme. If a child who will turn 18 years of age before the Scheme sunset day makes an application for redress, there will be a special assessment process.

For those eligible survivors, the amount of the monetary payment will be determined by looking closely at the circumstances of each person and applying consistent criteria. The maximum amount of redress payment available under the scheme will be $150,000. The expected average payment will be around $76,000—$11,000 higher than that estimated by the Royal Commission. The payment will not reduce the income support payments of survivors, will not be divisible property for bankruptcy and will be exempt from Commonwealth debt recovery.

A legislative instrument that details the different tiers of payments and how they work together will be publicly available and declared as an instrument to the legislation.

Eligible survivors will be provided with access to counselling or psychological services in addition to the assistance already provided by the Commonwealth through Medicare.
Depending on the residence of a survivor, they will receive either a lump sum payment to access counselling and psychological services privately, or will be given access to state or territory based services. States and territories will elect for survivors residing in their jurisdiction to either receive the lump sum payment or whether they will deliver counselling and psychological services to those survivors. Survivors residing outside Australia will receive the lump sum payment.

Responsible participating institutions will be liable for the same amount to support the delivery of counselling and psychological services. This will either be paid directly to the survivor or to the applicable jurisdiction delivering services to survivors.

These services are in addition to the redress support services and legal support services that will be available to applicants to the scheme.

Survivors will also have the opportunity to receive a direct personal response from the participating institution or institutions responsible for the abuse. A direct personal response is a statement of acknowledgement, regret or apology and will be delivered to survivors by the relevant participating institution after the survivor has accepted the offer of redress.

The response may be delivered through a range of mechanisms including a face-to-face meeting with an appropriate representative of the institution or through written engagement with the survivor.

The direct personal response will give the survivor the chance to be acknowledged and tell their personal story of what they experienced and how it has impacted them.

The aim of the Redress Scheme is to provide an avenue for survivors of child sexual abuse who have not been able to pursue, or have not been successful in pursuing, their common-law rights in order to obtain compensation for the damage and loss they have suffered.

Many survivors cannot successfully pursue their common-law rights because they do not have access to the necessary evidence, or because going through litigation processes would be overly traumatic for them.

Before a survivor receives redress, the survivor must accept their offer by signing an acceptance document. Accepting an offer of redress has the effect of releasing the responsible participating institution or institutions, and their associates and officials, from any future liability for all instances of sexual abuse and related non-sexual abuse of the person within the scope of the scheme.

This means that the survivor cannot bring or continue any civil claim against the responsible participating institution or institutions, and their associates and officials, in relation to the specific abuse once they accept the offer of redress.

The release will not release the perpetrators of abuse themselves, provide release in relation to any other abuse outside the scope of the scheme, nor preclude any criminal liabilities of the institution or alleged perpetrator.

The release from civil liability is an important incentive for institutions as without it, institutions may be required to pay compensation through civil litigation in addition to providing redress under the Scheme. It will ensure greater coverage for survivors.

Any relevant prior payments made by participating institutions in relation to the abuse for which an institution is responsible will be adjusted to acknowledge inflation and then will be subtracted from the redress payment.

In essence, these survivors would receive a 'top-up' payment. If a survivor's monetary payment is reduced to nil as a result of past redress payments, they will still be entitled to access counselling and psychological services and the direct personal response under the Scheme.

The rules will also specify that where a court has previously ordered a participating institution to pay a person compensation or damages for abuse, then that person will not be eligible under the Scheme for that abuse.
Where a survivor has been successful in civil litigation, a court has already applied the higher legal liability test of the 'balance of probabilities' and found that the institution is liable to pay the survivor damages.

A survivor can still apply to the Scheme for any other abuse they have experienced.

The Scheme is based on the principle of 'responsible entity pays', a key recommendation of the Royal Commission. A participating responsible institution will be expected to pay for redress for their survivors, along with a proportionate share of the administration costs of the Scheme. This is the best way to ensure fairness and justice for survivors.

For a participating institution to be responsible, the abuse must have occurred in circumstances where the institution was primarily or equally responsible for the abuser having contact with the person.

The Scheme will have agreed categories of cases where responsible governments will share responsibility with an institution, as set out in the National Redress Scheme Rules.

If a case falls into an agreed category, the relevant government will automatically be determined to be equally responsible and therefore liable for redress.

Participating governments have agreed to be responsible where abuse occurs in connection with a non-government institution, the state or territory government had parental responsibility of the child or the child was a state ward, and was responsible for the placement of the child in that institution.

In cases where a government is determined to be equally responsible, they may be determined to be the funder of last resort. This will only occur when the other equally responsible institution is a defunct non-government institution.

Where a funder-of-last-resort arrangement exists, the government that shares responsibility will pay the full amount of redress. The purpose of the funder-of-last-resort policy is to pick up shortfalls in funding where an institution no longer exists. It is not intended to pick up liability for institutions that have the capacity to opt in and choose not to.

In cases where a person has suffered multiple cases of child sexual abuse which occurred across multiple institutions, the Scheme Operator will decide what was the responsible institution in each case. Each responsible institution will contribute a share of the redress for the survivor. The redress contribution will be apportioned in accordance with the severity and impact of each instance of abuse.

The Scheme will facilitate flexible arrangements to support the different structures of institutions opting in to the scheme. This is necessary as many institutions we think of as one institution can actually consist of different institutions and entities. It is in the interest of survivors for all of these institutions to opt in and participate as a single group. This will allow larger institutions to provide the funding for their lower level institutions that may not have their own financial sources to cover redress.

The Scheme will allow two or more institutions to form a participating group, who will be 'associates' of one another. To be able to form a participating group, associates must have a sufficient connection with each other, appoint a representative, and have that representative be jointly and severally liable with each associate for funding contributions.

The Bill includes provisions for the use and disclosure of information under the Scheme. Information-sharing protocols have been balanced against the need for the Scheme to have transparency and flexibility, with a survivor's rights to privacy and the need to protect children against future abuse. This will ensure all aspects of the Scheme's ability to share and gather information is underpinned by law.

Information received by the Scheme will be confidential and will not be able to be further disclosed or used for an unspecified purpose. Participating institutions will also be restricted in the ways that they can use protected information provided to them from the Scheme Operator. Misuse or unauthorised
Disclosure of Scheme information may constitute an offence under legislation, with appropriate jail time or fines.

To support the Scheme, the Government has committed $52.1 million over three years to establish redress support services to assist survivors. Redress support services will be available to all applicants, including specialised support for Indigenous people, people with disability, and people from culturally and linguistically diverse backgrounds.

Support services will be available nationally, and use face-to-face, telephone, online and outreach services to ensure coverage.

The Scheme will appoint experienced, independent assessors, known as independent decision-makers. Independent decision-makers will provide advice to the Scheme Operator on applications made to the Scheme, and will not report or be answerable to government.

Independent decision-makers will be supported in their decision-making by a dedicated redress recommendation team.

In line with feedback from institutions, survivors and the Independent Advisory Council on Redress following the Royal Commission's recommendation, the Scheme will provide survivors with access to independent and impartial internal review without subjecting them to potential retraumatisation.

The Scheme will be reviewed after the second and eighth anniversaries of the commencement of the Scheme to provide recommendations on all aspects of the future operation of the Scheme.

As a nation, we owe the survivors who fought so hard and so long for truth to pass this Bill and have the Scheme operational by 1 July this year.

**NATIONAL REDRESS SCHEME FOR INSTITUTIONAL CHILD SEXUAL ABUSE (CONSEQUENTIAL AMENDMENTS) BILL 2018**

This is a companion bill to the National Redress Scheme for Institutional Child Sexual Abuse Bill 2018 (the National Bill), which will establish a redress scheme for survivors of institutional child sexual abuse.

This companion bill provides consequential amendments to Commonwealth legislation in light of the Scheme. For example, amendments to the *Social Security Act 1991* and *Veteran's Entitlements Act 1986* will ensure the payments are not income tested and will not reduce the income support payments of survivors who receive payments under the Scheme.

Amendments to the *Bankruptcy Act 1966* will also ensure that the payments are quarantined from the divisible property of a bankrupt. This ensures that survivors can fully benefit from redress payments provided under the Scheme, regardless of their circumstances.

It also ensures that redress payments will be exempt from Commonwealth debt recovery and income tests relevant to other Government payments.

This companion Bill with also remove external review mechanisms under the *Administrative Decisions (Judicial Review) Act 1977*. These amendments will ensure the Scheme remains survivor focused and trauma informed by being a non-legalistic process for survivors who have already suffered so much.

This companion Bill will also allow the Scheme to access to the social security system information for ease of administration, and make protected information exempt from the *Freedom of Information Act 1982*, ensuring the integrity of the Scheme and that the privacy of survivors and institutions is protected.

In addition, this companion Bill will exempt the National Bill from the *Age Discrimination Act 2004*, which will allow the Scheme to prevent children from applying if they do not turn 18 before the Scheme's closure. This is to address the risk of children signing away their future civil rights when they
may have limited capacity to understand the implications, and to reduce the risk of monetary payments to minors being misused.

**Senator PRATT** (Western Australia) (12:32): I begin by saying thank you and paying tribute to all of those people who've made a very significant contribution to this important step towards justice for survivors of institutionalised child sexual abuse. I want especially to acknowledge the work of individuals and organisations that have pushed to make the scheme as outlined in the National Redress Scheme for Institutional Child Sexual Abuse Bill 2018 that we have before us in this place a reality—and they have pushed and pushed for decades. Thank you to people like Chrissie Foster and her late husband, Anthony; the Blue Knot Foundation; the Alliance for Forgotten Australians; and, of course, the irrepresible Care Leavers Australasia Network, otherwise known as CLAN. Your day, when this parliament will finally get this long overdue job done, has come.

The evidence presented to the royal commission was very deeply shocking. It exposed heinous crimes perpetrated against vulnerable children. The case studies and private sessions left absolutely no doubt that a great many people, while children, were injured by being subjected to sexual abuse in institutions or in connection with institutions. We can see from the evidence presented to the royal commission that their injuries have been severe and lifelong. The evidence that the effect of these injuries on people plays out for the rest of their lives has been made clear. Revealed in the pages of the royal commission's final report is a history of people who have had their childhoods taken from them and their trust in people broken.

It is now time to show that we believe those who, for so long, were ignored. We believe the truths that they have told us. We believe those who, for so long, have had justice denied to them. If this place, this chamber, has any important purpose at all, it should be primarily to make sure that we listen to people who have been forgotten in our nation. That's why Labor are supporting this bill today. While this bill is imperfect—and I'll speak about some of our concerns—it is a very significant step forward and will mean real justice, recognition and redress for many thousands of Australians. We in Labor have been long-time advocates for a national redress scheme for survivors of child institutional sex abuse. We've been calling for a national redress scheme for survivors of child institutional sex abuse since 2015. So, today, to get a scheme like this up and running is an example of what this parliament can achieve when we work together. Overwhelmingly, survivors have said they want to see this scheme in place as soon as possible—from 1 July—and so do Labor.

I have paid close attention to and reviewed all of the royal commissioners' recommendations, and they did not make their recommendations lightly. They listened to the evidence from victims and had a clear mandate to recommend to this place:

… what institutions and governments should do to address, or alleviate the impact of, past and future child sexual abuse and related matters in institutional contexts, including, in particular, in ensuring justice for victims through the provision of redress by institutions, processes for referral for investigation and prosecution and support services.

This is what the royal commission were asked to do, this is what they've done and this is what we are responding to here today. We believe that their recommendations should be implemented faithfully and that the task for us all now in this parliament is to deliver a
national redress scheme for survivors and, indeed, to also follow faithfully the other recommendations the commissioners have made to protect our nation's children.

It has been a key concern to me that, while the royal commission got its job done very quickly and in a timely manner, making recommendations about redress back in 2015, it has taken three years to get legislation set to pass this place.

I want to place on record Labor's concerns, which are well known, about the compensation amount. The royal commission recommended that the maximum payment be $200,000. However, this bill unfortunately places an upper limit of $150,000 on the amount of redress that would be payable to any one survivor. We know that accepting an offer of redress will also mean signing away any rights that a survivor may have to pursue their claim for compensation through litigation and through the courts. That's why Labor believe that the amount of redress offered under this scheme is important. While we are aiming to put forward a simple scheme to access, if people feel that their claim is worth more, if they get legal advice that shows that their claim is worth more, they will be in the difficult position of needing to potentially relive their trauma through the courts or to accept a lower redress amount through this scheme. We've very strongly shared our concerns in the public arena. We recognise the concerns of legal professionals who have indicated that some people may be eligible for much greater amounts of redress. However, I note that the purpose of this scheme is to ensure that all those who have been subjected to these criminal acts can seek redress, and many will not have the capacity to seek claims in a court of law and would prefer this process.

We have some other concerns with respect to the bill. Importantly—and this point has been made very strongly—the way past payments are indexed is naturally a very important issue for survivors, who have fought long and hard for this compensation. But this bill sets an unreasonable rate of adjustment. An early amount received as compensation would be indexed by 1.9 per cent for each year since the receipt of the original amount. Care Leavers Australia Network has been campaigning for indexation to be taken out of the scheme because past compensation amounts have been small and a significant proportion of what people received was eaten up in legal fees, so it is unfair for past amounts of redress to be indexed. It is possible that some survivors who are eligible for redress may end up with nothing after the indexation is applied, because of previous compensation amounts. Payments that were manifestly inadequate to begin with were eaten up by professional fees. We therefore strongly believe that past redress amounts should not be indexed.

We also believe that it's important to make sure that anyone who's eligible because of the nature of the abuse they suffered should be able to access this scheme. In that context, we on this side of the chamber are very concerned that the way that funder-of-last-resort provisions are drafted means that some survivors who would otherwise be eligible may miss out on redress entirely. For example, persons whose abuse was not deemed to be the responsibility of government, and for whom there is no remaining institution that is responsible, could be left with no avenue for justice. Where there is no joint responsibility with government and where there are no corporate bodies remaining and no individuals to pursue in court, under the scheme before us there is no possibility of justice.

We acknowledge that the scheme will cover the vast majority of survivors of child sexual abuse in institutions, with the minister indicating that 93 per cent of survivors are already covered by the scheme, given the number of institutions that have already signed up. But this
is no reason to leave individuals, no matter how few, without this avenue for compensation and justice. In addition, we're concerned that this legislation limits eligibility for redress to people who are Australian citizens or permanent residents. But as we know—indeed through the many stories told in this place—Australia has been responsible for many thousands of child migrants, and these people will not be able to access redress if they've returned to their countries of birth and are not Australian citizens.

Labor believes in the position on this issue that was put by the Australian Human Rights Commission. They say that eligibility for redress should be determined by whether or not the abuse occurred in Australia, not by the citizenship or the residency of the victim. The royal commission has made it clear that horrific abuse occurred in institutions in our country that were responsible for child migrants and that abuse of children has also occurred in our immigration detention centres.

I'm sure that all members of this place would agree that counselling for survivors is a top priority. We also know, each and every one of us, that no amount of money can make up for the pain and suffering that has been endured. That said, access to counselling that is of high quality is absolutely vital. However, we are very concerned that the counselling provided to survivors through the Redress Scheme is going to be manifestly inadequate. The royal commission recommended—and this is extremely important—that recipients of redress be able to access counselling for the rest of their lives—for the rest of their lives. Not all survivors will want or need counselling. But, for those who do, we must ensure that the services available are adequate and that they're sufficient for their needs. This bill only provides state-funded services for the length of the scheme or for a payment of up to $5,000 to go towards meeting the costs of counselling. For state-provided counselling, we understand the minimum requirement will be just 20 hours. These arrangements are manifestly inadequate. We call on the government to give assurances that this issue will be addressed.

Survivors often consider that governments, particularly state governments, are responsible for their abuse, so they do not necessarily want to use state- or institution-run services. Victims of child sexual abuse in institutions need agency over their own care and support so that they're not retraumatised in the services they access. This needs to be taken into account when consideration is given to who delivers these critical services. Labor is also concerned that survivors who are granted redress late in the life of the scheme could very much be disadvantaged if they're not able to access services such as counselling for the same length of time as those survivors who are granted redress early in the life of the scheme. It's really important that this is taken into account in further reviews. It's critical, also, that these issues are addressed urgently.

Significantly, there are restrictions on survivors accessing the Redress Scheme who themselves have a criminal history or are currently in jail. Labor believes this is very unfair. The bill requires that those who have been sentenced to a term of imprisonment of five years or more must have special permission from the scheme operator to access the scheme. This rule is completely unnecessary and ignores the strong evidence that shows that people with a history of childhood abuse and trauma are more likely to be incarcerated themselves later in life. The first Senate inquiry into these issues was inundated with evidence from states, individuals and community organisations that this rule could be counterproductive and,
indeed, increase recidivism. We very strongly believe that this policy, contained in this legislation, should be changed.

Next, it is imperative that those institutions responsible for the abuse of children continue to sign up to the scheme and pay the redress that people deserve. No institution should back out of its responsibility for the abuse of children that took place when it had the responsibility to care for and nurture those children. There can be no more excuses. The time has come for every relevant institution to become part of the scheme. Indeed, that includes my own home state of Western Australia. I'm hopeful that the government will fix the issues that need to be addressed, such as the child migrant issue and who is liable for that, in order for Western Australia to join the scheme.

I want to acknowledge that establishing this National Redress Scheme has indeed been a very complex task and that the bill is moving forward today with bipartisan support and support across the parliament. However, this bill is different to the one that a Labor government would have put forward, and I've highlighted our concerns today in relation to those issues that we believe are important. I note the risk of amending the bill, as it would result in the states needing to amend it. We are aware of the urgency with which this scheme is needed. Survivors have in some instances waited all their lives for justice, and they should not have to wait a minute longer. So, Labor is indeed supporting this bill. A Labor government would seek to work with the states towards addressing the areas of concern that I've outlined as well as those outlined by the Hon. Jenny Macklin in the other place.

I want to thank the royal commissioners and all the staff who've supported the survivors to tell their accounts over many years of hearings. This was no small task. I want to thank Julia Gillard for establishing the royal commission. This was an important decision and a step that our nation really needed to take. I want to thank Jenny Macklin and Nicola Roxon for their work to get this started. Most of all, I want to thank all those brave people who've shared their own stories of abuse at the royal commission. Their evidence has enabled Australia to begin to comprehend and recognise in some way the extent of the suffering caused.

Revealed in the pages of the royal commission's final report is a history of the betrayal and the violation of the bodies, hearts and wellbeing of thousands of our fellow Australians—Australians who were children at the time this abuse occurred. It seems that it should be unimaginable that our institutions or individuals could have participated in, perpetuated, tolerated, covered up and condoned the abuse and exploitation of our most vulnerable. However, as a nation we need to face up to every aspect of exactly what has happened, to provide meaningful redress, to say sorry and to mean it. It is critical that we take the human rights of children in Australia seriously and uphold them. I commend the bill to the Senate.

Senator SIEWERT (Western Australia—Australian Greens Whip) (12:52): I rise today to speak on the National Redress Scheme for Institutional Child Sexual Abuse Bill 2018 and the National Redress Scheme for Institutional Child Sexual Abuse (Consequential Amendments) Bill 2018. The first of these bills, which I'll refer to as the national bill, will establish legislation for the National Redress Scheme for survivors of institutional child sexual abuse—a process that has been far too long in coming. The passage of this legislation and the establishment of the scheme is rightful acknowledgement of the wrongs that were committed by institutions responsible for protecting and caring for young members of our communities.
The acts of sexual abuse committed in institutions around the country are a disgrace to our nation. It is time for the survivors of this abuse to have their abuse and its ongoing toll throughout their lives acknowledged by federal, state and territory governments around the country and the institutions who were responsible for the care of these young people, many of whom were sent to our shores as child migrants only to end up condemned in these institutions to this form of abuse. Thousands and thousands of acts of abuse occurred throughout this country, and the institutions responsible need to be held accountable. We must also ensure that safeguards are put in place to protect against such abuse occurring into the future. I'd like to take this opportunity to acknowledge the people and organisations who have fought so hard for so long to get the royal commission established and who have fought for redress. I particularly acknowledge the survivors who have so long been ignored, called liars, not believed and told to 'get over it', many of whom are suffering lifelong consequences. I know these redress bills will not make up for that abuse, but at very least we can make sure you are supported through your lives, to make them just that little bit better.

The Australian Greens strongly support the establishment of the National Redress Scheme for survivors of institutional child sexual abuse as recommended by the Royal Commission into Institutional Responses to Child Sexual Abuse. We want it to be based on fairness, equity and justice, and to be survivor focused, trauma informed and culturally informed. Bearing in mind that the scheme is due to start on 1 July this year, in a couple of weeks, the Greens do not intend to hold up the passage of the bills before us today. We understand that the establishment of the scheme is a significant step in the progress towards addressing the wrongs committed and providing survivors with a just response; however, we remain concerned with elements of the proposed scheme and some of the provisions in the bills before us. Many of the concerns I will mention today are also held by survivors, survivor groups and other stakeholders, many of whom made submissions to the two Senate inquiries.

Just today I've received a letter—and I know many of us have—from some survivors who are saying they have concerns. I will articulate those concerns and our concerns in a minute. We are faced with a Hobson's choice: if we amend the national bills, they have to go through all the state and territory parliaments again, and there would be no Commonwealth bills, so either we support these imperfect bills—and they are imperfect—or we hold them up and have nothing, because there is nothing to replace it. Many survivors have said to me, 'Please support the bills; don't hold up redress any longer.' We have come down on the side of supporting these imperfect bills and committing to improve them. We are committed to improving these imperfect pieces of legislation, but we think we need to get this started. Survivors have waited for far too long.

While the government has made some progress on some of the issues raised during the first Senate inquiry into the Commonwealth bills, including extending the period for accepting an offer of redress and the period for providing additional information, many of the issues the Australian Greens and many others raised with the committee, which we canvassed through our additional comments in the committee's report, still remain unresolved. The proposed scheme will provide three elements of redress to survivors, specifically: a redress payment—as opposed to a compensation payment; it's important to remember that—access to counselling and psychological services, and a direct personal response from the responsible institution or institutions, where that is the will of the survivor.
With regard to the redress payment, the maximum amount has been set at $150,000. This does not align with the recommendation of the royal commission that the maximum redress payment be $200,000 for the most severe cases. The Australian Greens support the recommendations of the royal commission and know that this is an issue survivors are very passionate about, as are we. We will continue to advocate for the government to increase the maximum redress payment to $200,000. We are concerned that there is no minimum redress payment amount in the scheme. The royal commission recommended a minimum redress payment of $10,000. We want a minimum redress payment to be introduced to ensure that survivors don't find themselves in a situation where their redress payment is nil. The inclusion of a minimum redress payment is particularly important in light of the provisions in the national bills that will see prior relevant payments indexed and then subtracted from the redress payment. The Tuart Place submission to the Senate inquiry into the national bills goes into some detail on how the absence of a minimum payment and the proposed indexation of a prior relevant payment create a perfect storm for potential retraumatisation of applicants. Specifically, as there is no minimum redress payment amount for the scheme, and, where an individual has received a previous relevant payment, that is indexed under the scheme, Tuart Place is concerned that applicants would receive inappropriately low offers: either nil, for example, or a couple of dollars. Such a situation is unacceptable in our eyes.

The indexation of prior relevant payments is an area of deep concern for the Greens and one that we know many survivors and survivor groups and organisations care very deeply about. We do not want to see prior relevant payments indexed under the scheme. The provisions for counselling and psychological services in the national bill are also really important. Survivors will either be provided counselling and psychological services under the scheme—if they live in a jurisdiction that is declared a provider of these services—or they will receive a tiered lump payment of $1,250, $2,500 or $5,000, depending on the severity of the sexual abuse they experienced.

The national bill is not clear on the length of the entitlement of those who will receive services under the scheme. The Australian Greens are concerned that survivors will not have access to these services for the duration of their life and that survivors who receive redress late in the life of the scheme may only be able to access these services for a short period of time compared with those survivors who are granted redress early in the life of the scheme. We know how important counselling and psychological services are to survivors.

The services to be provided by the different jurisdictions are likely to vary. Survivors may be unable to choose the service they attend and may be unable to continue existing therapeutic relationships, which is in contradiction to the royal commission's recommendations. There is also no clarity about what will happen if a survivor moves from one jurisdiction that is a declared provider to a jurisdiction that is not a declared provider. There is also concern about the adequacy of the lump sum payments for counselling and psychological services for those survivors who will receive this. Five thousand dollars is an insufficient sum to enable survivors to obtain the necessary counselling and psychological supports throughout their lives. Two thousand five hundred dollars and $1,250 are even less sufficient. The Australian Greens support the recommendation of the royal commission that there should be no fixed limits in this regard.
The scheme is for survivors of institutional child sexual abuse only. Survivors of institutional non-sexual abuse will not be eligible unless they were also sexually abused. Limiting the scope of the scheme to sexual abuse is particularly problematic for care leavers who had no way to escape the abuse or their abusers while in institutional care. While the Australian Greens acknowledge that the royal commission's scope was limited to institutional child sexual abuse, we believe that those who suffered institutional non-sexual abuse should be eligible for redress under the scheme, particularly where a survivor is a care leaver. I note here that I will be moving a second reading amendment on this issue. In fact, our second reading amendment reads:

At the end of the motion, add "but the Senate:

(a) is of the opinion that relevant prior payments should not be indexed under the scheme; and

(b) calls on the Government to commence the development of a redress scheme for survivors of institutional child non-sexual abuse".

I've spoken to many care leavers who are very, very upset that their physical and mental abuse continues to go unrecognised and that they still can't seek redress for that abuse. Bear in mind that Western Australia has the highest number of child migrants. This is an issue that is deeply felt around Australia but particularly in my home state of Western Australia.

The scheme is also limited to survivors who are Australian citizens or permanent residents at the time they apply for the scheme. This is incredibly inequitable, and we want to see all survivors of institutional child sexual abuse connected to Australia eligible for the scheme. This includes former child migrants and those no longer living in Australia, whether a citizen or a permanent resident at the time of the abuse or not, and those who are still living here but are not citizens or permanent residents. It should also include survivors who experienced their abuse in detention centres established by Australia even where the survivor has not entered Australia. Under the national bill, a survivor cannot make an application where they have already made an application, a security notice is in force, the survivor is a child who will not turn 18 before the scheme sunsets, the person is in jail or the application is being made in the period of 12 months before the scheme sunsets.

Allowing survivors to make only a single application to the scheme means that they need to cover all the instances of institutional child sexual abuse in their application. One of the problems related to this is the timeframe for institutions to opt into the scheme being set at two years. This means some survivors will need to wait two years to see whether an institution responsible—whether primarily responsible or equally responsible—is going to opt in. Where there is more than one institution responsible, and at least one of the institutions has opted into the scheme, they will have to make the difficult choice to either submit their application outlining only the abuse for which the participating institution is responsible, or wait until such a time as the other institution or institutions decide to opt in, or the two-year time period lapses. One of the problems with this is that there are a lot of survivors who are now elderly. Some have financial issues and ill health, and putting them in a situation where they have to make such a decision is, we believe, incredibly unfair.

The other problem is traumatic memory and survivors not necessarily remembering, at the time that they apply for the scheme, all the details of what happened to them. What happens if a survivor remembers an additional and potentially critical detail after they have submitted their application? The scheme needs to meet the needs of survivors and be as flexible as
possible for them. Consequently, we do not support the requirement for survivors to complete a statutory declaration to verify the information contained in their application. We also have concerns about the need for survivors to specify in their application where they live, as there will be survivors who find themselves homeless. Where a survivor does not have a fixed address, they should not be excluded from applying and should be able to nominate merely the state or territory where they live, for the purpose of receiving counselling and psychological services under the scheme.

We are also concerned that children who are currently younger than eight years old will not be able to make an application to the scheme and that there is no operator discretion with regards to this provision. This provision is not in line with the view of the royal commission and differs from the provisions in the Commonwealth bill. Having a blanket exclusion for children does not align with the requirement to ensure the best interests of the child, as there will be instances where it will be in the best interests of the child to apply for redress under the scheme. There is also concern over the requirement, which will be set out in the rules, for the operator to wait until a child who applies to the scheme while under age is 18 before making a determination to approve or not approve the application. Children in this situation should not have to wait until they are 18 years old to receive redress.

The national bill precludes survivors in jail from making an application for the scheme, unless the operator determines there are exceptional circumstances justifying the application being made. The rationale for this appears to be that the scheme will be unable to deliver redress support service to those incarcerated and that institutions may be unable to provide appropriate direct personal responses to these survivors while they are in jail. It is unclear why a direct personal response could not be provided by the relevant institution or institutions in jail, and why survivors would not be able to access the necessary services while they are in jail. In any event, survivors should not be barred from applying altogether, particularly where they will not be released prior to the scheme's sunset date. The direct personal response could be delivered once the survivor is released, if there is no other alternative. This provision will discriminate particularly against Aboriginal and Torres Strait Islander survivors, who are overrepresented in the criminal justice system. More clarity is needed around the exceptional circumstances justifying an application and what those circumstances might be.

Under the national bill, survivors who have been convicted of an offence and sentenced to imprisonment for five years or more will be excluded from the scheme unless a determination is made by the operator that the provision of redress would not bring the scheme into disrepute or adversely affect public confidence in or support for the scheme. Again, this provision will disproportionately affect Aboriginal and Torres Strait Islander survivors. The Australian Greens do not support this exclusion. We believe that redress should be available to all survivors of institutional child sexual abuse. Allowing a category of survivors to be excluded from the scheme will see their experiences go unrecognised and, arguably, will see the relevant institutions not held to account for that abuse. Excluding these survivors from the scheme particularly ignores the link between the abuse they experienced as a child and their interactions with the criminal justice system.

It was also pointed out in the course of the national bill inquiry that the special assessment model in the national scheme is more opaque than the model under the Commonwealth bill. Survivors who fall into this category will not know whether or not they are eligible, creating
considerable uncertainty and causing further distress. While the operator can override the blanket exclusion for individual cases, we are concerned that the starting point is one of exclusion. We believe that where the government is adamant that there needs to be an ability to exclude some survivors who fall into this category the starting point should be one of eligibility. The operator could then determine on a case-by-case basis whether an individual should be excluded. Exclusion should be considered only where granting redress to a person could bring the scheme into disrepute or adversely affect public confidence in or support for the scheme.

Under the national bill there is a revised funder-of-last-resort model. In order for the government institution to be the funder of last resort for a defunct institution, the institution must be equally responsible with the defunct institution for the abuse of the survivor. This is higher than the test contained in the Commonwealth bill and many submitters raised concerns about that. It is not clear who, if anyone, will be the funder of last resort where the responsible non-government institution is now defunct and there was no government institution involved in the abuse.

The Australian Greens want to see the scheme operating from the nominated date. At the same time, we are very concerned that this is not the best it can be. This scheme is not the best it can be and that is what it should be for the survivors of institutional sexual abuse.

As you can see, we have a number of concerns. I have a number of questions I wish to put to the government. I will therefore be asking that we go into Committee of the Whole so that we can ask these questions and get some responses on the record that, for those implementing the scheme, will help guide them on the intent of how the scheme will operate. As I articulated earlier, we will not be moving amendments, even though we would dearly like to, because we want to see the scheme start on 1 July. I now move our second reading amendment:

At the end of the motion, add "but the Senate:

(a) is of the opinion that relevant prior payments should not be indexed under the scheme; and

(b) calls on the Government to commence the development of a redress scheme for survivors of institutional child non-sexual abuse."

Senator BILYK (Tasmania) (13:12): I rise today to contribute to the National Redress Scheme for Institutional Child Sexual Abuse Bill 2018 and the National Redress Scheme for Institutional Child Sexual Abuse (Consequential Amendments) Bill 2018. The sexual abuse of a child is one of the most horrific and despicable crimes a person can commit. For many survivors, the effects of this crime can be devastating and will usually last for a lifetime. These effects can include feelings of guilt, shame and self-blame, even though it is the perpetrator who should be held accountable. Child sexual abuse can also affect an adult survivor's ability to be intimate with others and can lead to difficulty forming close relationships. Some survivors will experience flashbacks and painful memories during their lives and even during sexual activity, even if it's consensual and on their own terms. Survivors can also struggle with self-esteem, which in turn impacts on other aspects of life, such as their relationships, career and health. A 2013 study by the Australian Institute of Family Studies found that the other effects of child sexual abuse include adverse mental and physical health consequences, substance abuse and risky behaviour. Even though some survivors, with support and
When I was first elected to this place, I brought with me a strong passion for and commitment to protecting children from harm. This was born in my days as an early educator, where I often worked with abused children. This is why I also helped to re-establish the parliamentary friendship group Parliamentarians Against Child Abuse and Neglect, PACAN. I would like to thank my current co-convenor, Mr Ken Wyatt, for his hard work and advocacy in this area. PACAN has done a lot of excellent work over the years with various organisations, bringing issues about preventing child abuse and neglect to the attention of members and senators.

In 2010, through PACAN, I organised an exhibition in a public area of parliament of artwork authored by survivors of childhood trauma. This artwork was part of the Cunningham Dax Collection, named after psychiatrist Dr Eric Cunningham Dax, who was a pioneer in the treatment of people with mental illness. I just have to declare that my very first full-time job was actually working with Dr Dax as a research assistant, and I learned a great deal from him. One of his innovations was the use of art as a therapeutic device, and the collection features artwork from his patients as well as other patients with mental health issues.

The exhibition we held here, entitled Healing Childhood Trauma, featured the work of adults who had experienced childhood trauma, many of whom are survivors of sexual abuse. Anyone who visited the exhibition would agree—and, even though the artworks were very confronting, I must tell people that they weren't actually the most confronting we had to choose from to use—that they revealed the hurt and suffering of survivors and also the feelings of helplessness and vulnerability, detachment and isolation. Some survivors expressed themselves through words as well as images. One artwork featured the words: 'Black hole inside me. Go inside. Don't want to see. Don't want to feel.' Another featured the words: 'Broken. Separate. Alone.' The images are pretty hard to describe.

While exhibitions like this can offer some insight into the traumatic experience of survivors of childhood trauma, it's still difficult for most people to comprehend. One of the reasons why the Royal Commission into Institutional Responses to Child Sexual Abuse was necessary is that it has given survivors a chance to tell their stories. It has given them a chance to explain how the crimes and, in so many cases, not even being believed or the mishandling of the reporting of those crimes have affected them. I would like to thank everybody who gave evidence to the commission. I would like to thank them for being so, so brave, because I know that quite often people were not believed.

Another key reason why the royal commission has been necessary is that, over many decades, not only have people in authority not believed sometimes when a child has reported this, or even when an adult has reported that these things happened to them as a child, but people in authority have failed—absolutely failed—in their responsibility to protect children. They've failed to protect them at the time in their lives when they are most vulnerable and most in need of protection. They've failed often to acknowledge and uncover the wrongdoing. They've failed to deal with perpetrators, and they've failed to support the survivors. These failures are widespread across a range of institutions: residential care facilities, youth development organisations, churches, schools and many others. Not only have these institutions failed our children but, sadly, I have to admit, so have governments, state,
territory and federal, across Australia, by failing to put in place the legislative measures to ensure that abuse is prevented or, where it happens, is uncovered, investigated and acted upon.

Our laws are now catching up with best practice, but there still remains so much room for improvement. This has been a systemic failure over the course of decades throughout Australia, and children have suffered immensely because of it. It's bad enough that some institutions failed even to act on reports of child sexual abuse, but even worse are the people in positions of authority within some of those institutions who actively sought to cover it up.

Let me remind you of what former Prime Minister Julia Gillard said at the press conference when she announced the formation of the royal commission—and can I personally thank former Prime Minister Gillard for being brave enough to form the royal commission. I did speak to her a number of times about the formation of the commission, and she was always very happy to listen to me and to take issues on board. This is a quote from former Prime Minister Julia Gillard:

The allegations that have come to light recently about child sexual abuse have been heartbreaking. These are insidious, evil acts to which no child should be subject.

She said that Australians know that too many children have suffered child abuse but have also seen other adults let them down. She went on to say:

Not only have they had their trust betrayed by the abuser, but other adults who could have acted to assist them have failed to do so.

There have been too many revelations of adults who have averted their eyes from this evil.

As I said, I commend Prime Minister Gillard for the leadership she showed in calling the royal commission.

The royal commission has been a very important process to bring light to abuse and the extent to which it was covered up, to figure out how best to prevent it happening in the future and to consider how best to compensate survivors. I use the word 'compensate' quite broadly, because obviously some issues, some hurts and some psychological damages cannot ever be compensated enough. The royal commission has played another vital role, which is to send a message to the survivors—and this is a really important message—that we acknowledge that their abuse occurred and that we are committed to doing something about it. Of course, without the participation of survivors it would have been far more difficult for the royal commission to expose the systemic failures and the cover-ups and to come up with effective recommendations.

As I said, the decisions of thousands of survivors to participate in this process took incredible courage—courage that I don't think the rest of us can really fathom. For the five years that the royal commission has been running, it's been a very extensive inquiry. The commission held 57 public hearings over 445 days and heard evidence from more than 1,300 witnesses. In addition to this, commissioners heard the personal accounts of almost 8,000 survivors through private sessions. One of the key recommendations of the royal commission was the implementation of a National Redress Scheme, delivering financial compensation to survivors and an apology on behalf of the institutions.
As I said, we've got to acknowledge that no amount of money can compensate for the pain and the hurt that has been caused by this abuse or the failure of the institutions to respond appropriately. No amount of money can make up for the abuse or undo the damage that it has caused, but financial compensation does serve several important purposes. First of all, it makes a statement on the part of the government or institution that it failed in its duty of care and accepts responsibility for the consequences. It also serves as an acknowledgment of the hurt and pain the survivor went through. And it recognises that, while consequences of abuse cannot be undone, financial compensation can assist in ways such as with medical expenses or treatment for psychological or mental health conditions and for loss of earnings.

However, redress is about more than just compensating survivors financially. That's why the third element of this scheme—an apology from the representatives of the institution—is so very, very important. Redress is an admission of responsibility on the part of the organisation, an acknowledgment that the hurt of the survivor was caused in large part by its failure to protect them. For survivors, this acknowledgment is an important part of the healing process. These bills establish a redress scheme, which will be managed by the Secretary of the Department of Social Services. To be eligible to receive redress, applicants must have suffered sexual abuse as a child that is within the scope of the scheme before the scheme's start date. Applicants to the scheme will be able to select from some or all of three elements of redress under the scheme. These elements are a monetary payment, access to counselling and psychological services, and the opportunity to receive an apology from a representative of the institution responsible for the abuse. Applicants who accept an offer will be required to sign a deed of release that waives their civil rights against the responsible institution. Throughout the process, applicants will be provided with access to support and legal services as well as financial advice.

The redress scheme was recommended by the royal commission to be in operation from 1 July 2017, and I think it's a terrible shame that its establishment has been delayed by a year. While Labor committed to the scheme in 2015, after it was recommended by the royal commission, the government didn't commit until 2016, so the delay in the government's decision to commit to the scheme certainly hasn't helped to get the scheme delivered in a timely manner. It's led to the scheme being seriously overdue, adding to the frustration for survivors of child sexual abuse, who have been holding out hope that they might receive some reasonable compensation for their suffering. And, of course, some survivors are unfortunately no longer with us to see the implementation of the scheme.

We now have the bills before us in the Senate, and a number of concerns that Labor held when the government announced the design of its proposed redress scheme remain with the bills as they are currently drafted. Some of the elements of the scheme are not in accordance with the recommendations of the royal commission. The scheme gives survivors six months to make a decision whether or not to accept an offer of redress, whereas the royal commission recommended a year. The process will be a very, very difficult one for many survivors and I believe it's unreasonable to rush them. The scheme also places a cap of $150,000 on the amount of redress payable to any one survivor. The royal commission recommended that the maximum payment be $200,000, that the minimum payment be $10,000 and that the average payment be $65,000. The reason for both the maximum payment and the time allowed for
accepting an offer requiring such important consideration is that, by accepting an offer of redress, a survivor will have to waive any rights they have to compensation through litigation.

On this side, we are also concerned the scheme limits eligibility for the Redress Scheme to people living in Australia or Australian citizens. This could exclude from the scheme some child migrants and children who were abused in immigration detention who have now returned to their country of birth. That these survivors aren't Australian citizens or living in Australia doesn't change the fact—not one iota—that they were abused in Australian institutions. Those institutions and our state, territory and federal governments have a responsibility to them.

Yet another concern we've got on this side is the $5,000 cap put on the payment towards counselling services. The royal commission recommended that counselling and psychological services be provided for life, and $5,000 is, in most cases, completely inadequate for this purpose.

The final concern is with the decision for survivors who have been sentenced to a prison term of five years or more to require special permission to access the scheme. This is deeply unfair. It completely ignores evidence that people who have a history of childhood abuse and trauma are more likely to be in jail later in life. It also ignores the consideration that giving survivors with criminal history access to the Redress Scheme could greatly improve their chances of rehabilitation.

These bills were referred to a Senate inquiry which delivered its report last Friday. A number of the concerns I just mentioned were reiterated by Labor senators in their additional comments in the inquiry report. The comments cited a number of submissions in relation to the reduction of the maximum payment from the royal commission's recommendation of $200,000 to $150,000. The Alliance for Forgotten Australians referred to the decision as 'arbitrary' and Shine Lawyers said that 'no adequate explanation' had been offered for not following the royal commission's recommendations. The Australian Human Rights Commission and Australian Lawyers Alliance said that the reduced cap undermined the effectiveness of the scheme.

In relation to the $5,000 cap on counselling and psychological services, the Law Council of Australia, the Australian Psychological Association, Shine Lawyers, the Alliance for Forgotten Australians and the knowmore legal service all said that the cap was inadequate to cover these services and fell short of the commission's recommendation, which was accepted by the government, that these services should be available to survivors across their lifetime.

The Australian Human Rights Commissioner opposed the citizenship and residency requirements, contending that:

In the Commission's view it is the occurrence of abuse in Australia, rather than the citizenship or residency status of the person affected, that should determine eligibility.

Many submissions that were received by the inquiry opposed the exclusion of survivors from the scheme on the basis of their criminal history. The knowmore legal service, Shine Lawyers, Maurice Blackburn, the Australian Psychological Society and the Royal Australian and New Zealand College of Psychiatrists all cited in their submissions the causal relationship between childhood abuse and future criminal behaviour. Victorian Aboriginal Legal Services
and the Law Council of Australia mentioned the 'disproportionate effect' this exclusion has on Indigenous survivors.

The Blue Knot Foundation talked about the unfairness of the exclusion, and said:

... whether a person is in gaol or not is irrelevant to whether they were sexually abused as a child within an institution. As a crime was committed against them they should have equal access to redress, as any other survivor.

This point was also made by the Sexual Assault Support Service, who noted that there are discrepancies, also, in state laws. This means that a person convicted in one state for an offence might be treated differently to a person convicted in another state for the same or similar offences.

With regard to the time allowed for survivors to make a decision on whether or not to accept an offer of redress, the Law Council of Australia stated:

In the Law Council's experience, it does not consider that it will always be feasible for this to occur in six months, especially given the volume of survivors predicted to come forward to make an application for compensation under the Scheme.

Labor recognises that there are some difficulties in putting forward amendments to address these concerns, given that the changes to these bills may not align with the schedules included in some state referral acts, and that this could render the referral ineffective. Notwithstanding our serious concerns with the bills, there is an absolute need for the timely implementation of this scheme and we are not going to stand in the way of that. However, a Shorten Labor government would seek to continue to negotiate with the states and territories in good faith, with a view to strengthening the Redress Scheme.

To conclude, I'd like to acknowledge and thank shadow ministers Jenny Macklin and Mark Dreyfus for the hard work they've put into trying to improve this scheme and bring it into line with the commission's recommendations. I think it's also appropriate to thank the commissioners: the chair, Justice Peter McClellan, AM; Mr Bob Atkinson, AO, APM; Justice Jennifer Coate; Mr Robert Fitzgerald, AM; Professor Helen Milroy; and Mr Andrew Murray. They were given an extraordinarily difficult task and they executed it with distinction. It should be recognised that the Redress Scheme represents just some of the more than 400 recommendations in the commission's final report, and I do look forward to seeing those other recommendations implemented.

Most of all, as I said earlier, I would like to thank the thousands of brave survivors who participated in the royal commission and shared their stories, either publicly or privately. It was due to their participation that the commission was able to come up with recommendations that took into account their needs. While we have concerns with the scheme as it's currently designed, I appreciate that this has been a difficult and very complex task. As such, the work of Minister Tehan and his state and territory counterparts is to be commended. I welcome the participation— (Time expired)

Senator HINCH (Victoria) (13:32): Let me say from the outset that I am honoured and proud that Prime Minister Turnbull and opposition leader Shorten agreed that, even as a modest, small party crossbencher, I should be appointed chair of the joint parliamentary committee overseeing the long overdue introduction of a National Redress Scheme to provide compensation and counselling for victims of institutionalised sexual abuse, including some of the most vulnerable young Australians. There have been decades of abuse, as so
heartbreakingly revealed by the royal commission that was announced by former Prime Minister Gillard; a national investigation for which she and her government must be rightly acknowledged. There will not only be compensation and counselling but, finally, official recognition of the cover-ups and lies and the obstruction of justice by some truly venal, cruel and hypocritical people in authority who abused Australia's trust, as other members of their churches—hiding piously behind their clerical raiments—plus government entities and others, abused the bodies and minds of innocent children entrusted into their care.

When it was reported that Hinch would chair the committee, Neil Mitchell, on Melbourne's 3AW, told the Prime Minister that it was like putting a fox in charge of the chicken coop, and that he may regret it. But, as chairman of that watchdog committee, my job will be to protect the chickens. And if anyone is to regret the appointment, to be honest, it may well be me.

Last week Prime Minister Turnbull announced that a national apology will be made here in Canberra on 22 October. He proudly said that his government had accepted nearly 100 of the royal commission's recommendations, and more would follow. He also said they had rejected none. Sadly, that's not quite true. The royal commission recommended a maximum payout, as you've heard, of $200,000. By the time the government's Commonwealth bills, the National Redress Scheme for Institutional Child Sexual Abuse Bill 2018 and the National Redress Scheme for Institutional Child Sexual Abuse (Consequential Amendments) Bill 2018, became public—after the state governments of New South Wales and Victoria had passed their own legislation—it had been reduced to $150,000, which—surprise, surprise!—was the Catholic Church's preferred position all along. What a coincidence! The average payout, I'm told, will be around $76,000, and some people may only get $10,000, but that's not the point today.

I am chair of this bloody committee and, in recent months, I've been unable to find out not only who suggested the 150K but also who lobbied for it and who signed on it. I presume it was the cabinet. They've done it in such a sneaky way that, even though I've promised at public hearings to fight hard for the restoration of the $200,000 maximum, I'm now being wedged and my committee is being trapped by what I call the James Hardie defence. The company's defence was over asbestosis and mesothelioma. Their strategy was to stall as long as they could. In the James Hardie scandal, they even took their company overseas. They used the old Canberra three d's: delay, delay and delete. In the James Hardie case, a lot of those victims died before their much vaunted day in court, and that's what will happen if I now try to amend the Commonwealth legislation. That's what the government are telling me. They are saying it'll have to go back to the states, and that could push everything back into next year—maybe longer. Ageing Australians owed redress may die before they get it. To me, that's really dirty pool.

I'll tell you another reason why I am angry about this and why I feel my committee has been doublecrossed. To do that, I want to mention two amazing Australians: Anthony and Chrissie Foster. Two of their daughters, Emma and Katie, were victims of a paedophile priest at a Catholic primary school. Anthony and Chrissie campaigned relentlessly for victims of child abuse. They diligently appeared at commission hearings all over the country, even though the raw evidence brought back all the pain that saw one precious daughter die and the other confined for life to a wheelchair.

Sadly, tragically and unexpectedly, Anthony Foster died a year ago last month. He was a Wikipedia for me on redress. Ten days before he died, Anthony and Chrissie were in my
Melbourne office talking about victim strategy and realistic compensation for those victims. I will admit I have in the past gently pointed out to Anthony that a union would describe his original target of $500,000 as an ambit claim. He came down to $300,000 but later told me personally that around that roundtable discussion with Commissioner McClellan and the churches and other interested parties—as they say—the commission convinced disparate and desperate people at that table to accept $200,000 as the maximum because, 'The Catholic Church has indicated it could wear that; it could accept that.' That was the figure that, reluctantly, people like Anthony Foster agreed to. And what happened? Well, the undercutting $150,000 suddenly popped up from somewhere. At a public hearing in Melbourne earlier this year, I got the Catholic Church witness Francis Sullivan to agree that, if my committee got the number back up to $200,000, his church would agree to it and sign off on it. It didn't happen. I do intend to move a second reading amendment, which is being co-sponsored by Senators Pratt, Griff, Siewert and Storer.

Next, before I finish, I want to tell you about another massive group of victims who I know will feel dunned come the October apology, no matter how sincere the words are. To do them justice, before I wrap up, I want to go back to March this year, when the Senate Legal and Constitutional Affairs Committee had a public hearing in Melbourne. We were hearing evidence about the Commonwealth Redress Scheme for Institutional Child Sexual Abuse Bill, and at that public hearing I had an epiphany. I will concede it was for ceded on me by one of the stalwarts of CLAN, the Care Leavers Australasia Network. Frank Golding was the CLAN man. He was a passionate, eloquent vice-president of CLAN, but he appeared before us in a private capacity. He really jolted me. In fact, he more than jolted me; he extracted a confession and an apology, because Golding and CLAN CEO Leonie Sheedy graphically pointed out that for years all the headlines and all the attention had been on sex abuse victims in institutions when, in fact, about 500,000 Aussie kids had been in state and church care and thousands of them had been emotionally and physically abused. They'd been used as child labour. They'd been used as child slaves cleaning the orphanages and working in the veggie gardens.

In a later meeting with Golding and Sheedy, I was told about three sisters brought up by nuns in a Catholic orphanage. Their education was curtailed at a primary school level—they didn't get to high school—because they were given the job of looking after disabled kids, but they were kids themselves. They also deserve redress—financial and counselling.

Recently I saw a photo on the web of the distorted, gnarled toes of an older Australian woman. It looked like she'd had her childhood feet bound in China. She hadn't. She had been in care and was forced to wear the shoes marked for seven-year-olds, even though she was a big girl who had the feet of a nine-year-old. She was crippled for life. She gets no redress.

These Dickensian horror stories remind me again of the 2010 movie Oranges and Sunshine after the devastating book about British 'orphans' being sent to 'idyllic Australia' after World War II. A lot of them weren't orphans and they were used and abused, sexually and otherwise, when they got here, especially in WA. Frank Golding argued:

I think it is not just the fact that the royal commission has focused for the last five years on sexual abuse only and has ruled out hundreds of people who want to talk to them about other forms of abuse; it is also that the media has been fixated on this. Headline after headline after headline, radio reports, television reports, hammered home the message of sexual abuse …
I interjected:
Because those stories are so shocking; that's why.
Frank replied:
They absolutely are. Please don't get me wrong, they are the worst of all possible crimes against children. Nevertheless, there are lots of people who've suffered other forms of abuse of the sort that we've talked about, who … had to sit in the background and hope that when the national redress scheme came out that the parliament would have the wit to say, 'We had a royal commission, which looked at sexual abuse but we've had these other Senate reports and so on that looked at other forms of abuse. We can roll this national scheme into a comprehensive redress scheme'. That is why, I think, the bill that you're looking at needs to be scrapped and we need to start again. I know that is not the message you want.

It wasn't, but I did pledge then at that hearing to campaign to get them redress in another form. I even raised the prospect of a new non-specific royal commission. Today I want to take that further. It's not enough for the October apology to recognise these victims—and they were victims. I know that the politicians and vested interests call quickly and easily for royal commissions and they are expensive, but I truly believe that this case is unique. So today I'm calling for a royal commission into the suffering, slave labour and cruel deprivation of the people called the Clannies.

If you think I'm exaggerating, I'll leave you with the story of a 14-year-old boy who was in a Salvation Army institution. He doesn't qualify for redress under the current scheme because he wasn't technically sexually assaulted. When you hear this story you may disagree. Don't you think there's a sexual sadomasochistic issue when an adult is caning the naked buttocks of a young boy? This is the case of a boy from England. I will call him Brian. He was sent to a Salvation Army institution in Queensland. The manager was Captain Victor Bennett, who administered the corporal punishment, who gave him the thrashings. After many beatings Brian stole a bike and ran away. The police caught him and took him back home. He was punished. How? Six of the best, as they used to say about the cane. He was lashed on the hands and his naked backside.

Then Captain Bennett ordered further punishment. He ordered him to spend the next week naked. With welts on his buttocks from the flogging he was to work, line up for meals and sleep on an empty potato sack naked in front of everybody. How perverse is that? Brian still remembers how humiliated and embarrassed he was when one of the female laundry staff saw him without his clothes on. But he doesn't qualify for redress. That is not right and it is not fair.

There are thousands of stories like that one among care leavers. That's why I stress today that they too deserve redress—financial and counselling. I've had to break it to them gently that it won't and can't happen under the current terms of reference of my committee and that calls to scrap the current scheme and start again would be cruel to other victims who've waited so long. But I believe it is our duty and our responsibility to find a way. They can't do it, but they deserve it. They deserve their own royal commission. They are entitled to their own royal commission. They must not remain the ignored Australians, the forgotten Australians. The Gillard, Rudd, Abbott and Turnbull governments have shown that they could find a way to recompense one group of victims from a disgusting and shameful time in our history. It's time to do it again for the Clannies. Later I will move the following amendment:
At the end of the motion, add "but, while the Senate:

(a) welcomes the establishment of a National Redress Scheme and the announcement of a National Apology; and

(b) appreciates that survivors have been waiting a long time for a National Redress Scheme, and that the implementation of such a scheme is urgent and overdue;

the Senate notes its concerns that:

(c) the scheme does not fulfil all of the recommendations of the Royal Commission, which were the product of extensive consultation with victims and survivors;

(d) critical issues, such as the adequacy of the maximum payments and the counselling available to survivors under the scheme remain of concern to survivors and their representatives; and

(e) relevant prior payments should not be indexed under the scheme”.

Senator MOORE (Queensland) (13:45): I was really excited about the opportunity to take part in this debate today on the National Redress Scheme for Institutional Child Sexual Abuse Bill 2018, because, when I looked at the original process that we were following, it was going to be the first test of the Royal Commission into Institutional Responses to Child Sexual Abuse. We know that this commission was set up in November 2012. There was great anticipation and interest in the royal commission, and the then Prime Minister made it clear that it was our government’s, our parliament's response to the horrific stories of people across our country of all ages and all backgrounds who were the victims of horrific sexual assault, innocent people who were betrayed by people who were often there in positions of authority that were going to care for them but did not so much care as attack, not so much care as hurt and not so much care as damage, which they live with to this day. This is the first test.

It is not surprising that the Redress Scheme is the first test of the institutional response, because, as early as 2013 and 2014, when the commission was putting together the papers that they had committed to doing—they were going to look at the research with their extraordinary capacity to have an ear to the voices of so many people across our country who were wanting to be involved, who were wanting to express their concerns, who were wanting to be part of our government's response to their needs. As early as the first two years, it was identified that the issue of redress was going to be a core element of the whole process. We know we started the original process in 2013. In 2015, an original consultation paper was put out because of all the research that had been done and because of the experiences that people had shared. This particular research paper was looking at redress and civil litigation, and that was put out for the same people who had been involved in the process for many years to consider what the royal commission had done up to this stage, to reconsult with them and to allow them to put information back that would focus specifically on the issue of redress.

That was in 2015, and now here we are in June 2018 with a bill that's been placed before us—in fact, two bills have been placed before us—and each person who has spoken on this legislation so far has brought forward that these are not the bills we would like to see. We celebrate and we acknowledge that the government has made a response, and I particularly want to acknowledge the people from the department who have lived and breathed this process for the last years and who know better than most people in this nation the needs and concerns of the people who were so severely damaged. They know the client group with which they're working. They are responding already, ensuring that every single person knows
that their particular issues are considered and knows that they will get as much support as they possibly can.

But the bill we have before us does not provide the full range of support that was recommended through the whole process of consultation through the royal commission and through the series of discussions that were had over and over again over the last five years. It comes close, and the reason I'm so concerned is that I wanted to speak positively about this first test of the royal commission. I want to acknowledge the work of the royal commission, an acknowledgement which we all share. We know the commitment, the professionalism and the personal involvement that every single member of that royal commission invested in the work that they committed to for a period of five years. We know how deeply they understood the pain. By the work that they presented in their public papers and their public hearings, we know that they were taking that very special advice from Elie Wiesel, a Holocaust survivor. When asked about how you learnt about the Holocaust and how you should handle the survivors of the Holocaust, he said the famous statement, 'Listen, listen very carefully.' Indeed, that is what the royal commission did.

They had an extraordinarily special process in place that gave them access to research that no other group has ever had in our nation's history. During their five years they had the opportunity to listen to over 16,953 people who contacted them to talk about the issues of sexual abuse in our nation. In individual sessions, members of the commission sat down and listened to people who had had personal experience of sexual abuse and listened to people who were family members or carers of people who had sexual abuse through their lives in our country. Through personal conversations people had the chance to talk, to listen, to cry and, in some cases, to hold hands and hug each other as they were in these personal consultations. There were 8,013 private sessions with people. There were 1,344 written accounts. There were a number of cases that were sent directly to the police, because the evidence was so real that there could be action taken immediately.

In that process, the issue of redress was mentioned considerably, because people understood that this is a particularly vulnerable group of Australians. They have been living their stories their whole lives. Many of them had been connected to the networks which had been set up to provide the necessary support to them. I know that people who have been involved in this process and, in this debate today, have mentioned so many extraordinary people who've come together to provide support, and also professional help, to people who have been the victims of sexual assault through institutions. Through schools, local groups and orphanages people who have been betrayed by people who should have been caring for them.

The government came to having an opportunity to get the final report—after a series of reports that were written during the process of the five years—with a range of recommendations. We only heard this week that the government has now put forward its response to all the recommendations, and most of those recommendations have been accepted. On the issue of redress, which has been in the public discussion almost from the start of the commission—and certainly from 2015—there have been a number of gaps. With all that evidence, which I've enunciated, all that special access and all the knowledge and reality of lived experience there are several areas where the bill before us does not meet the
genuine expectations of people who trusted the government to hear what they said, to hear what they needed and to come up with a response.

I'm not going to go over all the issues that other speakers have raised but there are a couple of key areas that I do want to mention. One of those is the issue around counselling. How often in this place do we have tension around acknowledging the appropriate role of counselling for people who have been damaged in our community? Here again we have evidence that has come forward throughout the whole of the process of the royal commission that talks about the core elements of redress, and among the core elements of redress is a direct personal response.

No. 2 in the list of the core elements and principles of redress is 'counselling and psychological care'. So there's no dispute, there's no doubt, about the importance of effective counselling for people who have been traumatised. If people take the opportunity to have a look at the evidence that's now been made publicly available through the royal commission, there is consistent talk about the need to have appropriate professional counselling, acknowledging that every person is different. So you just can't say, 'This is the form of counselling which will be available, and this is how it will happen, and this is how much people will be able to spend on their process.' It's much more sensitive than that. Certainly, when you read the reports of the royal commission, they go into a lot of detail around the need to have appropriately trained, supportive people who will be able to work with the most vulnerable, to respond immediately and to understand the specific needs across a range of people who have one thing in common: they have been sexually abused by people who should have had their care foremost in their minds.

Consistently through the process, there has been the recommendation that this form of counselling should be made available. There's information in the royal commission report about the form, the type, and they respond to the Australian Psychological Society, which is a professional group for psychologists in Australia. This group has a lot of experience. We've talked about it many times here. But the adjective that goes before 'counselling' is 'lifelong'. There is an acknowledgement that the need is not something that will end after you have a couple of sessions. There is an acknowledgement that there'll be a wide range of needs. Some people—and we've had it quoted in our evidence—will not seek counselling. Their own lives have been such that they've been able to come up with alternate mechanisms of how to cope. But, for the people who have been identified as having quite specialised needs, the royal commission has been consistent from 2012 in saying that the form of counselling provided to people who have had this abuse should be lifelong.

This debate has been out there. It's not new. As I've said, in 2015 there was a paper that put all the information about how a redress scheme could operate. In 2018, we will be required to vote, probably sometime later today, to put this bill in place—because we have been told that if we put up any amendments, if we in any way delay or cause further discussion on this issue, the whole process will be deferred; we'll have to go back through the necessary consultations with state governments; and people again will be feeling betrayed. They will not be able to get what they have been told would be available to them, which is a redress scheme which became effective from 1 July 2018. So the onus is put back on us to accept something which does not reflect what the professional processes of the royal commission have put before us.
That was one of the areas I wanted to address. I totally accept all the evidence that's been given by previous speakers about a range of areas where the recommendations from the royal commission have not been picked up by the government in the redress legislation that's before us today. That has been itemised in two separate Senate inquiries which have looked at the legislation before us and have recommended amendments.

But the other area I particularly want to mention in my contribution is the limitation for people who have had criminal convictions. Again, here is the situation where, through years of discussion and listening to the people who are most impacted by this issue, the royal commission did not recommend in any way, at any time, any limitation about who was going to be eligible for their payment. Having a criminal conviction or having a criminal sentence was never considered to be a way to lose access to an acknowledgement payment that was not about your criminal history. It was not about the deeds that you had done; it was about the deeds that had been done to you. Again, we have a piece of legislation that does not reflect the professional, caring, open access of the royal commission that has been going for five years.

Mr President, I cede. I will take it up later.

The PRESIDENT: Thank you, Senator Moore. We are almost at 2 pm.

Senator Cameron: I could go for 15 seconds if you like!

The PRESIDENT: You're welcome to 10 seconds, Senator Cameron! It being 2 pm, we turn to questions without notice.

QUESTIONS WITHOUT NOTICE
Australian Broadcasting Corporation

Senator WONG (South Australia—Leader of the Opposition in the Senate) (14:00): My question is to the Minister for Communications, Senator Fifield. On the eve of the 2013 federal election the then Liberal Leader of the Opposition, Mr Abbott, promised that under a Liberal-Nationals government there would be 'no cuts to the ABC'. Given that the Turnbull government's cut to the ABC of $83.7 million, announced in this year's budget, comes on top of over $250 million in cuts imposed in 2014, can this minister confirm that the Abbott-Turnbull government has broken its promise that there would be no cuts to the ABC?

Senator FIFIELD (Victoria—Minister for Communications, Minister for the Arts and Deputy Leader of the Government in the Senate) (14:00): I'm sure colleagues recall that the Turnbull government was re-elected in 2016 and, as is well known, we are in the midst of the current triennium of funding for the ABC, which has a year to go, and funding in the current triennium has not been altered. In the budget the government announced that there would be an indexation pause in the next triennium of funding for the ABC. The next triennium commences in 12 months. Paired with the indexation pause, the government announced that there would be an efficiency review to support the ABC in looking to ensure that the ABC as an organisation is the best possible steward of taxpayer dollars that it can be.

On this side of the chamber we believe it is important that every Commonwealth government entity is the best possible steward it can be of precious taxpayer dollars. The measures this government has announced all have the objective of helping to support the ABC to be as efficient as it can be, as transparent as it can be and as accountable as it can be.

The PRESIDENT: A supplementary question, Senator Wong.
Senator WONG (South Australia—Leader of the Opposition in the Senate) (14:02): On Saturday the Liberal Party's national council voted overwhelmingly in support of the privatisation of the ABC. Despite not one delegate speaking against the proposal, government ministers now deny any plan to privatise the ABC. Well, Minister, are these denials about as reliable as former Prime Minister Abbott's promise that there would be no cuts to the ABC?

Senator FIFIELD (Victoria—Minister for Communications, Minister for the Arts and Deputy Leader of the Government in the Senate) (14:02): The ABC will not be privatised. The ABC always has been in government hands, on trust for the Australian community. The ABC will always be owned by the government, on trust for the Australian community.

The PRESIDENT: A final supplementary question, Senator Wong.

Senator WONG (South Australia—Leader of the Opposition in the Senate) (14:03): Given that this minister himself has previously said that the privatisation of the ABC has 'merit' and the government today refused to debate a resolution to never support the privatisation of the ABC, isn't it clear that Australians simply can't trust the coalition when it comes to the ABC?

Senator Watt interjecting—

The PRESIDENT: Order! Senator Watt, I'll call Senator Fifield when there's quiet.

Senator FIFIELD (Victoria—Minister for Communications, Minister for the Arts and Deputy Leader of the Government in the Senate) (14:03): The ABC will forever remain in the hands of the Australian government, on trust for the Australian people.

Employment

Senator FAWCETT (South Australia—Deputy Government Whip in the Senate) (14:04): My question is to the Minister for Jobs and Innovation, Senator Cash. Can the minister update the Senate about recent ABS labour force statistics, including the number of jobs created in recent years?

Senator CASH (Western Australia—Minister for Jobs and Innovation) (14:04): I thank Senator Fawcett for his question. Recently job creation in Australia hit a significant milestone—that is, the creation of one million new jobs under the coalition government since we were elected to office in September 2013. When we were elected to office in September 2013, we said to the Australian people that we would put in place the right policy framework to ensure businesses in Australia could prosper and grow. We also said to the Australian people that we would ensure the economy created one million new jobs within five years. Colleagues, as you know, the economy under the Turnbull government has done that in fewer than five years: just over 4½.

Mr President, on this side of the chamber we know that job creation doesn't happen by accident. As a government you have to put in place the right policy framework. That's exactly what we're doing. We are delivering personal and business tax cuts. We've signed numerous free trade agreements. We've invested billions of dollars in job-creating infrastructure. We're also investing in the jobs of the future by building a world-class defence industry and with the announcement of the very first Australian Space Agency. Job creation under this government continues to be strong. The labour force figures were just recently released, and confirmed that in excess of 1,030,000 jobs have been created since September 2013. The number of jobs in Australia is now at a record high of 12.5 million. The number of women in jobs in
Australia is also at a record high of 5.8 million. Again, it doesn't happen by accident; it happens because this government puts in place the right policy framework.

The PRESIDENT: Senator Fawcett, a supplementary question.

Senator FAWCETT (South Australia—Deputy Government Whip in the Senate) (14:06): Why is having a strong economy so important to continuing this record of jobs growth in Australia?

Senator CASH (Western Australia—Minister for Jobs and Innovation) (14:06): Those of us on this side of the chamber understand that the key to creating jobs is having a strong private sector and, in particular, supporting our small businesses. It is a fact understood by those of us on this side. When businesses are paying less tax, they can employ more Australians. When as a government we open up more export opportunities through free trade agreements, Australian businesses hire more workers to keep up with the demand for their services. When we, by way of our personal income tax cuts, ensure that Australians keep more of what is, of course, their money, they can go into a shop and spend more money. What does that do? It creates economic activity, resulting in demand for more jobs. Again, none of this happens by accident; it is due to the hard work from this side of the chamber.

The PRESIDENT: Senator Fawcett, a final supplementary question.

Senator FAWCETT (South Australia—Deputy Government Whip in the Senate) (14:07): How does this jobs growth under the Turnbull government compare with previous years?

Senator CASH (Western Australia—Minister for Jobs and Innovation) (14:08): It's a very good question, because this is where the Australian people will need to make a choice: do they want to back a government that's putting in place the right policy framework to create jobs, which those of us in this part of the chamber side with, or the alternative, those on the other side, who will put in place job-destroying policies? It is a fact that, in the last 12 months under the policies of this government, the economy has created in excess of 178,000 full-time jobs. That's out of a total job creation of in excess of 300,000 jobs. Let's compare that figure to what happened under the last 12 months of the former Labor government. Colleagues, under the last 12 months of the former Labor government the economy shed almost 17,000 full-time jobs. The economy under us has created in excess of 178,000; under those opposite, it shed almost 17,000.

Income Tax

Senator KENEALLY (New South Wales) (14:09): My question is to the Minister for Finance, Senator Cormann. The Prime Minister, the Treasurer and the Minister for Finance have repeatedly refused to be up-front about the cost of the government's personal income tax plan. Will the government finally tell the parliament the year-by-year cost of each element of its personal income tax plan? Why is the Turnbull government willing to spend taxpayer money to undermine the independent Parliamentary Budget Office costings of Labor's policies, but not be up-front about the costings of its own?

Senator CORMANN (Western Australia—Leader of the Government in the Senate, Minister for Finance, Special Minister of State and Vice-President of the Executive Council) (14:09): The government has released all of the appropriate information and more, and let me just correct what Senator Keneally just said. This is a saving, a major saving, for working families around Australia. We on this side of the chamber want to help working families get
ahead. We are providing income tax relief to provide cost-of-living-pressure relief for low- and middle-income earners but, of course, we want to ensure that we address bracket creep right across the board. We want to ensure that all Australians, all working Australians, have the right incentive, the right encouragement and the right reward for effort, because we understand that bracket creep is a drag on economic growth. If the economy grows more slowly, you know who is the first to hurt the most? Low-income earners. A stronger economy is good for low-income earners because it means they get better opportunities to get ahead— to get a job, to get a well-paid job, to get a better-paid job and continue to get ahead.

The Labor Party doesn’t understand this. The Labor Party under Bill Shorten is pursuing an antibusiness, anti-opportunity, antigrowth policy.

The PRESIDENT: Order! Senator Cormann, please resume your seat. Senator Collins on a point of order.

Senator Jacinta Collins: The point of order is that the minister is failing to respond to the question. The question is not what he thinks the Labor Party does or does not understand. The question is again quite clear: will the Turnbull government finally tell the parliament the year-by-year cost of each element of its Personal Income Tax Plan? It's not, ‘What do you think is appropriate, Minister?’

The PRESIDENT: Senator Collins, there were other elements to that. That was one element of the question. I caught Senator Cormann's answer to part of the question upon his commencing his answer, and he is continuing to present material that's relevant to it.

Senator Cormann: We on this side of the chamber stand for encouraging the Australian people so that they have the best possible opportunity to get ahead. We stand for more investment, stronger growth, more jobs and higher wages. Those on that side of the chamber stand for a socialist agenda that will make all Australians poorer. You stand for an antibusiness, anti-opportunity, socialist, politics-of-envy agenda that will leave all Australians worse off; that will lead to less investment, lower growth, fewer jobs, higher unemployment and lower wages. That is going to be the choice for the Australian people at the next election: do they want more jobs and higher wages or fewer jobs, higher unemployment and lower wages under Bill Shorten and the Labor Party?

The PRESIDENT: Senator Keneally, a supplementary question.

Senator Keneally (New South Wales) (14:12): Will the minister provide the year-by-year cost of each element of the government's Personal Income Tax Plan to the crossbench?

Senator Cormann (Western Australia—Leader of the Government in the Senate, Minister for Finance, Special Minister of State and Vice-President of the Executive Council) (14:12): The government has provided all of the appropriate information in the public domain.

Opposition senators interjecting—

The PRESIDENT: Order! I'll call Senator Keneally when there's order. Senator Collins! Senator Carr! Senator Keneally, a final supplementary question.

Senator Keneally (New South Wales) (14:12): Why does the minister think the crossbenchers should not be given the full information to inform them about the impact of all
three stages of the government's Personal Income Tax Plan? What does the Turnbull government have to hide?

Senator CORMANN (Western Australia—Leader of the Government in the Senate, Minister for Finance, Special Minister of State and Vice-President of the Executive Council) (14:13): I'm very keen for the crossbench to be very aware of the impact of our personal income tax cuts compared to yours. Under the Labor Party—

An opposition senator: Tell us the cost!

Senator CORMANN: Well, I'll tell you what the cost is going to be. Under the Labor Party approach, the cost to the Australian people would be $70 billion in higher taxes—

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

Senator Wong: The point of order is direct relevance. The minister was asked why the crossbench should not be provided with the full information as to the impact of all three stages of the government's income tax plan and what the government has to hide. He's now answering about Labor's policy. How is that directly relevant?

The PRESIDENT: I note the minister has been speaking for 20 seconds. He has 40 seconds left—

Senator Jacinta Collins interjecting—

The PRESIDENT: Senator Collins, I am answering the point of order raised by your leader. He has 40 seconds remaining in his time to answer. But I also note that the second part of the question, the final words, are rather open ended, and that is easier to be directly relevant to than a specific request for information.

Senator Jacinta Collins: Like 'What's the federal government got to hide?'

The PRESIDENT: Yes.

Senator Wong: Mr President, perhaps you could clarify how an answer about Mr Shorten is directly relevant to: 'What has the Turnbull government got to hide?'

The PRESIDENT: You'll note that the first part of my response to you was that the minister has been speaking for 20 seconds and has 40 seconds left to come to the answer.

Senator CORMANN: Let me be very direct: the government has nothing to hide. The government is very proud of its $144 billion worth of personal income tax relief for hardworking families around Australia, prioritising low- and middle-income earners, but providing bracket-creep relief for all working Australians. We're certainly very keen to ensure that the crossbench understands that the Labor Party wants taxes on hardworking families to be $70 billion higher. You want to put your hand into the pockets of hardworking families and take more of that money for yourself? Let me tell you: if you ever get back into government, Labor is actually not that good at spending it. Labor, in government, is not that good at spending people's money. We want the Australian people to have more of their own money. (Time expired)

Broadband

Senator COLBECK (Tasmania) (14:15): My question is to the Minister for Communications, Senator Fifield.

Senator Wong: Why do you want to privatise the ABC?
Senator Ian Macdonald: Why did you lie about Medicare?

Senator Wong interjecting—

Senator Ian Macdonald: Pull her into order.

The PRESIDENT: Senator Wong—

Senator Wong interjecting—

Senator Ian Macdonald: This is not about you, Penny—

The PRESIDENT: Senator Wong and Senator Macdonald, can I please hear Senator Colbeck's question, with some semblance of order, given it is only Monday. Senator Colbeck.

Senator COLBECK: The rollout of the Turnbull government's NBN multitechnology mix is making significant progress across the country. Can the minister upgrade the Senate on the rollout's progress in Tasmania?

Senator FIFIELD (Victoria—Minister for Communications, Minister for the Arts and Deputy Leader of the Government in the Senate) (14:16): I thank Senator Colbeck for his question. It is an undeniable fact that the government's multitechnology mix is making significant progress across the country. With nearly four million connections, we're providing Australians, including students, farmers and small business operators, with the tools they need to engage in the digital economy. We're doing this sooner and more affordably than our predecessors ever could have achieved it. I'm very pleased to advise colleagues in the Senate that the rollout of the NBN in Tasmania is virtually complete. The NBN in Tasmania has now passed 99 per cent of premises. Over 170,000 Tasmanian homes and premises now have an active service, which is a far cry from the barely 7,000 connections achieved under the former government.

Providing access to fast and affordable internet is a key priority for this government and we have pursued it with vigour. The NBN is now available throughout the major cities of Hobart and Launceston. Across the north-west the hubs of Devonport, Burnie and Ulverstone have seen strong take-up. Thanks to the coalition government, 94 per cent of homes and businesses in the electorate of Braddon, for instance, can now order an NBN service. Compare this to the effort from our predecessors, where the lead contractor downed tools in Tasmania in 2013 and just seven per cent of premises across all of the communities in Braddon were able to get the NBN. The story today is very, very different.

The PRESIDENT: Senator Colbeck, a supplementary question.

Senator COLBECK (Tasmania) (14:18): Considering the progress the government has made in rolling out the NBN sooner and more affordably, via the multitechnology mix, can the minister outline to the Senate how the government's NBN is boosting the economy and supporting job creation?

Senator FIFIELD (Victoria—Minister for Communications, Minister for the Arts and Deputy Leader of the Government in the Senate) (14:18): It's because of the multitechnology mix that Australia is in the grip of a nationwide digital transformation. Earlier this month I released phase 2 of the Connecting Australia research report, which was conducted by data analytics and economics firm AlphaBeta. By the by, the individual who did the work is Dr Andrew Charlton, who I think is known to those opposite as a former economics adviser to Mr Rudd. The findings of the research report confirm that the government's NBN is opening
the door to new business opportunities in regions connected to the NBN. The report reveals that access to the NBN is expected to contribute to the creation of up to 80,000 new businesses by 2021. The combined impact of growth in new businesses and jobs is predicted to boost the national economy by up to $10 billion, once the rollout is complete. This is good news.

**The PRESIDENT:** Senator Colbeck, a final supplementary question.

**Senator COLBECK** (Tasmania) (14:19): Can the minister update the Senate on the progress of the coalition's election commitment to help fund a Technology Choice upgrade to fixed-line and fixed-wireless services across the main communities of Tasmania's west coast?

**Senator FIFIELD** (Victoria—Minister for Communications, Minister for the Arts and Deputy Leader of the Government in the Senate) (14:19): The government's $18.5 million election commitment to fund the Technology Choice upgrade to Tasmania's west coast is on track for delivery later this year. This is a signature achievement of Mr Brett Whiteley. Construction of the fixed-line broadband NBN has commenced in Queenstown, Rosebery and Zeehan and the fixed-wireless service for Strahan is set to be switched on in the middle of this year. Exchange upgrades have been completed, and residents throughout the west coast communities can see workers on the ground building nodes and laying fibre. A portion of the existing fibre link provided by the state government is being integrated into NBN's network to allow these communities to have access to fast broadband for the very first time. In total, NBN expects that nearly 3,000 premises will be ready for service before the end of the year, commencing with the fixed-wireless switch-on in Strahan. This milestone will complete the rollout for the electorate of Braddon, and we'll be able to officially declare Tasmania as Australia's first fully connected state. *(Time expired)*

**Australian Broadcasting Corporation**

**Senator HANSON-YOUNG** (South Australia) (14:21): My question is to the Minister for Communications, Senator Fifield. Before becoming Prime Minister, Tony Abbott promised that there would be no cuts to the ABC. He broke that promise and cut hundreds of millions of dollars from the ABC's budget. Now, under Prime Minister Turnbull, the government has cut another $84 million from the ABC's budget. Minister, why on earth would we trust you or the Prime Minister when you say you won't privatise the ABC? Why would anyone trust anything that your government says when, over and over again, you've misled the Australian people and you've broken your promise?

**Senator FIFIELD** (Victoria—Minister for Communications, Minister for the Arts and Deputy Leader of the Government in the Senate) (14:21): I thank Senator Hanson-Young for her question, which I comprehensively answered in response to a nearly identical question from Senator Wong. I refer Senator Hanson-Young to my earlier answer.

**The PRESIDENT:** Senator Hanson-Young, a supplementary question.

**Senator HANSON-YOUNG** (South Australia) (14:22): Senator Abetz supports privatising the ABC. Senator Paterson supports privatising the ABC. How many other members hide on the government benches who support selling off the ABC? Who's in charge: Malcolm Turnbull or Senator Abetz?

**Senator FIFIELD** (Victoria—Minister for Communications, Minister for the Arts and Deputy Leader of the Government in the Senate) (14:22): The position of the government is
as it has always been and as it will always be: the ABC will remain in government ownership, in trust, for the Australian community.

The PRESIDENT: Senator Hanson-Young, a final supplementary question.

Senator HANSON-YOUNG (South Australia) (14:23): The minister may not have seen all the members on his backbench who put their hands up and said, 'Yes, we want to sell off the ABC.' Minister, as a former staff member of the IPA and as a member of the IPA—as Georgina Downer, the candidate for Mayo, is—can you please explain why the government keeps preselecting members who want to sell off the ABC?

Senator Cormann: On a point of order, that question is entirely out of order. It does not relate to the minister's area of portfolio responsibility. The minister does not have responsibility in his portfolio for preselection matters in the Liberal Party.

The PRESIDENT: We have traditionally taken a wide berth with respect to relevance. I'll give the minister the opportunity to respond to the question, if he wishes.

Senator FIFIELD (Victoria—Minister for Communications, Minister for the Arts and Deputy Leader of the Government in the Senate) (14:24): Georgina Downer is an outstanding parliamentary candidate and will make an impressive and ceaseless member for the seat of Mayo. I join with all my colleagues on this side in working towards seeing Georgina Downer in the Australian parliament, where she would make a magnificent contribution.

Income Tax

Senator KETTER (Queensland—Deputy Opposition Whip in the Senate) (14:25): My question is to the Minister for Finance, Senator Cormann. Can the minister confirm that under the Turnbull government's income tax plan the Prime Minister's own electorate of Wentworth will benefit the most while the electorate of Longman will see the 10th-lowest benefit of all electorates?

Senator CORMANN (Western Australia—Leader of the Government in the Senate, Minister for Finance, Special Minister of State and Vice-President of the Executive Council) (14:25): So the implication of this question is that the Labor Party has a policy to have different income tax rates in different electorates; is that what you are suggesting? Are you suggesting that we should have an income tax system that is electorate specific? Let me tell you what the impact of our personal income tax cuts is. Somebody on an income of $30,000 will get an 8.3 per cent income tax cut every year over the next four years under our plan, whereas somebody on $200,000, which you of course describe as the undeserving rich, will get an income tax cut of 0.2 per cent. So it is 8.3 per cent for somebody on $30,000 and 0.2 per cent for somebody on $200,000.

Our proposal is to provide income tax relief to hardworking families, prioritising low-to-middle-income earners but providing income tax relief for all working Australians, making sure that working Australians don't go backwards because they are subjected to bracket creep as inflation drives up their income and, as they work a bit harder, as they go into a higher tax bracket. The Labor Party wants to hit them with higher taxes. We want to provide the right incentive, the right reward for effort and the right encouragement for Australians to be the best they can be. Of course I completely reject the question's proposition.

The PRESIDENT: Senator Ketter, a supplementary question.
Senator KETTER (Queensland—Deputy Opposition Whip in the Senate) (14:27): Minister, given that three-quarters of those living in Longman will be better off under Labor's bigger, better and fairer tax cut, will the government support Labor's plan, which will see 63,000 people in Longman up to $928 better off?

Senator CORMANN (Western Australia—Leader of the Government in the Senate, Minister for Finance, Special Minister of State and Vice-President of the Executive Council) (14:27): The people of Longman would be better off under our plan for jobs and growth, under our plan to attract more investment, create better opportunity and ensure that wages can rise on the back of stronger economic performance. If Labor was elected—if Bill Shorten was elected—the people of Longman would be worse off. They would be poorer. Low-income earners in Longman would be the most hurt of them all because, of course, Labor so far wants to increase taxes by more than $200 billion. That is $200 billion in higher Labor taxes, which relates to less investment, lower growth, fewer jobs and higher unemployment. As there is higher unemployment, there will be less competition for workers. As there's less competition for workers, wages will go down under Bill Shorten's socialist plan.

So I say to the aspirational families of Longman, to the families who want the best for their kids: only our plan will deliver a better opportunity for them to get ahead.

The PRESIDENT: Senator Ketter, a final supplementary question.

Senator KETTER (Queensland—Deputy Opposition Whip in the Senate) (14:28): Minister, why is the Prime Minister standing in the way of Labor's plan to give a labourer in Longman earning $50,000 a tax cut of $928 a year, almost double the tax cut they'll get from the government?

Senator CORMANN (Western Australia—Leader of the Government in the Senate, Minister for Finance, Special Minister of State and Vice-President of the Executive Council) (14:28): The Prime Minister and every member of this government want every family in Longman to have the best possible opportunity to get ahead. We want every Australian in Longman and their kids and grandkids to have the best possible opportunity to get ahead. That is why we're continuing to implement our plan for jobs and growth. That is why we're implementing our plan to provide income tax relief to hardworking families around Australia, including in Longman. The families in Longman will have better opportunities to get a well-paid job, to get a better-paid job, to pursue a career here in Australia on the back of our plan to ensure that businesses around Australia, including in Longman, are not disadvantaged compared to businesses in other parts of the world. Bill Shorten is selling out investment and jobs to other parts of the world. Bill Shorten, by standing against business tax cuts, is trying to help businesses in the US, the UK, France and elsewhere take investment and jobs out of Australia into those countries. If we continue to impose higher taxes here than are faced by businesses in these countries, that is precisely what we would be doing. (Time expired)

Goods and Services Tax

Senator GEORGIOU (Western Australia) (14:30): My question to the Minister for Finance, Senator Cormann. Minister, earlier this month, Perth's The Sunday Times published an article suggesting the government is getting ready to announce an 80c GST floor for Western Australia. We also saw, today, that a poll conducted by the WA chamber of commerce has confirmed that the GST is the No. 1 issue in the state. As a Western Australian
based minister, can you confirm that you and Prime Minister Turnbull will be announcing, at the Liberal Party state conference in Perth later this year, some good GST news that your fellow Western Australians finally deserve?

**Senator CORMANN** (Western Australia—Leader of the Government in the Senate, Minister for Finance, Special Minister of State and Vice-President of the Executive Council) (14:30): The story in *The Sunday Times*, which I also read, does not reflect the position of the government. That was something that was entirely written up by the columnist involved. What I will say to you is that, of course, the Turnbull government acknowledges that WA's share of the GST is unfair. We've said that for some time. We were the first government that actually did something to stop the drop in WA's share of the GST. Under the Gillard government, when WA's share of the GST started dropping, it was heading towards below 30c in the dollar. We were the first federal government that provided a federal top-up payment to Western Australia, and we've made $1.4 billion worth of federal top-up payments to Western Australia so far—which is a policy, incidentally, that the Leader of the Opposition has since copied and tried to rebrand, and he has promised that for 2019-20 onwards.

We have also said that we do believe there is a structural issue to be addressed. That is why we commissioned the Productivity Commission review, which reported in mid-May. The Treasurer has received the Productivity Commission's report, which has assessed the implications of GST sharing arrangements for national productivity and growth. That is something that will be considered by the government and released in due course.

**The PRESIDENT:** Senator Georgiou, a supplementary question.

**Senator GEORGIOU** (Western Australia) (14:32): The Productivity Commission has finished its report into the GST review. Can you advise that the report will be released to the public this week?

**Senator CORMANN** (Western Australia—Leader of the Government in the Senate, Minister for Finance, Special Minister of State and Vice-President of the Executive Council) (14:32): I cannot confirm that it will be released this week. What I can confirm is that it will be released very soon.

**Opposition senators interjecting—**

**The PRESIDENT:** Order on my left! Senator Georgiou, a final supplementary question.

**Senator GEORGIOU** (Western Australia) (14:32): When the report is released, do you expect it to contain favourable news for WA—that is, can we expect recommendations that suggest Western Australia deserves a bigger distribution of the GST compared to the paltry 47c in the dollar that the state is set to receive this financial year?

**Senator CORMANN** (Western Australia—Leader of the Government in the Senate, Minister for Finance, Special Minister of State and Vice-President of the Executive Council) (14:32): I can't pre-empt a report that is yet to be released. What I can say is that WA's share of the GST, based on what we know today under the current system, is expected to continue to increase in the years ahead. This financial year, because of the decisions that our government has made, we have lifted WA's share of the GST, through a further GST top-up payment, to 50c in the dollar. Over the next few years it is expected to go past 60c in the dollar. There will be recommendations that we will consider, and, at the appropriate time, the report and the government's response will be released.
Mining Industry

Senator MARTIN (Tasmania) (14:33): My question is to Minister for Resources and Northern Australia, Senator Canavan. Can the minister update the Senate on the contribution the resources sector makes to the Australian economy?

Senator CANAVAN (Queensland—Minister for Resources and Northern Australia) (14:33): I thank Senator Martin for his question. It's a bit easier to hear him now in his new position in the chamber! I congratulate him on joining the National Party, a great party that defends the resources sector and defends the jobs that come from these industries that provide wealth for Australia. I also recognise the strong history of the Tasmanian resources industry. It's had some of the biggest and best minds in our history, and it has helped power their economic development over the years.

The mining sector is also continuing to power the economic development of Australia as a whole. In the past fortnight the economic growth figures came down, which showed a one per cent increase in quarter-on-quarter growth and a 3.1 per cent increase from March last year. As the ABS's chief economist, Bruce Hockman, said:

Growth in exports accounted for half the growth in GDP, and reflected strength in exports of mining commodities.

In the March quarter, mining made up 56.6 per cent of Australia's total exports. Of that, 19.2 per cent was coal, 13.5 per cent were oil and gas and 23.2 per cent was ore mining. This is incredibly important to thousands of jobs around Australia. Over 200,000 people are now employed in the mining sector, more than double what it was before the mining boom. It is great to see the continued strength of demand for Australian coal, some of the best quality, cleanest coal in the world. It's continuing to be in rude demand right across the globe. Coal prices at the moment are up to places they haven't been since the mining boom. The ABS commented, in reporting the results:

This quarter featured the biggest rise in Coal Mining since September quarter 2014 due to strong demand for thermal coal.

This is good news for Australia. It is good news for the thousands of people who rely on a strong coalmining sector for their jobs and their futures.

The PRESIDENT: Senator Martin, a supplementary question.

Senator MARTIN (Tasmania) (14:35): How is the strength of the resources sector helping governments fund essential services like health and education around Australia?

Senator CANAVAN (Queensland—Minister for Resources and Northern Australia) (14:36): In the last couple of weeks the Queensland budget came down. It showed a significant increase in royalties, as you'd expect, given the strength of the coalmining sector. Coal royalties increased by $1.3 billion in that budget. That has helped fund essential services in that state. Through things like the GST redistribution process it will also help the whole country fund essential health, education and other public services. If we did not have a mining sector, we would not be able to fund the standard of living we all expect right around Australia. Not just in those states with strong mining industries that have seen significant investment in mining but right around Australia we rely on sectors like mining that provide wealth and can pay taxes to make sure we can have a very high standard of living.

The PRESIDENT: Senator Martin, a final supplementary question.
Senator MARTIN (Tasmania) (14:37): What do we need to do to take advantage of this renewed confidence to create jobs and investment in my home state of Tasmania?

Senator CANAVAN (Queensland—Minister for Resources and Northern Australia) (14:37): I thank Senator Martin for his question. As I mentioned, Tasmania has a rich history of resources and potentially has a strong future too. I note that, along with the good news on mining commodity prices, in the March quarter there was a significant, five per cent increase in mineral exploration. Those are the green shoots for the mining sector. What we explore today will turn into products in the future. Drilling metres rose by 13.5 per cent over the past year, a huge increase. I know from talking to them that there is a shortage of drillers around the country at the moment. Significantly, exploration in Tasmania has gone up to $22.5 million, an recent increase of $6 million—figures not seen since 2014. That is positive news for projects like the Rogetta iron ore mine in Tasmania, which will potentially provide hundreds of jobs in Tasmania.

Income Tax

Senator URQUHART (Tasmania—Opposition Whip in the Senate) (14:38): My question is to the Minister for Finance, Senator Cormann. Can the minister confirm that, under the Turnbull government's income tax plan, former Prime Minister Abbott's electorate of Warringah would be the third best-off electorate, while the electorate of Braddon would be in the bottom four?

Senator CORMANN (Western Australia—Leader of the Government in the Senate, Minister for Finance, Special Minister of State and Vice-President of the Executive Council) (14:38): I can confirm that the good people of Braddon will be so much better off as a result of our plan for a stronger economy, more jobs and higher wages. If the people of Braddon re-elect Mr Brett Whiteley, they will get better outcomes for their electorate, better representation and a local member that stands for higher wages and more jobs in Braddon. Under Labor the people of Braddon will earn less and have to pay more. Not only are Labor going to raise $70 billion in higher income taxes but, according to Labor's numbers, they're also going to take $55 billion out of the pockets of retirees. Nobody is safe under Labor. If you're a small business, they are going to hit you for more tax. If you're an investor, they are going to hit you for more tax. If you're an income earner, they are going to hit you for more tax. If you have to buy your electricity, they are going to hit you for more tax. If you have a house that you are renting out, they are going to hit you with more tax.

The people of Braddon will be so much better off under a coalition government and under Brett Whiteley as the local member than any alternative and certainly than under the leader of the Labor Party. The leader of the Labor Party stands for less opportunity, less investment, lower growth, fewer jobs and lower wages. That is the consequence of his high-taxing, antibusiness, anti-opportunity, antigrowth agenda. All people around Australia, including the people of Braddon, will be worse off if Bill Shorten ever gets the opportunity to implement his socialist, politics-of-envy based agenda in government. I think the people of Braddon understand this. The people of Braddon, like all Australians, want the best for their kids and grandkids. They want their kids and grandkids to have the best possible opportunity to get a good job and pursue a career here in Australia. In order to secure that, we need to ensure the businesses that employ them have the best possible opportunities to be successful in the future.
The PRESIDENT: Senator Urquhart, a supplementary question.

Senator URQUHART (Tasmania—Opposition Whip in the Senate) (14:40): Given that over three-quarters of those living in Braddon will be better off under Labor's bigger, better and fairer income tax cut, will the government support Labor's plan which will see 39,000 people in Braddon up to $928 a year better off?

Senator CORMANN (Western Australia—Leader of the Government in the Senate, Minister for Finance, Special Minister of State and Vice-President of the Executive Council) (14:41): My message to the good people in Braddon and right around Australia is that more than $200 billion in higher taxes would hurt our economy, hurt families and cost jobs. Furthermore, Bill Shorten is determined to help businesses overseas take investment and jobs away from Australia, including from Braddon, by standing in the way of lower corporate tax rates here in Australia. If we keep business tax in Australia high while all of the countries that we compete with are lowering their business tax significantly, the consequence will be that businesses and employees in other parts of the world will have a significant competitive advantage compared to businesses and employees here in Australia. Bill Shorten stands with the big end of town in New York against the small business in Braddon. Bill Shorten is standing with the big end of town in New York, helping them take investment and jobs away from Australia. That is what the modern Labor Party has come to.

The PRESIDENT: Senator Urquhart, a final supplementary question.

Senator URQUHART (Tasmania—Opposition Whip in the Senate) (14:42): Why is the Prime Minister standing in the way of Labor's plan to give an administrative assistant in Braddon earning $52,000 a year a tax cut of $928 a year, almost double the tax cut that they'll get from the government?

Senator CORMANN (Western Australia—Leader of the Government in the Senate, Minister for Finance, Special Minister of State and Vice-President of the Executive Council) (14:42): The reason we are standing in the way of Labor's socialist, politics-of-envy driven agenda is that it will leave all Australians worse off, including all Australians in Braddon. Do you know who understands this? It is Mr Brett Whiteley, the Liberal candidate in Braddon. If Mr Brett Whiteley is re-elected by the good people of Braddon, he will stand up for investment and jobs in Braddon and the people of Braddon will have better opportunities to get a job, a well-paid job and a better paid job. Under the Labor Party, there'll be less investment and less opportunity for small business to do business with big business, which means there'll be fewer jobs in small business.

When there are fewer jobs and less competition for workers, do you know what happens to wages? They go down. Do you know what happens to wages when there's less competition for workers? The leverage and bargaining power of workers reduces. Bill Shorten wants the workers of Australia to have less bargaining power. Bill Shorten wants Australians to have less bargaining power; we want—(Time expired)

Pensions and Benefits

Senator BROCKMAN (Western Australia) (14:43): My question is to the Minister representing the Minister for Social Services, Senator Fierravanti-Wells. Could the minister outline how the Turnbull government is providing more choice in retirement, particularly for age pension recipients?
Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (14:44): I thank Senator Brockman for his question and interest in this important subject. It's a very good question, Senator Brockman, because in this year's budget the Turnbull government announced $258.6 million in initiatives to support the incomes of those in retirement. This includes new means test rules for pooled lifetime retirement income stream products as well as an increase in and extension of the pension work bonus and an expansion of the Pension Loans Scheme.

Senator Brockman asked me about more choice, and I'd particularly like to focus on the pension work bonus. This is an important measure which will deliver older Australians more choice in their retirement. With this change, the coalition is improving the pension work bonus by increasing the work bonus by $50 a fortnight to $300 a fortnight. This means that the first $300 of employment income each fortnight will not be counted in the pension income test and it means that eligible pensioners will get more benefit from working.

The current pension work bonus was set at $250 per fortnight when it was introduced in 2011 and has not been increased since. I'm advised that, under this measure, about 88,750 social security pensioners and 1,000 allowance recipients will receive an increase in their payments from 1 July 2019 and about 1,150 people will become eligible for the social security pension for the first time. Around 3,000 Veterans' Affairs pensioners will also benefit.

But it's not only older Australians who benefit by their participation in the workforce, as the Council on the Ageing noted—(Time expired)

The PRESIDENT: Senator Brockman, a supplementary question.

Senator BROCKMAN (Western Australia) (14:46): Minister, how does the pension work bonus assist people in regional areas, particularly during seasonal employment?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (14:46): The Turnbull government's changes to the pension work bonus will be of great interest, especially to older Australians in regional areas. In addition to the changes to the income limit, the accrual amount will increase to a maximum of $7,800, up from $6,500. This will mean that people in regional areas, if they are working in industries that are seasonal, will be able to bank up any unused part of the fortnightly $300 and accrue it and exempt future earnings. Not only is this good news for people in seasonal rural industries; it is great news for older Australians, who might be able to more fully take advantage of opportunities during retail peaks like Christmas and Easter.

As I was saying in relation to COTA, it has said to fight ageism in the workforce we should:

… tap into the experience of older Australians and provide financial flexibility in retirement—(Time expired)

The PRESIDENT: Senator Brockman, a final supplementary question.

Senator BROCKMAN (Western Australia) (14:47): Minister, how will people who are self-employed benefit from this change?

Senator Cameron interjecting—
Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (14:47): I'll take the interjection from Senator Cameron—at least we're looking after pensioners, not like what you want to do with your hand in the old pocket. Those people have worked very, very hard for their retirement and you want to go in there and take the money out of their pockets.

Opposition senators interjecting—

Senator FIERRAVANTI-WELLS: Yes, tell us about it! As for self-employed people, the good news is that our budget measures will extend the work bonus to include earnings from self-employment. Extending the work bonus to the self-employed will improve the consistency and equity of work bonus arrangements. This change will benefit, for the first time, pensioners of age pension age who currently receive the maximum rate and cannot access the existing scheme. It is fair that self-employed pensioners who earn income from actual engagement in gainful work should be able to access the work bonus in the same manner as other pensioners who work.

Immigration Detention

Senator McKIM (Tasmania) (14:48): My question is to Senator Fifield, representing the Minister for Immigration and Border Protection. Minister, I refer you to the death last week on Nauru of Fariborz, a man who sought Australia's—did I hear a laugh over there?

The PRESIDENT: Senator McKim, please continue your question.

Senator McGrath: No-one laughed, you goose.

Senator McKIM: Someone's died. Show a little bit of respect.

Honourable senators interjecting—

The PRESIDENT: Order around the chamber! Order on my right! Senator McKim, please continue your question.

Senator McKIM: Fariborz was a man who sought Australia's protection and who had been detained on Nauru by the Australian government since 2013. Minister, can you confirm that Fariborz had been psychologically assessed while in Australia's care on Nauru and determined to be severely traumatised and mentally ill? Do you acknowledge that your policy of indefinite offshore detention caused or contributed to Fariborz's death?

Senator FIFIELD (Victoria—Minister for Communications, Minister for the Arts and Deputy Leader of the Government in the Senate) (14:50): Thank you, Senator McKim, for your question. I can confirm that there was a death of a nonrefugee in the Nauru Regional Processing Centre. The government extends its condolences to the family and friends of the individual. I can confirm that the government of Nauru is currently investigating the cause of death. I can also confirm that, in response to a request from the government of Nauru, the AFP is providing assistance to the government of Nauru in their investigations of this incident. I'm happy to provide that information for Senator McKim.

The PRESIDENT: Senator McKim, a supplementary question.

Senator McKIM (Tasmania) (14:50): Minister, the Liberal Party's official Twitter account released a video boasting about your record on offshore detention the very day after Fariborz took his life. Were you hoping to get a political boost out of this man's death? Why
did you boast about your political cruelty instead of working to prevent more deaths in your cruel offshore detention regime?

Senator FIFIELD (Victoria—Minister for Communications, Minister for the Arts and Deputy Leader of the Government in the Senate) (14:51): I'm not aware of the material that Senator McKim is referring to, but I'm certain that there is absolutely no connection between those two things. To suggest that there is is base and really not worthy of a response, because no grouping in this parliament would do such a thing.

The PRESIDENT: Senator McKim, a final supplementary question.

Senator McKIM (Tasmania) (14:51): Minister, how many deaths—it's 12 now—in Australia's offshore detention system will it take before you show just a shred of humanity and evacuate everyone out of offshore detention to safety here in Australia? How much larger must the stain on our country's national conscience grow before you will close down offshore detention?

Senator FIFIELD (Victoria—Minister for Communications, Minister for the Arts and Deputy Leader of the Government in the Senate) (14:52): The approach that this government takes to border protection and offshore processing has a very important objective, and that is to put the people-smuggling trade out of business, because, when the people smugglers are plying their trade, they put people in harm's way. Through their activities, they have resulted in many people perishing at sea. It is because of the clear action that this government has taken, in terms of our border protection policies, that that trade has essentially been put out of business and countless thousands of lives have, as a result, been saved.

Minister for Jobs and Innovation

Senator CAMERON (New South Wales) (14:53): My question is to the Minister for Jobs and Innovation, Senator Cash. I refer to the minister who, on 30 May, in relation to the Australian Federal Police investigation into leaks about an AFP raid, said:

… it is not an AFP investigation into me, it is not an investigation into my office.

Has the minister been interviewed by the Australian Federal Police as part of its investigation?

Senator CASH (Western Australia—Minister for Jobs and Innovation) (14:53): I again thank Senator Cameron for what must be about the hundredth question, I think, in relation to this matter. Senator Cameron, as I have stated, everything that I have to say is clearly set out on the Hansard record. You also know that the question is not able to be answered because of the AFP investigation.

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

Senator Wong: I'm not sure if that is a PII claim or something. We're not asking about any matter that is canvassed in an interview; we're simply asking whether or not an interview has occurred.

Senator Ian Macdonald interjecting—

Senator Wong: I have no idea why she's refusing to answer the question, Senator Macdonald. If you'd like to add to it, we're happy to give you leave to do so.
The PRESIDENT: Senator Wong, the minister hadn't been speaking for 19 seconds. I consider that what she was saying was directly relevant to the question. I can't instruct the minister on how to answer a question. I call the minister.

Senator CASH: As I was saying, the only person with questions to answer in relation to this is actually Bill Shorten, because this is all about whether or not moneys provided by Bill Shorten when he was the head of the AWU were properly authorised.

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

Senator Wong: The question was: has the minister been interviewed by the AFP? I'm not surprised you want to sit down, Minister.

The PRESIDENT: The minister has concluded her answer. Senator Cameron, a supplementary question.

Senator CAMERON (New South Wales) (14:55): Have any of the minister's current or former staff been interviewed by the Australian Federal Police as part of its investigation?

Senator CASH (Western Australia—Minister for Jobs and Innovation) (14:55): This question has been asked and answered on a number of occasions now, both last year in Senate estimates and in question time and this year in Senate estimates and again in question time. This is all about whether or not moneys provided by the person who wants to be the Prime Minister of this nation—

The PRESIDENT: Order! Senator Cash, please resume your seat. Senator Cameron, on a point of order?

Senator Cameron: Yes, it's on relevance, Mr President. This is a simple question. It's clear. We're simply asking: have the minister's current or former staff been interviewed by the Australian Federal Police? The minister has not answered it. She is accountable to parliament. She is accountable to this place. She should answer the question.

The PRESIDENT: Senator Cameron, I consider the minister to be answering the terms of your question at the beginning in the same terms she was before. I remind the minister of the terms of the question in the material she was just turning to.

Senator CASH: As I said, the only question that needs to be answered is: did Mr Shorten make a donation of $25,000 of AWU members' money—

The PRESIDENT: Senator Cash, please resume your seat. Senator Wong, on a point of order.

Senator Wong: The point of order is direct relevance. There was only one question asked as to whether or not any current or former staff have been interviewed by the AFP. That is the only question that is asked.

The PRESIDENT: I remind the minister of the specific nature of the question asked. The minister has concluded her answer. Senator Cameron, on a final supplementary question.

Senator CAMERON (New South Wales) (14:56): Why isn't the minister prepared to be interviewed by the AFP as part of its investigation into the leaks about an AFP raid?

Senator CASH (Western Australia—Minister for Jobs and Innovation) (14:57): Again, Senator Cameron, you have presupposed an answer to that question. I have answered this question numerous times. It is subject to an AFP investigation and, Senator Cameron, you
would know that the proceedings are actually between the AWU and the Registered Organisations Commission on the basis that the AWU does not want to produce the relevant documentation.

**Skilling Australians Fund**

**Senator BUSHBY** (Tasmania—Chief Government Whip in the Senate) (14:57): My question is to the Minister for Education and Training, Senator Birmingham. Can the minister update the Senate on the states and territories that have recently signed up to the Turnbull government's Skilling Australians Fund?

**Senator BIRMINGHAM** (South Australia—Minister for Education and Training and Manager of Government Business in the Senate) (14:57): I thank Senator Bushby for his strong interest in the skilling and training of all Australians, particularly those in Tasmania. One of the many benefits of a government whose policies are able to deliver a strong economy is that you're able to then target investment where it is required, including skilling and training opportunities, as the Turnbull government is doing through our $1½ billion commitment called the Skilling Australians Fund. Importantly, that funding is structured in a way where it will be leveraged; it will be matched dollar for dollar by the states and territories.

It's not the type of deal that those opposite have done in the past, where they have handed money over with one hand and the states have simply been able to cost-shift back onto the Commonwealth and cut back, but, indeed, a guarantee that is in place to ensure that, for every federal dollar invested into supporting apprenticeships and opportunities, there are also state dollars backing those apprenticeships and a focus on real training, real apprenticeships, real opportunities. There is no more cost-shifting but guaranteeing and working towards a target of 300,000 apprenticeships being created across priority areas of our economy in hospitality, tourism, health, manufacturing, building, construction, agriculture and aged-care services.

I'm very pleased that earlier this month five jurisdictions, five states and territories, signed up. Senator Bushby's home state of Tasmania, New South Wales, South Australia, the Northern Territory and the ACT have all signed up to doing their bit to create additional apprenticeship opportunities across their jurisdictions. We hope that every state will seize the opportunity created by this fund to create more apprenticeships for more Australians, because in the territories, for example, we'll see around 2,400 extra apprenticeships created in the Northern Territory and around 4,160 additional apprenticeships created in the ACT because of this targeted Turnbull government investment.

**The PRESIDENT:** Senator Bushby, a supplementary question.

**Senator BUSHBY** (Tasmania—Chief Government Whip in the Senate) (14:59): Does the minister know approximately how many apprentices will benefit in New South Wales, Tasmania and South Australia?

**Senator BIRMINGHAM** (South Australia—Minister for Education and Training and Manager of Government Business in the Senate) (14:59): We'll see in the state of New South Wales around 80,000 additional apprenticeships created. We'll see in the state of South Australia around 17,000 apprenticeships created. Of course, the Marshall Liberal government made an early commitment in their election campaign to sign up to the Skilling Australians
Fund to secure this funding. Indeed, we estimate that that will create across, for example, the electorate of Mayo around 2,000 apprenticeships.

I know Senator Bushby will want to know that in Tasmania around an additional 5,000 apprenticeship opportunities will be created from the Skilling Australians Fund and that will mean around 700 or so new opportunities for apprentices in the electorate of Braddon. That will mean more skilled workers in the towns of Burnie, Devonport and Strahan. That will mean more plumbers, chefs, electricians and builders. This is good news for the people of Braddon. In fact, even over the last four years there has been under this government a 23 per cent increase in carpenters in training in Braddon and a 20 per cent increase in electricians in training in Braddon. We're going to go even further under the Skilling Australians Fund.

The PRESIDENT: Senator Bushby, a final supplementary question.

Senator BUSHBY (Tasmania—Chief Government Whip in the Senate) (15:01): Can the minister inform the Senate about the response from industry to these states and territories signing up?

Senator BIRMINGHAM (South Australia—Minister for Education and Training and Manager of Government Business in the Senate) (15:01): Of course, these states and territories have seized the opportunity to help create ultimately 300,000 additional apprenticeship opportunities across Australia. For example, Denita Wawn, CEO of the Master Builders Association, said:

The decision … to join with the Federal Government to provide millions for the funding of apprenticeships and traineeships is a major step in the right direction. It's great news for young people who want to pursue a career in the building and construction industry.

It is, indeed, great news for many young people, whether in Braddon in Tasmania or in Mayo in South Australia. Of course, what we hope and trust is that the Queensland Labor government will follow the lead of the Labor jurisdictions in the ACT and the Northern Territory as well as coalition governments and provide the same opportunities to people in Longman in Queensland and that all jurisdictions will seize the opportunities created by the Skilling Australians Fund to give more young Australians more apprenticeship opportunities thanks to the Turnbull government.

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

QUESTIONS WITHOUT NOTICE: TAKE NOTE OF ANSWERS

Income Tax

Senator URQUHART (Tasmania—Opposition Whip in the Senate) (15:02): I move:

That the Senate take note of the answers given by the Minister for Finance (Senator Cormann) and the Minister for Communications (Senator Fifield) to questions without notice asked by Senators Ketter, Urquhart and Colbeck today relating to income tax and to the National Broadband Network.

I note that Minister Fifield mentioned the former member for Braddon, Mr Brett Whiteley, in his response to Senator Colbeck's question. Minister Fifield today mentioned the fibre-to-the-node NBN on the west coast as the signature achievement of Mr Brett Whiteley. The 'Minister for Selling the ABC and Rolling Out Copper Fibre' couldn't be more out of touch. This is the
same Brett Whiteley who backed in Malcolm Turnbull's plans to service the west coast with satellite. This is the same Brett Whiteley who told people on the west coast that they would just have to put up with inferior communications because he had to at his property. That is what he told the people of the west coast when he went down there. This is the same Brett Whiteley who was dragged kicking and screaming by the people of the west coast to make his paltry election commitment for fibre to the node to the west coast people. This is the same Brett Whiteley who hasn't said a peep about NBN Co's decision not to deliver fibre to the curb to the west coast, despite it being rolled out to millions of homes across the country.

We asked Minister Cormann to explain why Braddon is the fourth-worst-off electorate in the country and why Longman is the 10th-worst-off electorate in the country, but Prime Minister Turnbull's electorate of Wentworth is the best-off electorate. Even former Prime Minister Abbott's electorate of Warringah is the third-best-off electorate under the Liberals' income tax plan. We ask this because it matters to the people of the north-west and west coast of Tasmania and the Caboolture area of South-East Queensland. It matters that they're working harder, that they're working longer, that their jobs are less secure and that they are constantly battling to make ends meet for their families. We ask this because we in the Labor Party believe governments should strive to make our income tax system fairer for all, to lift people up, to improve the incentives to work and to ensure families are meeting their cost-of-living pressures.

Under Labor's income tax plan, every Australian earning less than $125,000 a year will be better off than they would be under Malcolm Turnbull's plan. We believe that people on $180,000, $300,000 or $500,000 a year do not need help as much as do people on $35,000, $65,000 or $95,000 a year. And we know that people on $35,000, $65,000 and $95,000 a year are more likely to spend the money from those tax cuts on goods and services in small businesses in their local communities. In the electorate of Braddon, 39,000 people will be better off by up to $928 a year. Over three-quarters of taxpayers in the electorate of Braddon will get a bigger, better and fairer tax cut under Labor. Most people will be almost twice as well off under Labor's tax proposals, getting hundreds of dollars a year extra, more than what the Liberals are proposing.

What we've seen today is not only unfortunate for the people of Braddon and Longman but deeply disappointing for all Australian workers. Instead of accepting a compromise to split the upcoming income tax bill, to allow the tax cuts due to commence on 1 July this year to pass and then allow the people of Australia to decide the merits of Labor's income tax policy versus the Liberals' during the election, Mr Turnbull and Senator Cormann have snubbed their noses at Australian workers.

Brett Whiteley needs to decide. Does he stand for workers in Braddon getting a tax cut in two weeks time? Does he stand for decent communications infrastructure for the north-west and the west coast? Will he get on the phone to Mr Turnbull and Senator Cormann and demand that they split the income tax bill and allow the tax cuts to pass? Will he go and have a chat with Senator Martin about his comments that, on the NBN, Malcolm Turnbull is treating north-west and west coast Tasmanians as second-class citizens, or will he accept his Prime Minister's dictate? Is Brett Whiteley interested in sticking up for the people of Braddon? I'll come into this place any day and debate Brett Whiteley's political record. He never stood up for the people of Braddon. He pushed an inferior NBN down the necks of
people on the west coast. He did not stand up for them when he was in government, and I don't expect that he would do it if he were here again. He never has and he never will. Braddon has never had a worse representative than Brett Whiteley, and this government wants to send him back to Canberra to push second-class decisions onto the people of Braddon. I don't think they will cop it.

The DEPUTY PRESIDENT: Thank you, Senator Urquhart. I'd just remind you to refer to those in the other chamber by their correct titles.

Senator ABETZ (Tasmania) (15:07): The reason we're having this debate today about a by-election in Braddon is solely the dishonesty of the previous Labor member for Braddon in holding on to her seat limpet-like, expending taxpayer dollars and drawing taxpayer dollars, in circumstances where she knew that she was disqualified from sitting in this place. Indeed, there were two senators in this place from my home state of Tasmania, Senator Parry and Senator Lambie, who, when confronted with the High Court decision in October last year, did the honourable thing and resigned, whereas the Labor members of parliament dishonestly clung on to their seats and drew an extra $100,000 of taxpayers' money on their salary. And guess who, out of the 17 MPs representing the state of Tasmania in the federal parliament, spent the most on their communications allowance? One guess! It was the now resigned former Labor member for Braddon, Justine Keay. Why did she hang on for so long and spend so much of taxpayers' money on self-promotion? Because she knew she was in strife. For her to cling on for that extra six months and claim that she somehow needed another High Court decision to tell her that which she already knew in October is disgraceful, and I trust the people of Braddon will judge her and the Australian Labor Party for that gross dishonesty.

But that's the bad side of the situation. The good side is that the people of Braddon will have the opportunity to re-elect a champion who delivered by the bucketload for the people of Braddon—be it on freight equalisation, be it on irrigation, be it on upgrading highways or be it on upgrading an airport that allows us to now be the hub of Antarctic endeavour for the world. Mr Brett Whiteley did fantastic work in the areas of NBN, health, education, tourism, jobs, wages growth and tax relief. We hope he will be re-elected, but even before he's re-elected, if our tax relief is passed in this place, the people of Braddon will get the benefit of tax cuts immediately, as of 1 July. In other words, in 14 days time the people of Braddon will start getting tax relief, meaning more money in their pockets to spend locally, to stimulate their local economy and to create even more jobs.

Let's keep in mind that when Labor was last in office my home state of Tasmania had an unemployment rate of over eight per cent. Today it is below six per cent. That means that thousands of Tasmanians are now in employment—off the social scrap heap of unemployment and fully engaging in society—because of our policies, part and parcel of which were delivered by former member Brett Whiteley. So for the Labor Party to raise the issue of the by-election in Braddon and the issues in that election reminds us that one of the reasons Mr Whiteley lost his seat—having topped the poll, having got most of the primary vote but then being overtaken on preferences—was the fundamentally dishonest scare campaign dubbed 'Mediscare'. Everybody in Braddon now knows that that was a lie; it was false. But they were, understandably, concerned about their health, and we as the Liberal Party did not engage as we should have done in countering that gross dishonesty of that campaign.
Be assured that we are fully alert to those scare campaigns. And a lot of people in Braddon not only feel that they were duped by the dishonesty of the Mediscare campaign but also feel terribly duped by the former Labor member, who is now being recycled as the Labor candidate, for misleading the people of Braddon that she was entitled to nominate and seek election to the federal parliament. Clearly she wasn't. Everybody knew it, and the people of Braddon will have the opportunity, on 28 July, to re-elect Brett Whiteley, the great champion for Braddon. (Time expired)

Senator WATT (Queensland) (15:12): We all know that this week there is going to be a large debate, probably over most of the week, about the government's proposed income tax cuts. I can tell you as a resident of Queensland that this is somewhere where people are going to be paying very close attention to this debate, including people in the electorate of Longman, just north of Brisbane. Last week it was exposed exactly how unfair the government's proposed tax cuts are when looked at on an electorate-by-electorate basis. To anyone who is familiar with the electorate of Longman, which is an electorate full of hardworking people, there are high levels of disadvantage and many low- and middle-income earners based in that electorate. It wasn't a surprise to see data from the Australia Institute reveal that when you look at all 150 electorates right across the country Longman is in the bottom 10 when you measure how much benefit they will actually get from the government's tax cuts. In short, Longman residents will get only in the low 70s as a percentage of the average benefit for all households around Australia. In other words, for a dollar given to an average household somewhere around Australia, this government proposes to give residents in the electorate of Longman only about 70c.

Of course, it's very different at the other end, and nowhere is it more different than in the Prime Minister's own electorate of Wentworth, in the wealthy suburbs of Sydney. Wentworth is the electorate, across the entire country, that will gain the most from the government's proposed tax cuts. That is because they're so weighted towards high-income earners. Not many people living in Longman are earning more than $200,000. There might be some, but most people in Longman are earning $40,000, $50,000, $60,000 or $70,000 a year—unlike the corporate high-flyers the Prime Minister hangs out with in his electorate of Wentworth, who gain to stand so much from his personal income tax cuts. That is why, for electorates like Longman, the amendments Labor will be proposing and Labor's tax plan offer so much more than what this government is offering.

When you look around the whole of Australia, you'll see that anyone earning under $125,000 a year will be much better off under Labor's plan than under what the government is proposing. That is nowhere more clearly the case than in the electorate of Longman, where 75 per cent of taxpayers will be better off under Labor's plan than under what the government is offering. Again, that's because Labor's plan is very targeted at low- and middle-income earners, the people who actually need a leg up from the tax system, rather than the splurge that is being proposed by this government to provide massive tax cuts to residents in Mr Turnbull's own electorate of Wentworth.

The other question we should be asking ourselves is how the government is planning to pay for these tax cuts that are overwhelmingly going to high-income earners in electorates like the Prime Minister's own. The way they're going to pay for it is by continuing to cut essential services like health, education, training and even pensions in electorates like Longman that
really need the support. Looking just at Longman alone, the government's changes to how health is being funded in this country mean that funding from this government to the Caboolture Hospital, a very busy hospital that local residents depend upon, is being cut by $2.9 million—all to help pay for a tax cut for high-income residents in the Prime Minister's own electorate.

With cuts like this, it's no wonder that the LNP has chosen a Mr Trevor Ruthenburg to run as its candidate in the electorate of Longman. Mr Ruthenberg has a record, which we're going to be pointing to over and over again. Mr Ruthenberg served as a member of parliament in the state government headed by Campbell Newman, which became synonymous with vicious cuts to every kind of service that the Queensland state government provides. Just looking at health, Mr Ruthenburg was the state member of parliament for the seat of Kallangur, and voted with Campbell Newman to sack 700 nurses and midwives in local hospitals—thrown out of their jobs, unable to provide services to people on the north side of Brisbane as a result of Trevor Ruthenberg, the now LNP candidate. It is no real surprise, given the Turnbull government's record of cutting funds from services, that they've settled on a former MP from the Newman government, who has experience and knows how to cut. They've said: 'That's the kind of bloke we need down here in Canberra. That's the kind of bloke who's going to help us keep cutting the health system.' There's no doubt that Susan Lamb is the best choice in Longman.

(Time expired)

Senator MOLAN (New South Wales) (15:18): I will talk about tax relief, but I also note in passing that Senator Watt made some statements about the Caboolture Hospital. I heard figures over the weekend about the Caboolture Hospital. I will go back and work on them very hard, because the Labor lies we've heard over many years in relation to 'Mediscare', which were brought out during the double dissolution election and again—and failed dramatically—in Bennelong, are absolutely not true. I heard detailed figures that we were cutting hospitals in Eden-Monaro, and it can be shown and proven that the funding to each and every one of those hospitals has increased. It was increased this year and will be increased over the next four years.

We're talking here about tax relief. You just can't trust Labor on this. They voted for our full tax relief package in the House but now look like backflipping in the Senate. Average wage earners under Labor will be paying up to $2,000 a year more in tax by 2024. I will get into more detailed figures in relation to all of this, but if Labor fails to support steps 2 and 3 of the government's Personal Income Tax Plan, it will rip $70 billion in extra income tax from working Australians' pay packets over the next 10 years. Labor is trying to cut in half the government's $140 billion Personal Income Tax Plan, which is focused on middle-income earners. Labor is always happy to commit Australian taxpayers to higher expenditure going into the future but is not prepared to commit to giving them responsible tax relief. Labor's extra $70 billion slug on middle-income taxpayers means the value of their higher tax proposals has now reached a staggering $290 billion over the next 10 years, confirming yet again that Labor is the party of higher and higher taxes.

Our tax plan will mean working Australians keep more of their money to help pay their bills, save for their future or spend with local businesses, which in turn helps our economy. As we know, there are three steps, the first of which is tax relief now for middle- and low-income earners. In 2018-19, around 4.4 million Australians will get tax relief of $530 per year.
and over 10 million taxpayers will get some tax relief. The second stage involves lifting tax brackets to protect Australians from the impact of bracket creep. The third stage ensures that more Australians pay less tax by making personal taxes simpler. As a result of the plan, around 94 per cent of taxpayers are projected to face a tax rate of 32.5 per cent, or less, and that is all.

There are some figures that I think should be brought into this debate. The first one is just the simple fact that Australia's personal income tax system will, and must, remain progressive. Those who have the greatest ability to pay will continue to contribute their fair share. Those who have a lower ability to pay will continue to be taxed less or pay no net tax. Under the government's plan, in 2024-25 a person earning $200,000 would pay around 13 times more tax than a person earning $41,000. In 2015-16, the top 20 per cent of taxpayers paid around 61 per cent of all personal income tax. Under the Personal Income Tax Plan this cohort is projected to continue to contribute a broadly similar share in 2024-25. That is about fairness. In 2015-16, those in the top bracket paid 30.3 per cent of all income tax collected. Under the government's plan, Treasury estimates that those in the top tax bracket will pay around 36 per cent of all personal income tax collected in 2024-25. Under the Personal Income Tax Plan, in 2024 a similar proportion of the population will be in the top marginal tax bracket to that which is currently in that bracket.

**Senator KETTER** (Queensland—Deputy Opposition Whip in the Senate) (15:23): The voters of Longman in some weeks' time will have a clear choice between former member Susan Lamb and Labor, who believe in a fair and responsible budgets, in addressing inequality, in evening up the playing field between the rich and the poor and in helping low- and middle-income earners struggling to pay the bills and put food on the table. That's on the one hand. The choice on the other hand is a former member of the Newman state government, which made such vicious cuts to jobs, health and education in Queensland. Queensland is still recovering from the deep cuts that the Newman government was responsible for. In question time today, the minister wanted to throw epithets back at the Labor Party, describing us as socialists, simply because we want hardworking Queenslanders and all Australians to benefit from much better tax cuts and much more quickly. We want to see 63,000 people in Longman get the benefit of the $928 in tax cuts, which is almost double that which this government is preparing to offer. But, of course, there are strings attached with this government. They want to play political games with that by tying it to the unfair elements of their total package. We know that Mr Turnbull is not looking after the state of Queensland. We know that his priority is handing $80 billion to big business and the banks and that the biggest winners from Mr Turnbull’s personal-income-tax package are the wealthy electorates in Sydney and Melbourne. We know this from modelling by the respected organisation NATSEM and the Australia Institute.

I just want to go to the top 10 federal electorates that will benefit from this package, according to the Australia Institute. Of course, No. 1, as we've heard in question time today, is Wentworth. The Prime Minister's own electorate is the main beneficiary of this tax plan—surprise, surprise. Then we go in order: North Sydney, Warringah, Sydney, Melbourne Ports, Higgins, Bradfield, Kooyong, Grayndler and Goldstein. Seven of those top 10 beneficiaries of this government's tax plan are Liberal electorates.
It's quite clear that the biggest winners from this tax proposal are the wealthy electorates of Sydney and Melbourne. We can see that all of the top 10 electorates come from those cities. The average household in any one of these top 10 electorates would get at least 50 per cent more than the average Australian household. As I've said, the Prime Minister's own seat of Wentworth is the largest beneficiary. The average increase in disposable income for households in Wentworth is almost twice that of the average household and more than 2½ times that of the average household in the lowest ranked electorate.

When you come to the bottom 10 electorates, those electorates which miss out on the benefit of the tax cuts, we see that Longman is there. It's in the bottom 10, at 77 per cent of the average of the benefit. This analysis comes from NATSEM. It's not Labor Party analysis. It's from a respected economics firm. There are three Queensland electorates on the list: Hinkler, Wide Bay and Longman as well.

According to the polling done by the Australia Institute, voters recognise that the Turnbull tax package fails the fairness test. In contrast, Labor's better, fairer tax plan would give low- and middle-income earners in Longman bigger tax cuts—as I said earlier, in many cases double what's on the table now. Under Labor, a worker on $50,000 a year—which is close to the median income; there are just as many people earning above that as people earning below that—will receive a tax cut of $928 a year, up from what the government's proposing, $530. A couple earning $90,000 and $65,000 respectively will receive a tax cut of $1,855 a year, up from $1,060 from the government. Labor's plan would see 63,000 people in Longman up to $928 better off.

This is on top of our commitment to restoring the billions of dollars in coalition cuts to health and education across the country. In Longman, the coalition cuts to health funding would mean almost $3 million less funding in the Caboolture Hospital, whereas the Shorten Labor government would invest an extra $10 million for a new chemotherapy centre at the Caboolture Hospital. In Longman, the cuts will cost local schools around $17 million over the next two years.

The federal Liberal budget fails the fairness test. The tax package fails the fairness test. *(Time expired)*

Question agreed to.

**Immigration Detention**

**Senator McKIM (Tasmania) (15:28):** I move:

That the Senate take note of the answer given by the Minister for Communications (Senator Fifield) to a question without notice asked by Senator McKim today relating to the death of an asylum seeker in Nauru.

On Friday last week, Fariborz was found dead inside the Nauru Regional Processing Centre, the Nauru detention centre, where he'd been for five years, imprisoned, denied his freedom, denied his liberty, for doing nothing wrong. He'd committed no offence under Australian law, and he had acted entirely in accordance with his rights under international law. While he was at the detention centre on Nauru—Australia's detention centre—in Australia's care and while he fell within Australia's duty of care in that detention centre, he'd been assessed by psychiatrists who had found him to be severely traumatised.
Of course, Fariborz's story didn't start in Nauru; it started in his home country of Iran. Fariborz was a Kurd—a persecuted group of people who've faced lengthy and ongoing persecution not only in Iran but also in Iraq and Turkey. Fariborz had fled. He was captured and detained for three months as a 10-year-old child in Iran. He'd fled persecution and he'd sought a better life in our country. He'd stretched out a hand for help to Australia, a country that once was renowned around the world for its strong human rights record. Yet, that country, our country, rejected his pleas for help and instead exiled him to Nauru, as a political prisoner, where he remained for five years.

His tragic death is yet another life broken, and ultimately lost, because of the bipartisan cruelty of offshore detention. There have been far too many deaths in our offshore detention system—deaths on Manus Island and deaths on Nauru. But it isn't only the deaths; it's the destruction of mental health that is going on on Manus Island and Nauru that is so, so deeply distressing.

What's become painfully clear is that this government, with the support of the Australian Labor Party, would rather that people die in offshore detention than ever let them set foot in this country after arriving by boat and seeking asylum here. There have been five years of suffering, begun by the Labor Party, who put every single man, woman and child who sought asylum in this country—and who is currently detained on Manus Island and Nauru—there in the first place. Then the Liberal Party have run this outrageous offshore detention system with such levels of cruelty.

Today, we have to ask: how many more deaths need to occur before our political prisoners on Manus Island and Nauru are freed? How many more lives have to be destroyed? How many more cases of severe mental illness need to be created by our country before we rediscover our national conscience? How long will this dark and bloody chapter in our national story have to continue before the Labor and Liberal parties rediscover their consciences?

The cruelty of our country's offshore detention regime is now infecting the rest of the world. Far right regimes are looking to this government for inspiration in human misery, and they are finding it in absolute spades. In the United States, we know that there are children being ripped from the arms of their parents right now and sent—*Time expired*

Question agreed to.

**CONDOLENCES**

*Carrick, Hon. Sir John Leslie, AC, KCMG*

The PRESIDENT (15:34): It is with deep regret that I inform the Senate of the death, on 18 May 2018, of the Hon. Sir John Leslie Carrick AC, KCMG, a senator for the state of New South Wales from 1971 to 1987. I call the Leader of the Government in the Senate.

Senator CORMANN (Western Australia—Leader of the Government in the Senate, Minister for Finance, Special Minister of State and Vice-President of the Executive Council) (15:34): by leave—I move:

That the Senate records its deep sorrow at the death, on 18 May 2018, of the Honourable Sir John Carrick AC, KCMG, former senator for New South Wales, minister and Leader of the Government in the Senate in the Fraser Government, places on record its deep appreciation for his remarkable life of patriotism and public service, and tenders its profound sympathy to his family in their bereavement.
A fierce patriot and formidable political operator, the Hon. Sir John Carrick stands shoulder to shoulder with the great builders of the Liberal Party. He was one of the leading lights of the Menzies era, having had a profound and lasting impact on their national story. Born on 4 September 1918, Sir John was the fourth of six children to Emily and Arthur James Carrick. Spending his formative years in Woollahra, Randwick and Bondi, his youth was not without trial, with his father, a government clerk, joining so many other Australians in losing his job during the grim years of the Great Depression. Sir John's natural intellect was evident from a young age, and he secured a scholarship to the distinguished Sydney Technical High School before going on to graduate with a Bachelor of Economics from the University of Sydney in 1941.

However, Sir John's story soon became like that of many other young men of his generation. Having served in the Sydney University Regiment in 1939, he joined the Australian Imperial Force in 1940 and stepped into the maelstrom that was the Second World War, serving bravely in West Timor as part of Sparrow Force, before being taken as a prisoner of war by the Japanese. He spent several harsh years in South-East Asia, including time interred in the infamous Changi Prison and labouring on the Burma-Thailand Railway. Yet for Sir John the hardship that he endured did nothing to diminish a natural spirit of optimism and decency. In fact, he learned Malay and Japanese so as to act as an interpreter. Stirringly, following his liberation in 1945, Sir John raised funds alongside his fellow servicemen for medical personnel who were at the coalface of the effort to rebuild the decimated nations of South-East Asia.

The end of the war saw Sir John return to Australia, doing what he could to pick up where he had left off. He continued to serve in the Citizen Military Forces until 1951, and on 2 June that year he married Diana Margaret Hunter, who went by the name of Angela. In time, three daughters would follow: Diane, Jane and Fiona. During this period, Sir John then jumped into a very different arena, taking on a role as a research officer in the New South Wales office of the then fledgling Liberal Party of Australia. Having been formed only a short few years earlier and not having yet won a federal election, the Liberal Party that Sir John joined would benefit greatly from his coming lifetime of service.

When he was appointed state secretary in 1948, the legend of the so-called 'grey eminence of Ash Street' was born. Sir John would work tirelessly alongside then state president Bill Spooner, later to become a senator and Senate leader himself, to build the party from the ground up. Whether it was engaging members, founding branches or fielding candidates at the polls, he was a cornerstone on which the New South Wales Division of the Liberal Party was built and became a fixture during the 23 years of federal Liberal-Country Party coalition government that began in 1949.

It was in the closing days of this era that Sir John finally entered the parliament, succeeding Senator Alister McMullin and formally commencing his term on 1 July 1971 after securing victory at the 1970 federal election—incidentally, the year I was born. A committed federalist, Sir John, in his first speech in this chamber, outlined an expansive plan for reforms to the federal system that sought to avoid what he described as the 'Oliver Twist syndrome' of state fiscal disempowerment. His words also set the tone for a political career marked by humility and decency—that of a man who was always careful to separate political and
ideological differences from the personalities that conveyed them. Sir John reviled attempts to split Australians along lines of class and faith, noting in his first speech:

Divisiveness is the evil of politics and I hope to do something to reduce it.

Today, decades later, we can well reflect on how much our contemporary Commonwealth might well benefit from some more of that spirit.

A common thread throughout Sir John's parliamentary career was his clear regard for the role of the Senate. He was often quick to put his view that this place serves as 'the only safeguard against unbridled power and arrogance'. This was buttressed by his belief in the Senate committee system's importance to the conduct of cautious and considered public policy. I note that, while a fixture today, the modern Senate committee framework was in its infancy at the time of Sir John's entry into the Senate. No doubt many would agree that his early appreciation for the important work undertaken by these committees was prescient indeed.

Entering Billy Snedden's shadow ministry in 1974 as opposition spokesman for urban improvement and, later, as opposition spokesman on federalism and intergovernmental relations, Sir John was quickly given the opportunity to put his philosophical convictions into action. But it was the Fraser government's sweeping election victory in 1975 that gave him the chance to make his greatest policy impact. Serving briefly as Minister for Housing and Construction and Minister for Urban and Regional Development in late 1975, Sir John took particular joy in his work as Minister for Education between 1975 and 1979. Such was his passion for education that he adapted his one great hope in his first speech. For him, a modern, quality education was the greatest tool in the fight to give everyday Australians the best possible opportunity to better their lives and those of their families. He marshalled the full force of this passion while serving as minister, and many of his reforms became the bedrock of the education system that all Australians continue to enjoy today. Among other pursuits, he advocated fiercely for greater choice in Australian schools and secured more funding for the Catholic and non-government schooling sectors, which have since shaped the development of generations of Australian schoolchildren. Then Prime Minister Fraser was very wise to place Sir John in roles tied to his interests, and he later took on the post of Minister Assisting the Prime Minister in Federal Affairs and Minister for National Development and Energy.

But, beyond his policy contributions, Sir John's famous decency and good nature allowed him to excel as one of the greatest parliamentary leaders of the age, serving as Deputy Leader of the Government in the Senate from February 1978 and, from August of that same year, as Leader of the Government in the Senate and Vice President of the Executive Council. Too often today it is assumed that the clash of political wills, ideas and offerings must be cruel and personal. In Sir John's leadership during that period, we see that contention put to bed. Be it on the campaign trail or on the floor of the Senate chamber, Sir John always sought to draw as clear a policy contrast between the Liberal Party and its opponents as possible. This spoke, I believe, of two great faiths: his belief in the superiority of the Liberal vision and in the good sense of the Australian people to make the right call at the right time. Yet none could suggest that this emphasis on a fierce political clash detracted in any way from the decency and collegiality of the man who promoted it. It says much about Sir John's character and
leadership style that figures on both sides of the Australian political divide were quick to make moving tributes to him.

The Fraser government's defeat in March 1983 brought Sir John's tenure as Senate leader to an end, and it would be some four years later that he would retire from the Senate altogether, yet even then his public service was not done. Sir John's passion for education drove him in the years that followed to serve as Chairman of the Committee of Review of New South Wales Schools in 1988 and 1989—a review which helped draft the 1990 Education Reform Act and benefited greatly from Sir John's unique mix of zeal and experience. Further to this, he served at various times as a member of the New South Wales ministerial advisory council for teacher education and on the advisory board of the Macquarie University Institute of Early Childhood.

A life well lived in service to his country was also officially recognised when, in 1982, Sir John was made a knight commander of the Order of St Michael and St George for 'services to the Parliament of Australia'. Further to this, he was awarded honorary Doctor of Letters degrees in 1988 and 2000 by the University of Sydney and Macquarie University in addition to being appointed an Honorary Fellow of the Australian College of Educators. Commemorating the young Commonwealth that he loved and served, in 2001 Sir John fittingly received the Centenary Medal for outstanding leadership and service to the Australian community, especially through education, and had the Carrick Institute for Learning and Teaching in Higher Education named after him in 2004. In 2008 Sir John was appointed a Companion of the Order of Australia in recognition of distinguished service in the area of educational reform in Australia.

Yet all of these titles and honours did nothing to erode the humility of a man whose life was defined by honest and authentic service, be it that of the young prisoner of war, the respected minister and Senate leader, the mentor to a generation of Liberals or the loving husband and father. In this sense the life and legacy of Sir John have earned him a place in the lore of the Liberal Party and alongside the greatest Australians—a patriot before a partisan, but a passionate Liberal to the end. Both this party and the nation are stronger and more prosperous because of his service.

Earlier this year Sir John lost his beloved wife of 67 years, Angela, just three months before his own passing. To Sir John's daughters, Diane, Jane and Fiona, and to all of his family and loved ones, on behalf of the Australian government and the Senate I offer my deepest condolences.

**Senator WONG** (South Australia—Leader of the Opposition in the Senate) (15:45): I rise on behalf of the Labor opposition to acknowledge the passing of former senator and minister the Hon. Sir John Leslie Carrick AC, KCMG, who passed away on 18 May 2018 at the age of 99. I commence by conveying our deepest condolences to his relatives and to his friends. I also recognise those on the opposite side of the chamber who knew him and learnt from him and who benefited from his mentoring and legacy.

There have been only a handful of real giants in the Liberal Party in its history, according to many observers of Australian politics. Some are well-known former Prime Ministers: Sir Robert Menzies, Malcolm Fraser and John Howard. Another may be less readily identifiable in the public consciousness but no less deserving of this description, and that is Sir John Carrick. As Mr Shorten told the House:
… giants of our movement across the generations knew and admired John Carrick not just as a worthy foe and an opponent of great civility and courtesy but also as a person of substance …

As a party official and then as senator and minister, Sir John served our nation at the highest levels of our democracy. But of course it was in service first in uniform, as an Army officer and prisoner of war, that his enduring values and philosophies were forged. These principles, grounded in the faith, in the ability of individuals educated and knowledgeable to flourish under the umbrella of the right democratic political structures, would guide the work of the next eight decades of his life. A modest individual, humbled by profound experiences early in his life, he was a man of unimpeachable integrity and extraordinary humanity.

Sir John Carrick grew up in the Eastern Suburbs of Sydney. He was an employee of the Australian Gas Light Company. He undertook study in economics at the University of Sydney, graduating in 1941. From 1946 his association with the newly formed Liberal Party began, firstly as a research officer in the New South Wales division and then as its general secretary. He held this position for a lengthy period, from 1948 until he commenced in this place in 1971. Sir John led policy development based on having long-term plans and trusting voters to embrace positions that enhanced distinctions and contrasts between opposing political parties. He gained respect amongst his own colleagues as well as his political opponents. He ran the party in its earliest years in financially constrained circumstances, but this did not limit his capacity to forge ahead. He made a direct contribution to the ideas debate by publishing his own thoughts about party systems and Liberal philosophy early in his tenure.

Basing great value on accessibility and electability, Sir John sought out quality candidates wherever he could, with great success. He saw the need to campaign more than just at election time, astutely recognising opportunities for growth as postwar Australia diversified and released itself from some of the shackles that characterised the first 50 years of the federated nation. In particular, his lifelong interest in education came to the fore as he identified increased government assistance for independent and parochial schools as beneficial and also as a potential election strategy. Mooted to replace the New South Wales division president Bill Spooner in the Senate, it was the retirement of Alister McMullin that eventually paved the way for Sir John to go from party official to parliamentarian.

But first a step back. As for many of his generation, Sir John's life was interrupted by the onset of World War II, and in December 1940 he joined the Australian Imperial Force, serving in West Timor. His capture by the Japanese in 1942 meant it would not be until October 1945 that he would return to Australia. As a POW, he endured the brutal conditions of forced labour on the infamous Thai-Burma Railway, where he served, in addition to detention in Timor, Java and Malaya.

Of course, also captured at this time was his future federal parliamentary colleague Tom Uren, who would later become a Labor member of the House of Representatives. Many senators would be aware of the close relationship Tom Uren shared with our colleague in the House Anthony Albanese, and through this relationship Mr Albanese was able to meet and converse with Sir John, whose friendship with Mr Uren was forged in the most horrific and testing of circumstances, and which continued through their further service to the nation in the parliament, and endured throughout their lives. I would encourage anyone who has not yet done so to read Mr Albanese's contribution to the condolence motion, which he delivered last
month. In it he tells of meeting Sir John and learning much, not just of his war service but of his family and political life. Mr Albanese spoke not only of Sir John's capacity as a thinker, an intellectual, but also of the way his philosophy and character were shaped by his experience in captivity. He had witnessed great acts of personal strength and moral courage; he had also witnessed fierce brutality and mistreatment. It is a demonstration of his own values that he refused to give evidence against his Japanese captors in trials for war crimes, demonstrating forgiveness for a people that Sir John saw as having been tortured by a political system that had held them captive. Instead, he resolved to engage in the conflict of political ideas in support of the strength of the individual and, of course, parliamentary democracy.

Sir John Carrick entered the federal parliament at the tail end of the unbroken period of over two decades of federal Liberal government that he had done so much to create and sustain. Taking up his place in the Senate in 1971, after being elected in the previous year, he would go on to win re-election four times prior to retiring in 1987. Senator Cormann has already described Sir John's appreciation of the importance of Senate debate and, of course, the Senate committee system. Sir John was also successful in getting under the skin of his opponents, both in opposition and, later, in government, which was admired by one such adversary in the form of John Button. It did, however, mean his speeches were apparently frequently interrupted by interjections. Labor senator Harry Cant, a miner and union official before his election in 1959, was eloquent in his description of Sir John's political philosophies in the wake of Sir John's first speech. The Western Australian pronounced it 'a masterpiece of presentation' that he regretted:

... was that it was not made in 1900 because it contained all the conservative shibboleths that one could possibly collect.

Senator Cant went on to express his aspiration that the new Senator Carrick would 'educate himself to the standard of the necessities of 1971'.

But his Liberal opponent would come to demonstrate he was a man suited to the times. Sir John's service as shadow minister was brief, commencing in 1974 and ending with the elevation of Malcolm Fraser to the position of Prime Minister, a role Sir John had encouraged. He then held a number of portfolios as minister in the Fraser government. The most substantive of these were divided in almost equal portions: Education from 1975 to 1979 and then National Development and Energy until 1983. Education was an area of longstanding interest for Sir John. If one returns to his first speech, he says:

I have one great hope. I believe that in the vision of the future to meet the challenges of the future, the great solutions and the great motivations not being created by economic instruments will be created by a new philosophy of education.

He saw education as critical to the strength of our democracy, balancing the need for people to be stimulated in mind and spirit with preparation for vocation. As minister, he built structures to coordinate Commonwealth involvement in tertiary education and bolster federal assistance to the state-run tertiary and further education institutes. There were further substantial assessments and reforms directed at the effectiveness of Commonwealth investment in university and vocational education. As my colleague Senator Cormann said, in recognition of this and other contributions in this area, in 2004 the Carrick Institute for Learning and Teaching in Higher Education was named in his honour.
Halfway through the life of the Fraser government, Sir John gained the National Development and Energy portfolio and sought to promote exploration and the development of alternative fuels, alongside full import parity pricing for domestic food oil, as a cornerstone of the government's policy. He also became an advocate for nuclear energy. After a little over five months as the deputy leader, in 1978 he became Leader of the Government in the Senate, a position he held until the election of the Labor government of Bob Hawke in 1983.

He retired from the Senate in 1987, after spending four years in opposition, holding the Hawke government to account, and being a vigorous contributor to the Joint Select Committee on Electoral Reform. This opened the door for him to contribute to public life in a variety of new ways, including to the Gas Council of New South Wales, and in aged care, but it was to education which he returned most substantively. He was appointed by the newly-elected Greiner government to embark on an extensive review of and consultation on its education system and he went on to serve in several other education-related roles, including teacher education, early childhood education and the Advisory Committee of the Gifted Education Research, Resource and Information Centre at UNSW.

Whilst he was not someone who sought honours or tributes, in 2008 Sir John was appointed Companion of the Order of Australia for distinguished service in the area of education reform in Australia. He was also himself a great educator, mentoring multiple generations of Liberal politicians. First among those was one who sits alongside Sir John in the upper echelons of the Liberal Party's history—that is, John Howard. Mr Howard cut his political teeth in the New South Wales division led by Sir John before serving alongside him in the Fraser cabinet and later going on to become Prime Minister. Mr Howard said simply: I learned more about politics from John than from any other person I have known.

Sir John Carrick's entire life was devoted to public service in the national interest. He served his country at war, returning from imprisonment at the hands of Japanese forces to be at the coalface of the Liberal Party in its first three decades. He served as a minister and as a government leader in this chamber under Malcolm Fraser before becoming a mentor to future generations of Liberal leaders. He consistently promoted education as the pathway to advancement for individuals and, therefore, society. Many have and will associate themselves with Sir John's legacy, but I finish with these words of the man himself from his first speech:

Over my lifetime I have had an abiding faith in the parliamentary institution. I believe that it is the most effective mechanism yet invented by man to express man's hopes, to ensure his security and to create the free society which, as his servant and not as his master, enables him to fulfil himself both spiritually and materially.

I therefore find myself a particularly willing servant of the Parliament and, through it, of the Parliament's mainspring, the people of Australia.

At a time when sometimes this institution, the parliament we serve, is seen in lesser lights than we would like, one thing we must take away from the life of Sir John Carrick is this expression of confidence in the institution in which all of us serve together. We again extend our sympathies to his family and friends at this time.

**Senator Payne** (New South Wales—Minister for Defence) (15:57): I also rise this afternoon to honour and pay tribute to the late senator Sir John Carrick AC, KCMG, a former New South Wales senator, minister, soldier and lion of the New South Wales Liberal Party. I want to acknowledge the words of my leader in the Senate, Senator Cormann, and thank him
for those, and also acknowledge the words of the Leader of the Opposition in the Senate, Senator Wong, and thank her very much for the very generous observations that she has made today.

Senator Carrick was, indeed, one of the finest servants of this nation. I want to place on the Senate record my appreciation for his decades of service and pay tribute to his achievements. He was, indeed, one of the most influential people in the New South Wales Liberal Party and on the New South Wales Liberal Party during its formative years following World War II. He began his career with the party when he took a temporary role in 1946, which began a lifetime career in politics. Two years later he became the general secretary, a role which he held until he entered the Senate.

He was, as I've said, a lion of the Liberal Party and a giant of the party but a humble man, shaped by his experiences in World War II. He joined the Australian Imperial Force in 1940 and was deployed to West Timor as part of Sparrow Force the following year to defend the island against the Japanese. Barely two months later he was captured and sent to Singapore's notorious Changi Prison before being dispatched to the Thai-Burma Railway in 1943. As we know, there, prisoners experienced some of the most difficult and horrific conditions of the war. He, though, described his time as a prisoner of war as a 'great and enduring learning experience'. Despite the atrocities he saw and experienced, he was a believer that it was not people who create savagery but the evil compulsion of the system on the individual.

After the war, he again dedicated himself to public service. He entered the Senate in 1971 and held a number of ministerial positions, including as the Minister for Education from 1975 to 1979, and he was the Leader of the Government in the Senate from 1978 to 1983. His reforms to Australia's education system have had a profound and long-lasting impact on this nation.

After leaving the Senate in 1987, Sir John continued his contribution to education policy, chairing the New South Wales government's committee to review education legislation, the recommendations of which ultimately resulted in the New South Wales Education Reform Act 1990. His achievements in education reform were particularly recognised in 2008, when Sir John was appointed a Companion of the Order of Australia.

I want to refer briefly to the remarks made by the Prime Minister in his speech on the condolence motion in the House of Representatives. I think this is a very fitting summary of Sir John himself:

Sir John's faith in our better nature gave him optimism and purpose, and he dedicated his life to this cause, strengthening our political system and ensuring that education fulfilled its potential as the ultimate instrument of individual improvement.

He was a generous mentor to many generations of Liberals, young and not so young, and many of us on this side of the chamber owe him a debt of gratitude for his good counsel. As New South Wales Liberal senators—those of us who sit on this side, who walk in his considerable footsteps—we owe him much. As a then Young Liberal in the early 1980s, I certainly found him a daunting public figure, acknowledging at the same time that he was much admired and much respected. At the mention of his name, a degree of gravity would fall over even collected groups of Young Liberals—a significant achievement indeed! And that is the way I think many members of the New South Wales Division of the Liberal Party will remember him: gravitas, sincerity and a life of public service.
Before he died, he told his family that, notwithstanding his extraordinary life and his extraordinary contribution, he did not want a state funeral. As a prisoner of war, he said, he had seen too many funerals. None of those had been afforded any fanfare. Sir John wanted to be equal to them and wanted to be farewelled as simply as possible, and he was. It says much about the man we remember and commemorate today, a person who gave so much to this nation as a soldier, a senator, a minister, a husband, a father and a grandfather and who did not want anything in return. I pay tribute to him today and express my sincere condolences to his family and to his friends.

Senator BIRMINGHAM (South Australia—Minister for Education and Training and Manager of Government Business in the Senate) (16:03): I rise to also briefly associate myself with the remarks of Senator Cormann, Senator Wong and Senator Payne in paying tribute to the contribution of Sir John Carrick. I do so very proudly, following in his footsteps as the minister for education in Australia and noting the very fine words said by others regarding his thoughtfulness, his humanity and his respectful and considered approach in all of his dealings. It is particularly, indeed, his influence on our education system that I want to highlight briefly today, to acknowledge that his contribution to education policy both preceded his time as Minister for Education and continued long after his service as Minister for Education and that he was one who provided some of the foundation steps in terms of support for parental choice across Australia, influencing Sir Robert Menzies as Prime Minister in policy decisions taken by the Menzies government, as well as, of course, continuing that influence through, in particular during his time and service as the federal Minister for Education.

Indeed, in that time, Sir John helped to make Australia's schools and postschool systems the world-class institutions that we can and should still be proud of today. He appointed the first ever national review of teacher education, recognising, quite rightly, the paramount and fundamental role of teachers and the quality of teaching in terms of student outcomes and provision of the best possible education. He appointed and brought together the various postsecondary education commissions under Professor Peter Karmel, initiated the Williams review of postsecondary education and established new programs, particularly covering school-to-work areas and reformed areas of vocational education and training, such as in the nursing profession.

His work continued, as Senator Payne acknowledged, with the New South Wales government in the development of the New South Wales Education Act 1990, providing and setting guiding principles of that act that remain central to the provision of education in New South Wales to this very day, reflecting his firm views that every child has a right to an education and that families carry a central responsibility for that education of their children but that it is also the duty of the state to ensure that every child, with the support of families wherever possible, can access education of the highest quality.

Sir John's outstanding contribution to our nation and to the education of generations of Australians continues today. It's a legacy that he and his family should be proud of. It's one that the Liberal Party is especially proud of. I pay tribute to him and express and share my condolences with his family and friends.

Question agreed to, honourable senators standing in their places.
The PRESIDENT (16:06): It is with deep regret that I inform the Senate of the death, on 21 May 2018, of Donald Scott Jessop, a senator for the state of South Australia from 1971 to 1987 and a member of the House of Representatives for the division of Grey, South Australia, from 1966 to 1969. I call the Leader of the Government in the Senate.

Senator CORMANN (Western Australia—Leader of the Government in the Senate, Minister for Finance, Special Minister of State and Vice-President of the Executive Council) (16:06): by leave—I move:

That the Senate records its deep sorrow at the death, on 21 May 2018, of Donald Jessop, former senator for South Australia, places on record its gratitude for his service to the Parliament, and tenders its profound sympathy to his family in their bereavement.

Fiercely independent and committed to his home state of South Australia, former Senator Donald Jessop's unique personal background and keen policy interest ensured that he made a big mark during his time in the parliament. Born on 21 June 1927 in Unley, South Australia, to Lindsay and Margaret Jessop, Donald was educated in Unley High School before pursuing optometry at the University of Adelaide, where he secured his formal qualification in 1949. In April of that same year he married Barbara Maughan, beginning what would be 69 years of marriage that brought three children, Meredith, Lynne and Michael, followed by an impressive extended family.

Donald's first years spent practising took him throughout regional South Australia, including postings at Port Pirie and Jamestown. In 1955, he set up his own practice in Port Augusta and, notably, founded the first Royal Flying Doctor Service optical clinic, becoming the well-renowned 'flying optometrist'. This furthered what would be a lifelong passion for the Royal Flying Doctor Service and medical care throughout remote and regional Australia. Donald's professional profile and community mindset led him to become a prominent member of his local community, taking on roles as a justice of the peace and channeling his energy into the Apex volunteer service clubs. Such was his dedication to the Apex cause that he would later become a life member of its association in recognition of his extended service.

His strong support among locals helped his election to the Port Augusta City Council in 1960, a role that he fulfilled until 1969. Donald joined the Liberal Party after settling in Port Augusta and often self-identified as a reluctant politician. Contesting the 1966 federal election, he faced a daunting challenge. Grey had been in Labor hands since 1943. Undeterred, Donald traversed the sprawling electorate, which then accounted for some 84 per cent of South Australia's landmass, in a small plane lent to him by a friend and won the seat off the back of an impressive 7.8 per cent swing. Despite working hard as the member for Grey, Donald was unsuccessful in seeking re-election at the subsequent federal election, in 1969. However, his departure from the political scene was short-lived and he was elected to the Senate at the 1970 federal election—the same year as Sir John Carrick—formally commencing his term on 1 July 1971.

In Donald's maiden speech as the member for Grey, he had been quick to note that he was a new hand, and, as such, focused on those issues that were most relevant to his electorate. By contrast, his first speech in this chamber, delivered only a few years later, struck a very different tone. As a senator, Donald wasted no time in laying out his policy vision, which included his concerns about the plight of the South Australian wine industry, for which he
was a reliable advocate. He also used his new platform to champion the efforts of the Royal Flying Doctor Service, calling for greater public resourcing of its good work and that of medical centres across remote and regional Australia.

Over the years that followed, Donald was dutiful in the service of his state and never shied away from sharing his honest thoughts on matters affecting South Australia. He also took up a number of causes, including his fierce advocacy for Australia's national highways and railways. Notably, he pushed for upgrades to the Eyre and Stuart highways as well as for the construction of the Tarcoola-Alice Springs rail line, which was established during his time in the Senate.

Taking to the pages of *The Canberra Times*, in November 1978 Donald penned an article titled 'The satisfactions of serving on a Senate committee', in which he identified the committee process as being the most satisfying aspect of his work. Donald's active record within the committee system speaks to that conviction, and he used it to pursue a range of policy priorities. In particular, he relished his service as chairman of the Standing Committee on Science and the Environment between 1976 and 1983, which allowed him to indulge his keen interest in science policy. Among many Senate committee roles, he also served as the inaugural chairman of the Standing Committee on Appropriations and Staffing between 1982 and 1987.

Donald's parliamentary service reached its end with his defeat at the 1987 federal election. By that time he had made a name as a unique parliamentarian, known for his fierce independence of mind. It says something of the seriousness with which he took his position that, following his departure from the Senate, fellow senator for South Australia Grant Chapman spoke of him as 'a stout defender of the Senate's constitutional role'.

While Donald returned to optometry in the years that followed, his political interest was undimmed and he often posted letters to the editor of *The Advertiser*. Outside the walls of this place, Donald's other lifelong passions remained: Australian rules football, tennis, swimming, choral music and, of course, his large and loving family. To former Senator Donald Jessop's wife, Barbara, their children, Meredith, Lynne and Michael, their 11 grandchildren and their 17 great-grandchildren: on behalf of the Australian government and the Senate, I offer my sincerest condolences.

**Senator WONG** (South Australia—Leader of the Opposition in the Senate) (16:12): I rise on behalf of the opposition to acknowledge the passing of former senator and member of the House Donald Scott Jessop, who passed away on 21 May 2018 at the age of 90. I begin by conveying the opposition's condolences to his family and his friends.

Don Jessop described himself as 'a reluctant politician'. Yet the flying optometrist from Port Augusta would become first a local councillor, then a member of the House of Representatives and finally a senator. When faced with significant policy decisions, he didn't always follow the party line. On a number of issues, he was probably ahead of his time. His political approach was grounded in strong personal faith and values, which endured throughout his life. He grew up in the suburbs in the southern part of Adelaide, and attended Mitcham Primary School and Unley High School—a feature he shared with former Prime Minister Julia Gillard. However, I suspect that's where the similarity ends. Sport was a great metronome between the seasons throughout his life, of tennis in summer and footy in winter, and he was a lifelong supporter, and later vice-president, of the local Sturt footy club.
Taking up university study in optometry led Mr Jessop to practise in country South Australia—in Port Pirie and Jamestown—and for two years in Broken Hill. In 1955 he decided to open his own practice in Port Augusta. It was in this city, which is known as 'the crossroads of Australia', that Don Jessop first became involved in politics. Having been nurtured in the ways of the Liberal Party by his parents, who were members of the party's forerunners, he joined himself in his first year in what was then a pretty working-class town and built up the local branch. He was elected to local council in 1960, but midway through the period he won his first election to a more substantial political office: that of a federal parliamentarian.

At the 1966 House of Representatives election there were no rivals when Don Jessop accepted an invitation from the Liberal Party to be preselected as its candidate for Grey. The seat, which includes the industrial heartland around the 'iron triangle' at the top of the Spencer Gulf, in the form of the cities of Port Augusta, Port Pirie and Whyalla, had been held by Labor since 1943. However, to the surprise of all, he won with a 7.8 per cent swing handing him a three per cent margin. History could have been different had his Labor opponent been an alternative one. In its obituary, the Port Pirie Recorder suggested Mr Jessop might have had a rival for the seat in the form of future Prime Minister Bob Hawke, had the latter not delivered his nomination form a day late. After commending the efforts of the former Labor member in his first speech, Mr Jessop sought to put Grey on the map—one of his colleagues having apparently asked where in Victoria it was located.

In the three years as the member for what is still one of the larger seats in Australia, Don Jessop took up issues which would return throughout his parliamentary career. He campaigned for the expansion of resource development in outback South Australia, seeing that there was great potential for mineral and gas resource development. His electorate contained a cross-section of primary and secondary industry, from lead smelting, shipbuilding and steelmaking to vast agricultural and pastoral holdings. Perhaps in a sign of the times, Mr Jessop also campaigned for improved radio reception for his constituents. Well served throughout his time in politics by a wonderful sense of humour, he once delighted in explaining to a Texan that Grey was actually bigger than the Lone Star State. His tenure in Grey was the only break in Labor's then 50-year hold on the electorate, which ultimately ended in 1993.

Defeat in 1969 brought only a brief interlude to his parliamentary career. He was successful in obtaining preselection for the second position on the Liberal Party Senate ticket, going on to win the election in 1970. He would be re-elected a further five times. Amongst the matters he took up as a senator were reform of social security, superannuation and taxation. In particular, he campaigned for changes to the excise on wine and advocated for improved transport corridors for agricultural and industrial products as well as a growing tourism industry.

In 1973 he first warned of the dangers identified by scientists of the build-up of carbon dioxide in the atmosphere, and championed nuclear power as an ostensibly clean alternative power source to coal. One of his greatest policy contributions concerned the Murray River, a policy area of continuing and paramount importance to those of us from South Australia. So, in a fortnight when the Senate will debate the Water Amendment Bill, we should recall his advocacy for a national water authority. Senator Jessop also used his position as member and
Chair of the Senate Standing Committee on Science and the Environment to pursue this and other ideas. One of Mr Jessop's enduring contributions was to the select committee that recommended a separate appropriations bill on parliamentary appropriations and led to the establishment of the Standing Committee on Appropriations and Staffing.

Don Jessop was always an independent decision-maker. He crossed the floor of the Senate 27 times during his career representing South Australia. I understand that places him seventh on the all-time list. Along with one of those above him on that list, Senator Alan Missen, he opposed the deferral of supply in the party room in 1975. He didn't agree that the necessary reprehensible circumstances existed, and he publicly canvassed voting against the rejection of supply. This was an act of political bravery at a time when the nation found itself at a constitutional crossroads and a government commanding a majority in the House of Representatives was derailed by the actions of its opponents in the Senate. After his dismissal as Prime Minister, Gough Whitlam acknowledged Mr Jessop as the only Liberal who cared to write to him.

Mr Jessop successfully opposed the abolition of pensioner funeral benefits by his own Fraser government. He was also a vote against the same government when it came to the establishment of the Senate Scrutiny of Bills Committee in 1991, of which he was in favour. Don Jessop was also key to the inclusion of eye examinations in health benefits available under the original Medibank, and, no doubt, his professional experience and authority was of assistance in this regard.

It might not necessarily have been for these reasons that Mr Jessop failed to secure re-endorsement on the Liberal Party ticket for the 1987 election, although they may have contributed. He told The Age that his tendency to always tell the party leader what he thought they should know rather than what they wanted to hear may have worked against him. Contesting the 1987 double dissolution election as an Independent Liberal, Mr Jessop secured over 25,000 first-preference votes, and his scrutineers reported a large number of informal below-the-line votes. Perhaps, if the 2016 Electoral Act changes had been in place, he could well have been re-elected.

A defender of the rights of the Senate, the late Clerk of the Senate, Harry Evans, acknowledged Mr Jessop's role in protecting this chamber's place in the bicameral system in a letter written after Mr Jessop's departure. One of his greatest contributions in the area was to parliamentary privilege. The 1980s were a time of great development in the area of privilege, culminating in the passage of the Parliamentary Privileges Act 1987 and the Senate's privilege resolutions. Mr Jessop had an integral role in bringing this legislation and the resolutions into fruition.

After leaving the Senate, Don Jessop first returned to his profession of optometry, practising in Adelaide and again in Port Augusta, but his political life did not end with his defeat at the 1987 election. To draw on the words of his grandson Nick in his eulogy for his grandfather, 'You can take the man out of politics but you cannot take politics out of the man.' It was a mark of the commitment Don Jessop had to public service and to public policy that he wanted to continue to contribute on the same issues that had occupied him during his parliamentary career. Nuclear power and the River Murray were dominant themes in his frequent letters to The Advertiser as well as to many federal and state members of parliament. To these he added some additional refrains: the end of the era of statesmanship and, especially
in later years, aged care. He also produced a memoir entitled *Reminiscences of a Reluctant Politician*.

Family continued to be a great source of pride and joy for Mr Jessop, and he delighted in his grandchildren and great-grandchildren, of which he had a total of 17. 'Pop' proudly showed them around Parliament House in Canberra and took them to lunch in Adelaide together with Nanna Barbie. He was a role model for values, wisdom, leadership and love.

Don Jessop passed away quietly just a few weeks ago after farewelling his beloved wife, Barbara. Mr Jessop's funeral, which was attended by many senior Liberal politicians and others, including a member of my staff, was held at the Malvern Uniting Church in Adelaide on a cool and breezy but clear day—Monday, 28 May 2018—in the same church in which he had married Barbara 69 years ago and in which they had worshipped together in their later life. He always attended church on Sundays in a tie and blazer, complete with his senator's pin, an indispensable accompaniment to his outfit. Officiated by member of the congregation and close friend the Reverend Neale Michael, OAM, RFD, the service honoured Mr Jessop's memory and gave praise to the God he loved. Mr Jessop had laid out detailed plans for his funeral, from its commencement with Mario Lanza's rendering of the Lord's Prayer to hymns, including 'Guide Me O Thou Great Redeemer', and the John Williamson accompaniment to the photo montage, the quintessential 'True Blue'. We were then and we remain reminded that Mr Jessop's Christian faith was a defining feature of his life.

Above all, Don Jessop always stood up for what he believed was right. He was a man of deep Christian faith for whom a strong moral compass was his guide throughout his political career. Whilst a reluctant politician, he loved being a senator. He was passionate about the causes in which he believed but also imbued with great love for his country and his family. So we again extend our sympathies today to Don Jessop's relatives and friends at this time, particularly his wife, Barbara; his children, Meredith, Lynne and Michael; and his grandchildren and great-grandchildren.

Senator BIRMINGHAM (South Australia—Minister for Education and Training and Manager of Government Business in the Senate) (16:23): Very briefly I wish to acknowledge the remarks of Senator Cormann and Senator Wong in paying tribute to Donald Jessop, former member for the House of Representatives electorate of Grey in South Australia and, of course, as we've heard, long-serving Liberal senator for South Australia.

Don Jessop is no doubt an individual who would have firmly believed that success is derived through a commitment to hard work and strong values, and that is a testament to his life and to his many accomplishments. Yet equally I think it is fair to say that fate played a significant role in his life as well: the fortune—surprise—of being elected as the member for Grey in his first outing of electoral contest and then his defeat landing him here as a long-serving senator. Probably an individual who was better suited to being a senator and to serving as a senator, indeed, his contribution through that time can be seen through his many accomplishments but particularly in the principle that he brought to parliamentary democracy and his support for the unique role of this chamber in our Australian polity. His work and his contribution in developing and extending our committee system—we've heard the words about his support for the establishment of the Scrutiny of Bills Committee—and the extension of work around the acknowledgement of parliamentary privilege all ensure that the chamber we operate in today, and have the privilege and honour of operating in, is a stronger chamber.
It is stronger for the contribution of the likes of Donald Jessop and Alan Missen during their era of service.

He, of course, was also a passionate and staunch representative of my home state of South Australia. He continued work that our forefathers at the time of Federation had done, as Senator Wong acknowledged, championing South Australian interests in relation to issues such as the River Murray—argued as they were at the time of the Federation conventions in the 1890s by former South Australian Premier Charles Cameron Kingston, and later through the contribution of senators like Donald Jessop and, indeed, through many contributions that Senator Wong and I have made during our time in this chamber today. It's a continuous stream, if you can pardon the pun, of work on such a critical issue.

Equally, he stood up for many South Australian industries, jobs and opportunities, as well as the welfare and wellbeing of so many South Australians. He had a fierce stream of independence within the way in which he represented his constituents—an independence that was testament to his character and his values, and his willingness to fight and to put their interests first.

He was a proud and loyal servant of South Australia and a great worker in many different ways for the Liberal Party through his time of service for our party. I pay tribute to his contribution and extend and add my condolences to his family and friends.

Question agreed to, honourable senators standing in their places.

NOTICES
Withdrawal

Senator McKIM (Tasmania) (16:26): Pursuant to standing order 78(1), I give notice of my intention, at the giving of notices on the next day of sitting, to withdraw business of the Senate notice of motion No. 2 standing in my name for today proposing that the Social Security (Assurances of Support) Determination 2018 made under the Security Act 1991 be disallowed.

Presentation

Senator Watt to move on the next day of sitting:
That:
(1) The Minister representing the Minister for Aged Care is required to attend the Senate at 9.30 am on Wednesday, 20 June 2018 to explain:
   (a) when the Minister first knew that the answer provided in question time on 9 May 2018, relating to home care aged packages, was incorrect; and
   (b) why the Minister failed to attend the chamber at the first available opportunity to correct the record.
(2) Any senator may move a motion to take note of the Minister's statement, and any such motion may be debated for no longer than 1 hour, and have precedence over all government business until determined. (general business notice of motion no. 830)

Senator Watt to move on the next day of sitting:
That the following bills be referred to the Community Affairs Legislation Committee for inquiry and report by 13 August 2018:
   Private Health Insurance Legislation Amendment Bill 2018
A New Tax System (Medicare Levy Surcharge-Fringe Benefits) Amendment (Excess Levels for Private Health Insurance Policies) Bill 2018

Medicare Levy Amendment (Excess Levels for Private Health Insurance Policies) Bill 2018.

Senator Birmingham to move on the next day of sitting:

That consideration of the business before the Senate on Wednesday, 27 June 2018 be interrupted at approximately 5 pm, but not so as to interrupt a senator speaking, to enable Senator David Smith to make his first speech without any question before the chair.

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

That the Senate:

(a) notes that:

(i) on 18 June 2018, the Australian Parliamentarians Against the Death Penalty hosted a screening of Guilty, an Australian film about the final 72-hours in the life of Myuran Sukumaran, the Bali-9 convicted criminal who, along with Andrew Chan, was executed by a firing squad in Indonesia on 29 April 2015, and

(ii) on World Day Against the Death Penalty on 10 October 2018, screenings of Guilty are being held right around Australia to coincide with the Government's efforts to negotiate a resolution on a moratorium on the death penalty at the United Nations Human Rights Council; and

(b) acknowledges the Government's continued strong opposition to the death penalty and its work in releasing the text of a whole-of-government Strategy for the Abolition of the Death Penalty on 15 June 2018. (general business notice of motion no. 831)

Senator Bernardi to move on the next day of sitting:

That the Senate:

(a) notes the historic summit between the President of the United States, Mr Donald Trump, and the leader of North Korea, Mr Kim Jong-un; and

(b) congratulates President Trump for:

(i) achieving a diplomatic breakthrough his predecessors could not achieve,

(ii) advancing the de-escalation of tensions on the Korean peninsula, and

(iii) advancing the cause of denuclearisation of the Korean peninsula. (general business notice of motion no. 832)

Senator Bernardi to move on the next day of sitting:

That the Senate:

(a) notes that 23 June marks the second anniversary of the historic vote by the United Kingdom to withdraw from the European Union;

(b) acknowledges that the vote was conducted democratically and reflects the will of voters on a critical question of national sovereignty; and

(c) calls upon the Australian Government to advance as quickly as possible trade negotiations with both the United Kingdom and the European Union to improve our exporters' access to both markets. (general business notice of motion no. 833)

Senator Bernardi to move on the next day of sitting:

That the Senate:

(a) notes the comments of the New South Wales Opposition Leader, Mr Luke Foley, highlighting the problems arising in Sydney from recent immigration trends;
(b) calls upon the Federal Government to comprehensively review the scope and composition of future migrant intakes; and
(c) urges the Federal Government to ensure that Australia's immigration intake operates in the economic, social, cultural and security interests of all Australians. (general business notice of motion no. 834)

Senator Bernardi to move on the next day of sitting:
That the Senate:
(a) notes that the Liberal Party of Australia's Federal Council recently passed a motion stating 'That federal council calls for the full privatisation of the Australian Broadcasting Corporation, except for services into regional areas that are not commercially viable';
(b) further notes the comments of the Treasurer that the Government has no plans to privatise the Australian Broadcasting Corporation (ABC); and
(c) congratulates Liberal Party members for continuing to draw attention to the need for structural and budgetary reform of the ABC. (general business notice of motion no. 835)

Senator Hinch to move on the next day of sitting:
That the Senate:
(a) acknowledges that:
(i) it has been almost 15 years since Daniel Morcombe, a thirteen-year-old boy with his entire life ahead of him, was abducted and murdered by a serial predator with an extensive history of sexually abusing children,
(ii) at the time of committing this heinous crime, this paedophile, Brett Peter Cowan, was out on parole amongst an unsuspecting community with no knowledge as to the extent of his criminal history, and
(iii) one child becoming the victim of a known sex offender is a child too many; and
(b) notes that:
(i) for the safety of their children, the community deserves access to certain information held on the National Child Offender System, a publicly available national sex offender register, like 'Megan's Law' in the United States of America, which would enable parents to identify potential risks for their children, and
(ii) a national register would act as an increased deterrent to potential, future child sexual abusers and has been proven in other countries to have a positive impact on sex offender recidivism. (general business notice of motion no. 836)

Senator Steele-John to move on the next day of sitting:
That:
(a) the Senate notes that:
(i) in May 2016, Maddocks Lawyers completed a report for the then Minister for Health, Ms Ley, and the Department of Health in relation to the Australian survivors of thalidomide, focusing on the relationship and responsibility of the Australian Government towards these survivors,
(ii) in October 2016, Thalidomide Group Australia submitted an application to the Department of Health seeking access to this report under the Freedom of Information Act 1982, and
(iii) in November 2016, the Department of Health refused access to this document to Thalidomide Group Australia, citing that the document is subject to legal professional privilege; and
(b) there be laid on the table by the Minister representing the Minister for Health, by no later than 3 pm on 20 June 2018, a copy of the report prepared by Maddocks Lawyers for former Minister Ley and the Department of Health in May 2016.  

*Senator Hanson-Young* to move on the next day of sitting:

That the Senate:

(a) notes that:

(i) 19 June 2018 is National TAFE Day, and

(ii) the day is an opportunity to celebrate the achievements of the public TAFE system;

(b) further notes that:

(i) since 2005, Government Vocational and Education Training (VET) funding has declined by 32%, and

(ii) the share of publicly-funded students taught at TAFE has fallen from 81% in 2009 to 50% in 2015;

(c) recognises that TAFE is a cornerstone of Australia's vocational education and training sector, and that its position and status within the sector is diminished when it is inadequately funded;

(d) acknowledges that TAFE should never be considered a competitor to the for-profit registered training operators, but has its own important function within the sector and the community more broadly; and

(e) calls on the Government to ensure that TAFEs are always fully-funded and publicly-owned, now and into the future.  

*Senator Hanson-Young* to move on the next day of sitting:

That the Senate:

(a) notes that on 6 September 2013, Mr Abbott promised voters 'no cuts to the ABC';

(b) further notes that:

(i) the 2014-15 Budget cut the Australian Broadcasting Corporation's (ABC) funding by $47 million,

(ii) the 2014-15 Mid-Year Economic and Fiscal Outlook cut the ABC's funding by a further $207 million,

(iii) the 2018-19 Budget has cut the ABC by an additional $84 million,

(iv) since September 2013, the ABC has been forced to absorb 1014 job losses as a result of budget cuts, and

(v) trust in politicians is at an all-time low, and that this is not without reason;

(c) condemns the Liberal Party's decision over the weekend to support the privatisation of the ABC, noting that no members of the Turnbull Government, including the Minister for Communications, spoke against the motion; and

(d) calls on the Turnbull Government to make amends on its broken promises by rescinding its policy to privatise the ABC and reversing its damaging cuts.  

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

That the Senate:

(a) notes the religious and historical significance of Jerusalem; and

(b) calls on the Australian Government to:

(i) recognise Jerusalem as the capital of Israel, and
move the Australian Embassy to Western Jerusalem. (general business notice of motion no. 840)

Senator Whish-Wilson to move on the next day of sitting:
That the following matter be referred to the Environment and Communications References Committee for inquiry and report by 13 July 2018:

The 2017-18 Budget Measure Great Barrier Reef 2050 Partnership Program, with particular reference to:
(a) the delivery of the Reef 2050 Plan, including through the Great Barrier Reef 2050 Partnership Program and through other avenues;
(b) the proficiency of the Great Barrier Reef Foundation and its capacity to deliver components of the Reef 2050 Plan;
(c) the proficiency of other organisations and their capacity to deliver components of the Reef 2050 Plan;
(d) the process of granting funding to the Great Barrier Reef Foundation for the Great Barrier Reef 2050 Partnership Program, the terms of agreement for funding, and the ongoing administration of funding;
(e) the prior activities and operations of the Great Barrier Reef Foundation, including research, public-policy advocacy and fund-raising;
(f) the establishment, governance and membership of the Great Barrier Reef Foundation, including the management of conflicts of interest and commercial interests; and
(g) any other related matters.

Senator Whish-Wilson to move on the next day of sitting:
That the Senate:
(a) notes that:
(i) 80% of people in Yemen are dependent on humanitarian assistance or protection,
(ii) 30% of people in Yemen are severely food insecure and at risk of starvation,
(iii) 70% of imports into Yemen flow through the Port of Hodeidah,
(iv) the United Nations Humanitarian Coordinator, Mr Mark Lowcock, has warned that if the operation of the Port of Hodeidah was to be interrupted the humanitarian consequences would be catastrophic, and
(v) the Saudi-led coalition's military offensive on the City of Hodeidah is putting at risk the operation of the port; and
(b) calls upon the Australian Government to support:
(i) United Nations' efforts to find a non-military solution to the conflict in Yemen, and
(ii) efforts by the United Nations to ensure the Port of Hodeidah remains operational, including, if necessary, a temporary United Nations takeover of the administration of the port. (general business notice of motion no. 841)

Senator Cameron to move on the next day of sitting:
That the following matter be referred to the Education and Employment References Committee for inquiry and report by 17 September 2018:
The exploitation of general and specialist cleaners working in retail chains for contracting or subcontracting cleaning companies, with particular reference to:
(a) frameworks at both Commonwealth and industry level to protect workers from harm, including exploitation, wage theft, underpayment, wage stagnation and workplace injury;

(b) measures designed to ensure workers have adequate representation and knowledge of their rights;

(c) compliance with relevant workplace and taxation laws, including the effectiveness and adequacy of agencies such as the Fair Work Ombudsman and the Australian Taxation Office;

(d) practices including 'phoenixing' and pyramid subcontracting; and

(e) any related matters.

Senator Watt to move on the next day of sitting:
That the time for the presentation of the report of the Select Committee on the Future of Work and Workers be extended to 15 August 2018. (general business notice of motion no.842)

Senator O'Neill to move on the next day of sitting:
That the time for the presentation of the report of the Parliamentary Joint Committee on Corporations and Financial Services on its inquiry into the Franchise Code of Conduct and Oil Code of Conduct be extended to 6 December 2018. (general business notice of motion no.843)

Senator Polley to move on the next day of sitting:
That the Senate:

(a) notes that:

(i) 15 June 2018 was World Elder Abuse Awareness Day,

(ii) World Elder Abuse Awareness Day is a global awareness day highlighting one of the most serious and silent forms of domestic violence, which is elder abuse,

(iii) elder abuse is one of the worst manifestations of ageism in our society and can be physical, sexual, financial, psychological, social or neglectful,

(iv) elder abuse continues to be primarily perpetrated by someone trusted, such as family or friends, and

(v) elder abuse is everyone's business and deserves the attention of everyone in the community;

(b) urges federal, state, territory and local governments to raise awareness and to create communities where older people can live with dignity and respect, free from all forms of abuse; and

(c) encourages all Australians to turn awareness into action, watch out for signs, offer help and stand against any mistreatment of older people. (general business notice of motion no.844)

Senators Bilyk and Polley to move on the next day of sitting:
That the Senate:

(a) notes that:

(i) 20 to 26 May 2018 was National Palliative Care Week (NPCW),

(ii) the theme of NPCW 2018 was 'What matters most?', which addresses the need for Australians to plan ahead for their end-of-life care and discuss it with their loved ones and health professionals,

(iii) according to the Grattan Institute’s report, Dying Well, published in 2014, 70% of Australians would prefer to die at home surrounded by loved ones, but only 14% do so, and

(iv) most Australians die in hospitals and aged care facilities, and many experience what the Dying Well report refers to as ‘impersonal, lingering and lonely deaths’;

(b) encourages all Australians to make plans for their end-of-life care and to discuss their plans with loved ones and health professionals; and
(c) urges all senators and members to promote to their constituents the importance of planning for, and having conversations about, their end-of-life care. (general business notice of motion no.845)

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

That the Senate:

(a) notes that:

(i) Miegunyah, formerly known as Beverley Wood, is a heritage-listed house in Bowen Hills, Brisbane that was built in the 1880s – it is a living example of Victorian elegance and charm, decorated with iron-lace balustrades, filigree columns and friezes, and furnished in late 19th century styling,

(ii) the Queensland Women's Historical Association (QWHA), acquired Miegunyah in 1967, began refurbishment and officially opened it as a house museum in June 1968,

(iii) in subsequent years, funds have been received from an initial bequest from Miss Hilda Chandler and, later, Commonwealth and state governments, the Brisbane City Council, and contributions from the QWHA,

(iv) funds have enabled slow but steady progress on conserving part of our nation's architectural heritage, to function as a museum and home for the QWHA,

(v) Miegunyah is treasured as a venue for a regular program of historical talks, themed exhibitions, seminars and social events, and owes its status not least to the innumerable voluntary woman and man hours put in by QWHA members and honorary architects alike,

(vi) the QWHA:

(A) was formed in 1950, with the aim to stimulate interest in the history of pioneer families and the contribution made by women to the development of Queensland,

(B) set out to educate and preserve a record of culture, and

(C) undertakes to collect documentary material, together with personal and household items that demonstrate our constantly changing lifestyle,

(vii) within a year, the QWHA held its first exhibition 'Before 1900' at Newstead House and, on the centenary of Queensland becoming a separate colony in 1959, its first publication appeared titled '1859 and before that–1959 and all that',

(viii) today, in the grounds of Miegunyah, stands a lamp as a memorial to Martha Young, QWHA president for 12 years from 1954, whose drive, enthusiasm and leadership contributed much to the Association's successes, and who initiated a scheme to identify and mark buildings, properties and sites of outstanding significance to Queensland,

(ix) between 1960 and 1983, the QWHA recognised, and marked with plaques, 87 historic sites in Queensland, Britain and France,

(x) with an expanding membership and collection in the 1960s, the QWHA needed a home of its own; fortuitously, colonial house Beverley Wood came on the market, and the QWHA led an appeal throughout the state, during 1967, to raise sufficient funds to save a colonial gem from demolition, and

(xi) the successful purchase of the house Miegunyah, with the aim of maintaining the property as a Memorial to the Pioneer Women of Queensland, represented a triumph for all members and has strengthened the QWHA's ability to preserve our endangered heritage; and

(b) acknowledges the incredible women's history in celebrating the 50th anniversary of the opening of Miegunyah House Museum in 2018. (general business notice of motion no.846)

**Senators Rhiannon and Cameron** to move on the next day of sitting:

That the Senate:

(a) notes that:
(i) the latest census data indicates that there has been a 13.7% rise in homelessness since 2011,
(ii) a well-functioning social housing system that is affordable for tenants is important in reducing homelessness,
(iii) charging tenants a proportion of income as rent, as opposed to market rent, has proved an effective way to ensure affordability, and
(iv) the Productivity Commission’s report no. 85, *Introducing Competition and Informed User Choice into Human Services: Reforms to Human Services*, recommends state and territory governments charge new social housing tenant market rents; and

(b) calls on the Turnbull Government to reject the recommendation that state and territory governments charge social housing tenants market rates. (*general business notice of motion no.847*)

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

That the Senate:

(a) notes that:

(i) the Brisbane Combined Unions Choir was formed 30 years ago under the inspiration of union organisers, and continues with support from the Queensland Council of Unions, which still provides weekly rehearsal space – the choir was conceived by a dedicated bunch of unionists, intent upon using the arts to create a political message reflective of, and enjoyable to, working people, who took as their motto the saying, 'a movement that sings, shall never die',

(ii) when the Brisbane Combined Unions Choir met for the first time at the Queensland Teachers’ Union building, its inaugural members were dressed in the working gear of their union callings – the choir’s first performance was on Queensland’s Labour Day in 1988, off the back of a truck,

(iii) across three decades, the Brisbane Combined Unions Choir has had five conductors, commencing with Ms Libby Sara, followed by Mr Michael Roper, Ms Ann Bermingham, Mr Mark Shortis and, since 1997, Ms Marina Thacker – the choir has been involved in many significant events, recorded multiple CDs and produced songbooks of traditional and original political songs, and

(iv) the Brisbane Combined Unions Choir have travelled widely in Australia, even overseas, to collaborate with colleagues who enjoy singing and have performed with other union choirs – the key to the choir’s success, in bringing happiness to so many, has been the commitment of its members to rehearsals, planning events, and, of course, singing for unionism, peace and social justice; and

(b) acknowledges the strong tradition of union choirs as Brisbane Combined Unions Choir celebrates its 30th anniversary in 2018. (*general business notice of motion no.848*)

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

That the following matter be referred to the Foreign Affairs, Defence and Trade References Committee for inquiry and report by 17 September 2018:

The use of the Quinoline anti-malarial drugs Mefloquine and Tafenoquine in the Australian Defence Force (ADF), with particular reference to:

(a) the current and past policies and practices for:

(i) prescribing Quinoline anti-malarial drugs to ADF personnel, and

(ii) identifying and reporting adverse drug reactions from Quinoline anti-malarial drugs among ADF personnel;

(b) the nature and extent of any adverse health effects of those who have taken Mefloquine/Tafenoquine on serving and former ADF personnel;

(c) the support available for partners, carers and families of personnel who experience any adverse health effects of Quinoline anti-malarial drugs;
(d) a comparison of international evidence/literature available on the impact of Quinoline anti-malarials;

(e) how other governments have responded to claims regarding Quinoline anti-malarials; and

(f) any other related matters.

Senator Storer gave contingent notices of motion as follows:

No. 1—To move (contingent on the Senate on any day concluding its consideration of any item of business and prior to the Senate proceeding to the consideration of another item of business)—That so much of the standing orders be suspended as would prevent the senator moving a motion relating to the conduct of the business of the Senate or to provide for the consideration of any matter.

No. 2—To move (contingent on any senator objecting to a motion being taken as formal)—That so much of the standing orders be suspended as would prevent the motion being moved immediately and determined without amendment or debate.

No. 3—To move (contingent on a minister moving a motion that a bill be considered an urgent bill)—That so much of standing order 142 be suspended as would prevent debate taking place on the motion.

No. 4—To move (contingent on a minister moving a motion to specify time to be allotted to the consideration of a bill, or any stage of a bill)—That so much of standing order 142 be suspended as would prevent the motion being debated without limitation of time and each senator speaking for the time allotted by standing orders.

No. 5—To move (contingent on the chair declaring that the time allotted for the consideration of a bill, or any stage of a bill, has expired)—That so much of standing order 142 be suspended as would prevent further consideration of the bill, or the stage of the bill, without limitation of time or for a specified period.

No. 6—To move (contingent on the moving of a motion to debate a matter of urgency under standing order 75)—That so much of the standing orders be suspended as would prevent the senator moving an amendment to the motion.

No. 7—To move (contingent on the Senate on any day concluding its consideration of any item of business and prior to the Senate proceeding to the consideration of another item of business)—That so much of the standing orders be suspended as would prevent the senator moving a motion relating to the order of business on the Notice Paper.

No. 8—To move (contingent on a senator at question time on any day asking that further questions be placed on notice)—That so much of the standing orders be suspended as would prevent the senator moving a motion that, at question time on any day, questions may be put to ministers until 30 questions, including supplementary questions, have been asked and answered.

No. 9—To move (contingent on any senator being refused leave to make a statement to the Senate)—That so much of the standing orders be suspended as would prevent that senator making that statement.

No. 10—To move (contingent on any senator being refused leave to table a document in the Senate)—That so much of the standing orders be suspended as would prevent the senator moving that the document be tabled.

**BUSINESS**

**Leave of Absence**

Senator BUSHBY (Tasmania—Chief Government Whip in the Senate) (16:27): by leave—

I move:

That leave of absence be granted to Senator Ruston for today, on account of parliamentary business.
Question agreed to.

**Senator URQUHART** (Tasmania—Opposition Whip in the Senate) (16:27): by leave—I move:

That leave of absence be granted to Senator Polley from 18 to 28 June 2018 for personal reasons.

Question agreed to.

**NOTICES**

**Postponement**

**The Clerk:** Postponement notifications have been lodged in respect of the following:

Business of the Senate notice of motion no. 1 standing in the name of the Leader of the Australian Greens (Senator Di Natale) for today, proposing the disallowance of the Product Emissions Standards Rules 2017, postponed till 25 June 2018.

General business notice of motion no. 828 standing in the name of Senator Chisholm for today, proposing the establishment of a select committee on charitable fundraising compliance regimes, postponed till 19 June 2018.

**COMMITTEES**

**Reporting Date**

**The Clerk:** Notifications of extensions of time for committees to report have been lodged in respect of the following:


Economics References Committee—‘Commitment to the Senate’ issued by the Business Council of Australia, extended to 18 October 2018. Environment and Communications References Committee—Waste and recycling industry in Australia, extended to 26 June 2018.

Rural and Regional Affairs and Transport Legislation Committee—Air Services Amendment Bill 2018 [Provisions], extended to 16 August 2018.

**The ACTING DEPUTY PRESIDENT** (Senator Marshall) (16:29): I remind senators that the question may be put on any proposal of the request of any senator.

**BILLS**

**Commonwealth Electoral Amendment (Lowering Voting Age and Increasing Voter Participation) Bill 2018**

**First Reading**

**Senator STEELE-JOHN** (Western Australia) (16:29): I move:

That the following bill be introduced:

A Bill for an Act to amend the law relating to elections and referendums, and for related purposes.

Question agreed to.

**Senator STEELE-JOHN:** I present the bill and 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 STEELE-JOHN (Western Australia) (16:30): I move:

That this bill be now read a second time.

I table an explanatory memorandum and seek leave to have the second reading speech incorporated in Hansard.

Leave granted.

The speech read as follows—

For far too long, politics has failed to properly represent young people or the issues they care about. There are many within this place, and beyond, who believe that young people do not care about our world, or that they simply haven't earned the right to participate in our society, from a perceived lack of life experience or maturity. There are those who see young people as a threat and for this reason do not, or cannot, look to the future. Many in this place see the disengagement and disenfranchisement of young people from politics as politically convenient, or even ideal.

Yet the reality is that young people can work full time and pay taxes. They can own and drive a car, contributing to the maintenance of our roads and transport infrastructure. They can have sex and make decisions about their bodies. They can be treated as adults by our justice system.

But they can't vote.

In the last few years we've seen a surge of young people making their voices heard about the issues that matter to them. Marriage equality in Australia is a key example of where young people really took a step forward and made their voices heard. From a global perspective, we've seen young people taking a lead role in culture-changing movements such as #MeToo, #MarchForOurLives and #BlackLivesMatter.

In Scotland, during the independence referendum in 2014, a decision was made to allow 16 and 17 year olds to participate for the first time. Almost 80% of that age group turned out to vote, and they continue to turn out at much higher rates than their predecessors, who weren't given an early opportunity to participate.

In Australia, young people are also disengaged from politics. However, they are also more aware and more tuned in to the issues facing our world than previous generations. The rise of digital media means that young people are now plugged into the 24 hour news cycle and they are taking part in activism. It is true that they don't see politics as representative of them, but this is our problem as legislators and representatives, not theirs.

The old parties don't value young people as a constituency because the old parties are only focused on the three year election cycle. They know they can simply speak to the same old constituencies and rely on this getting them across the line and it's not good enough!

My generation will have to live with the consequences of the decisions made in this place for the longest time. As the youngest person in this place by close to a decade, and the only person under the age of 30, I think it speaks volumes about the lack of real representation for my generation. It's time we recognised the enormous contribution that young people give to our society and included them in our decision making.

What this bill seeks to do is lower the voting age to 16 in Australia, whilst leaving the age of compulsory voting at 18. This will serve as a grace period for young people, allowing them to familiarise themselves with our electoral process without fear of being penalised. It will facilitate greater civics education and allow teachers to bring process – not party politics – into the classroom in a tangible way. It will foster a culture of civic participation amongst young people, leaving them in good stead for the rest of their lives as we know that voting is a habit. We want them to form this habit early so that it stays with them.
And finally what this bill seeks to do is update our archaic electoral practices that say you are not allowed to participate on Election Day if you have not updated your details on the electoral roll. It's 2018, and we should have enough flexibility in our system to allow people to do so at a polling place, on polling day.

It's time to lower the voting age to 16 in Australia and show young people that we hear them, we care about their opinions and we are working for their future.

**Senator STEELE-JOHN:** I seek leave to continue my remarks later.

Leave granted; debate adjourned.

**DOCUMENTS**

**Broadband**

**Order for the Production of Documents**

Senator URQUHART (Tasmania—Opposition Whip in the Senate) (16:31): I move:

That the Senate—

(a) notes that:

(i) in its response to question on notice no. 197 from the October 2017 supplementary estimates hearings, NBN Co provided breakdowns on number of premises expected to be ready for service in each state by 2020, broken down by technology type, as well as number of premises expected to be in design and construction in each state by 2020, broken down by technology type,

(ii) the Senate asked for an update to this information as question on notice no. 145 at the February 2018 additional estimates,

(iii) the NBN Co responded to question on notice no. 145 with only reference to its response to question on notice no. 197 from the October 2017 supplementary Budget estimates and to other public documents that do not contain the specific information sought,

(iv) the Senate sought a clarification of NBN Co’s response to question on notice no. 145 on 24 April 2018, and requested a response by 3 May 2018,

(v) the NBN Co did not respond until 9 May 2018 and did not provide an update of the information as requested by the committee, and

(vi) the Minister for Communications has not complied with the Senate's order for the production of documents, passed on 9 May 2018, that an updated response with information current to 13 March 2018 (the date of the original question on notice) be laid on the table by the Minister for Communications, by 9.30am 10 May 2018; and

(b) reiterates its position that an updated response with information current to 13 March 2018 be laid on the table by the Minister for Communications forthwith.

Senator McGrath (Queensland—Assistant Minister to the Prime Minister) (16:31): I seek leave to make a short statement.

**The ACTING DEPUTY PRESIDENT (Senator Marshall):** Leave is granted for one minute.

**Senator McGrath:** The coalition government has put the rollout of Australia's largest and most complex infrastructure project back on track with the introduction of the multitechnology mix. By September 2013, only 51,000 fixed and wireless premises were connected to the NBN under Labor. The rollout is now around 60 per cent complete and, under the coalition government, total connections are poised to reach four million. As a government business enterprise, NBN Co has responsibility for determining the most cost-
effective technology selection and rollout timing so as to minimise peak funding, optimise economic returns and deliver affordable broadband for Australians. With this flexibility, NBN Co continually updates its build program and makes technology deployment decisions on an area-by-area basis. The mix of technologies being deployed is updated each year in the company’s corporate plan.

Question agreed to.

MOTIONS
Bangladesh

Senator RHIANNON (New South Wales) (16:33): I move:

That the Senate—

(a) notes that:

(i) this year marks the 50th anniversary of the one of world’s worst mass industrial manslaughter incidents in Dhaka, Bangladesh, which resulted in the deaths of 1133 garment workers and more than 2500 injuries, when their factory collapsed,

(ii) most of the victims of this tragedy were women,

(iii) a March 2018 UNICEF report on child marriage in Bangladesh notes that 22% of young people under 15 years of age are married and 59% of young people under the age of 18 years are married, and

(iv) a 2017 Human Rights Watch report notes that the Bangladeshi Government has continued to push for the weakening of the law on child marriage; and

(b) calls on the Government to:

(i) work with stakeholders to ensure Australian companies abide by the 2018 Accord on Fire and Building Safety in Bangladesh, and

(ii) continue to advocate for the prevention and elimination of child marriages in accordance with United Nations Human Rights Council resolutions.

Question agreed to.

MATTERS OF PUBLIC IMPORTANCE
Australian Broadcasting Corporation
Special Broadcasting Service

The ACTING DEPUTY PRESIDENT (Senator Marshall) (16:33): I inform the Senate that, at 8.30 am today, three 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 that the following letter has been received from Senator Collins:

Pursuant to standing order 75, I propose that the following matter of public importance be submitted to the Senate for discussion:

Strong, well-funded and independent public broadcasting in Australia by the ABC and SBS.

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 BILYK (Tasmania) (16:34): This MPI debate is a chance to expose the duplicity of those opposite, because, as we know, they speak with a forked tongue. While several Liberal frontbenchers have stated publicly that they will not sell the ABC, we on this side of the chamber know that attacking independent public media is actually in their DNA. We know that the resolution of the Liberal Party's federal council to sell the ABC reflects what those opposite would really like to do but just won't admit. They won't admit it because they know how much the public love their ABC.

The other thing we know is that at their federal council not one member or senator stood up to speak against the resolution—not one. We know that although they say one thing on that side they often do another. Just looking at the record of what has happened with the ABC over time, I strongly remember the words that the then opposition leader, Tony Abbott, spoke before the 2013 federal election: 'No cuts to the ABC or SBS.' That was the promise delivered by the then opposition leader, Tony Abbott, on the eve of the 2013 election. There were no 'if's, there were no 'but's and there were no caveats. What did he say? He said that there would be no cuts to the ABC or the SBS. But we know that what they say before an election and what they do after the election are two completely different issues.

What did we get after the last election? Up until this year's budget this government has overseen $282 million in cuts to the ABC. And what's that resulted in? It's resulted in 800 jobs being lost. All of these cuts, we have to remember, have been overseen by Mr Turnbull, first as communications minister and later as the Prime Minister. These cuts have obviously forced the ABC to take drastic action. They've led to the loss of transcription services for the deaf and hearing impaired, an end to short-wave radio transmission in the Northern Territory, and programming cuts such as changes to Catalyst and cuts to music programs on Radio National. In my home state of Tasmania they've led to the loss of the local edition of the current affairs program 7.30. Not being satisfied with these assaults on the ABC, the government has delivered a further $83.7 million cut in this year's budget. We all know what'll happen then: more regional services will be lost as a result.

Year after year, Newspoll's ABC appreciation surveys show really high levels of satisfaction. In fact, more than 80 per cent of Australians, year after year, are saying that the ABC performs a valuable role. Given the important services the ABC provides to regional Australia, we've got to wonder why the Nationals continue to betray their constituents in the bush, failing to stand up to their coalition partner's relentless assault against the ABC. In fact, in question time today, when there were questions about the ABC to that side of the chamber, it was very noticeable that the Nationals were very, very quiet. Some of them were hanging their heads, and I presume it was in shame—as they should be.

In addition to their savage cuts, the government has also made two announcements, and we mustn't forget this. These two announcements could have a chilling effect on our nation's flagship public broadcaster, and they're both part of the dirty deal done with One Nation to secure their support for the abolition of the two-out-of-three cross-media control rule. One announcement was of a competitive neutrality inquiry into the ABC and SBS, which is really obviously aimed at attacking and gutting public broadcasting in Australia. There's no doubt
that this concession was secured by One Nation, with the aim of setting the stage for the end of public broadcasting. After all, it was One Nation who threatened to hold the government's legislation to ransom unless they cut ABC funding by $600 million over the forward estimates. The other element of this grubby deal which attacks the ABC is the proposed change to the ABC's charter to require the broadcaster to be 'fair and balanced'. We do want fair and balanced media reporting, but we don't want a misrepresentation of what is fair and balanced by giving antivaxxers, climate change sceptics and Holocaust deniers equal time, and that is what you guys want to happen.

Senator Williams: Has your time expired?

The ACTING DEPUTY PRESIDENT (Senator Marshall): Sorry, your time has expired, Senator Bilyk. I was being distracted by all the interjections.

Senator DUNIAM (Tasmania) (16:40): Thank you, Mr Acting Deputy President Marshall. As much as I was enjoying that—as you clearly were—I was trying to bring your attention to the clock. Anyway, here we are now, and it's a great pleasure to make a contribution to today's MPI discussion, as noted, around future funding for the ABC and SBS, and the need to retain them as strong, well-funded and independent authorities or entities. Like my colleague and good friend, Senator Bilyk, I too appreciate and support the work of our public broadcasting entities and am a regular listener to the ABC in Tasmania. This morning, I was on ABC with Leon Compton, a great—

Senator Bilyk: Were you at federal council?

The ACTING DEPUTY PRESIDENT (Senator Marshall): Senator Bilyk, you know you shouldn't interject from outside your place.

Senator DUNIAM: Thank you, Mr Acting Deputy President Marshall, for inviting her back to her chair so she could continue to interject. As a regular contributor to the ABC Mornings program, along with Senator Bilyk's good friend and colleague Senator Lisa Singh, I too am an avid supporter of the ABC and what they do. For many generations now I have benefited from public broadcasting services through both the ABC and SBS.

Senator Bilyk: Were you at federal council? If you were at federal council, why didn't you speak against it?

Senator DUNIAM: In order to satisfy Senator Bilyk: no, I wasn't at federal council; I was with my family in Tasmania. It is a service that is absolutely valued by Tasmanians in regional communities, which Senator Bilyk also represents, and many people in the more densely populated areas as well. The MPI sets out for us to discuss the need for the public broadcasting entities in Australia to be strong. The first point it refers to is the need for them to be well funded. I think it's important to put on record the facts around the funding of the ABC and SBS, and the fact that this financial year $1.3 billion of funding has been allocated to our two public broadcasting entities, taking into account that SBS also attracts some commercial funding through the provision of the ability to sell commercial advertising spots—something that not everyone in the community agreed with but which enabled SBS to make ends meet a little bit better.

Another point that the Minister for Communications made in question time today was around the fact that funding for the ABC in particular is set over a three-year basis, and so the particular funding round we have at the moment is coming to a conclusion. As Senator Bilyk
has already noted, funding for the upcoming triennium has been set with a pause on indexation. The fact remains, though, that over the period from 2019-20 to 2021-22 $3.2 billion of funding has been allocated to the ABC. That puts into context this claim of a cut that has been put out there and screamed about by the opposition—the fact that no more than 0.26c in any dollar of funding for that period is being held by way of this indexation pause.

Senator Bilyk: It is a cut.

Senator Keneally: That's right.

Senator DUNIAM: It's not a cut, as suggested by Senator Bilyk. Additionally, I should point out that SBS has received extra funding, which I'm sure we won't hear about today from opposition senators, to the tune of $14 million, something welcomed by its managing director, Mr Ebeid, as Senator Keneally would recall from estimates.

As for the characterisation of this indexation pause, it is something that governments do when it comes to budget management. We make decisions about how funding should be allocated, whether indexation is increased, decreased or paused.

Senator Kim Carr: It's reduced. This is a special hit on the ABC.

Senator DUNIAM: It happens right across government, not just with the ABC, but those listening would be forgiven for thinking that it happens only to the ABC. It's a budget management tool that, as I said, happens right across a number of agencies: the Department of Foreign Affairs and Trade and the Department of the Environment and Energy. Those sorts of agencies are also subject to budget management, like any other government agency. It is not ideologically driven, as those opposite would characterise it. It's about how to actually manage the budget, something we take seriously, which is very important in terms of making the budget balanced.

We also have underway the efficiency review of the ABC. I note that nearly five years ago, or four years ago at least, the Lewis review was undertaken into the ABC and public broadcasting in Australia, noting, as any representatives of the ABC would, that it is a dynamic and fast-changing environment when it comes to media in this country. So, to keep pace with the times it's important to ensure that these entities are as efficient as possible when it comes to the amount of money allocated to them.

When talking about efficiency, it's important also to highlight some comments made by Mr Gaven Morris, one of the senior executives of the ABC. In May this year Mr Morris, in an address to the Press Club in Melbourne, said in regard to funding and, as he referred to them, reductions in funding:

Make no mistake, there is no more fat to cut at the ABC …

He said that from this point on we're cutting 'into the muscle'. Following on from that we learnt that the ABC decided to award its executives $2.6 million in bonuses, to spend $10 million on market research and promotions and to spend another $1.5 million on consultants. So, it's a little odd when we hear there's nothing left to cut—there's nothing there, there's no room, not a cent, to look for further efficiency, but those senior executives at the ABC will be able to award themselves rather large and handsome bonuses. I think it's important to make sure that people listening to this debate understand that in the eyes of the ABC executives there is room to award themselves bonuses—but nothing else in the way of savings!
In regard to preserving the independence of public broadcasters, as we all know there is legislated independence for the public broadcasters in this country when it comes to matters of content and operation. So, how the ABC manage their staff, for instance—how they allocate them and where they allocate them to—is a matter for the ABC, as we have heard the minister say repeatedly in this place and in Senate estimates. And apparently no-one is allowed to complain about the content of the ABC's works, and that includes Mr Shorten, who we all know is a regular correspondent with the ABC, as I have learnt from many of my ABC friends.

The fact that the ABC is in charge of its content, its production and all operational matters is important to put on the record. But at the end of the day what this really comes down to is the integrity of those who make the claims that we're hearing in this place. The fact that before the last federal election we heard this thing about Medicare—that we were going to privatise it, but it never happened. I hear something very similar now. Watch out, Australia: apparently the coalition is going to privatise the ABC. I reckon we may not do that either, somehow. It's a bit like that rolled gold commitment on citizenship we got from all those Labor members and senators, which proved to be not worth the paper it was written on. (Time expired)

Senator HANSON-YOUNG (South Australia) (16:48): I rise to contribute to this debate, and it is an important one. Boy oh boy, aren't the Liberal Party members here in this place today absolutely confused. On the one hand they're suggesting that we should all just trust them that the ABC won't be privatised—that they won't sell it off. On the other hand, we have members in this place who sat in the meeting of the Liberal Party's federal council on the weekend and said nothing, absolutely nothing, when their peak national body voted to sell off the people's ABC. But why would we trust them anyway, because we know that over and over again this government has lied when it comes to their promises in relation to the public broadcaster. They have lied in relation to cuts to the ABC. Former Prime Minister Tony Abbott, on the eve of the 2013 election, said point-blank down the lens of an SBS camera that there would be no cuts to the ABC or SBS—point-blank. Well, of course, come the budget, he whacked hundreds of millions of dollars off the ABC. We've continued to see that happen now under this Prime Minister, Malcolm Turnbull. So the truth of the matter is: you cannot trust the Liberal Party at all when it comes to their commitments to our public broadcaster.

The Minister for Communications himself, Mitch Fifield, says that he thinks that 'there is merit' in selling off the ABC. Georgina Downer, the Liberal Party's candidate in the seat of Mayo, in my home state of South Australia, thinks that selling off the ABC is a good idea, although she said today on the campaign trail that that's something that the IPA—her employer—believes, and it's not necessarily her opinion. Well, Ms Downer, do you just say whatever you get paid to say, or do you actually engage your own views and opinions on these issues? Of course, we know there's nothing that the people of Mayo could trust when it comes to Georgina Downer in relation to commitments on the public broadcaster. This is a person who's spent most of her adult life spruiking the idea that the public broadcaster doesn't deserve the funding that it gets currently.

Of course the Liberal Party continue to keep preselecting these people who don't think the ABC should be in public hands, don't support funding to SBS and really do not have concern for the institution—an institution that Australians absolutely love and hold dear. Australians
know that the ABC can be trusted as a credible news source. In fact, it is the most trusted institution in this country. When there is a crisis, when there is an emergency, when there are bushfires in the Adelaide Hills, who do people turn to for information about what is really going on? They turn on ABC Radio, and they listen for the emergency warnings. That has happened over and over again to the people who live in the seat of Mayo up there in the Adelaide Hills.

But of course it's not just the Liberal Party who want to cut the ABC's budget; it's also Pauline Hanson and One Nation. What a sneaky, secret deal must have gone on between Pauline Hanson and the government, because we know that, this time last year, Pauline Hanson was saying that, come this budget—

The ACTING DEPUTY PRESIDENT (Senator Marshall): Senator Hanson-Young, just resume your seat. Senator Williams on a point of order?

Senator Williams: Mr Acting Deputy President, come 30 June this month, Senator Hanson-Young will have been in this place for 10 years, and she still hasn't learned to address people by their correct title. It's a constant point of order I take here: will you ask her to please address people in this place by their correct title?

The ACTING DEPUTY PRESIDENT: Thank you, Senator Williams. I just remind senators that they should address members of the other place and of this place by their correct titles.

Senator HANSON-YOUNG: Of course, I was referring to Senator Pauline Hanson, who was the leader of the One Nation party, which seems to be disintegrating under her feet as we speak. Perhaps this is because this is a person who does sneaky, dirty deals with the government to whack hundreds of millions of dollars off the public broadcaster. Hundreds of millions of dollars off the public broadcaster is what she asked the Treasurer for, only 12 months ago, and then, boy oh boy, the budget comes out, and what have we got? We've got $84 million whacked off—from the ABC. One Nation don't like the ABC. They hate it when ABC journalists report on what their party is doing. They must be hating the reporting that's going on this week. That is backed up now by the Liberal Party, who also hate the ABC so much that they want to sell it off. (Time expired)

Senator KENEALLY (New South Wales) (16:53): I rise to contribute to this debate and reflect on an address given by the Minister for Communications, Mitch Fifield, in 2008. He spoke to the Australian Adam Smith Club. There was an interesting title to his speech. 'Fiscal contraception: erecting barriers to impulsive spending', he called it. In that, he said: Conservatives have often floated the prospect of privatising the ABC and Australia Post. There is merit in such proposals.

Those are the words of Minister Fifield. Don't take my word for it. Unless the minister has removed it, you could find this speech on his website just a few weeks ago.

Minister Fifield also told us at estimates that he is 'happy to be a member' of the IPA, a membership he says he's held for at least a decade. Of course, the IPA has advocated for the privatisation of the ABC, and IPA members Chris Berg and Sinclair Davidson have just released a book against public broadcasting, on why and how we should privatise the ABC. But Minister Fifield says he doesn't agree with his fellow IPA members. He says his views in
2008 to the Adam Smith Club that the ABC should be privatised were just the views of a 'frisky backbencher' and not what he thinks now that he's a minister in government.

But come on: does Minister Fifield really think the Australian people are that gullible, when the minister and the Liberal Party give Australians reason after reason and example after example of what their real intentions are for the ABC? On the weekend the Liberal federal council voted 39 to 10 to privatise the ABC. Fairfax media reports that four of the party's top federal officials supported the motion to privatise the ABC. Not one Liberal delegate spoke against the motion. Yet Minister Fifield, the Prime Minister and the Treasurer have all been out there telling us that these votes of Liberal Party members mean nothing, that they change nothing when it comes to the Liberal government's intentions towards the ABC.

Why is it that the votes of the Liberal Party membership are apparently sacrosanct and must be respected when it comes to matters like the preselection of Liberal minister Jane Prentice but are apparently meaningless when it comes to policy around the privatisation of the ABC? Well, it's because they are not meaningless when it comes to the ABC. The views of the Liberal federal council, expressed in a vote of 39 to 10, are views that run deep through this Turnbull Liberal government. Senators Eric Abetz and Ian Macdonald regularly use this chamber to rail against the ABC. They are champions of the anti-ABC movement in the Liberal Party and in this place.

But Minister Fifield is no slouch when it comes to complaining about the ABC. He's been a vexatious complainer, in fact, to the ABC. By May 2018, he had averaged more than one complaint a month to the ABC. In January it was the date of the Hottest 100. In February it was Emma Alberici's corporate tax article. In March he complained about a Tonightly with Tom Ballard comedy sketch. In April he complained about a Black Comedy sketch on the ABC Facebook page. In May it was the Emma Alberici story again and, again in May, commentary by political journalists on the TV show Insiders. The minister also referred the Black Comedy sketch on Facebook to ACMA, making him the first communications minister since Richard Alston in 2004 to complain to ACMA about the ABC. Minister Alston complained about the coverage of the Iraq War. Minister Fifield complained about a comedy sketch on Facebook. Why Minister Fifield complained to ACMA about ABC on Facebook is hard to understand, because ACMA has no coverage of Facebook. I don't know what point he was trying to make.

If we just looked at Minister Fifield's vexatious complaints we might be able to dismiss them as silly, irrelevant or annoying. But that is not where it ends. Minister Fifield and this Liberal government have imposed a second round of efficiency cuts—$84 million—on the ABC. This comes on top of the $25 million in cuts imposed by the Abbott Liberal government. We all remember Tony Abbott—Tony 'no cuts to the ABC' Abbott—a promise broken by the Abbott Liberal government and broken again by the Turnbull Liberal government and broken by this Liberal communications minister Fifield. Minister Fifield and this Liberal government have also launched a competitive neutrality review of the ABC, but let's label that for what it is: it is a de facto review of the ABC charter. And why are we having this review? Because the Liberals did a deal with Senator Pauline Hanson and One Nation. In fact, the Liberals have presented three bills before this Senate to satisfy a deal with Senator Hanson. Remember her threat to block the Liberal government's budget unless the government cut $600 million to ABC funding? That was really One Nation saying to the
Liberals, 'It's time for you to jump on the ABC.' And what did the Liberals answer? Well, they jumped. They effectively said, 'How high would you like us to go?' They cut the funding. In fact, if we add up Tony Abbott's cuts of $250 million alongside Mitch Fifield and Malcolm Turnbull's cuts of $84 million, we are already halfway to the $600 million that Senator Pauline Hanson wants cut from the ABC.

The ACTING DEPUTY PRESIDENT (Senator Marshall): A point of order, Senator Williams?

Senator Williams: This is the point of order I raised with Senator Hanson-Young: I will have to make the point of order to Senator Keneally, even though she is pretty new to this place, to refer to those in this place and the other place by their correct titles, not just by their names. Could you please bring that to her attention.

Senator KENEALLY: In short, Minister Fifield and the Turnbull Liberal government have launched a multipronged, large-scale intervention against the ABC, and they want Australians to believe it is just because they want the ABC to be better, stronger and more efficient. Let's look at what these cuts by the Liberal Party will deliver to the ABC. In 2019-20 the ABC will be $14.6 million worse off. That is the full annual operating budget of both NewsRadio and Radio Australia. In 2020-21 the ABC will be $27.8 million worse off. That's the full annual operating budget of ABC Classic FM, Heywire, iview and the school-age and preschool version of the ABC KIDS app. In 2021-22 the ABC will be $41.2 million worse off. That's the full operating budget of ABC KIDS, ABC COMEDY, triple j, Double J and triple j Unearthed. Yet when Minister Fifield was asked at estimates if he could guarantee that none of these programs would be cut as a result of his efficiency review and his $84 million cut to ABC funding, he said that this was just a matter for the ABC—as if this Liberal government's $334 million of cuts to the ABC funding could have no impact on ABC programming.

Make no mistake: these upcoming by-elections and the upcoming general election are an opportunity for Australians to show their support for the ABC. We've seen some remarkable statistics in recent times; surveys show that 70 per cent of Australians think a strong, independent ABC is critical to a healthy democracy; 60 per cent of Australians think the ABC needs a boost to its long-term funding; and 82 per cent of Australians rate the ABC as trustworthy. The ABC is a trusted institution, one that Australians look to as a place that safeguards their democracy, a place to get their news and entertainment and a place that tells their Australian stories, available to all—not behind some paywall, which is what I think the Liberals would like to see happen. When it comes to that fundamental issue of trust, it is important to remember that 82 per cent of Australians rate the ABC as trustworthy. Australians know—and the Liberal federal council it confirmed this weekend—that you cannot trust the Liberals with the ABC.

Senator WILLIAMS (New South Wales—Nationals Whip in the Senate) (17:03): I speak very much in support of this matter of public importance put forward by the Labor Party:

Strong, well-funded and independent public broadcasting in Australia by the ABC and SBS.

The Nationals leader, Mr Michael McCormack—the Deputy Prime Minister, the member for Riverina and a bloke I call my mate—made a statement today:

The Nationals does not, and has no intention of ever supporting the privatisation of the ABC.
The ABC provides an invaluable service to rural and regional Australians.

From providing cricket coverage to those driving Australia’s long highways, to its dedicated coverage of the agriculture sector on The Country Hour, as well as its role in supporting emergency services during natural disasters, the ABC is a crucial and much-loved institution in the regions.

The Nationals believe the ABC should invest more of its staff and resources into rural and regional Australia.

We also believe the ABC should have a legislated obligation to provide coverage to rural and regional Australia.

The Liberals and Nationals Government has a range of measures to support these aims, including legislating that the ABC Board always has at least two members from rural and regional Australia.

There it is in black and white, read out for Hansard. The government supports strong, well-funded and independent public broadcasting in Australia by the ABC and SBS. That is perfectly clear. I get on very well with the ABC. I nearly always listen to them on the radio at home. I watch TV very little but the ABC often. There’s one program I do refuse to watch, though, called Q&A. I will not watch that program. There are not enough hours left in my life to waste now without watching Q&A—and a bit of smirk there from Senator Carr! I was in the audience of Q&A one night, at Tamworth, and I was disgusted with the way the questions were stacked up against the conservatives. I almost walked out at half time; I thought, ‘No, never ever.’ Luckily, in the 10 years I’ve been in this chamber, I’ve never been invited onto Q&A. Perhaps they know it’s probably a waste of a phone call inviting me.

Senator Kim Carr: They do now!

Senator WILLIAMS: They do now; exactly! I listen to ABC Tamworth radio. Kelly Fuller, every morning, does a great service. I’ve known Kelly for many years. She worked at 2NZ radio in Inverell, where my current chief of staff, Greg Kachel, trained Kelly in radio. It’s a great local service—after AM, of course, with the update of current affairs from Sabra Lane. From 6.15, I listen to it each morning. We hear the stock market report and up-to-dates from Michael Pritchard, from Muswellbrook—another great reporter—and Kelly Fuller’s Breakfast show. Local issues are highlighted there all the time, whether it be a local fundraiser or something in the weather; some grazier alerts, with snow coming, was probably the case this morning or last night, with the snow up near Guyra. The ABC is a vital service in regional Australia. One thing I find very disappointing, though, is that about one-third of the population of Australia lives in the regions but only around 10 per cent of people employed at the ABC are employed in the regions, with 90 per cent in the cities. I think that’s a bit unfair—you probably agree with me, Acting Deputy President Leyonhjelm.

Can I say: the privatisation of the ABC is simply a no-no. It will not happen. But you watch the politics being played out on this now. It’s like the last election—Senator Fierravanti-Wells would remember it well—with the ‘Mediscare’ campaign. Senator Hanson-Young is saying the government’s lying all the time. I found it unbelievable that, at the last campaign—the 2 July 2016 election—the Leader of the Opposition, Mr Bill Shorten, said that we in government would privatise Medicare. How are you ever going to privatise Medicare? It’s a business that earns $10 billion a year, with Medicare levies, and spends $21 billion a year. For a simplistic analogy, Senator McCarthy, I put to you: imagine if you went to buy a coffee shop that took $10,000 a week in income but cost $21,000 a week to run. It would lose $11,000 a week. You’d say: 'I’m not buying that business. No-one would buy that business.'
But, of course, the politics of scare, of things being said that are simply not true, was a campaign by Mr Shorten at the last election and we can see it coming again now, even though I've read out the statement by the Deputy Prime Minister and Nationals leader, Mr Michael McCormack, the member for Riverina:

The Nationals does not, and has no intention of ever supporting the privatisation of the ABC.

That's the end of the story. In fact, we want to see some more fairness put into the ABC, as far as regional areas go. Let me explain—I'm talking about the ABC in the regions. One of the areas where the ABC is greatly valued is its regional coverage. We really appreciate it. With a strong channel and strong signal, no matter where you drive in the bush, you can get the ABC. I found out a couple of weeks ago. When I was out at the Dig Tree and Innamincka in the Cooper, down to Flinders Ranges, I listened to ABC all the time. It has 48 local regional stations. ABC regional radio is a vital service that is highly valued by those communities.

The government wants to ensure that the ABC's commitment to regional and rural Australia is strong and enduring. That is why we currently have legislation before the parliament in the form of the Australian Broadcasting Corporations Amendment (Rural And Regional Measures) Bill 2017. The bill contains a range of measures, recently championed by our colleague and my good friend Senator Bridget McKenzie, that will amend the ABC's charter to include the words 'regional' and 'geographic' to reflect that its programs are required to contribute to a sense of regional as well as national identity, and that its programs are required to reflect the geographic as well as the cultural diversity of the Australian community. Most people assume this is already in the charter; it's not, but it should be.

It will implement new requirements for the ABC board, including the establishment of a regional advisory council and consultation with the regional advisory council on matters relating to broadcasting services in regional areas. It will require the ABC board to have at least two non-executive directors who have a substantial connection to or substantial experience in a regional community. The government's appointments thus far have ensured that the board currently satisfies this requirement, through Vanessa Guthrie, chair of the Minerals Council, from Western Australia, and Georgi Somerset, a bee producer from Kingaroy. Isn't it good to see, Mr Acting Deputy President, that a bee producer from Kingaroy is on the board!

It will also include a requirement that the ABC's annual report include certain particulars, including a breakdown of regional versus metropolitan employees, the ratio of journalists to support staff, and the hours of local or regional news broadcasts. These measures are not onerous; nor should they be controversial. They are designed simply to ensure that Australians who live in the regions can depend with certainty on the ABC servicing them as well as it does those of us who live in the cities—me not being one of those 'us', of course.

I look forward to Senator McKenzie's legislation, the great work she has done on this, coming to the chamber and being supported right around the chamber. It will be interesting to see whether those opposite and the Greens and so on will support the strengthening of the ABC's broadcast into regional Australia. As I said, I am disappointed that basically 90 per cent of those employed with the ABC are in the urban areas, whereas one-third of the listeners and one-third of the viewers are in regional areas. I think it would be only fair to have the percentage of those employed in those areas increased from 10 per cent to 20 per cent to make the job easier for those out in the regions, where they have to travel long distances doing...
stories and do excess work on weekends with sports coverage or whatever. But to say that the
government is going to privatise the ABC is simply wrong.

I support this motion. As I said, we want strong, well-funded and independent public
broadcasting in Australia by the ABC and SBS. There has been a freeze in the budget for
three years, the reason being that we are fair dinkum about getting the budget back into the
black—not like Mr Swan, who for years said the budget would be in surplus this year, then
next year, then the year after. We never saw a surplus. You never see a surplus when Labor is
in government, I can assure you. It's always the coalition that has to come into government
and clean up the financial mess. Now we're seeing a surplus one year earlier from this budget.
There's been a freezing, for three years, of funding to the ABC, but not of funding to SBS;
they're actually getting an increase in some areas. We're getting the budget back to surplus.
That is something we will deliver, not just promise.

When Labor were in government they froze the Medicare rebate to our doctors, our GPs et
cetera. They did it to help get the budget back in surplus. Unfortunately, it didn't help, because
the spending just went on and on and on—as it has with the Labor Party in government all of
my life. Whether they be state governments or federal governments, the only thing they know
in budget figures is red print—more debt, more borrowing. Thankfully, we're heading back in
the right direction.

I'm confident the ABC, with that freeze in indexation, will continue their services. They
may have to get some efficiencies there. Like all businesses, they can find efficiencies.
Funding of $1.2 billion is an enormous amount of money. I think it might even be $1.3 billion
for both ABC and SBS. (Time expired)

Senator BERNARDI (South Australia) (17:13): In making a contribution to this debate, I
do want to acknowledge that I think the ABC plays an important role within Australia's way
of life. Particularly in regional and rural communities it provides an opportunity for redressing
market failure, and I have to say—at the risk of defragging some of their careers—it has some
very good journalists working for it. I'll mention Leigh Sales, whose interviews I enjoy
enormously. There's Sabra Lane, of course. In South Australia we've got David Bevan and Ali
Clarke. They add a mix of political depth and engagement. I've probably just cruelled their
careers with the ABC for ever but, nonetheless, I'll call it as I see it.

But I do think the ABC is just too big, too bloated and too biased. There are very few
conservative voices on the ABC. It has a reach and scale that would be the envy of any
commercial media outlet. In fact, it would be prohibited from existing under the auspices of
the commercial legislation as it stands now. To go to the extreme of privatising the ABC
would, in effect, create another commercial competitor that would have a scale, volume and
reach just as monstrous as that in existence today. The Australian Conservatives have a very
sensible and prudent approach that would not only preserve the integrity of the ABC—the
ability of governments to reach every citizen and community in Australia in times of
emergency and to redress signs of market failure—but save about $500 million or $600
million a year.

Firstly, we would merge the SBS and the ABC. We would restrict them to a couple of
national radio stations and a couple of television stations. We would encourage them to
provide news and current affairs. We would ensure the independence of their charter and also
the fact that they have to provide a diversity of views within the ABC, and that means having
conservative commentators there, not just token conservatives that they can beat up. There is something fundamentally wrong when even a mooted comedy program on the ABC can refer to a conservative candidate for a federal seat in the most vile terms. It gets repeated again and again. When complaints are quite legitimately made, the ABC says that they've done nothing wrong. You could go on and on.

The disparaging nature and the attacks upon people who have a different view than the Zeitgeist within the ABC belittle it and bring it down. I remember Tony Jones on Q&A basically referred to my political party as Golden Dawn, which is a neo-Nazi party in Greece. It's appalling. It's abhorrent. We shouldn't have to put up with it. We expect better standards from our national broadcaster. It needs to be brought into line financially and— (Time expired)

Senator McCarthy (Northern Territory) (17:16): I think it's incredibly unfortunate that here we are debating and discussing the public broadcaster. Those across from me have every opportunity to question the broadcaster at every Senate estimates where it is made to be accountable in terms of its spending, its coverage and its employee and staff numbers right across the country. Senators get up in here and speak so disparagingly about those who work in the ABC when this parliament, and this Senate in particular, is able to make the ABC accountable through the Senate estimates process, as it does with the SBS. These public broadcasters are accountable not only to the parliament but to the public.

For the debate in this house to refer to complete bias is totally unfair and reprehensible, given the intensive work of journalists and broadcasters across Australia in the ABC and the SBS. How do I know this? I know because I have worked there. I saw firsthand in the 16 years I was with the ABC and the four years I was with the SBS the lengths to which staff in both those organisations go to represent to the best of their ability the stories across each state and territory jurisdiction and internationally.

The problem here is that those opposite in the Turnbull government cannot leave the ABC alone. The problem here is that those opposite harass and intimidate. They raise unfair expectations when they pull the funding rug from under both of these broadcasters. We've seen that, since 2014, ABC funding has been cut by $366 million and 800 staff have gone. The expectations of the Turnbull government, the constant harassment and the criticism are compounded and completely unjust.

A motion was put forward by members of the Liberal Party wanting the complete privatisation of the ABC. What you do speaks more than what you say. On the one hand you are here in this debate saying: 'No, don't look here. There's nothing to see.' Yet, on the other hand, you are withdrawing funds at an enormous rate and having high expectations that are completely unjust. You are squeezing it so much.

In fact, you say you don't want to privatise, but what you're actually doing is dismantling the ABC. What you are actually doing is pulling it apart piece by piece. What you're doing speaks louder than what you're saying in here today. Not only are you removing the funding over successive years—this year $83.7 million in your budget is being removed from the ABC—but on top of that you've launched two damaging public broadcasting inquiries and you still have three bills before parliament that are meddling with the ABC's charter. How can the organisation—how can the public broadcaster—continue its day-to-day job when this government is constantly pulling it apart?
There is one complaint a month by the Minister for Communications, and that's probably being very generous. We only have to look at the fact that you've enabled and carried out the removal of the shortwave service across Australia. You argue on that side of the house that that was the ABC's decision, but we know for a fact that your removal of $366 million now as well as a further $83.7 million leaves no room for decision-making other than to cut programs—programs like shortwave that are so valuable. We see that the remote regions of this country are impacted dramatically where there isn't the mobile coverage that people so expect to receive—'Oh, just go to your mobile phone. You can download an app.' What about those cattle stations, those communities, the ranger programs out there and the fishing industry, who needed so much and still do need the shortwave service where there is no access to mobile coverage, where they can't just download an app that says, 'Here, tune in to this ABC program here or tune in to that ABC program over there'? You are enabling the dismantling of the ABC. You can stand here all you like and say you're not going to privatise, but you're already doing it by dismantling the ABC.

One of the other successful areas of what both public broadcasters do is developing Indigenous content and increasing Indigenous employment. The ABC in 1987 was one of the first media organisations in this country to establish an Indigenous department, which evolved from the Indigenous Programs Unit. It's a centre of excellence for the production of Aboriginal and Torres Strait Islander television and the development of Indigenous filmmakers in this country. One of the first programs produced was a show called Blackout, a magazine-style program that combined covering current affairs issues, Aboriginal events, comedy segments and musical performances. It was followed by a series of successive programs, including Songlines and the long-running documentary series Message Stick. It's developed the skills of many well-known and talented Indigenous filmmakers.

The ABC also focuses on landmark quality Indigenous drama and documentaries: Redfern Now, Black Comedy, Cleverman and Mystery Road. Put your hand up if you don't know any of those programs. They are important, valuable programs. Again, if we want to value the employment of First Nations people in this country, let's make sure that organisations like the public broadcasters—the ABC and SBS with NITV—continue the tremendous amount of work that goes into employing First Australians across the country.

The role played by SBS in support of NITV, where Indigenous stories are told by Indigenous people—not just for Indigenous audiences but for all audiences in this country—helps bring about a better understanding between black and white Australians. It is those programs that you are dismantling. It is those programs that you are refusing to support. Selling and suffocating all of these things is this government's approach to our ABC. It's an absolute disgrace. It is a disservice. And Australians want to see how all of this can improve. Don't dismantle the ABC. Certainly don't privatise it. What you're doing can tell us only one thing: that it's in the DNA of the coalition government to squash the voice of our public broadcasters, to squeeze it so much, to pressure it, to intimidate and keep saying, 'Look, there's nothing to see; we support the ABC.' Yet your actions speak very, very differently.

Senator STOKER (Queensland) (17:26): The coalition government values the ABC and its role, but that does not mean the ABC is entitled to be immune to change or to be insulated from the kind of performance measures that are the standard procedure in the private sector and in the administration of other government departments. After all, why should the ABC be
immune to the requirement to find efficiencies that other independent agencies face? The Commonwealth DPP is such an agency. It discharges its vital public function with enormous respect for the value of taxpayer funds, including finding efficiency dividends, without complaint.

The ABC service is essential in regional Queensland, and time and time again Queenslanders in the bush tell me how important regional radio programming in particular is. The 48 local regional stations throughout this nation provide an important connection between the people of the bush and what is going on in their nation and in the world. They give vital weather information for those on the land and important safety information in the event of emergencies. I, too, depend on it when I hit the road. ABC TV also provides children's programming that is particularly valued in the regions.

That's why we have legislation before the parliament right now in the form of the Australian Broadcasting Corporation Amendment (Rural and Regional Measures) Bill 2017. That bill would amend the ABC's charter to include the words 'regional' and 'geographic' to reflect the fact that its programs are required to contribute to a sense of regional as well as national identity and that its programs are required to reflect the geographic as well as the cultural diversity of Australia. Most people assume that this is something that's already in the charter and that it would be an obvious requirement. It's not—but it really should be. It also implements requirements for the ABC board to have a regional advisory council and to consult with it on matters relating to broadcasting services in regional areas. It's hoped that a measure like that will help stop a trend within the ABC of diverting resources from regional services and into the cities.

The bill would require the ABC board to have at least two non-executive directors who have a substantial connection to or experience in a regional community. That's currently satisfied by the inclusion of a WA and a Queensland regional person on the board. The bill also includes a requirement that the annual report of the ABC include particulars of regional versus metropolitan employees, the ratios of journalists to support staff and the hours of local regional news broadcasts. All of these measures aren't onerous, and they ought not be controversial. They're simply designed to ensure that Australians who live in the regions can depend with certainty on the ABC to provide a meaningful service to them—a service that is equally meaningful to that which is provided in the cities.

But no government-funded body is entitled to exist without justifying the expenditure it incurs. Every government body must be constantly acting to improve its efficiency and to make its services more relevant, adapting to make sure its service is meaningful to consumers and a fair use of taxpayers' money. I'll give you an example. One in seven Australians watches the ABC, but 100 per cent of taxpayers fund the ABC. With the more than $1.3 billion that goes to funding public broadcasters in this country, it should be doing more to appeal to its constituency. Requiring the ABC to conduct a review into its efficiency is one of the ways that the coalition is determined to deliver maximum value for taxpayers. It's not an attack; it's an opportunity to improve, and we should all be in favour of the continual improvement of service delivery by anybody who receives public money.

Now, it's true that there was a motion carried at the weekend by the Liberal federal council that supported the sale of the national broadcaster—although, importantly, not its regional services. Any such sale has been ruled out by the Prime Minister and Minister Fifield.
They've been very clear about that. I wasn't at the federal council; I was attending to my constituents in Queensland. But it's worth listening to the message sent by the motion. One could take from it a deep-seated frustration with the performance of the ABC when it consumes considerable public funds which it then spends on running reruns of foreign gems like *That '70s Show* whilst it complains that it doesn't have funds to be able to provide short-wave radio services in remote communities.

There is a similar frustration, no doubt experienced by at least a share of the six out of seven Australians who don't watch the ABC, with what appears to be a deep-seated bias in metropolitan reporting. A 2013 report from University of the Sunshine Coast academic Folker Hanusch showed that 75 per cent of ABC journalists are supporters of the political left. Perhaps the takeaway from this motion should be that there is work to be done to ensure that the independence of the ABC is not merely used as a platform for the advancement of private political agendas in its metropolitan content. It's not for nothing that some people say the acronym ABC stands for 'anything but conservative'.

Let's call this matter of debate what it is. It's just Labor thrashing about for yet another 'Mediscare' or perhaps a distraction from its $200 billion in new taxes. Whichever way you dice it, that's what it is—a distraction, a manufactured issue—because this government has been clear that it supports the ABC continuing on efficiently and effectively serving Australians, particularly in their regional areas, well into the future.

**Senator Griff** (South Australia) (17:32): This is a debate that never needed to take place. It's obvious that our public broadcasters should remain just that: public. Anyone who thinks the ABC could deliver a better service or even an equal one if it were in private hands is very much deluding themselves. The same level of high-quality investigative journalism could not be carried out under a private model. Under a private model, editorial decisions are subject to both the deep pockets of advertisers and the ideological whims of executives. Whether you love the ABC or hate it, you cannot deny that it plays an important role in our community. It beggars belief that the Liberal federal council is willing to tamper with it under the misguided belief that we can hive off parts for regional Australia and commercialise the rest.

Centre Alliance also opposes the move to cut $84 million from the ABC's operating budget over the forward years. We will continue to call on the government to ensure that ABC and SBS are adequately funded. The ABC has already lost 800 jobs since this government came to power, and it continues to look for efficiencies in its budget. We don't think that continually squeezing our public broadcasters and threatening to give them the boot, as the Liberal federal executive did over the weekend, is responsible in any way.

Public broadcasters have a unique ability to inform and empower Australians to take part in public debate. They also play a vital role in ensuring a transparent political process and the accountability of state institutions towards the public. We know that, without adequate public resources, that valuable independent voice will be lost.

**The Deputy President:** Sorry, Senator Griff, the time for this debate has now expired.
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 3 to 5, 13, 15, 17, 18, 22, and 31 moved by Senator Ketter. Consideration to resume on Thursday at general business.

Motion to take note of documents nos 33 and 34 moved by Senator Steele-John. Consideration to resume on Thursday at general business.

**BILLS**

**Bankruptcy Amendment (Debt Agreement Reform) Bill 2018**

Explanatory Memorandum

*Senator FIFIELD* (Victoria—Minister for Communications, Minister for the Arts and Deputy Leader of the Government in the Senate) (17:36): I table a replacement explanatory memorandum relating to the Bankruptcy Amendment (Debt Agreement Reform) Bill 2018.

**COMMITTEES**

**National Broadband Network - Joint Standing**

Membership

*The DEPUTY PRESIDENT* (17:37): The President has received a letter requesting changes in the membership of a committee.

*Senator FIFIELD* (Victoria—Minister for Communications, Minister for the Arts and Deputy Leader of the Government in the Senate) (17:37): by leave—I move:

That senators be appointed to and discharged from the Joint Standing Committee on the National Broadband Network as follows:

Discharged—Senator Hanson

Appointed—

Senator Georgiou

Participating member: Senator Hanson

Question agreed to.

**BILLS**

**Private Health Insurance Legislation Amendment Bill 2018**

**A New Tax System (Medicare Levy Surcharge—Fringe Benefits) Amendment (Excess Levels for Private Health Insurance Policies) Bill 2018**

**Medicare Levy Amendment (Excess Levels for Private Health Insurance Policies) Bill 2018**

First Reading

Bills received from the House of Representatives.

*Senator FIFIELD* (Victoria—Minister for Communications, Minister for the Arts and Deputy Leader of the Government in the Senate) (17:38): I move:
That these bills may proceed without formalities, may be taken together and be now read a first time.
Question agreed to.
Bills read a first time.

Second Reading

Senator FIFIELD (Victoria—Minister for Communications, Minister for the Arts and Deputy Leader of the Government in the Senate) (17:38): I move:
That these bills be now read a second time.

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

Leave granted.

The speeches read as follows—

PRIVATE HEALTH INSURANCE LEGISLATION AMENDMENT BILL 2018

Private health insurance is an essential and valuable part of Australia's health system. This government is committed to making private health insurance affordable for the more than 13 million Australian families, young people and older Australians with private health cover.

People with private health insurance have the benefit of their choice of doctor, timing of treatment and, in many cases, shorter waiting times. They also obtain coverage for some health services not included under Medicare.

In 2015-16, the Government consulted widely with consumers through an online survey on their concerns with private health insurance. The Government also consulted with a wide range of organisations representing service providers, hospitals, insurers and consumers. This process identified a number of consumer concerns with private health insurance, including affordability, complexity, and a lack of transparency.

Following this process, the Government established the Private Health Ministerial Advisory Committee, made up of representatives of interest groups in the private health sector including consumers to consider and develop possible reforms to private health insurance to address these concerns.

Last October, the Government announced a wide ranging package of important reforms to make private health insurance simpler and more affordable for Australians. The reforms will help strengthen the viability of the private health system by addressing concerns about affordability, complexity and lack of transparency of private health insurance.

The private health insurance reform package was the result of extensive consultation, including through the Private Health Ministerial Advisory Committee.

The $1.1 billion reform of the Prostheses List announced as part of the reform package has already resulted in lower premiums for consumers. From 1 April 2018, health insurance policy holders will face an average weighted premium increase of 3.95 per cent; the lowest premium change in 17 years.

And, of course, the Government continues to spend over $6 billion per year on the private health insurance rebate which helps to make private health insurance affordable.

I am introducing three Bills today:

- the Private Health Legislation Amendment Bill 2018;
- the A New Tax System (Medicare Levy Surcharge – Fringe Benefits) Amendment (Excess Levels for Private Health Insurance Policies) Bill 2018; and
- the Medicare Levy Amendment (Excess Levels for Private Health Insurance Policies) Bill 2018.

The first Bill I want to introduce is the Private Health Insurance Legislation Amendment Bill 2018.
This Bill will amend the *Private Health Insurance Act 2007* (the Act) and associated legislation to support a number of the reforms the Government announced last year.

Specifically, this Bill will:

- increase maximum excess levels for products providing an exemption from the Medicare levy surcharge;
- allow for age-based premium discounts for hospital cover;
- strengthen the powers of the Private Health Insurance Ombudsman;
- allow private health insurers to cover travel and accommodation costs as part of a hospital product for people attending health services;
- improve information provision for consumers;
- reform the administration of second tier default benefits arrangements for hospitals;
- facilitate the termination of closed products and migration of people to new products; and
- regularise the position of policies including benefit limitation periods.

It is essential for the health of our nation that we continue to maintain a strong and competitive private health insurance market. The measures outlined in this Bill will support reforms that do this.

**A NEW TAX SYSTEM (MEDICARE LEVY SURCHARGE—FRINGE BENEFITS) AMENDMENT (EXCESS LEVELS FOR PRIVATE HEALTH INSURANCE POLICIES) BILL 2018**

The A New Tax System (Medicare Levy Surcharge – Fringe Benefits) Amendment (Excess Levels for Private Health Insurance Policies) Bill 2018 is part of a package of three bills, each containing necessary amendments relevant to implementing reforms relating to increased maximum excess levels for private hospital cover.

The other two bills are the Private Health Insurance Legislation Amendment Bill 2018 and the Medicare Levy Amendment (Excess Levels for Private Health Insurance Policies) Bill 2018.

Changing excess amounts to allow increased excesses of $750 for singles and $1,500 for couples and families will mean insurers can offer lower premium prices, improving affordability for consumers. This will be the first time excesses have been increased since 2001.

The Government has also decided to remove grandfathering provisions that provided the Medicare Levy Surcharge exemptions for certain policies that pre-date the commencement of the *Private Health Insurance Act 2007*. This means that, consistent with existing Government policy, individuals will need to hold an appropriate complying health insurance product in order to access the Medicare Levy Surcharge exemption.

As the removal of the grandfathering arrangements may have a flow on effect where some individuals become liable to pay the Medicare Levy Surcharge, the schedules effecting tax must be presented as separate Bills.

This Bill deals solely with taxation-related aspects of this reform and amends the *A New Tax System (Medicare Levy Surcharge—Fringe Benefits) Act 1999*.

These changes ensure that individuals purchasing appropriate complying health insurance products for private hospital cover with increased excess levels will be able to claim the Medicare Levy Surcharge exemption.

**MEDICARE LEVY AMENDMENT (EXCESS LEVELS FOR PRIVATE HEALTH INSURANCE POLICIES) BILL 2018**

The Medicare Levy Amendment (Excess Levels for Private Health Insurance Policies) Bill 2018 is part of a package of three bills, each containing necessary amendments relevant to implementing reforms relating to increased maximum excess levels for private hospital cover.
The other two bills are the Private Health Insurance Legislation Amendment Bill 2018 and the A New Tax System (Medicare Levy Surcharge – Fringe Benefits) Amendment (Excess Levels for Private Health Insurance Policies) Bill 2018.

Changing excess amounts to allow increased excesses of $750 for singles and $1,500 for couples and families will mean insurers can offer lower premium prices, improving affordability for consumers. This will be the first time excesses have been increased since 2001.

The Government has also decided to remove grandfathering provisions that provided the Medicare Levy Surcharge exemptions for certain policies that pre-date the commencement of the Private Health Insurance Act 2007. This means that, consistent with existing Government policy, individuals will need to hold an appropriate complying health insurance product in order to access the Medicare Levy Surcharge exemption.

As the removal of the grandfathering arrangements may have a flow on effect where some individuals become liable to pay the Medicare Levy Surcharge, the schedules effecting tax must be presented as separate Bills.

This Bill deals solely with taxation-related aspects of this reform and amends the Medicare Levy Act 1986.

Changes will mean that the application of the Medicare Levy Act 1986, insofar as it relates to Medicare Levy Surcharge exemption for private health insurance will be consistent with the updated Medicare Levy Surcharge exemption requirements that allow for higher excesses.

Debate adjourned.

Road Vehicle Standards Bill 2018

Road Vehicle Standards (Consequential and Transitional Provisions) Bill 2018
Road Vehicle Standards Charges (Imposition—General) Bill 2018
Road Vehicle Standards Charges (Imposition—Customs) Bill 2018
Road Vehicle Standards Charges (Imposition—Excise) Bill 2018

First Reading

Bills received from the House of Representatives.

Senator FIFIELD (Victoria—Minister for Communications, Minister for the Arts and Deputy Leader of the Government in the Senate) (17:39): I move:
That these bills may proceed without formalities, may be taken together and be now read a first time.
Question agreed to.
Bills read a first time.

Second Reading

Senator FIFIELD (Victoria—Minister for Communications, Minister for the Arts and Deputy Leader of the Government in the Senate) (17:40): I move:
That these bills be now read a second time.

I seek leave to have the second reading speeches incorporated in Hansard.
Leave granted.

The speeches read as follows—

ROAD VEHICLE STANDARDS BILL 2018
An important responsibility of the Australian Government is to set road vehicle standards. The objective is that road vehicles delivered or used in transport in Australia for the first time meet community expectations — for safety, for environmental protection and for other important issues such as anti-theft and energy conservation features. That is why we impose nationally consistent standards that road vehicles must meet prior to being used in transport in Australia — known as the Australian Design Rules.

In 2017, over 1.2 million vehicles entered the Australian market for the first time — including passenger vehicles, heavy, medium and light commercial vehicles, motorcycles and trailers. The vast majority of these were new vehicles fully compliant with the Australian Design Rules. Used imported vehicles comprise less than 2 per cent of vehicles entering the Australian market for the first time.

For over 27 years the Motor Vehicle Standards Act 1989, and its regulatory instruments, such as the Australian Design Rules, have set out the regulatory framework governing the importation and first supply of road vehicles in Australia.

There are important reasons for regulating these issues rather than leaving it to the market. Firstly, consumers can not generally observe key features of a vehicle until they are directly tested (such as in the event of a crash). Secondly, society as a whole derives benefit from imposing restrictions (for example, to minimise road trauma or pollution) that a consumer would not necessarily consider when purchasing an unregulated vehicle.

The existing motor vehicle standards legislation was written in a different time, when much of today's vehicle technology was not available. Since the Act's last comprehensive review over 17 years ago - there have been significant changes in global and domestic automobile markets, improvements in vehicle technologies and a general shift in consumer expectations and vehicle preferences.

In the second reading speech for the original Motor Vehicle Standards Act 1989, the Minister at that time noted that some 2500 people were killed on our roads annually. At that time there were 9.4 million vehicles registered for use on Australian roads. By the end of this year, there will be almost 19 million vehicles registered for use on Australian roads — growing at around 2 per cent per annum — and our annual road toll has reduced to less than 1300.

Mandated safety standard improvements - such as seatbelts, anti-lock braking systems and electronic stability control - have helped drive this reduction in road deaths. Even so, the continued economic cost to the community of road trauma is estimated at around $27 billion per annum.

Safety technology has greatly improved — with airbags, electronic stability control and anti-lock braking systems now commonplace. We have also seen advances in engine emissions control and new anti-theft technologies such as immobilisers. Our cars and trucks today are faster, safer, lighter, cleaner and harder to steal than ever before.

But the Motor Vehicle Standards Act 1989 has struggled to keep up with the changes in the marketplace. Amendments or administrative work-arounds have been implemented to resolve market barrier problems, deal with new ways motor vehicles can reach the Australian market and meet changing consumer demands.

These isolated and incremental amendments to the legislation have contributed to complexity across the regulatory framework - making the Act cumbersome to administer and difficult to interpret. In turn this imposes significant regulatory costs on businesses and consumers.

The future of motor vehicle transport is changing rapidly - and the way we regulate vehicles needs to allow for, and adapt to, this change. The Australian community expects vehicles that produce less harmful emissions and have greater fuel efficiency. We are seeing this already, in the global market and increasingly in the Australian market, through ever more fuel-efficient vehicles and also through the growing presence of electric vehicles and vehicles using other technologies, such as hydrogen.
We therefore need legislation which safeguards the safety, environmental performance and consumer protection features of the vehicles of today; but we also need legislation which can respond flexibly as motor vehicles evolve.

Today, the Government is introducing the Road Vehicle Standards Bill 2018 - and a legislative package to safeguard our community, protect the consumer whilst providing choice, and improve the competitiveness of our road transport sector.

There are four accompanying Bills, designed to deliver an efficient transition from the current arrangements to the new regulatory framework, and to allow the Commonwealth to recover the cost of supporting and administering a robust and efficient regulatory framework.

The Objects of the Road Vehicle Standards Bill, set out in Section 3, are:

- to set nationally consistent performance based standards for all road vehicles being provided in Australia; and
- to provide consumers in Australia with a choice of safe, environmentally sound and secure road vehicles that can utilise global technological advancements.

These objectives capture the Government's intentions — to strike a balance between applying appropriate safety, environmental performance and security standards to vehicles entering the Australian market for the first time and providing as much consumer choice as possible.

The Bill replaces the current Motor Vehicle Standards Act 1989 and provides the regulatory platform for national vehicle standards that strengthen and modernise the current legislative framework. It allows a risk-based approach to regulatory practice while simplifying the approval and importation pathways for vehicles and improving access to a diverse range of vehicles for specialist use and enthusiast interests.

The title of the Bill - Road Vehicle Standards Bill 2018 - reflects its coverage of all vehicles intended for use on our roads, which includes trailers and components used in approved road vehicles. The Bill's coverage does not include motorised and other vehicles that are not intended for road use, such as tractors, quad bikes and on-site mining plant and equipment.

**Principles**

The design of the Road Vehicle Standards Bill 2018, and its related Bills, rules and regulations was guided by five principles.

The first principle is to provide legislation which is flexible and responsive, given how fast the motor vehicle is already changing and how fast it is expected to continue to change.

For example, the Bill allows for incorporation of different material into the national road vehicle standards - ensuring more novel standards may be referenced alongside the traditional sources of vehicle standards. Standards relating to cybersecurity in autonomous vehicle fleets would be one such example.

The second principle is clear legislation. This Bill reflects modern legal drafting standards to strengthen the existing regulatory framework, whilst improving transparency and decision-making. It has a structure that clearly lays out the pathways, and the tools supporting those pathways, in a way that citizens can reasonably understand and utilise.

The third principle is more choice of road vehicles for Australians. Australians continue to require some vehicles that are unable to meet the full complement of national standards. These vehicles may have enthusiast features, such as being rare, high performance, low emission or having accessibility features; or they may be designed to perform particular specialised jobs that fully compliant vehicles are not capable of achieving.

The Bill simplifies and clarifies arrangements for the importation of vehicles granted concessions against the national standards by consolidating the current pathways into one concessional entry
pathway. It also expands the range of vehicles that can be considered under the specialist and enthusiast vehicle provisions.

The fourth principle is improved compliance and enforcement powers to improve safety outcomes. A key challenge in the regulation of the provision of road vehicles is maintaining high levels of community benefit, whilst minimising compliance costs on a diverse industry and product.

The Bill addresses this issue by delivering a flexible regulatory framework, with a graduated toolkit to monitor and enforce compliance with the rules. This is backed up with standard Commonwealth provisions on monitoring and enforcement powers contained in the Regulatory Powers (Standard Provisions) Act 2014 and extension of the Government's product safety recall powers to cover commercial vehicles not covered by the Australian Consumer Law.

The fifth principle is continuing support of harmonisation of Australian standards with international standards - a long-standing policy of Australian Governments. Significant regulatory savings are possible through harmonising our national standards with international best practice vehicle standards. This has been a long-standing policy of Australian Governments, supported by the 2014 Productivity Commission review of the automotive manufacturing sector and the 2015 Harper Competition Policy Review.

To put these design principles into effect, the Bill introduces the following key changes to the way the Government will regulate the provision of vehicles to the Australian market.

Establishment of a national Register of Approved Vehicles

The new legislation is structured around entry of an individual vehicle onto a national Register of Approved Vehicles, as the means by which its approval for provision to the Australian market is evidenced. The register replaces the current requirement for the physical attachment of a compliance plate to the vehicle as evidence of compliance with national vehicle standards.

The Bill prohibits the provision of a road vehicle in Australia unless that vehicle is on the Register or a relevant exception applies.

The Bill, and its supporting Rules, set out two pathways for entry of a road vehicle on the Register of Approved Vehicles.

The first pathway, the 'type approval' pathway, is for vehicles that are new and meet, or substantially meet, every requirement of the national standards. Manufacturers will also need to be able to prove consistency in production of that type of vehicle. The majority of road vehicles provided to the Australian market will enter onto the Register through this pathway.

The second pathway, the 'concessional' pathway, provides for a limited range of new and used vehicles granted concessions on a vehicle-by-vehicle basis against full compliance with the Australian Design Rules. It consolidates the current range of separate pathways into one providing the Australian community with access to road vehicles such as genuine specialist and enthusiast vehicles, classic and vintage vehicles and vehicles with a special purpose that cannot be fulfilled if they complied with the Australian Design Rules. The latter includes vehicles such as mobile cranes and emergency services vehicles.

The introduction of the Register of Approved Vehicles is important to support the improved compliance and enforcement powers contained in the new legislation. It will constitute an accurate source of data - and will provide a date-stamp when a contravention of the Bill may have occurred.

The Register will also provide consumers with an easily accessible source of information about a vehicle they are interested in potentially purchasing — enabling them to check the pathway used when the vehicle was provided to the Australian market, and any conditions which applied.
To improve the security of a vehicle's identity, the instruments made under this Bill will introduce a secure identification-marking requirement for all new road vehicles. This requirement will provide a significant deterrent to motor vehicle theft and re-birthing.

The new legislation also provides simplified arrangements for the importation of vehicles for a purpose other than general road use - such as to allow testing and evaluation by manufacturers or temporary use such as for race and rally events or for exhibition. These vehicles can be traded in the Australian market place, but will not be entered onto the Register of Approved Vehicles. As is the case now, the relevant state or territory registration authority will decide if such a vehicle will be allowed to operate on the roads of that state or territory, and under what circumstances.

**Tools to support a vehicle's entry onto national Register of Approved Vehicles**

The Bill also provides for the regulatory oversight of arrangements that support these pathways, such as test facilities, Registered Automotive Workshops, eligibility criteria for specialist and enthusiast vehicles and the introduction of independent vehicle compliance verification — to be known as Authorised Vehicle Verifiers.

Under the existing Act, the Registered Automotive Workshop Scheme has allowed a range of used specialist and enthusiast vehicles to be made available in Australia. The Bill contains a revised scheme — expanding that range to new and used specialist and enthusiast vehicles. The revised scheme reduces regulatory and compliance costs by removing unnecessary testing and parts replacement requirements.

The Bill expands the range of vehicle makes, models and variants eligibility for importation as a specialist and enthusiast vehicle and therefore concessional entry onto the Register of Approved Vehicles. The rules to be made under this Bill will define the eligibility criteria so that they better capture vehicles that are of a genuine specialist or enthusiast nature.

Every vehicle processed through the Registered Automotive Workshops scheme will be verified by a qualified independent third party inspection before its entry onto the Register of Approved Vehicles. This is designed to improve consumer confidence in the vehicle's compliance with relevant standards.

The changes to Specialist and Enthusiast Vehicle arrangements have been the subject of extensive consultation with affected stakeholders.

The rules will also improve the existing arrangements for importing classic and collectible vehicles through allowing a vehicle that is at least 25 years old to be imported. The new arrangements have been developed in recognition of the low community risk of these vehicles, which typically have limited road use.

**Recalls of road vehicles or approved road vehicle components**

The Bill will give the responsible Minister the ability to issue a notice for compulsory recalls of road vehicles and road vehicle components and sets the framework for voluntary recalls. The inclusion of this power will clarify current recall powers and responsibilities conducted under Schedule 2 of the Competition and Consumer Act 2010 (that is, the Australian Consumer Law). The Australian Consumer Law only provides for recalls in relation to consumer goods - limiting the circumstances in which the Government can initiate a compulsory road vehicle, or road vehicle component, recall.

To address these issues, the Bill's recall provisions, modelled on those in the Australian Consumer Law, allow the responsible Minister to act in relation to all road vehicles and road vehicle components, and in relation to safety issues and issue recalls relating to serious noncompliance with any national vehicle standard.

**Modern regulatory compliance and enforcement provisions**

This Bill modernises and strengthens the existing regulatory framework whilst improving transparency and decision-making. We are not significantly changing the obligations on vehicle manufacturers and importers.
Under the Bill, the conditions of an approval are assessed up front and the approval is granted based on the ability of the applicant to meet those conditions. This reflects modern legal drafting standards and improves clarity and certainty for stakeholders.

The Bill introduces a graduated range of enforcement options, including infringement notices, enforceable undertakings and criminal sanctions - strengthening the community's assurance that road vehicles entering the Australia market meet the necessary standards for safety, environmental and anti-theft performance.

The Bill does this by triggering provisions of the Regulatory Powers (Standard Provisions) Act 2014, providing a Commonwealth consistent set of provisions to deal with monitoring, investigation and the use of sanctions in the enforcement of legal obligations.

Having a range of enforcement options that allow any contravention of the Bill or conditions of approval to be addressed on a spectrum of seriousness is important - as it gives the Government the ability to effectively penalise those who deliberately breached laws and greater flexibility to deal with those who have inadvertently committed a breach.

After engaging over the past four years with all sectors of the automotive supply industry, state and territory governments and the general public, these Bills represent a comprehensive modernisation of the Australian vehicle standards regulatory regime.

In December of last year, I released for public consideration an exposure draft of the Rules that will be made by this Bill. While the key decisions concerning the new regulatory framework have been made, and are contained in this Bill, it is important that we facilitated a further period of public consultation on the details of the Rules before the Bill is finalised here in the Parliament. For the information of members, I have called for public comments on the provisions of the Rules - to be received by 16 February 2018 — to further inform the Honourable members’ debate.

This Bill ensures that Australia's national vehicle standards can continue to respond to future changes in the automotive sector, and meet the challenges and opportunities that come with those changes.

The Bill aims to balance the government’s commitment to the local automotive manufacturing industry, full volume importers, franchised motor vehicle dealers, importers and converters of used vehicles, and consumers of genuine specialist and enthusiast vehicles.

For Australian manufacturers and importers of full volume vehicles, it means reduced red tape and streamlined certification processes.

For Australian motoring enthusiasts, it means an increased range of specialist and enthusiast vehicles will become available and reduced costs of regulatory compliance.

For the Australian community more broadly, it means consumers can continue to have confidence in a motor vehicle regulatory system that promotes vehicles that are safe, produce less emissions and have appropriate anti-theft and energy conservation features.

ROAD VEHICLE STANDARDS (CONSEQUENTIAL AND TRANSITIONAL PROVISIONS) BILL 2018

The Road Vehicles Standards Bill 2018, and its subsequent subordinate legislation, is a substantial modernisation of the legislation that regulates the importation and first supply of road vehicles in Australia. Changes contained in that Bill will affect a wide range of businesses involved in the automotive sector — ranging from multi-national vehicle manufacturers to small independent Registered Automotive Workshops, and individual consumers seeking to bring into the country a road vehicle for a special purpose.

While we are not significantly changing the current obligations on vehicle manufacturers and importers, we are realigning the point at which conformance to those obligations is to be demonstrated
and we are introducing new regulatory tools to improve the delivery of the Australian community's expectations for safe, environmentally sound and theft proof vehicles.

The Australian Government recognises that these changes will require a period of transition to enable entities involved in the provision of road vehicles to the Australian market to adapt their business models and ensure a seamless transition to the new legislative framework.

The Road Vehicle Standards (Consequential and Transitional Provisions) Bill 2018 contains transitional and consequential provisions to support the commencement of the Road Vehicle Standards Bill 2018 when it replaces the Motor Vehicle Standards Act 1989 as the Commonwealth's primary legislation for regulating road vehicles and certain road vehicle components.

Firstly, this Bill repeals the old law - the Motor Vehicle Standards Act 1989 - and makes provision for a twelve-month transition period starting from the full commencement of the Road Vehicle Standards Bill 2018. To complement that Bill, this transitional Bill will allow regulated industry stakeholders to make the necessary changes to transition to the new regulatory framework.

During the twelve-month transitional period provided for under this Bill, aspects of the Motor Vehicle Standards Act and related legislation will continue to have effect. This ensures that entities currently operating under the old law, particularly Register Automotive Workshops, are not disadvantaged by having to change their established operating practices and have reasonable time to transfer to the new Road Vehicle Standards legislation requirements.

Secondly, the Bill makes consequential amendments to other Commonwealth legislation to reflect the repeal of the Motor Vehicle Standards Act and substitute relevant references to the Road Vehicle Standards Bill.

Thirdly, the Bill provides clarity of the Department's compliance and enforcement powers during the transition period. The Road Vehicle Standards Bill 2018 provides an improved regulatory tool kit, based on the Regulatory Powers Act 2014 (and subsequent amendments). This Bill clarifies the application of these powers during the transition period.

Finally, this Bill also provides incentives to certain approval holders to become early adopters of the new regulatory framework introduced by the Road Vehicle Standards Bill enabling evidence submitted for their current approvals to support their applications for new approvals under the Road Vehicle Standards Bill and minimising transition regulatory burden where possible.

Clear guidance will be provided to industry stakeholders and the general public to ensure they are aware of any rights or obligations which will apply.

ROAD VEHICLE STANDARDS CHARGES (IMPOSITION—GENERAL) BILL 2018

The Road Vehicle Standards Charges (Imposition—General) Bill 2018 provides for the imposition of charges for activities and services relating to the regulatory administration of the Road Vehicles Standards Bill 2018.

This Bill, together with the Road Vehicle Standards Charges (Imposition - Customs) Bill 2018 and the Road Vehicle Standards Charges (Imposition - Excise) Bill 2018 will enable cost recovery of the costs associated with regulating the first provision of road vehicles to the Australian market. The Bill stipulates that the amount of the charges is not set at a level that recovers more than the Commonwealth's likely costs in administering the road vehicle standards legislation.

ROAD VEHICLE STANDARDS CHARGES (IMPOSITION—CUSTOMS) BILL 2018

The Road Vehicle Standards Charges (Imposition—Customs) Bill 2018 provides for the imposition of charges for activities and services relating to the regulatory administration of the Road Vehicles Standards Bill 2018.

This Bill, together with the Road Vehicle Standards Charges (Imposition - General) Bill 2018 and the Road Vehicle Standards Charges (Imposition - Excise) Bill 2018 will enable cost recovery of the
costs associated with regulating the first provision of road vehicles to the Australian market. The Bill stipulates that the amount of the charges is not set at a level that recovers more than the Commonwealth's likely costs in administering the road vehicle standards legislation.

ROAD VEHICLE STANDARDS CHARGES (IMPOSITION—EXCISE) BILL 2018

The Road Vehicle Standards Charges (Imposition—Excise) Bill 2018 provides for the imposition of charges for activities and services relating to the regulatory administration of the Road Vehicles Standards Bill 2018.

This Bill, together with the Road Vehicle Standards Charges (Imposition - General) Bill 2018 and the Road Vehicle Standards Charges (Imposition - Customs) Bill 2018 will enable cost recovery of the costs associated with regulating the first provision of road vehicles to the Australian market. The Bill stipulates that the amount of the charges is not set at a level that recovers more than the Commonwealth's likely costs in administering the road vehicle standards legislation.

Debate adjourned.

Telecommunications Legislation Amendment (Competition and Consumer) Bill 2018

Telecommunications (Regional Broadband Scheme) Charge Bill 2018

First Reading

Bills received from the House of Representatives.

Senator FIFIELD (Victoria—Minister for Communications, Minister for the Arts and Deputy Leader of the Government in the Senate) (17:40): I move:

That these bills may proceed without formalities, may be taken together and be now read a first time.

Question agreed to.

Bills read a first time.

Second Reading

Senator FIFIELD (Victoria—Minister for Communications, Minister for the Arts and Deputy Leader of the Government in the Senate) (17:41): I table the revised explanatory memoranda relating to the bills, and I move:

That these bills be now read a second time.

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

Leave granted.

The speeches read as follows—

TELECOMMUNICATIONS LEGISLATION AMENDMENT (COMPETITION AND CONSUMER) BILL 2018

The Telecommunications Legislation Amendment (Competition and Consumer) Bill 2018, which I am introducing today, will, together with the Telecommunications (Regional Broadband Scheme) Charge Bill 2018, improve the provision of superfast broadband in Australia.

The Bill implements key measures of the Government's response to the Independent Cost-Benefit Analysis and Review of Regulation carried out by a panel of experts chaired by Dr Michael Vertigan AC. It will improve the supply of superfast broadband by:

- making carrier separation rules for superfast residential networks more effective but also more flexible, giving carriers greater scope to invest in superfast networks and compete;
• introducing new statutory infrastructure provider (or SIP) obligations on NBN Co (and others) to support the ongoing delivery of superfast broadband services; and

• establishing the Regional Broadband Scheme (or RBS) to provide for the sustainable funding of NBN Co satellite and fixed wireless services for regional areas.

**Improving carrier separation rules**

In 2011, the former Government introduced carrier separation rules to require new superfast broadband networks, other than the National Broadband Network, that service residential and small business customers to supply a basic wholesale service on a non-discriminatory basis and be wholesale-only (that is, structurally separated).

This Bill reforms these rules to bolster competition at both the wholesale and retail level while also resetting the default wholesale-only requirements to make them more effective.

The key changes to the rules are these.

First, the Bill removes the rules from networks servicing small businesses. This creates greater flexibility for carriers to supply superfast broadband to small businesses, enabling small business to benefit from greater competition in this market.

Second, carriers other than NBN Co and Telstra will be able to operate both network and retail businesses on a functionally separated (that is, at arm's length) basis subject to the approval of the Australian Competition and Consumer Commission, the ACCC. Networks operating on a functionally separated basis will need to meet core requirements. These include the operation of separate wholesale and retail business units, with separate workers, accounts and IT systems, as well as the non-discriminatory provision of services and the protection of customer information.

This approach will enable carriers to harness the efficiency benefits of integrated operations while allowing other providers to share those benefits through non-discriminatory access to networks.

Third, the Bill allows the ACCC to exempt small start-up networks from the separation rules to encourage entry into the market and the growth of new providers.

Fourth, all services supplied on networks that are wholesale-only or functionally separated will be subject to clear non-discrimination obligations.

Finally, the Bill improves the enforcement regime to make it more effective. This includes giving the ACCC a wider range of enforcement tools and allowing for private enforcement.

**Statutory Infrastructure provider (SIP) regime**

The current Statement of Expectations issued to NBN Co requires it to roll out the National Broadband Network. However, there is no statutory obligation requiring NBN Co to connect any premises to its network and service them on an ongoing basis.

This Bill addresses this by establishing a statutory infrastructure provider, or SIP, regime so that all premises in Australia can have access to superfast broadband. This will provide certainty and clarity for all parties: NBN Co, its customers and, most importantly, consumers.

Under the arrangements, NBN Co will become the SIP for areas as it rolls out its network and will be the default SIP for all of Australia once it has completed the National Broadband Network. This is appropriate given that NBN Co will ultimately replace Telstra as the principal fixed-line operator in Australia. Other carriers will also be able to be SIPs where appropriate.

The Productivity Commission, in its report on its review of the universal service obligation (USO), saw the SIP regime as a key part of its recommended approach to the USO and recommended it be implemented as a priority.
The Bill methodically sets out how to identify the SIP, the obligations of the SIP, and the processes to be followed when a SIP does not or cannot meet the SIP obligation. There will be a central register of SIPs so industry and consumers can find out who the SIP in an area is.

In doing this, the Government is putting the customer experience front and centre in this legislative package.

SIPs must connect premises on reasonable request from a retail provider and supply wholesale services that support a peak download speed of at least 25 megabits per second and a peak upload speed of at least 5 megabits per second. This is consistent with the speeds set out in NBN Co's Statement of Expectations. SIPs must also supply wholesale services that retail providers can use to support voice calls on fixed-line and fixed wireless networks.

The Bill provides two clear targets that NBN Co, as a SIP, must take all reasonable endeavours to meet.

- First, NBN Co must ensure that 90 per cent of premises in its fixed-line footprint can receive peak download speeds of at least 50 megabits per second and peak upload speeds of at least 10 megabits per second.
- Second, NBN Co's fixed-line networks must be capable of being connected to at least 92 per cent of premises in Australia.

These targets again reflect the current NBN Co Statement of Expectations and the Government's commitment that people in Australia have ready, affordable access to superfast broadband into the future.

Consumers will for the first time have clear information on why any request for a connection has been refused and by whom, assisting them in seeking redress.

The Bill also gives the Minister for Communications reserve powers to set standards, rules and benchmarks that SIPs must comply with (or in the case of benchmarks, meet or exceed). These could include timeframes for connecting premises and rectifying faults, rules about how premises are to be connected and how complaints must be addressed.

The Minister will also be able to make service provider rules dealing with consumer issues like the handballing of disputes between wholesale and retail providers if required.

By providing certainty that premises can be connected to superfast networks and consumers at those premises can receive superfast broadband, the SIP arrangements provide a solid core around which a new forward-looking consumer protection architecture for the future NBN environment can be developed and implemented.

**Regional Broadband Scheme (RBS)**

The Bill, together with the Telecommunications (Regional Broadband Scheme) Charge Bill 2018, establishes the Regional Broadband Scheme to provide sustainable funding for the provision of superfast broadband services to regional, rural and remote Australians.

Providing quality broadband services to regional Australia is a major challenge, and a very expensive one. Modelling by the Bureau of Communications and the Arts Research has estimated NBN Co’s fixed wireless and satellite networks are expected to lose around $9.8 billion over 30 years. Currently these losses are funded entirely from an opaque internal cross-subsidy from NBN Co’s profitable fixed line networks. The Regional Broadband Scheme makes this cross-subsidy transparent and requires all fixed line broadband carriers to contribute equitably to the cost of providing regional broadband services.

Under the Regional Broadband Scheme all carriers would contribute around $7.10 per month per premises where a broadband service is provided over their fixed line networks. It is intended that the charge would apply to all premises serviced by fibre to the premises (FTTP), fibre to the node (FTTN), fibre to the basement (FTTB), fibre to the curb (FTTC) and hybrid-fibre coaxial (HFC) networks.
Once the NBN rollout is complete, it is expected that NBN Co will have around 95 per cent of the fixed line market, which means it will continue funding the bulk of the cost for providing broadband to regional Australia. Customers on NBN Co's networks will not experience price rises as the charge is already imbedded in NBN Co's pricing. For the remaining carriers, it will be up to these networks to decide whether some or all of the charge is passed on. The Bills also include a concession period for smaller carriers that exempts the first 25,000 residential and small business premises for five years.

The Government is well aware that broadband technology is constantly evolving and new technologies may emerge at any time. The Government is committed to reviewing the Regional Broadband Scheme on a regular basis to ensure the funding base remains appropriate. The Bill includes a requirement to conduct a review within four years of the Scheme commencing.

Once established the Regional Broadband Scheme will provide certainty for regional Australians that their essential broadband services will be maintained and upgraded into the future.

Conclusion

The Bill makes important changes to the broadband regulatory framework to strengthen the provision of superfast broadband infrastructure across metropolitan, regional, rural and remote Australia. The changes put the customer experience front and centre by ensuring consumers can benefit from greater wholesale and retail competition, access superfast broadband under the statutory infrastructure provider obligation and are supported by sustainable funding arrangements for essential broadband services in regional, rural and remote Australia.

I commend the Bill.

TELECOMMUNICATIONS (REGIONAL BROADBAND SCHEME) CHARGE BILL 2018

The Telecommunications (Regional Broadband Scheme) Charge Bill 2018, which I am introducing today, will, together with Schedule 4 of the Telecommunications Legislation Amendment (Competition and Consumer) Bill 2018, establish the Regional Broadband Scheme to ensure there are sustainable funding arrangements in place to provide essential broadband services to regional, rural and remote Australians.

The Bill would impose, from 1 July 2018, a monthly charge on carriers in relation to each premises connected to their network that has an active fixed-line superfast broadband service during the month. The charge would have two components: a base component and an administrative cost component. The Bill would set the initial base component amount at $7.09, which is then subject to indexation. The Bill also sets the administrative cost component for the first five years.

The money collected from the base component of the charge would be used to fund the losses NBN Co incurs in constructing and operating its fixed wireless and satellite networks, replacing the company's opaque internal cross subsidy from its fixed line networks. The money collected from the administrative cost component would fund the enforcement and administration costs of the Australian Communications and Media Authority and the Australian Competition and Consumer Commission (ACCC) associated with the Scheme.

The Bill also sets out the arrangements to enable the Minister, by disallowable legislative instrument, to adjust the base component and the administrative cost components. This will ensure the monthly charge amount reflects the size of the fixed line broadband market and the net losses incurred by NBN Co in respect of its fixed wireless and satellite networks. The Bill would require the ACCC to give advice to the Minister in relation to resetting the base and administrative cost components at least once every five years. The Minister must have regard to this advice when deciding whether to adjust the charge amount.

The administrative arrangements for the Regional Broadband Scheme, including arrangements for the annual (in arrears) assessment and collection of the charge, and associated reporting arrangements
are set out in Schedule 4 of the Telecommunications Legislation Amendment (Competition and Consumer) Bill.

Once established, the Regional Broadband Scheme will provide certainty for regional Australians that their essential broadband services will be available into the future.

I commend the Bill.

Debate adjourned.

**Treasury Laws Amendment (Black Economy Taskforce Measures No. 1) Bill 2018**

**Treasury Laws Amendment (Medicare Levy and Medicare Levy Surcharge) Bill 2018**

**Treasury Laws Amendment (Tax Integrity and Other Measures) Bill 2018**

**Veterans' Affairs Legislation Amendment (Veteran-centric Reforms No. 2) Bill 2018**

**First Reading**

Bills received from the House of Representatives.

**Senator FIFIELD** (Victoria—Minister for Communications, Minister for the Arts and Deputy Leader of the Government in the Senate) (17:42): These bills are being introduced together. After debate on the motion for the second reading has been adjourned, I shall move a motion to have the bills listed separately on the Notice Paper. I move:

That these bills may proceed without formalities, may be taken together and be now read a first time.

Question agreed to.

Bills read a first time.

**Second Reading**

**Senator FIFIELD** (Victoria—Minister for Communications, Minister for the Arts and Deputy Leader of the Government in the Senate) (17:43): I table a revised explanatory memorandum relating to the Treasury Laws Amendment (Black Economy Taskforce Measures No. 1) Bill 2018, and I move:

That these bills be now read a second time.

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

Leave granted.

The speeches read as follows—

**TREASURY LAWS AMENDMENT (BLACK ECONOMY TASKFORCE MEASURES NO. 1) BILL 2018**

This Bill enhances the integrity of Australia's tax system with the introduction of the Government's response to the Black Economy Taskforce interim report.

The Turnbull Government established the Black Economy Taskforce in December 2016 to develop a whole-of-government response for tackling the black economy.

The black economy extends from organised crime to individuals and businesses that operate outside the tax and regulatory system, understating their income and avoiding their obligations to report to the Australian Taxation Office, Centrelink and child support agencies among others.
More broadly, participation in the black economy undermines community trust in the tax system, creates an uneven playing field among competing businesses and results in the loss of government revenue.

The use of technology to hide income, and the non-reporting or understating of income by contractors, are two black economy activities targeted in this Bill.

The Turnbull Government is committed to improving tax fairness among businesses and strengthening the integrity of our tax system. We are committed to collecting tax properly payable from those who are dodging their liability.

Schedule 1 to this Bill creates new offences to ban the manufacture, distribution, possession, sale and use of electronic sales suppression tools.

There is no legitimate reason for these tools. They remove transactions from electronic record keeping systems, falsify transactions to reduce the amount of each sale and modify GST taxable sales to GST non-taxable sales. And they leave no audit trail.

These new, strict liability offences target each stage of the supply chain - manufacture and production, supply and use of electronic sales suppression tools. Heavy penalties can be imposed in order to deter the use of this technology across the supply chain.

Schedule 2 introduces compulsory reporting to the ATO by businesses with operations in the courier and cleaning industries.

The Black Economy Taskforce identified that contractor payments in the courier and cleaning industries are areas of high risk for the non-reporting of income. The Government is therefore extending the Taxable Payments Reporting System to the courier and cleaning industries.

The Taxable Payments Reporting System applies to entities holding an Australian Business Number that provide services in identified industries and who pay contractors in those industries for their services.

The Black Economy Taskforce found that non disclosure of income to the ATO by contractors in the cleaning and courier sectors was widespread.

Schedule 2 requires the entity that has paid for sub-contracted courier or cleaning services to report these payments to the Tax Office.

Reporting of payments will simplify income matching and prevent evasion. The reporting will also allow the ATO to target compliance activity.

The Taxable Payments Reporting System has been successful. Its implementation in the building and construction industry led to improvements in contractor compliance with GST and income disclosure.

Where the entity making the payment has only a small part of its business in either the cleaning or courier industry – less than 10 per cent by reference to GST turnover- they will be exempt from the reporting requirement.

This strikes the right balance between targeting the risk of non-disclosure of payments received by contractors and maintaining a proportionate compliance burden aligned to the level of the business activity of the paying entity.

Full details of the measures are contained in the Explanatory Memorandum.

TREASURY LAWS AMENDMENT (TAX INTEGRITY AND OTHER MEASURES) BILL 2018

This Bill represents another important step in the Government's efforts to protect Australia's tax base from multinational tax avoidance. The Bill also improves the integrity of the small business capital gains tax concessions, contributes to the Government's digital innovation agenda and makes the taxation of Defence Abuse Repatriation payments fairer.
Schedule 1 of this Bill amends the income tax law to toughen the multinational anti-avoidance law. The law took effect from 1 January 2016 and prevents large multinationals from avoiding tax on their Australian business profits by artificially structuring their affairs in a way that results in them not having a taxable presence in Australia.

Schedule 1 will improve the integrity of the multinational anti-avoidance law by bringing schemes involving the interposition of certain trust or partnership arrangements within its scope.

This is a further demonstration of the Government’s strong track record on tackling multinational tax avoidance. Together with other key Government initiatives, such as the Diverted Profits Tax, Country-by-Country reporting, updated Transfer Pricing rules and the Organisation for Economic Cooperation and Development Multilateral Instrument, this measure will ensure that multinationals pay the right amount of tax on their Australian income.

The Government is committed to assisting small businesses. With over 3 million small businesses in Australia, the small business sector plays a significant role in the Australian economy. Small businesses contribute around $380 billion to the economy. A strong small business sector means more jobs for Australians and more opportunities to build vibrant local communities across the country.

Schedule 2 of this Bill amends the *Income Tax Assessment Act 1997* to improve the integrity of the small business capital gains tax concessions.

These important concessions provide small business owners with relief from capital gains tax on the disposal of assets related to their business. This helps them to grow and re-invest their profits, as well as contribute to their retirement savings through the sale of their business.

Currently, some taxpayers can access these concessions for assets which are unrelated to their small business.

That is why, in the 2017-18 Budget, we announced that we would take action to improve the integrity of these concessions.

Schedule 2 of this Bill will introduce additional conditions that must be met where a taxpayer sells their share in a company or interest in a trust. These conditions will test the size of the business being disposed of so that taxpayers can only obtain the concessions in respect of genuine small businesses.

Additional tests will apply to prevent the concessions from being available for shares in companies or interests in trusts where most of the value of that company or trust is unrelated to small business activities.

The concessions themselves are not changing. They will continue to be available to genuine small business taxpayers with an aggregated turnover of less than $2 million or business assets less than $6 million.

The Government is also committed to supporting the Australian innovation ecosystem by providing a tax and regulatory environment that will help innovative Australian businesses raise capital, grow and succeed.

Schedule 3 of this Bill amends the income tax law to clarify that Early Stage Venture Capital Limited Partnerships and Venture Capital Limited Partnerships can make investments in FinTech businesses.

These amendments will provide certainty to investors in innovative FinTech businesses and Australian innovation more generally.

The amendments allow Early Stage Venture Capital Limited Partnerships and Venture Capital Limited Partnerships to invest in entities with predominant activities that include the development of technology for use in finance, insurance or making investments. The development of technology is not intended to be narrowly interpreted and extends to adapting existing technology to a new purpose, such as in developing a novel product or service.
The amendments also allow Innovation and Science Australia to make public and private findings on the eligibility of investments, to ensure stakeholders can obtain certainty around the eligibility of their investments and improve integrity.

This is a further illustration of the Government's ongoing commitment to support Australia's FinTech sector and help establish Australia as a leading global FinTech hub.

Schedule 4 of this Bill amends the income tax law to ensure the reparation payments, recommended by the Defence Force Ombudsman, are exempt from income tax.

Defence has zero tolerance for abuse and has well established frameworks to encourage individuals to report abuse.

Reparation payments recognise that abuse is wrong and should not have occurred.

The payments are not intended to be compensation and complainants are not required to release the Commonwealth from liability.

As announced in the 2017-18 Budget, the Defence Force Ombudsman role has been expanded to make recommendations for reparation payments related to complaints of abuse in Defence.

This Bill ensures that the recipient of a reparation payment receives the full benefit of the payment by making it exempt from income tax. In this way this Bill aligns the tax treatment of reparation payments recommended by the Defence Force Ombudsman with the tax treatment of reparation payments made through the Defence Abuse Response Taskforce.

Full details of all of the measures contained in this Bill are contained in the explanatory memorandum.

TREASURY LAWS AMENDMENT (MEDICARE LEVY AND MEDICARE LEVY SURCHARGE) BILL 2018

This Bill amends the Medicare Levy Act 1986 and A New Tax System (Medicare Levy Surcharge — Fringe Benefits) Act 1999 to increase the Medicare levy low-income thresholds for singles, families and seniors and pensioners in line with increases in the consumer price index. These changes will ensure that low-income households who did not pay the Medicare levy in the 2016-17 income year will generally continue to be exempt in the 2017-18 income year if their incomes have risen in line with, or by less than, the consumer price index.

The Medicare levy low-income thresholds ensure that people who pay no personal income tax due to their eligibility for structural offsets — such as the low-income tax offset or the seniors and pensioners tax offset — generally do not incur the Medicare levy.

The changes to the thresholds mean that no Medicare levy will be payable for individual taxpayers with taxable income that does not exceed $21,980 in 2017-18 (increased from $21,655). Single seniors and pensioners with no dependants who are eligible for the seniors and pensioners tax offset will not incur a Medicare levy liability if their taxable income does not exceed $34,758 (increased from $34,244).

Further, in combination with the individual thresholds, couples and families who are not eligible for the seniors and pensioners tax offset will not be liable to pay the Medicare levy if their combined taxable income does not exceed $48,385 (increased from $47,670). The thresholds for couples and families go up by $3,406 for each dependent child or student (increased from $3,356).

These new thresholds will apply to the 2017-18 income year and future income years.

Full details of the measure are contained in the Explanatory Memorandum.

VETERANS' AFFAIRS LEGISLATION AMENDMENT (VETERAN-CENTRIC REFORMS NO. 2) BILL 2018

CHAMBER
I would like to thank the Senators who contributed to the debate on this Bill.

The purpose of the Veterans' Affairs Legislation Amendment (Veteran-centric Reforms No. 2) Bill is to implement several new initiatives to deliver a range of services to veterans and their families to give them the support and services they need.

I recognise the Australian community has a clear expectation veterans and their families will be well looked after, long after their service ends.

This Bill demonstrates the commitment this Government made in 2016 to put veterans first and continues on from the eight measures we introduced earlier this year under the Veterans' Affairs Legislation Amendment (Veteran-centric Reforms No.1) Act 2018.

Schedule 1 of the Bill would enable a veteran who is studying fulltime as part of an approved return to work rehabilitation plan to be paid their incapacity payments at 100 per cent of their normal weekly earning after 45 weeks.

Currently, a person's incapacity payments “step down” to 75 per cent (or a higher percentage depending on weekly hours worked) of normal earnings after a period of 45 weeks.

We know the best type of support for our ex-service men and women is the economic independence that comes with a job.

Which is why we will continue to promote employment for veterans by ensuring the business community recognises the many benefits of employing a veteran.

We want to encourage and support our veterans get back into the workforce, and assisting them financially while they study as part of a rehabilitation plan is one important way we can do this.

Participation in a Department of Veterans' Affairs rehabilitation plan may include study to assist a veteran in returning to ongoing meaningful employment outside of the Australian Defence Force. For veterans participating in a rehabilitation plan, and in approved full-time study, their incapacity payment will not be reduced after 45 weeks.

Injured veterans are naturally concerned about their, and their family's ongoing financial security. The amendments would allow those former members studying full time as part of their approved rehabilitation plan to focus on their study and not be concerned about financial matters.

As we know more than 5,000 men and women leave the service each year. This measure aims to make a real difference to how injured servicemen and women who are leaving the Australian Defence Force manage the transition to civilian life, in particular for those undertaking full time study. This measure promotes veterans' employment and builds on the Jobs and Growth measures announced in the 2017-18 Budget.

Schedule 2 of the Bill would give effect to a new Veteran Suicide Prevention pilot.

Reducing suicide, including among veterans, is a key priority for the Government. Consistent with this focus, the Government is committed to improving veterans' mental health. Suicide is an issue that affects many Australians, and the ex-serving community is not immune. The 2017 National Mental Health Commission's review of suicide prevention services reinforces that suicide prevention is a complex issue that requires a multi-faceted service response.

The Government takes this issue seriously and is working to ensure that members of the ex-serving community experiencing mental health issues can access the support they need. The Veteran Suicide Prevention pilot will provide mental health support for veterans who have been hospitalised after attempted suicide, suicide ideation or who may be at increased risk of suicide because of their mental health or other factors. The Veteran Suicide Prevention pilot will target a small subset of veterans with complex mental and social health needs, including homelessness.

The Pilot will deliver a ‘step down’ service that takes into account factors that may lead to suicide, such as primary health, financial stress, housing and employment. The Veteran Suicide Prevention pilot
will provide intensive services to ensure the veteran is accessing treatment and provide support to reduce the risk of suicide and enhance the quality of life for participating veterans.

This measure not only sets out to provide intensive support for up to 100 veterans who have complex mental health challenges but its evaluation will also inform future policy direction for veterans' mental health services.

Schedule 3 would give partners under the Military Rehabilitation and Compensation Act 2004 more time to choose whether to receive the compensation payable for their partner's death as a weekly payment, lump sum or a combination of both.

The proposed amendments would give partners, during what is a very difficult time, two years rather than the current six months to decide how they would like to receive their compensation.

The Commission would retain the discretion to extend the timeframe within which a partner can ask for more time to decide how they would like to receive their compensation, where special circumstances exist, beyond two years. This may be the case where there are complicated family law issues to be resolved, for example.

This measure demonstrates this Government is listening and is putting the veteran community at the centre of decision making so partners and family can determine when they are ready to decide when and how they receive the compensation and support that they need.

Schedule 4 would extend the Long Tan Bursary to the grandchildren of an Australian Vietnam veteran, who has operational service in Vietnam. The Long Tan Bursary is part of the Veterans' Children Education Scheme.

Currently, the Long Tan Bursary Scheme is limited to eligible children of an Australian Vietnam Veteran. The proposed amendments would extend the eligibility so that an eligible grandchild of an Australian Vietnam veteran who has operational service in Vietnam, may apply for and be granted a Long Tan Bursary to enable them to undertake post-secondary education.

The children of Vietnam veterans will remain eligible and their applications for Long Tan Bursaries will be given first priority during the assessment process. This honours the original intent of the scheme.

It also demonstrates we continue to recognise the important contribution of the Vietnam veterans who have given so much to our country to protect our great nation and freedoms and way of life. It is only right we support them and their families.

Schedule 5 would deem a submariner's service on a submarine between 1 January 1978 and 31 December 1992 as operational service, where they served on a Submarine Special Operation during that period.

A deeming provision will enable all submarine service during this period, by persons who have served on Submarine Special Operations, to be treated as operational service. This provision will address the difficulties in determining whether an injury sustained or disease contracted by a submariner is related to service on a secret operation.

This amendment will ensure the classified nature of information about Submarine Special Operations does not hinder access by these personnel to the benefits and entitlements available to those with operational service. In addition, this means submariners who are deemed to have operational service will have their claims assessed against the more generous provisions than those that apply to peacetime service.

This measure gives full effect to the intent of the Clarke Review and will benefit those veterans and their widowers to be able to access the benefits to which they are entitled.
Schedule 6 would enable veterans with Military Rehabilitation and Compensation Act 2004 coverage to lodge a claim for compensation orally. This amendment supports the Veteran-centric reforms being made by the Department of Veterans' Affairs and will lead to improvements for clients.

Currently, a claim for compensation must be made in writing and is distinct from a claim of liability. For those clients who wish to do so, they will be able to continue to make a written claim for compensation.

However, the amendments would mean a client will be asked during a needs assessment telephone call whether they want to make a claim for compensation and their oral statement will be treated as a valid claim under the Act.

This means a client will have the option to make a claim for compensation in writing or orally. This is all about making it easier for our clients to engage with us.

This demonstrates this Government has listened to the concerns and frustrations of veterans and their families and is committed to put them first and at the centre of the decisions we make.

Each of the set of amendments will mean better outcomes for veterans and their families.

I commend this Bill.

Debate adjourned.

Ordered that the bills be listed on the Notice Paper as separate orders of the day.

Treasury Laws Amendment (Personal Income Tax Plan) Bill 2018

Water Amendment Bill 2018

First Reading

Bills received from the House of Representatives.

Senator FIFIELD (Victoria—Minister for Communications, Minister for the Arts and Deputy Leader of the Government in the Senate) (17:44): I move:

That these bills may proceed without formalities, may be taken together and be now read a first time.

Question agreed to.

Bills read a first time.

Second Reading

Senator FIFIELD (Victoria—Minister for Communications, Minister for the Arts and Deputy Leader of the Government in the Senate) (17:44): I move:

That these bills be now read a second time.

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

Leave granted.

The speeches read as follows—

TREASURY LAWS AMENDMENT (PERSONAL INCOME TAX PLAN) BILL 2018

This Bill implements the Government's Personal Income Tax Plan to make personal income taxes lower, fairer and simpler.

By sticking to our plan for a stronger economy, the Government is returning the Budget to surplus and guaranteeing the essentials.

And because a stronger economy delivers more revenue to the Budget we are able to afford our Personal Income Tax Plan. It is affordable and fiscally responsible. More so it is necessary and will help people to manage household budget pressures.
The Government is committed to a tax system that rewards effort and aspiration and promotes opportunity. A tax system that is internationally competitive, capable of driving stronger investment and growth, and a stronger economy. A tax system where all individuals and businesses pay their fair share so the Government can deliver essential services.

Without action, the personal income tax system will increasingly penalise Australians for earning more as they move into higher tax brackets. The tax burden borne by workers will rise, reducing the rewards for effort.

As outlined in the ATO taxation statistics, the personal income tax burden is carried by the few, not the many. In 2015-16, the top one per cent of taxpayers paid around 17 per cent of the $186 billion of personal income tax. The top 10 per cent paid around 45 per cent of this total, compared with around 36 per cent 20 years earlier.

The Government has set a tax to GDP speed limit of 23.9 per cent. This prudent fiscal strategy, ensures that taxes do not chase spending and overwhelm the economy, like a snake eating its tail.

Over the seven years of the plan, the Government will provide tax relief to encourage and reward hard working Australians and to reduce household budget pressures.

The plan will mean that individuals will be able to take on additional work and seek advancement, knowing their extra income will not be taxed more harshly. Our plan will deliver a personal income tax system that is lower, fairer and simpler.

The plan will be delivered in three steps.

One. It will provide tax relief to low and middle income earners first.

Two. It will protect what Australians earn from bracket creep.

Three it will ensure Australians pay less tax by making personal taxes simpler and flatter.

Under our personal income tax plan, 94 per cent of Australian taxpayers will pay no more than 32.5 cents in the dollar. This compares with 63 per cent if we leave the system unchanged.

Step one of our plan will start permanent tax relief to low and middle income earners first, helping to ease household budget pressures. A new non-refundable low and middle income tax offset will provide tax relief of up to $530 to middle and lower income earners for the 2018-19, 2019-20, 2020-21 and 2021-22 income years. This is what can be responsibly afforded, while keeping the Budget on track.

The tax offset will assist over 10 million Australians. The maximum benefit of $530 will go to around 4.4 million taxpayers for 2018-19. For a working family with both parents on average full time wages, this will boost their 'kitchen table' budget by more than $1000 every year.

The new tax offset is in addition to the benefit lower income earners receive from the low income tax offset, and will be paid in the same way – on assessment after tax returns have been lodged.

This tax relief will not be clawed back by other tax increases, including the Medicare levy, which will remain unchanged.

Step two of the plan will help ensure that incomes earned by Australians are protected from bracket creep. From 1 July 2018, the Government will increase the top threshold of the 32.5 per cent bracket from $87,000 to $90,000, providing a tax cut of up to $135 per year to around 3 million taxpayers. This builds on the 2016-17 Budget increase to the top threshold of the 32.5 per cent bracket from $80,000 to $87,000, and shows the Government's long-term commitment to reforming the personal income tax system.

From 1 July 2022, the Government will provide tax relief of up to $1,350 per year by further increasing the top threshold of the 32.5 per cent bracket from $90,000 to $120,000. This is projected to benefit around 3.9 million taxpayers and prevent around 1.8 million taxpayers from facing the second top marginal tax rate of 37 per cent in 2022-23.
In addition, the top threshold of the 19 per cent tax bracket will be increased from $37,000 to $41,000 providing a tax cut of up to $540 a year. The low income tax offset will also be increased from $445 to $645. The extension to the 19 per cent tax bracket together with the increase to the low income tax offset will guarantee the benefits of Step 1 are maintained.

By protecting against bracket creep under Step 2 of our plan it ensures that a pay rise, extra over time or working more hours do not get eaten up by higher tax rates.

Step three of the plan will make the personal tax system simpler and flatter. From 1 July 2024, the top threshold of the 32.5 per cent tax bracket will be further increased from $120,000 to $200,000, abolishing the 37 per cent bracket and reducing the number of tax brackets from five to four. This is projected to prevent around 1.8 million taxpayers from facing a tax rate higher than 32.5 per cent.

The plan provides certainty to most taxpayers, most of whom will face the same marginal tax rate through their working life. It is projected that with the plan, around 94 per cent of taxpayers will face a marginal tax rate of 32.5 per cent or less in 2024-25. Without change, a projected 63 per cent of taxpayers will face a marginal tax rate of 32.5 per cent or less in 2024-25.

This Personal Income Tax Plan rewards effort, fosters aspiration and improves incentives to strive for success. Permanent tax relief will put more of Australians' hard earned income back into their pockets.

Higher income earners will contribute to income taxes about the same as they now do.

The Personal Income Tax Plan is a package. We are legislating it as a package, now.

We are legislating the whole package now to provide certainty that low and middle income earners will get ongoing tax relief to manage household budget pressures.

We are legislating the whole package now to provide certainty to taxpayers they will be protected from bracket creep.

We are legislating the whole package now to provide certainty that personal taxes will be simpler and flatter.

Schedule 1 of this Bill implements the low and middle income tax offset and increases the value of the low income tax offset. Schedule 2 of this Bill increases the personal income tax thresholds in 2018-19, 2022-23 and 2024-25 delivering significant tax cuts to Australian taxpayers.

We are the party of responsible Budgets and lower taxes. This plan is affordable and fully funded in the Budget. This plan enables Australians to keep more of what they have earned.

Full details of the measures are contained in the explanatory memorandum.

WATER AMENDMENT BILL 2018

One of the key objects of the Water Act 2007 is to promote the use and management of the Murray-Darling Basin’s water resources in a way that balances environmental, economic and social outcomes.

In 2007 the Water Act established the Murray-Darling Basin Authority as an independent expertise based statutory agency responsible for preparing an integrated plan for the sustainable use of the Basin’s water resources: the Murray-Darling Basin Plan.

The Basin Plan involves the commitment of no less than four state, one territory and the Commonwealth governments, all working together to achieve the sustainable use of water across environmental, economic and social needs. Australia is envied the world over for its cross-jurisdictional water management arrangements.

The Australian government remains committed to implementing the Murray-Darling Basin Plan in full and on time. The Basin Plan is visionary – it is a long term strategy that was never intended to make a difference overnight. Now, time is of the essence. Basin States must have in place Basin Plan compliant water resource plans by 30 June 2019.
However Basin States currently face serious uncertainty in achieving this milestone following the disallowance of the Basin Plan Amendment Instrument 2017 (No.1) by the Senate in February of this year. This has also widely been referred to as the disallowance of the Northern Basin Review amendment or the NBR instrument.

Turning now to this Bill - the Water Amendment Bill 2018. The Bill seeks to rectify the uncertainties that remain following the disallowance of the NBR instrument.

The Bill will amend the Water Act to enable the NBR instrument to be remade and tabled again before Parliament as soon as possible.

The Bill will introduce a new directions power to the Act. This power will enable the Minister to direct the Murray-Darling Basin Authority to prepare an instrument that has the same effect as a previously disallowed Basin Plan amendment. The Murray-Darling Basin Authority may not propose amendments to the previously disallowed instrument if they have not gone through the extensive consultation process under the Water Act.

The Water Act already gives the Minister the power to direct the Authority in certain circumstances. The amendments to the Water Act contained in the Bill do not grant the Minister any extra powers in this sense.

The directions power will be subject to strict limitations, for instance the Minister can only exercise the power within twelve months of disallowance.

The directions power will only be available for disallowed instruments that were prepared under Subdivision F of Division 1 of Part 2 of the Water Act. This means, for example, that if an amendment to adjust the SDLs (prepared, then adopted under sections 23A and 23B) is disallowed, it could not be remade using this new power.

Further, an instrument prepared by the Authority under this new power must be the same in effect as a previously disallowed instrument. This also means that power is only available if the disallowed instrument has been through consultation requirements set out in the Water Act.

These limitations mean that the integrity of the consultation process that a disallowed instrument has been through is preserved.

Any amendment to the Basin Plan inevitably impacts a range of stakeholders. These limitations will ensure that the integrity of the public consultation process is maintained to best balance environmental, economic and social objectives.

The Murray-Darling Basin Plan is a critical reform which will help ensure the future of Basin communities, farmers and the environment.

The disallowance of the NBR amendments in February of this year has caused significant levels of uncertainty for communities within and outside of the Basin. It is essential that we find a path forward.

This Bill will amend the Water Act to enable the outcomes of the crucial NBR amendments to the Basin Plan, disallowed by the Senate in February, to be given effect in a prompt manner. The February disallowance of the NBR Instrument means we are facing increased time pressure to move forward with implementation of the Plan. An instrument that gives effect to the outcomes of the NBR instrument could be prepared by the Authority and adopted by the Minister by mid-2018. This will provide certainty to Basin States and communities, as they prepare sustainable diversion limit (SDL) compliant water resource plans by 30 June 2019.

The amendments contained in the disallowed NBR instrument were based on the best available science and data. They were recommended by the independent Murray-Darling Basin Authority following a series of reviews (the Northern Basin Review, reviews of sustainable diversion limits in three groundwater areas, and the 2014 independent review into the Water Act), each of which involved significant consultation with relevant community members, businesses and community organisations.
Throughout the process of preparing the disallowed NBR instrument, the Authority consulted at length with the Basin Officials Committee, the Basin Community Committee, Basin States, members of the public, including Indigenous groups, individuals, businesses and community groups.

The Authority was required to consider any of their views during the consultation process.

Giving effect to the disallowed NBR instrument will enable a 70-gigalitre reduction to the amount of water to be recovered for the environment in the northern Basin each year and mean less water will need to be taken from farmers, saving almost 200 jobs. It will also enable the Government to invest in environmental works and measures so that similar environmental outcomes can be achieved with less water in the north.

Paving the pathway to full implementation of the Basin Plan, the Bill contributes to achieving a key part of the Government's six point implementation agenda for the Plan – to deliver on the Northern Basin Review, including to reduce impacts on communities and support states to deliver environmental works and measures.

The Bill provides an efficient way forward for the outcomes of the NBR instrument to be given effect. This will provide certainty for Basin States and communities as they work towards preparing SDL compliant water resource plans by 30 June 2019. It is critical that the Bill is passed urgently to enable the Authority to prepare a new Basin Plan amendment instrument in time for these plans to be made and in place by 30 June 2019.

The Bill contributes to the pursuit of delivering important outcomes for Basin communities, ensuring a sustainable future for the Basin.

Debate adjourned.

Ordered that the resumption of the debate be made an order of the day for a later hour.

Ordered that the bills be listed on the Notice Paper as separate orders of the day.

**Communications Legislation Amendment (Regional and Small Publishers Innovation Fund) Bill 2017**

*Returned from the House of Representatives*

Message received from the House of Representatives returning the bill without amendment.

**COMMITTEES**

**Membership**

Message from the House of Representatives was reported informing the Senate of the appointment members of the House of Representatives to joint committees, as follows:

- Parliamentary Standing Committee on Public Works, Mr Hill
- Joint Standing Committee on the National Broadband Network, Ms Templeman
- Joint Standing Committee on Treaties, Mr Hart
BILLs

Home Affairs and Integrity Agencies Legislation Amendment Bill 2018
Australian Capital Territory (Planning and Land Management) Amendment Bill 2017
Crimes Amendment (National Disability Insurance Scheme—Worker Screening) Bill 2018
Crimes Legislation Amendment (International Crime Cooperation and Other Measures) Bill 2018
Interstate Road Transport Legislation (Repeal) Bill 2018
Family Assistance and Child Support Legislation Amendment (Protecting Children) Bill 2018
Investigation and Prosecution Measures Bill 2017
Migration Amendment (Skilling Australians Fund) Bill 2018
Migration (Skilling Australians Fund) Charges Bill 2017
Protection of the Sea Legislation Amendment Bill 2018
Statute Update (Autumn 2018) Bill 2018
Treasury Laws Amendment (ASIC Governance) Bill 2018

Assent

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

Treasury Laws Amendment (Personal Income Tax Plan) Bill 2018

Report from Committee

Senator FAWCETT (South Australia—Deputy Government Whip in the Senate) (17:46): Pursuant to order and at the request of the Chair of the Senate Economics Legislation Committee, I present the report of the committee on the Treasury Laws Amendment (Personal Income Tax Plan) Bill 2018, together with the Hansard record of proceedings and documents presented to the committee.

Treasury Laws Amendment (2018 Superannuation Measures No. 1) Bill 2018

Report from Committee

Senator FAWCETT (South Australia—Deputy Government Whip in the Senate) (17:46): Pursuant to order and at the request of the Chair of the Senate Economics Legislation Committee, I present the report of the committee on the Treasury Laws Amendment (2018 Superannuation Measures No. 1) Bill 2018, together with the Hansard record of proceedings and documents presented to the committee.

Treasury Laws Amendment (Tax Integrity and Other Measures No. 2) Bill 2018

Report from Committee

Senator FAWCETT (South Australia—Deputy Government Whip in the Senate) (17:46): Pursuant to order and at the request of the Chair of the Senate Economics Legislation Committee, I present the report of the committee on the Treasury Laws Amendment (Tax
Integrity and Other Measures No. 2) Bill 2018, together with the _Hansard_ record of proceedings and documents presented to the committee.

**Veterans' Affairs Legislation Amendment (Veteran-centric Reforms No. 2) Bill 2018**

Report from Committee

**Senator FAWCETT** (South Australia—Deputy Government Whip in the Senate) (17:46): Pursuant to order and at the request of the Chair of the Senate Foreign Affairs, Defence and Trade Legislation Committee, I present the report of the committee on the Veterans' Affairs Legislation Amendment (Veteran-centric Reforms No. 2) Bill 2018, together with the _Hansard_ record of proceedings and documents presented to the committee.

**National Redress Scheme for Institutional Child Sexual Abuse Bill 2018**

**National Redress Scheme for Institutional Child Sexual Abuse (Consequential Amendments) Bill 2018**

Second Reading

Consideration resumed of the motion:

That these bills be now read a second time.

to which the following amendment was moved:

At the end of the motion, add: "but the Senate:

(a) is of the opinion that relevant prior payments should not be indexed under the scheme; and

(b) calls on the Government to commence the development of a redress scheme for survivors of institutional child non-sexual abuse".

**The DEPUTY PRESIDENT** (17:47): Senator Moore, you're in continuation.

**Senator MOORE** (Queensland) (17:47): I am. The only reason that we have this legislation in front of the chamber today is the extraordinary work that has been done by a number of people—individuals and organisations—around this nation. When there was no recognition of the fact that there was sexual abuse happening in institutions, when there was no acknowledgment about the way that people were treated so poorly without love or attention in a range of institutions around our nation, people themselves gathered together to ensure that their stories would not remain unheard. We know that across this country there are many, many people who have worked hard. It's always dangerous when you name a few, Madam Deputy President, but, as you know, this Senate has had a longstanding relationship with many people who have worked tirelessly and passionately to ensure that justice will be done in these issues. Through a range of Senate inquiries during the early 2000s, we were able to meet with people, to listen to them and to understand some of the pain through which they had gone, some of the loss they'd suffered and also the overwhelming passion they had to ensure that there would be acknowledgment of what had occurred and justice—just justice—in terms of acceptance and some form of acknowledgment from the government—or governments, because indeed this legislation covers governments across our nation.

I particularly want to put on record, as many people have, the work of the Care Leavers Australasia Network: Leonie Sheedy, Frank Golding, Vlad and many, many others. Thank you for allowing me to work with you for all this time and to continue working with you. I
acknowledge Caroline Carroll at the Alliance for Forgotten Australians in Victoria, also maintaining this work for people in families who have lost connection and who are seeking fulfilment. I also acknowledge my mate Karyn Walsh of Micah Projects and Lotus Place in Queensland, which continue to work and must continue work because, as we've said, there is unfinished business.

We will vote on this legislation this afternoon and we will have a Redress Scheme, and I think that needs to be acknowledged. I have been troubled throughout my contribution by the thought of appearing negative at a time when we should be acknowledging that we have made a very important step. However—and Senator Hinch talked about having listened to the evidence that has come before so many inquiries—we are not fulfilling the expectations of the people in our community who have suffered. While this royal commission had very, very tight terms of reference and looked very clearly at sexual abuse, that was clear from the start. For people across this country who have suffered terribly through institutionalisation, that unfinished business is still a challenge for governments at every level in this nation. We will not be fulfilling our role as legislators—for the people and for the organisations to whom people have turned for help—if we don't acknowledge that and look to the future to ensure that that injustice will be identified and that there will be acceptance that the kind of abuse handed out to people across institutions was not only sexual abuse. That is for another day, but I feel it is important to acknowledge it in this debate.

There has been great movement, but there continues to be a need for more. I think we have that opportunity over the next 10 years, which I believe is the life span of this particular process. There will continue to be people who will discover that they are covered by this process. It is very difficult to understand, given all the discussions that we've had, that there are still people who repress the memories of tragic times. It will be very, very important for all of us to ensure that we maintain an effective communication strategy and be open and aware that there are people who are still at a different level of their journey towards achieving some form of redress.

We acknowledge that redress is not compensation and we must have that option open to people if they choose to go down that path. What we as a parliament can do is monitor the introduction of the process over the next few years to ensure that we continue to do what the royal commission did so superbly, which was to listen, and listen closely, to the people whose lives have been so seriously damaged by treatment that they did not deserve and did not ask for—and that finally their governments have acknowledged that their pain is real and that there should be an effective redress system.

Senator Griff (South Australia) (17:52): I rise to speak on the National Redress Scheme for Institutional Child Sexual Abuse Bill 2018. The Centre Alliance shares the concerns of both Labor and the Greens in relation to the proposed National Redress Scheme and, likewise, we do not intend to stand in the way of the scheduled 1 July commencement date. We are disappointed that the government has not adopted all of the royal commission's recommendations in relation to the Redress Scheme. There are major discrepancies between the current bills and the recommendations of the royal commission. The current bill cuts the maximum payment by $50,000. It denies survivors a minimum payment. It indexes past payments and it fails to provide survivors with lifelong counselling. This does not suggest a
genuine desire to adopt a survivor-focused scheme that properly addresses the trauma these people have suffered and continue to suffer.

I would like to briefly discuss two topics: namely, the limited nature of the scheme and the role that this chamber can play in shaping the National Redress Scheme going forward. The royal commission estimated that over 60,000 survivors will be eligible to apply for redress. The scale of this abuse is unthinkable—60,000 survivors. It beggars belief that these institutions fostered the culture that tolerated and accepted the sexual abuse of vulnerable children. But we know it happened. We believe the survivors, and we as a nation believe that they deserve the justice that has for so long been denied to them. That is why we are disappointed that the National Redress Scheme excludes several classes of people from ever receiving that justice. Those survivors who do not turn 18 during the life of the scheme, those in jail, those living overseas without Australian citizenship and those with a criminal conviction of five years or more either are excluded entirely or face uncertain hurdles before they can even apply for redress.

The royal commission's 2015 report on redress and civil litigation had as its primary recommendation that any process for redress must 'provide equal access and equal treatment for survivors if it is to be regarded by survivors as being capable of delivering justice'. Take the example of those with a criminal conviction of five years or more. Before they can apply to the scheme they must first satisfy the relevant Attorney-General that provision of redress would not bring the scheme into disrepute or adversely affect public confidence in or support of the scheme.

I have a number of issues with this policy position. First, it ignores the profound impact that childhood sexual abuse can have on a person's life and the well-documented causality between abuse and criminal behaviour. Second, it will disproportionately affect Aboriginal and Torres Strait Islander people, who are already overrepresented in the criminal justice system. Third, whether or not a survivor has a serious criminal conviction in no way changes the fact that they suffered sexual abuse as a child in an institution. Finally, whether or not a survivor has a serious criminal conviction in no way changes the fact that they suffered sexual abuse as a child in an institution. Finally, whether or not a survivor has a serious criminal conviction in no way changes the fact that they suffered sexual abuse as a child in an institution. Finally, whether or not a survivor has a serious criminal conviction in no way changes the fact that they suffered sexual abuse as a child in an institution. Finally, whether or not a survivor has a serious criminal conviction in no way changes the fact that they suffered sexual abuse as a child in an institution. Finally, whether or not a survivor has a serious criminal conviction in no way changes the fact that they suffered sexual abuse as a child in an institution.

In making these criticisms, I do not wish to take away from those who have laboured long and hard for the establishment of this scheme. It is not a perfect model, but it is an effective compromise. It will undoubtedly go some way to acknowledging the wrongdoing of our institutions and to compensating those individuals whose lives have been forever shaped by the unforgivable actions of those who were entrusted with their care.

I now turn to comment on the manner in which these bills have been presented to the Senate. As a consequence of the needs for the states to refer their powers to the Commonwealth and the corresponding legislation to be enacted by the states, any amendment to these bills, however minor or appropriate, would effectively derail the proposed 1 July commencement date. The government would be required to renegotiate the intergovernmental agreement; the states would need to introduce and pass new referral legislation; and non-government institutions would need to consider once more whether they would participate in the scheme. That could take years—years that we don't have. Each and every state has now enacted or confirmed their intention to enact legislation that is consistent with the current bills. All that stands between approximately 60,000 survivors of institutional child sexual...
abuse and their long-awaited redress is the swift passage of these bills through this chamber. It took decades for survivors' voices to be heard and for their stories to be believed. It would be cruel to now propose any amendment, no matter how well intentioned, to improve the scheme and thereby cause yet another delay in their journey to acknowledgement and recovery.

The need for state based referral legislation has hamstrung the Senate and reduced it to little more than a rubber stamp. Had it been given the chance, the scrutiny of the Senate would have made this a better scheme, without doubt. It has been hard to read through the submissions to the committee's inquiry into the bills knowing that the many legitimate concerns of survivor advocates, charities and civil rights groups could not be acted on. I know that we are united in this chamber in our resolve that we must not and will not allow the system to fail these people again. It may not be prudent to amend the bill currently before us, but that does not absolve us all from the responsibility to ensure that the National Redress Scheme is capable of delivering effective and survivor-focused justice.

We must carefully scrutinise delegated legislation, push to ensure that new and existing support services are appropriately resourced and constantly monitor and review the scheme. All the while, we must have at the forefront of our minds the needs and wishes of survivors. This was reflected in the comments of the Prime Minister in February this year when he said: We owe it to the survivors not to waste this moment and we must continue to be guided by their wishes. The royal commission undertook a mammoth task. It did so in a manner that has earned widespread praise from survivors and bureaucrats alike. Its approach, findings and recommendations should guide the administration of the National Redress Scheme and those who work in it.

I would also like to add my appreciation and gratitude to everyone who played a part in the royal commission, no matter how big or small. I say to those who told their stories, to those who listened and, very importantly, to those who cared: we would not be here today without your bravery, tenacity and compassion. On behalf of Centre Alliance, I thank you.

Senator BROCKMAN (Western Australia) (18:01): I too rise to address the bills before the Senate, including the National Redress Scheme for Institutional Child Sexual Abuse Bill 2018, which is to establish the National Redress Scheme for survivors of institutional child sexual abuse. I thank Senator Griff for his contribution. It is very important that we move swiftly on these bills and, as such, I will just make a very brief contribution this evening—but that is not to underestimate the importance of these bills.

The government obviously firmly believes in the introduction of the National Redress Scheme. This is a vital step in recognising the impact of past child sexual abuse. It's a shame that the vulnerable in society have had to suffer in this way. It was a betrayal of trust and it should not have happened. I do commend, however, the significant work that has been done by, in the first instance, those who have gone through the trauma of sexual and other kinds of abuse, those who've told their stories to the royal commission and those who've participated in and worked with the royal commission in its process. Dan Tehan, the current minister responsible for carriage of this bill, has done a power of work in making sure that the process that was started under this government is seen through to a successful conclusion.
I also want to commend the work of state and territory governments and institutions in negotiating and developing a framework that will now see a national redress scheme in existence. We hope that through this process of redress governments and institutions will have the opportunity to take responsibility for how this abuse happened and allow the healing process to begin.

I just want to address a couple of aspects of the elements of redress, particularly the monetary compensation side of things. There's been a lot of discussion of the figure of $200,000 versus $150,000, which I think has been very counterproductive. I think the payments involved, whilst important, are not necessarily the central feature of redress. We must also remember that the maximum payment is merely a single number. The average anticipated payment of $76,000 is actually $11,000 more than the average payment originally proposed by the royal commission. I think that's a very important point to recognise. The second point is on the access to counselling and psychological care not just for survivors but also for affected family members and, where appropriate, the provision of a direct personal response from the responsible institution. These two points are very important.

The scheme and the bill were developed through a wide range of consultation with a very wide range of stakeholders, including consideration by the Senate Community Affairs Legislation Committee, which I chair. We hope that this does go some way towards providing survivors with a sense of justice and the necessary support in the restorative process going forward.

Obviously, as Chair of the Community Affairs Legislation Committee, I have had the opportunity to meet with and listen to the testimony of many. Their stories are heart wrenching, and they have also demonstrated enormous reserves of strength and courage. It is time that we acknowledge the injustices of the past and provide these courageous people with the recognition they deserve. I commend this bill to the Senate, and I look forward to it being passed in advance of the 1 July commencement date.

Senator WATT (Queensland) (18:05): I also rise to speak on the National Redress Scheme for Institutional Child Sexual Abuse Bill 2018, this extremely important bill which has been many years in the making, and I think all Australians would agree that the changes that are being proposed in this bill are well overdue. Like Senator Brockman, I participated in the inquiry into this bill. It was certainly one of the more emotionally confronting inquiries and pieces of legislation that I've dealt with in the short time that I've been here. At the very beginning, I want to pay tribute to the many—too many—survivors of institutional abuse who have been waiting for so many years for the Australian parliament and institutions themselves to take responsibility for the awful abuse that was perpetrated against so many young people in years gone by.

Those who have read the committee's report will note that Labor's position is that we are supporting this bill. We think that survivors cannot wait any longer for the compensation, among other things, that is going to be provided as a result of this bill, but we do want to put on record our concerns that this legislation does not go far enough in a number of respects, and we would certainly seek improvement in future years to the scheme that is being put forward. However, this is one of those situations where we can't let the perfect be the enemy of the good. We want to make sure that survivors of abuse receive the compensation and the psychological support that many of them continue to need immediately. We have listened to
the views of survivor groups who want to see this legislation passed while themselves having many concerns with the detail of this legislation and the fact that in many respects it does not go far enough. I, as one of the Labor senators participating in this inquiry, see this legislation and the Redress Scheme that it will provide for as a good start but not the end of this journey in ensuring that people receive the recognition and compensation that they deserve.

This is not an area of law in which I practised extensively, but I did have some exposure to it as a lawyer prior to being elected here. I will never forget the phone calls that I received mainly from men but in some cases from women who had suffered abuse at the hands of representatives of churches, sporting groups and other institutions. I clearly remember speaking to particularly some men, probably in their 50s and 60s, who were telling me about the damage that the abuse they had suffered had continued to cause them over the decades that had passed since that abuse was perpetrated. They were clearly men who had never recovered from the abuse that they suffered. Their lives had been destroyed, and it pained them so greatly. It was not only that the abuse was not compensated, as we would see in any other form of injury that someone had suffered, but the lengths that some institutions had gone to to deny responsibility and deny legal liability for the acts of representatives of those institutions. For many people, this has never been about seeking a very large amount of money, although that is certainly deserved. Simply the recognition that this royal commission and now the Redress Scheme will provide is going to at least be something for people who have suffered far too much.

I obviously also should pay tribute to the many people who've been involved in this royal commission, starting with former Prime Minister Julia Gillard. This is certainly something that I think everyone in this parliament, regardless of their political party, is very proud that a former Australian government sponsored. It was a royal commission that was long overdue. It wasn't welcomed by all parts of the community, especially those institutions who had something to hide, but it addressed something our nation very much needed to confront, and I think it will provide a lot of good in the years ahead. As I've already said, Labor's position is to support this legislation, with some reservations about aspects of the bill. We have been influenced in that decision by the representations made by many survivors of abuse who want to see this legislation passed even though it isn't exactly what they would like. We are also persuaded by advice we received from Australian government departments over the course of the Senate inquiry that, if Labor were to seek to pass amendments to the bill in the way we would otherwise seek to do, it would jeopardise the national bill that has been prepared to see this Redress Scheme go forward.

Obviously and sadly, some of the institutions in which abuse was perpetrated against young people are institutions of state governments, and it has been very important to see a number of state governments opt into this scheme. We on the Labor side are conscious that any tinkering with the bill now would put those national arrangements in jeopardy and would most likely delay even further the compensation and other support that victims are so desperately seeking, and that's not something we want to see happen.

The major concerns that Labor senators on our committee had, which are outlined in our additional comments to the report of this committee inquiry, are around the maximum payment level that has been set by this bill, the adequacy of counselling, and the equality of all survivors of child sexual abuse before the scheme. Before I go into those, I also recognise
that one of the issues raised by a number of witnesses and organisations at the inquiry was the fact that the redress scheme was to be limited only to sexual abuse that occurred. We received some very powerful evidence from witnesses at the inquiry, who made the point that, without doubt, the sexual abuse they experienced in institutions had devastating impacts that, in many cases, people have not recovered from. Unfortunately, that was not the only form of abuse many people suffered. Along with the sexual abuse many people suffered in institutions came physical abuse, extreme neglect, malnutrition, verbal and emotional abuse—a litany of forms of abuse that are horrifying if you have never gone through them.

I recognise that a number of witnesses had concerns that, in limiting the redress scheme to sexual abuse, this scheme does not go far enough. That is something Labor senators—and other senators, I'm sure—have considered. However, we are limited by the fact that, in the royal commission that was established, the terms of reference were clearly looking at sexual abuse, and that is why the redress scheme is also focused on sexual abuse, but I think it's important to recognise that the forms of abuse many people suffered went well beyond sexual abuse. There probably is some work still to be done by governments and this parliament to ensure that the other forms of abuse that people suffered, horrifically, are adequately dealt with in the years ahead.

I turn to the major concerns that Labor senators had, and continue to have, with this bill. The first concern is around the monetary cap that is being provided by way of compensation under this bill. This bill provides a system where the maximum amount of compensation someone will receive as a result of sexual abuse they experienced is $150,000. In some ways that's a large amount of money, but as a former lawyer I'm aware that people could very rightly expect significantly larger sums of money if they were to take legal action, whether it be for sexual abuse or for other forms of injury that people have suffered. Most importantly, not only is that amount of $150,000 below what someone might otherwise receive through legal action but it's also below the maximum that was recommended by the royal commission itself. Labor has taken very seriously the recommendations that the royal commission made, having done exhaustive work over a number of years. We think that it is important that the royal commission's recommendations are listened to, particularly in respect of the maximum amount of compensation that should be payable to survivors of institutional abuse.

We've never really received an adequate answer from the government as to why the monetary cap being provided for in this bill is below that recommended by the royal commission. As I was saying that I remembered very clearly that, when we asked departmental representatives about this in the inquiry, we were told repeatedly that the decision to cap compensation at $150,000—below the royal commission's own recommendation of $200,000—was a decision of government. While I haven't been here that long, I've come to understand that that means that that's something that has really been imposed on the department by the minister rather than something that has been recommended by the department to the minister. It would be good if at some point over the course of this debate we finally received an answer from a minister of this government as to why the monetary cap has been set at $150,000—below the maximum that was recommended by the royal commission—because we certainly haven't had an answer at all, let alone an adequate answer to date.
It is also important to recognise when we are talking about the amount of compensation that people may receive that it is not as if every survivor of institutional abuse is going to receive the maximum of $150,000. The maximum is what it says—a maximum. It is very likely that many people who experienced sexual abuse of a horrific nature are going to end up receiving a payment well below $150,000. I seem to recall receiving evidence over the course of the inquiry that it is estimated that the average amount someone will receive in the Redress Scheme is $70,000 to $80,000. I think that was the modelling that the department put forward at the inquiry—and I can be corrected if that is incorrect. It is important for people to recognise that, while the maximum may be $150,000, there is absolutely no guarantee that that is what they will receive. Over the course of that inquiry we did receive some extremely disturbing evidence from representatives and support groups that there were many people around Australia who, understandably, having waited so long for recognition and some form of compensation, were already making plans and budgeting in anticipation that they will receive that maximum payment of $150,000.

We on the Labor side think that the maximum should be higher. It should be in line with what the royal commission recommended, being $200,000. Having said that, we will support the legislation in its current form to at least ensure that there is some redress scheme available for people, but this is something that we think should be looked at in the future.

I also note the evidence that we received—obviously from some legal representatives and other groups—that it is so important for people to receive proper legal advice about their rights so that they are making an informed choice whether to accept a redress payment or not. In some cases it may be that someone would quite reasonably expect to receive a significantly larger amount by way of compensation if they were to take legal action. Of course, legal action does come with costs, both monetary costs and emotional costs. It is not easy to start litigation in any situation, let alone if that litigation is based on extremely traumatic experiences that people went through, in some cases many decades ago. It is important to make sure that people get proper legal advice. I'll certainly be monitoring as this scheme goes forward the legal advice that is available to survivors of sexual abuse under this scheme. We certainly received evidence from survivor representatives that they had concerns about the level of legal representation that was being made available by the government. I mean no disrespect to the very able and determined lawyers, particularly at knowmore legal, which is the legal body that the government is funding to provide legal representation to survivors of abuse; they are doing a fantastic job. But there certainly were concerns that the legal representation being made available was not enough and was not well-funded enough and that people were going to be forced to make very important decisions in a very short amount of time.

One of the other issues that I wanted to raise, around which Labor continues to have concerns, is the matter of lifelong counselling. Labor senators on the committee and in this parliament continue to support the recommendation of the royal commission that access to lifelong counselling be made available to those survivors who accept an offer of redress. We do continue to have concerns, especially based on the evidence that we received in the inquiry, that the amount of counselling support that will be made available to people as part of the Redress Scheme will, again, not be adequate. We need to understand, as I said earlier in my contribution, that in many cases people who have survived sexual abuse have undergone
decades of trauma that is not properly dealt with. Simply offering a small amount of counselling to some of these people is not enough, and we would want to see the counselling that is provided in the future expanded. I note in particular that the arrangements in this legislation that are being put forward in terms of counselling are actually inconsistent with the government's own response to the committee's final report from the inquiry, so I think that it is important to make sure that people do receive adequate counselling in the years ahead.

One other matter that I wanted to deal with, just before I wrap up, is the exclusion in this legislation of survivors of sexual abuse who have a criminal history. It hasn't had a lot of attention over the course of this inquiry, and I know that it's not always politically popular to talk about the rights of criminals. But it was very disturbing to see, in the draft legislation and now in the final legislation, that the government is going to exclude survivors of institutional sexual abuse who have a criminal history from receiving a redress payment. The argument that was put at the time by the minister essentially seemed to come down to a populist decision that taxpayers wouldn't want to see their hard-earned money being paid to criminals. Most of the time, I would think that's probably right: most taxpayers wouldn't, in general, support huge compensation payments being made to criminals. But I think we need to again accept and recognise the weight of the evidence that was provided in this inquiry, which was that there are a disproportionate number of people currently in prisons across Australia who are themselves victims and survivors of sexual abuse, particularly in an institutional environment. There are immense amounts of research available that draw the link between suffering some form of sexual abuse in childhood and going on to perpetrate similar crimes in the future as an adult or perpetrate other crimes as well.

The proportion of prisoners in Australian prisons who have suffered sexual abuse is astronomical. To deny survivors of sexual abuse in an institutional environment their rights to be recognised and to be compensated for the sexual abuse that they experienced is, I think, profoundly wrong and is something that we need to revisit in the future. I will never forget the evidence that we received from one man, who I won't name, in the inquiry. He freely admitted that he had not led a perfect life; he had not led a blemish-free life. He had committed a number of robberies. This was a man who was in his 60s, from memory, and he traced the way that he had gone off the rails back to the abuse that he experienced as a child. That is a story that can be told so many times by prisoners. So I do think that we need to revisit this matter into the future.

In conclusion, this debate is a very important one for our country. The Redress Scheme, as I say, is not a perfect arrangement to compensate people for the terrible abuse that they experienced, but it is a good start. There are a number of aspects that do need improvement, and I look forward to playing a role in continuing to improve this scheme into the future, but this is a good start. It does recognise the awful abuse that was perpetrated against too many people in years gone by. By recognising that and providing some level of compensation, we're going to at last allow some people who really deserve our support to get on with their lives.

Senator LEYONHJELM (New South Wales) (18:25): I rise to speak on the National Redress Scheme for Institutional Child Sexual Abuse Bill 2018. I want to start by acknowledging that none of us can be anything other than disgusted by the horrific crimes that were revealed by the Royal Commission into Institutional Responses to Child Sexual Abuse. The failures of both government and non-government institutions to protect the most
vulnerable people in our country were disgraceful. Child abuse, whether physical, psychological or sexual, is a crime. Those guilty of these crimes should be subject to the full weight of the criminal law, and the institutions in which these abuses were allowed to occur should be liable as well. I have no qualms with the desire of those who've been sexually assaulted to seek redress. I do, however, oppose this scheme. I don't think the government has got it right.

The National Redress Scheme is designed to operate over a 10-year period, offering to those seeking financial redress a capped $150,000, which will be paid from a central government fund contributed to by government and participating institutions. The scheme removes the right of appeal from participating institutions in an attempt to make it more claimant focused. There are several reasons why I cannot support this bill. The first is that I don't think this scheme serves any kind of redress at all. Those who have been abused deserve to have that abuse acknowledged by both the individual who has committed a crime against them and the institution that failed to protect them. This scheme removes this interaction and instead provides an anonymous, government-run, taxpayer funded cash pot to effectively pay them off. How does this serve to heal psychological wounds?

The second is a related issue. The bill creates a perverse situation, particularly for those abused in government institutions, where the wronged will be paying for their own compensation through their taxes, a double blow if ever I saw one.

Third, removing the right of appeal in these cases is a breach of justice. The explanatory memorandum explains this measure as ensuring that the scheme be a low-threshold and non-legalistic process for survivors who have already suffered so much. Understandable as it may be to seek to reassure those who have been abused, it is still the responsibility of this parliament to ensure that the principles of justice that have served us since Magna Carta are applied to both individuals and institutions. These principles serve healing and restoration. The accuser must make the case against the accused, and the accused has every right to defend themselves, including seeking judicial review. This bill removes that right.

Lastly, news reports tell us that non-government institutions are already signalling their support for joining the National Redress Scheme. Though this may indeed be a signal that they are prepared to own the past failings of their institutions, it is perhaps also an indication that this represents better business. A cap of $150,000 for an individual is well below some of the known payouts that claimants have received to date. The scheme heavily emphasises money as compensation, yet almost none of those who will be paying the money are guilty of the abuse and there is the perennial question in law as to whether money is the appropriate compensation for abuse. Does receiving money lessen the physical harm, the psychological harm, the loss of self-respect, the feeling of helplessness, the humiliation, the complete degradation? I don't believe so. Indeed, I think it has the potential to make it worse, because there will be an assumption that, having been paid money, victims should no longer suffer. I believe the victims would much prefer that those responsible, both the perpetrators and those who allowed it to happen, apart from the court processes, face the victims and admit what they did was wrong, admit they are miserable failures of human beings and commit their lives to ensuring nobody ever has to suffer like that again.

Sitting suspended from 18:30 to 19:30
Senator LINES (Western Australia—Deputy President and Chair of Committees) (19:30): I rise tonight to make a contribution to the National Redress Scheme for Institutional Child Sexual Abuse Bill 2018, which is before the Senate. I do so because I feel strongly, as many senators—I think all of us in this place—do, that the time is overdue for us to really confront the issues of abuse in institutions and make sure that redress is dealt with quickly so that we can finally put to rest a very sad part of our history.

I want to start by talking about my dad. For those of you who have not read my first speech in this place, I talked about my dad on that occasion. My dad, sadly, passed away last year at the age of 94, but he was sent out to Australia as a child migrant and he lived for a significant period of time at Fairbridge. Thankfully, my dad was not sexually abused, but to suggest he had an easy life at Fairbridge, even given that it was the 1940s, would be completely wrong. He had a very tough life at Fairbridge because those children that were sent out as unaccompanied child migrants by the UK government were really sent here to be farm labourers and domestics, the boys as farm labourers and the young girls as domestics. Dad, thankfully, never had his name changed. He was 11 when he came out, so he well and truly knew who his parents were. It was his stepfather who put him into a home in Birmingham in the United Kingdom because he didn't want him and it was easy enough to do in those days. Dad spent two years in that home in Birmingham from which on many occasions he ran away and went back to Coventry where his family lived. His stepfather would take him back to the institution on every occasion that dad ran away.

Dad willingly came out to Australia, but you'd have to ask if an 11-year-old in the late 1930s would have absolutely understood what that meant. Many years later, I met some of my father's sisters. He came from a very large family of 16—not all of them with the same father, but 16 children—and dad was a bit of a troublesome lad, along with his brother, Arthur. They were the older boys, so I guess it was easier for the stepfather to put them into a home than to consider dealing with them himself, as they were not his children. Dad's sisters who were older than my father clearly remember the day that dad left. They talked about dad being put on a train and him waving goodbye, and they knew that they'd never see their brother again. They knew that, but I don't think it had really dawned on dad that he was going to spend 10 or 11 weeks on a ship. He came from the inner city of Coventry and went from the inner city to these wide-open spaces out at Pinjarra in Western Australia when he landed at Fairbridge. I'm sure he had no idea of what was about to happen.

Those kids would have to get up very early. Dad had to milk cows and do a whole lot of farm work before he went to school, and they were never dressed appropriately. In this day and age we would say what happened to my father was abuse. He milked cows in bare feet, and they had a very strict houseparents who did not think twice about sparing the rod if children were naughty. As I said, dad's records were not hidden. He knew his name. He knew his parents. He knew his sisters and his brother. Indeed, I suppose at one level dad was fortunate, because his brother was sent out two years after he was sent to Australia, so at least he had a relative with him eventually.

When you read dad's school records, dad had been at school for one week when the teacher said: 'William'—that was my dad's name—'will never really amount to much. He's a pretty quiet child.' Gee whiz! Even though I laugh about this, this is quite serious. You've been put into a home—where you will spend two years—by a stepfather who really didn't want you,
you've spent 10 or 11 weeks on a ship, you've come from inner-city poverty in cold, dark Coventry to these wide-open bush spaces at Fairbridge in Pinjarra and, after one week, a teacher makes this assessment about you. Actually, my father was a very successful person. He was a carpenter and he led a great life. He wasn't particularly good at marriages and he wasn't the best dad in the world, but he was my dad and I loved him, and I'm proud of his achievements. When you consider where he came from, I think he did really well for himself. And for a teacher to put that on dad's record—that he'll never amount to much—when he'd been in this country for one week is astonishing.

When you think about that and you then think about the thousands of children who were abused, many of them sexually, and who didn't just have the hard life that my dad had growing up at Fairbridge—they had the hard life, plus the beatings, plus the sexual abuse—it's something that we should know more about. It is a shameful part of our history and, yes, it's really good that we are now at the point where we are going to acknowledge that. It should never be brushed aside, because these children were wards of the state; the state was responsible for my father's wellbeing. And if that was taken to its ultimate extreme, nobody could say that my father was looked after well—nobody could say that. There's nothing to suggest that he wouldn't have equally thrived if he had been left in the UK.

One of the other things that happened to my dad, and this would have happened to thousands of other children, is, finally, the British government made an apology in the parliament to the children it had shipped off to Australia, Canada and other parts of the world, and it made available a scheme to enable those children to go back. So, at the age of about 92, my dad did go back. His older sisters had passed by this stage, but he met a sister who wasn't even born when he left the UK. Sylvia was not even born then. Yet, it was as if she and dad had this bond of brother and sister that had always been there. It was quite incredible, and beautiful to watch. Dad, at 92, and Sylvia, in her late 60s, meeting for the first time just clicked. They look alike. A missing piece for my family fell into place when suddenly we had these records of the Lines part of my family: my father looks like my grandmother. I had always wondered who my dad looked like. Well, he was the spitting image of his mother. So, now I've got this new extended family in the UK, really thanks to the fact that dad went back at such an old age and he and Sylvia created a bond—one that had been denied them all of their lives—in the short time that they were together.

Again, these are the sorts of things that happened to children in this country in our name. We should never forget that. We need to try and put ourselves in their shoes and try to understand what it was like for them. As I said, dad was never abused sexually, but to suggest that he had some free and easy ride would be beyond the pale. Fairbridge also sought to control dad's life even after he'd left Fairbridge. They placed him as a farmhand, where he was really abused—he wasn't paid and all sorts of things. He would constantly have to report back to Fairbridge, and Fairbridge, by this time, saw my dad as a troublemaker. Dad was a bit of a lad. He liked to have a few drinks, liked to go out with young women and liked to party. He got labelled as a bit of a troublemaker. I think that's one of the other things that happen to children in institutionalised care. It happens to children in our education system. Make a few wrong steps, and suddenly you're labelled as difficult or not to be believed or all sorts of things.
So I want to thank Julia Gillard for having the courage to put together the royal commission. The kinds of truths that we've seen come out of that royal commission are horrendous. Those stories are now on the public record, but there are many stories which we'll never hear, because people are still so ashamed of what happened to them. I want to thank the Labor senators in this place and senators from the government, senators from the Greens and other crossbenchers who have personally followed this issue for many years. I heard Senator Moore's contribution, where she thanked people personally by their first names. If you feel some sense of justice, some sense of concern, some sense of people's wellbeing, you can't help but become involved to a much greater extent.

I want to just re-emphasise that these were children we are talking about, children who the government was responsible for, for whom it had a duty of care, and yet that was overlooked. For many, many, many years the stories of survivors of sexual abuse were not believed, and institutions fought back. The Catholic Church and many other institutions denied that anything ever took place. They protected the bishops and the priests, and yet we saw horrific abuse finally emerge. I think there are now very few people in Australian society who don't believe that very bad things happened and that children were sexually abused.

But children weren't just sexually abused. I guess that's where Labor is disappointed, and it's unfinished business. It's clear that the royal commission was set up to deal with sexual abuse, and it's dealt with that in the best way it can, but I think we've got to also acknowledge that there are many out there who won't ever be able to tell their stories, so we don't really know the full extent of it. There are children who were clearly abused much worse than my father. We know some horrific stories coming out of Western Australia in relation to abuse that children suffered, not sexual abuse but other sorts of abuse. They were told they were worthless. We see that.

There's a case at the moment where children were abused in a hostel in the suburb that I've lived in for most of my life, in Victoria Park. That carer told those children that nobody cared about them, and he told them over and over again. He told them all the time, and he sexually abused those children. Now, thankfully, some of those children have had the courage to stand up and to take him on, and he's now waiting to be sentenced. But imagine: as a vulnerable child, you're in a home; you may or may not know why you're there, but you know you're not with your parents for whatever reason—and, yes, sometimes there are good reasons to take children. I'm not shying away from that. But when the carer, the person who is responsible for your wellbeing, tells you over and over again how worthless you are and that nobody wants you, what a shocking thing to say to children. Imagine the long-term damage that that is doing to those children. Imagine the shame they feel—the confusion. And then, on top of that, to sexually abuse them! It is unforgivable.

So it is really important that we've got to this National Redress Scheme. I know that in Western Australia the McGowan government was very concerned about the legacy issues coming out of institutions like Fairbridge and didn't feel that the state should have to fund that entire cost. I'm pleased to say that WA has managed to get its point across and will actually join the scheme.

But I also want to talk about my mother. She wasn't institutionalised, but she taught in Western Australia at a school called Queens Park Primary School. What's important about that primary school is that that's where the children from Sister Kate's went. Sister Kate's also
has a shocking history of abuse, including sexual abuse, and that's of First Nations children. So children from all over the state were institutionalised at Sister Kate's and they went to Queens Park Primary School. Many of them my mum became friends with, and we used to visit them. I remember going with my mum to visit some of those children when they were adults, but also going to the Sister Kate's fetes. My mother must have confronted abuse and sexual abuse in her role as a teacher, because when children are reticent or are not learning in the classroom you know that there is a reason for that. My mother was a highly regarded teacher. People thought she was a pretty good teacher—pretty strict but very fair—and children did open up to her. I'm sure that children at Sister Kate's would have opened up to my mother in the many years that she spent teaching at Queens Park Primary School.

I was particularly moved during the Senate inquiry—and unfortunately I wasn't able to attend all the hearings—to hear the contributions made by Dr Hannah McGlade, a First Nations woman from Western Australia, and Laurel Sellers, another First Nations woman from Yorgum. They talked about the need for a scheme to include the whole of the family and that in Aboriginal communities it's not just one person who's the victim; it's their family and their extended family. They gave very powerful evidence as to why the scheme should treat First Nations people differently. Certainly they both talked about, as Senator Watt has here today, the need for counselling to go for much longer than what's on offer. We know that it can take people a very long time to come forward and acknowledge what has happened to them and then also to see that they may need to have counselling. Not everyone who we may think needs counselling is going to be open to that. These things take a while.

Both Laurel and Hannah gave very strong evidence that it's not just about the client; it's also about their families. That comes from their firsthand experience. Hannah gave evidence that she experienced institutionalised abuse as a child intermittently from the age of three and a horrific sexual assault at the age of 15 perpetrated by people who were members of the Catholic Church. Hannah spent some time also at Sister Kate's. Hannah's an amazing woman. She's put herself through university, she's got a PhD and she is very open about what has happened to her. But her evidence was definitely about families and about the need for First Nations people to be treated differently and that it isn't just about any individual experience. If we look at what happened when children were taken away from Aboriginal communities, particularly in Western Australia—and I'm sure this was the case across the country—they were forbidden to speak their language, they were regimented and they were badly treated as well as being sexually abused. So I do thank Laurel and Hannah for their evidence because it may make a profound difference to how we treat First Nations people.

Senator Watt also talked about the issue of those who find themselves in jail. We know now that we've got very high levels of children in out-of-home care, and there's a very strong correlation between kids in out-of-home care and offending. It almost goes hand in hand. That's something we need to seriously address. We know as well that children who were sexually abused often went on to commit crimes. To deny them is unfair. Labor senators certainly believe that, if you've been a victim of child sexual abuse in an institution, the Redress Scheme should apply to you. It's no longer appropriate to try to box people into categories. It really isn't. If someone has been a victim of sexual abuse when under the care of the state, it is our responsibility to compensate them if that's what they're seeking. It is very simple. For me it is black and white.
The unfinished work, which Senators Moore and Watt raised, is that future governments really do need to look at the issue of broader abuse—at what happened in Australia and is still happening. So, yes, let's get on and do this redress. Let's get it done. But let's not acknowledge that we've finished the job.

The ACTING DEPUTY PRESIDENT (Senator O'Sullivan): Thank you, Senator Lines. That was a very powerful contribution.

Senator SINGH (Tasmania) (19:50): I rise to speak on National Redress Scheme for Institutional Child Sexual Abuse Bill 2018. In doing so, at the outset I'd like to thank other senators for their contributions so far—particularly just now sitting here and listening to Senator Lines's contribution, but also the contributions of Labor senators and other senators who were part of the Community Affairs Legislation Committee's inquiry into this particular piece of legislation. It was in 2014 that the then Prime Minister, Julia Gillard, set up the Royal Commission into Institutional Responses to Child Sexual Abuse, and it obviously has been a long journey since that time. When she announced the establishment of the royal commission she remarked:

There have been too many revelations of adults who have averted their eyes from this evil. I believe in these circumstances that it's appropriate for there to be a national response through a Royal Commission.

So, here we are at this point in this place, some five years later, debating this particular recommendation for there to be a Redress Scheme as part of the national response coming from the royal commission.

I want to particularly acknowledge and thank Leonie Sheedy and everyone at Care Leavers Australasia Network, CLAN, and all of the contributors who have been part of this very difficult but important process to ensure that justice is delivered finally in some shape or form. I'll get to that shape or form shortly, but first I want to remark on how far we have come just in this short five-year time period. Over the course of time during the royal commission, some 57 public hearings were held over 444 days; there was evidence from 1,300 witnesses; commissioners held almost 8,000 private sessions to listen to personal accounts of survivors; and there were some 2,500 referrals to authorities, including the police. The royal commission estimates that around 20,000 survivors were sexually abused in state and territory government institutions. Of course, that's not even including those who weren't sexually abused but were still abused. I think it is important to recognise those people as well. Out of that, they found that there were more than 4,000 institutions where sexual abuse took place and that thousands—thousands—of vulnerable children were subjected to truly, truly horrific sexual abuse in institutions right across Australia. In fact, I don't think there is any state or church in Australia that was untouched by this awful, awful abuse served on children.

We know now, very clearly, some of those stories. We know the impact of this institutional abuse has destroyed lives. Some of those lives have now been lost. We also know that it has left a lasting scar on victims who were just children. Some had horrific childhood trauma that led them down a terrible path of their own abuse and criminal dysfunction. All are people—all of them—who were let down by the institutions that should have been protecting them, institutions that should have stood for something in terms of the values that those institutions represented. For the trust that those young children put into those elders that looked after them in those institutions to have been abused in that way—what happened to them would be just
so abhorrent for them to think of now that they have come into adult life, and I pay my respects to them, as I would like to do for those that are no longer with us. They are victims that we have too long forgotten and to whose struggle we turned a blind eye. While no amount of money can make up for their pain, suffering and abuse, they very much deserve redress for the terrible crimes they were subjected to as children.

The royal commission's recommendations outlined the formation of a National Redress Scheme. This is a serious commitment, one that was not made lightly. There is no question that recommendations of the commission, including this one, should be implemented faithfully and as soon as possible. That is why I'm pleased that we are debating this in the Senate. We know that these survivors have waited far too long, so any more delay or inaction in the delivery of this Redress Scheme is simply unwarranted. That is why Labor stands ready for this legislation to pass, but that is not to say that this legislation is in the perfect form we would have liked. As we start from this point, though, it is up to us as lawmakers to ensure that, after the passing of this particular piece of legislation, we continue to meet our responsibility to those members of the community and do not let them down.

Along with my other Labor colleagues I, as a member of the Community Affairs Legislation Committee, attended hearings that addressed this particular piece of legislation. We heard again from survivors, legal experts, community support groups and government departments. We overwhelmingly heard that the need for redress was real and that redress must cover all victims. We know that doesn't happen in this legislation. We are dealing only with the victims of child sexual abuse in this legislation, so I acknowledge the fact that so many others were abused but may not have been sexually abused, and I hope that is considered for future deliberation.

I have some disappointment in the way that this legislation falls short of those key recommendations of the royal commission across a number of areas, some of which I would like to address now. In addressing them we stand here in this place and acknowledge that we have unfinished business to do. More needs to be done after the passing of this legislation. We need to ensure those recommendations of the royal commission that community groups and survivors have outlined are addressed.

Firstly, the royal commission outlined a cap on payments of $200,000, yet the government has chosen to lower that by 25 per cent. I don't understand why. Why not just implement the recommendation? Why have this debate? Skimping and saving here and there on something this fundamental, which was reached after such an awful and long process, by cutting it down to $150,000 makes no sense. We heard through the inquiry that the government made this decision in the face of the opinions of legal experts; in fact the government's own Independent Advisory Council on redress was not even allowed to provide advice on this cap. We should continue to address that issue. Accepting an offer will mean signing away any rights a survivor may have to pursue their claim for compensation through litigation. I think this is also why it's important that the amount of redress available under the scheme is adequate; it's so that survivors also have enough time to consider and to make a decision that they are comfortable with and not to be rushed into some time frame that cuts off the options of what the right thing for them to do is in their own circumstances.

Of course, we also know that this bill limits the eligibility for the Redress Scheme to only people who are living in Australia or who are Australian citizens. We know very well that the
horrific abuse also occurred in institutions that cared for child migrants and that the abuse of children has also occurred in immigration detention. So, again, this limiting to particular groups of people is incredibly short-sighted. We are also very concerned that these people simply won't be able to access redress if they return to their country of birth. So, we do call on the government to confirm that that provision will be made for these groups of survivors to access the Redress Scheme.

I'm also concerned—and Senator Watt, Senator Lines and others have pointed this out—about the issue that the counselling provided to survivors through the Redress Scheme will not be adequate. There is simply no understanding as to why the government has done this. The royal commission recommended that recipients of redress be able to access counselling for the rest of their life. This is not some kind of magic bullet such that all of a sudden some provision of compensation is provided and their suffering goes away, their pain goes away. Part of the healing process for them is to ensure that they've got the support they need. Limiting counselling is incredibly short-sighted and, again, shows a lack of understanding by the government.

The bill only provides access to state-provided services for the length of the scheme or a payment of up to $5,000 to be put towards counselling. That is woefully inadequate. That is not what the royal commission recommended. So, we do call on the government to give assurances that this will be addressed. In fact, when I think about counselling I think about one of the witnesses before the committee inquiry that we had into the Redress Scheme bill. He was someone who appeared in a private capacity, whose name was Mr Andrew Collins—that is how he named himself. He talked about his experience, and it was incredibly heartbreaking to hear it and also to hear about the fact that he had to talk about it. He made that so clear when he said:

It's been reported in the media that politicians have said that survivors are happy that they were able to tell their stories to the royal commission. That's rubbish. The last thing we wanted to do was to publicly stand up and tell the world what happened to us … the repercussions have been immense in some cases, with family and friends turning away from us. We are now forever known as 'those people who were raped as children', and our families have had to endure the great toll it has taken on our mental and physical health. We didn't want to tell our stories, but we did it because we wanted justice.

I think that's a very powerful statement by Mr Collins that draws very much on the importance—now that they've had to go through this process that they didn't want to have to go through and the trauma that's caused for them and for their family members—of them at least being entitled to an adequate amount of counselling, when and where they need it, for the rest of their lives. If the government would just wake up and listen, go back through some of the evidence from this royal commission and through our committee inquiry process and understand the pain and suffering it has caused some of these survivors, then surely they would find it necessary, beyond doubt, to provide adequate counselling for the rest of the time that these survivors require it.

I also want to draw attention to the fact that survivors who are granted redress late in the life of the scheme could also be disadvantaged, because they will not be able to access services for the same length of time as survivors who are granted redress earlier in the life of the scheme. I think it is important to take that into account in future reviews. For survivors who receive the $5,000 payment, this amount of money will not provide access to support adequate to their needs, and I think it's critical that that issue is addressed urgently.
Something else this government, for some reason, found it necessary to resort to was to place restrictions on access to the Redress Scheme for survivors who themselves had a criminal history. That is incredibly unfair, and Labor has been very clear in outlining how unfair it is. The bill requires that those who have been sentenced to a term of imprisonment of five years or more have special permission from the scheme operator to access the scheme. That is just bizarre. The rule, of course, ignores the strong evidence that people with a history of childhood abuse and trauma are more likely to be incarcerated later in life. Putting this limit on that particular group of people is like punishing them all over again. It is absolutely short-sighted and ridiculous, and it makes no sense that it should be in the legislation.

We do recognise, however, that the implementation of a redress scheme is a complex task. It's encouraging to see that my home state of Tasmania has finally come on board—as have Victoria, New South Wales, the Australian Capital Territory, the Northern Territory and Queensland—and publicly announced that it will participate in the Redress Scheme, because for justice to truly be done the Redress Scheme must be a national scheme. There should be no boundaries when it comes to this scheme. That whole point of it, to be national, means we do need all states and territories to be on board.

Finally, I want to pay tribute to so many who have helped get us to this point, whether they be those who've experienced difficulties throughout their lives, whether they be those in the legal profession or whether they be policymakers on the outside who have been trying to influence government for so long. I think it's so important that we continue to work together to right the wrongs of years gone by and to ensure that these events can never be repeated, so that children who are entrusted into the care of institutions actually are delivered that care and not led down a path of abuse and sexual abuse of the type we have heard throughout the stories of the last five years. It's incumbent on us as parliamentarians, though, to work together on future improvements to ensure that we get the best possible implementation of redress for survivors. We can only do that if we get rid of the politics and come together to ensure we stand for the humanity of these people who have been so terribly abused. It has taken five long years from when Prime Minister Gillard announced the royal commission to reach this point, but the abuse that victims have suffered will last a lifetime. We must get this done and we must do it right.

**Senator O'NEILL** (New South Wales) (20:09): In this place and in this role it's a remarkable privilege to offer an opinion as a member of our community and try to put on the record the sentiment of the nation at this particular time around a matter of such importance. I know that before I came to the parliament I'd be driving along listening to the debate and never be able to predict exactly what it was that the parliament was going to be discussing. I'd pick up the threads of the conversations of our time and people trying to do the best that they can in this place to make sure that things that matter to ordinary Australians are acknowledged and given their proper recognition and that we do something good in the time that we're here.

Much of what we do in this place is maligned in the public media and in social media, and people can lose heart and hope. In my contribution tonight, not only do I want to address the
specifics of the legislation that's before us—which have been well aerated by my colleagues who participated in the debate prior to me—but also I want to acknowledge the power of a great journalist to reveal the underbelly of any time in history. In particular, in my remarks I want to acknowledge the profound and important work of a great Central Coast journalist by the name of Joanne McCarthy, who has been awarded high recognition by her media colleagues for her dogged pursuit of an abuse of power and authority that she investigated in detail in Newcastle. With her dogged determination to tell that story she started to reveal an underbelly to our nation that is a great shame on all of us.

To anybody who has had the sorts of experiences that this legislation is seeking to redress in some small way who might be listening this evening, to anybody who loves somebody or knows of somebody through their workplace or through the community work they do who experienced the sort of predatory abuse that has sadly been a mark of some of our biggest institutions across the country, I want to put on the record that I, like so many Australians, am profoundly sorry for the experience that you’ve had. I don't want to pretend for a moment that the legislation that's before us can ever actually redress what's happened to these survivors of abuse by adults who should have known much better. To these survivors of abuse by adults who should have known much better, and whose crimes against young people were completely overlooked by people in positions of responsibility who could have done something, we can never go back and restart the clock. The experiences that people have had can never be undone. It's in the powerful telling of those stories by those brave enough and strong enough, despite their experience, to advance the telling of their stories through the media that we began this journey some several years ago.

I want to put on the record the comments at the time of the former Prime Minister Julia Gillard, who announced a creation of a national Royal Commission into Institutional Responses to Child Sexual Abuse. There was a lot of opposition to this royal commission commencing. I recall speaking with Nicola Roxon, who was the Attorney-General at the time, about the process to put in place a proper and thorough capacity for the commission to do the work that needed to be done. The care that went into delivering the terms of reference for this commission, and providing it with the resources that it was able to use to undertake the work that it did finally, was a journey of political will but also a journey of the heart. I can remember conversations with Nicola Roxon about the care and about who could be the right kind of person to undertake the leadership of such a commission into such a horror in our own time.

I think the point where we have now arrived at can only be called an imperfect response—a very imperfect response. But we're at a point that's much further down the track than where we were in November of 2012 when Julia Gillard said these words:

These are insidious, evil acts to which no child should be subject.

Australians know … that too many children have suffered child abuse, but have also seen other adults let them down—they've not only had their trust betrayed by the abuser but other adults who could have acted to assist them have failed to do so.

There have been too many revelations of adults who have averted their eyes from this evil.

I believe in these circumstances that it's appropriate for there to be a national response through a royal commission.

And that's how it commenced all those years ago.
The survivors of childhood sexual abuse have been waiting not just for that period of time—and I can think of so many things that have happened in my life in the last five years; it's a long time. People have been waiting for decades for somebody to accept their story and to give them the recognition that they deserve for the truth-telling of their experience. And I think about the words that have been put on the record just in the contribution prior to me by Senator Singh about the reality of actually coming forward and putting on the record through the commission your experience, and the personal toll of the retraumatising experience of going through telling the stories of your experience again—not just the recollection of experiences that people would rather never have had, let alone have to remember, but the personal toll in terms of the dark secrets of the past being revealed to others in the real time of their life right now. The decades washing away and the connection between the terrible experiences of these children and the reality of where they are today met up in the course of these last five years.

The good thing that we are doing here this evening in debating this piece of legislation is that we are debating a form of national redress scheme that goes some way to acknowledging the real and lived experience of thousands of young Australians. It goes some way to providing acknowledgment of the pain and suffering that they have experienced through a redress, through a payment of money and compensation. We've made some efforts at other forms of support, including through counselling, but I think it would be really incorrect of anyone in the chamber to indicate that this is a perfect response to those problems that were documented so thoroughly and awfully in the royal commission itself.

We know that 1,300 witnesses came forward and gave evidence and we know that commissioners, through the gruelling work of 8,000 private sessions, listened to personal accounts of survivors. And through all of their work I'm sure that they had great hopes for what we might do. I'm sorry that this piece of legislation doesn't rise to the level of the recommendations that the commission has made but, as has been said here by, I think, Senator Watt, we should not let the perfect be the enemy of the good. I know we're never going to get to perfect in this. The only way we'll get to perfect is by being able to rewind the clock and prevent these egregious acts of terrible violence that have been inflicted on young Australians and visitors from other countries to our nation. We can't do that. We can never completely redress, but the bill that we have does something. It is a step in the right direction towards acknowledging this pain and suffering that's part of our lived history.

The bill establishes in response to the royal commission's final report, which was delivered on 15 December 2017, a National Redress Scheme for institutional child sexual abuse. It's intended that it should operate for a 10-year period from 1 July 2018, providing a payment of up to $150,000 to survivors. In addition, it sets up a redress capacity to provide access to counselling and psychological services to survivors, and it provides an option for survivors to receive a direct personal response from the responsible institution.

Firstly, let me put on the record that Labor absolutely understands that no amount of money—no amount of money!—can make up for the pain, the suffering and the trauma experienced by survivors. But redress is a vital step along the path to healing for survivors of child sexual abuse, and it is a vital step for us, as fellow citizens in this nation who have been lucky to avoid that experience, to acknowledge that this is an appropriate response from us as a community—that their pain and suffering is borne by all of us in some way.
The royal commission recommended that the Australian government announce a willingness to establish a single National Redress Scheme by the end of 2015. I think it's a shame that here we are in 2018 and we're only just getting to this now. This Redress Scheme that we're debating this evening should have been operational no later than 1 July 2017. Why, given the exposure of the trauma that we have had documented for us, has it not been a priority for this government to bring forward this bill prior to today? I can only say that this is a government—in so much of its legislation—that continues to reveal how completely out of touch it is with the things that matter to Australians. Shame on this government for its delay in response to this important national issue.

I am pleased as a representative of the great state of New South Wales that the New South Wales parliament has already passed redress legislation and, indeed, that it was the first state to do so. That commenced the deep thaw of responses from other legislative jurisdictions.

For the record, let me indicate concern as a Labor member about, in particular, the time that people will have to consider the offers that would be made, the limits that exist around the scheme and the eligibility criteria. In particular, I come back to the counselling side of things. In my role as the assistant shadow minister for mental health, I've been out across the country talking with providers and people seeking access to mental health services. They are describing a country that is in crisis in terms of access to those services. The capacity to get to counselling, let alone the quality of the counselling experience, is so variable from place to place across this nation. This structural reality has been exacerbated by this government's determination to cut funding to health services from the day that they arrived here in Canberra to form government: the dissolution of the national partnership agreements, the withdrawal of funding for state service provision and community benefits that are really important to our community more broadly, and the freeze on access to GPs. All of these things create a context, and now, when we decide that we are going to provide redress and counselling support for people who have suffered institutional violence, the system is already compromised.

In addition to that, Labor is concerned that the adequacy of the offer of counselling is completely disproportionate to the profound need that exists for some individuals—there is a sense that you can get your counselling over and done with in one shot and leave this behind. I'm very pleased to think that that's possible for some people, but for so many these concerns that require counselling and support can be latent for many years and crop up when other life circumstances create a context in which the reliving of the trauma becomes a reality.

This government, through this bill, only provides access to state-provided services for the length of the scheme—that's the offer—or a payment of up to $5,000 to be put towards counselling. I think this is wholly inadequate. Survivors often consider the government responsible for their abuse and they don't want to use a state-run institution, and who can blame them after what they've been through? This needs to be taken into account by the states when they're delivering services. We know that survivors who are granted redress late in the life of the scheme will potentially be disadvantaged because they're going to be unable to access services for the same length of time as survivors who, once this law becomes a reality in this country, take up an offer of counselling early in the life of the scheme. So there's one very practical problem that exists in the bills before us.
I also have significant concerns about the timing: offers of redress will be made and this bill gives applicants six months to make a decision. It should be noted that the royal commission recommended a year. This is one more recommendation of the commission on which this out-of-touch of government has decided it knows better than the commission, despite the fact that the commission spent five years listening to thousands and thousands of people giving testimony. There are some of the most lucid observations embedded in the report, but the government has said: 'No, we won't go there. We'll just chop it back. We'll just cut it back.' So it is six months instead of 12 months. There's no policy rationale for rushing this process.

As Senator Watt indicated, in the time we've been in this place we keep hearing the department tell us, 'That's a decision of government.' We know that, without rhyme or reason—and certainly without policy recommendations based on facts, evidence and good judicious thought—this government makes arbitrary decisions that have the potential to completely derail a structured, holistic response, which is what was offered in the recommendations of the royal commission.

The bill places an upper limit of $150,000 on the amount of redress that will be payable to any survivor. This also differs from what the royal commission recommended. It recommended that $200,000 be the maximum payment, $10,000 be the minimum payment and the average payment be about $65,000. Again we see the government say: 'No, we know better. Trust us. We'll just make it up on the spot without the department advising us and without the commission. We'll get it right.' I don't think people believe that anymore of this government.

There have been a number of comments put on the public record about eligibility to access this scheme. The reality of the trauma of their experiences in institutional care—where they were not only abused in person but abused by a system that failed to accept the truth of their telling—means that we have before us an imperfect bill that begins to address the major concerns that were raised amongst Australians and by Australians for our Australian brothers and sisters who we are very sorry experienced institutional child sexual abuse.

Senator **FIERRAVANTI-WELLS** (New South Wales—Minister for International Development and the Pacific) (20:29): I thank my parliamentary colleagues for their contribution to this debate on the vital issue of redress for the survivors of institutional child sexual abuse. We all have our own stories of how this Redress Scheme will benefit someone we know or someone who has contacted our offices. Today we can end a process that began seven years ago. With the passage of this bill, the Commonwealth, with the assistance of all state and territory governments and many non-government institutions, will now be able to implement a significant and meaningful National Redress Scheme for survivors. It is time to acknowledge the wrongs of the past and provide survivors the recognition they deserve. I commend the bill to the Senate.

The **ACTING DEPUTY PRESIDENT** (Senator Kitching): The question is that the second reading amendment moved by Senator Siewert by agreed to.

Question negatived.
Senator SIEWERT (Western Australia—Australian Greens Whip) (20:30): by leave—I would like the Hansard to note that the government and Labor voted against it. I didn't call a division so I didn't disturb everybody.

The ACTING DEPUTY PRESIDENT (Senator Kitching): Thank you, Senator Siewert. I'm sure your consideration is appreciated.

Senator HINCH (Victoria) (20:31): I, and also on behalf of Senators Pratt, Griff, Siewert and Storer, move:

At the end of the motion, add: "but, while the Senate:

(a) welcomes the establishment of a National Redress Scheme and the announcement of a National Apology; and

(b) appreciates that survivors have been waiting a long time for a National Redress Scheme, and that the implementation of such a scheme is urgent and overdue;

the Senate notes its concerns that:

(c) the scheme does not fulfil all of the recommendations of the Royal Commission, which were the product of extensive consultation with victims and survivors;

(d) critical issues, such as the adequacy of the maximum payments and the counselling available to survivors under the scheme remain of concern to survivors and their representatives; and

(e) relevant prior payments should not be indexed under the scheme".

Question agreed to.

Original question, as amended, agreed to.

Bills read a second time.

In Committee

Bills—by leave—taken together and as a whole.

Senator PRATT (Western Australia) (20:32): I'd like to direct to the minister a question asking her to explain why the government chose a maximum compensation payment of $150,000 rather than the $200,000 recommended by the royal commission.

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (20:33): The limit of the compensation was agreed between state and territory governments, the Commonwealth and non-government institutions. The Commonwealth has structured the compensation payment system so that the average payment is $11,000 more than that recommended by the royal commission.

Senator PRATT (Western Australia) (20:33): Is it the government's view that the $150,000 is adequate redress for those who have suffered more serious forms of abuse, noting that many have said they would have access to larger compensation in the courts?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (20:33): I refer you to my previous statement in relation to the $150,000.

Senator PRATT (Western Australia) (20:34): The bill has a matrix so that people can identify the level of abuse and the level of compensation that they will receive. Your answer, Minister, in no way goes to the issues of the seriousness of the abuse as it correlates to the amount of compensation. Could you address that question please.
Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (20:34): I am instructed that if people don't choose to accept an amount under the Redress Scheme they have the option to pursue civil remedies through the legal system.

Senator SIEWERT (Western Australia—Australian Greens Whip) (20:35): I'd like to pursue this issue of the so-called $11,000 difference in the average payment level, as you have just articulated. The royal commission estimated that the average payment was $65,000—I think we've well established that during the various debates and inquiries we've been having on this—under a maximum payment of $200,000, while the NRS estimates an average payment of $76,000, under a maximum payment of $150,000. Is there any kind of guarantee that the goal of the $76,000 average payment will actually be met?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (20:35): I'm advised this was based on the best available information that the government had.

Senator SIEWERT (Western Australia—Australian Greens Whip) (20:36): Could you please take us through in more detail just how you can have a cap of $200,000 with an average of $65,000, and a cap of $150,000 with an average of $76,000.

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (20:36): I'm advised that we can't comment on how the royal commission came up with its figures or how the actuarial calculations were undertaken.

Senator SIEWERT (Western Australia—Australian Greens Whip) (20:36): Is the community just supposed to believe the government—'Trust us that it will be $76,000 and the scheme has to start and we have to get some way down the track before we can find out whether in fact that is correct'? It's a 'trust us', when the community trusted you to implement the royal commission recommendation, which was $200,000, and you came back with $150,000 and said: 'We've got a new formula. The average payment will now be $76,000 and not $65,000, even though we've significantly reduced the cap.' How can we trust you that this is right, if you in fact can't tell us how you got to that figure?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (20:37): The bill includes two reviews—one at two years and one at eight years—to ensure issues identified can be addressed. In addition there'll be an annual report to parliament on the scheme.

Senator SIEWERT (Western Australia—Australian Greens Whip) (20:37): That addresses the issue of 'down the track we may know that', but the community doesn't know how you got to that calculation of $76,000. If the amount of $76,000 doesn't prove to be the average, will the government lift the cap?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (20:38): I'm advised that's the best information available to the government. I can't assist you further than that. Those are my instructions.

Senator SIEWERT (Western Australia—Australian Greens Whip) (20:38): Could you advise me on the other part of the question: if the reviews that you articulated show that the average is in fact not $76,000, as the government says it's going to be, is the government—if...
you are still the government at the time—prepared to reconsider the cap and take it back up to the $200,000?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (20:38): I'm instructed that the terms of the review are included in the legislation, and that will, of course, be a matter for the government at the time of the review.

Senator HINCH (Victoria) (20:39): Minister, you said a few minutes ago that it is confidential and you can't tell us how the royal commission came up with their figures. We know how the royal commission came up with their figures. They held a roundtable with people like the churches, with other commissioners and with Anthony Foster. Anthony Foster came down from $500,000 to $350,000 and $250,000, and we are then told by the royal commissioner that a figure of $200,000 would be agreed on—could be agreed on—because the Catholic Church would go along with $200,000. Somewhere out of the blue, the government came up with $150,000. Was that a federal government decision, or was it a Victorian government decision or was it a New South Wales government decision?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (20:39): My answer was in relation to average payments, not the maximum figure.

Senator HINCH (Victoria) (20:40): We know the average is $76,000. You've gone up to that; we know that. But the figure I want to know about: who decided, who made the royal commission recommendation to your government, that the maximum figure of $200,000 should suddenly become $150,000, which was what the Catholic Church wanted you to do?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (20:40): I'm advised that the limit of compensation was agreed between state and territory governments, the Commonwealth and non-government institutions. And, as I indicated earlier, the government has structured the compensation payment system so that the average payment is $11,000 more than that recommended by the royal commission.

Senator HINCH (Victoria) (20:40): We know that the $150,000 was decided between the federal government and the state governments, because that's the figure that suddenly came out of the blue from the New South Wales government's legislation, the Victorian government's legislation and the one that was thrust on us—to my committee—as a fait accompli. The royal commission recommended to your government, so you must have recommended something to the state governments, or they wouldn't have come up with $150,000; they may have come up with $75,000. Your government was told by the royal commissioner—and the PM said last week that he has accepted all the recommendations—they came to you with $200,000. Somewhere out of the blue, somebody came up with the figure of $150,000. I want to know who did.

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (20:41): I can only tell you what I am advised, and that is that the limit of compensation was agreed between state and territory governments, the Commonwealth and non-government institutions.
Senator HINCH (Victoria) (20:41): Sorry, Minister, to badger you on this, but I know that you guys agreed to $150,000, and the Victorian government and first the New South Wales government, with their model legislation, became your Commonwealth legislation. But somebody, somewhere in the federal government, came up with an idea that we should offer the maximum, which very few people will get—that we should offer a figure which is $50,000 less than the royal commissioner recommended. I need to know—I'd love to know—who came up with that figure? I know you agreed—the federal government, the Victorian government and the New South Wales government—but who came up with the figure? Why wasn't it $160,000? Why wasn't it $25,000? You ignored the royal commission and came up with a figure of $150,000.

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (20:42): I can't help you further than the answer that I have been given. I am advised, as I said to you earlier, that the limit of compensation was an agreement between state and territory governments, the Commonwealth and non-government institutions. I cannot help you further than that.

Senator HINCH (Victoria) (20:42): I believe that as chairman of the redress committee I'm entitled to know where the figure of $150,000 came from. I'm getting emails. Senator Siewert is getting emails from people. We're getting letters from people asking, 'How did this happen?' I cannot go back to these victims and say how they got this figure, because I do not know. And I think I'm entitled at some stage to find out.

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (20:43): I cannot add further to the answer that I gave earlier. As I said, the compensation that was agreed to, the limit, was between the state and territory governments, the Commonwealth and non-government institutions. I've told you the limit of the advice that I have. I can only continue to repeat that.

Senator HINCH (Victoria) (20:43): I don't know whether this is possible, but can this be taken on notice? Can somebody in the appropriate department tell me, as the committee chairman, where the $150,000 came from? And then I will sit down and I'll shut up.

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (20:44): I can't add any further to that. That's the information that I am provided with, and that's the information that I am relaying to you.

Senator PRATT (Western Australia) (20:44): I share Senator Hinch's frustration at the government's lack of capacity to provide an answer to the question of the rationale as to why $150,000 is a valid level of compensation when the royal commission recommended $200,000. Can you please identify the architecture that shows—when the royal commission said the more serious forms of abuse warrant $200,000 worth of compensation—why the government believes that that abuse is only worth up to $150,000 in compensation?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (20:45): Senator Pratt, you have heard my answer to Senator Hinch, and I can only repeat the answer I gave to Senator Hinch.

Senator PRATT (Western Australia) (20:45): So you're not prepared to give any explanation of how the matrix and the scale relates to the level of injury and suffering that individuals have been caused? The government, as the architects of this bill, do not want to
put forward any kind of position that says, 'What we are putting forward is an appropriate level of redress for the victims of these heinous crimes?'

**Senator FIERRAVANTI-WELLS** (New South Wales—Minister for International Development and the Pacific) (20:46): Senator Pratt, as I've indicated to the Senate, the limit of compensation was agreed between the state and territory governments, the Commonwealth and non-government institutions, and I cannot take this matter any further.

**Senator SIEWERT** (Western Australia—Australian Greens Whip) (20:46): You said it was government, state governments and non-government institutions. The bodies responsible for the abuse, the non-government institutions, are they the non-government institutions that you're talking about? Where were the survivors in all this? Were the survivors consulted?

**Senator FIERRAVANTI-WELLS** (New South Wales—Minister for International Development and the Pacific) (20:46): Senator Siewert, I go back to my previous answer. I am advised that we could give you a list of the non-government institutions.

**Senator SIEWERT** (Western Australia—Australian Greens Whip) (20:47): That would be appreciated, but could you answer now: are those non-government institutions actually the institutions where abuse occurred and who will, in fact, be paying redress?

**Senator FIERRAVANTI-WELLS** (New South Wales—Minister for International Development and the Pacific) (20:47): Sorry, I don't have that, but I will add this: going back to my previous answer, it was an agreement between the states and territory governments, the Commonwealth and non-government institutions. We couldn't compel those components to a particular position, and, therefore, as I said, this was an agreement between the states and territory governments, the Commonwealth and non-government institutions.

**Senator SIEWERT** (Western Australia—Australian Greens Whip) (20:48): I heard what you have said, and I heard what you just said then; but is not the court of public opinion, and the royal commission recommendation, a pretty strong compulsion for the organisations that were responsible for this abuse to actually meet a $200,000 cap, which the royal commission recommended, rather than the $150,000 cap?

In other words, you had, I'd say, the weight of the Australian community behind the government in negotiating with these institutions where this abuse occurred. Is that not correct?

**Senator FIERRAVANTI-WELLS** (New South Wales—Minister for International Development and the Pacific) (20:49): Senator Siewert, as I've said, we could not compel the parties to this agreement. As I've said, this was the agreement that was reached, and it was reached by the states and territories, the Commonwealth and non-government institutions. I cannot take the matter further than that.

**Senator SIEWERT** (Western Australia—Australian Greens Whip) (20:50): I have a lot of questions, so I will conclude at least my questions on this with two other questions. I asked a number of subquestions in one question earlier, and that is: were any survivors consulted?

**Senator FIERRAVANTI-WELLS** (New South Wales—Minister for International Development and the Pacific) (20:50): My advice is yes.

**Senator SIEWERT** (Western Australia—Australian Greens Whip) (20:50): I just want to have one more go at how the average was established and ask more specifically why the
government isn't prepared to articulate what the calculation is that differs from what the royal commission may have done to come out with their cap and average to come to the government's cap and much higher average.

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (20:51): Senator Siewert, I'm advised that the matrix was created on the best advice to government from actuaries and stakeholders.

Senator SIEWERT (Western Australia—Australian Greens Whip) (20:51): Sorry, I will honestly try to move on in a minute, but that just raised a new question. Is that the old matrix that is no longer being used for the assessment of the redress payments? We've moved to the assessment framework approach. Is that that old matrix or a different matrix?


Senator SIEWERT (Western Australia—Australian Greens Whip) (20:52): But the payment framework is something different now to what it was when the Commonwealth bill existed. We're now under the national bill; we've got the assessment framework. Is it one and the same thing, or is it different?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (20:53): I'm advised, Senator Siewert, that it's the assessment framework, and it's section 32 of the bill.

Senator SIEWERT (Western Australia—Australian Greens Whip) (20:53): This assessment framework is—previously we were talking about the matrix as the assessment process. You've come out with the same average payment through both processes?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (20:53): I'm advised that the answer is yes.

The TEMPORARY CHAIR (Senator Kitching): Senator Siewert, are you finished?

Senator SIEWERT (Western Australia—Australian Greens Whip) (20:54): I'm finished on that area, but I thought it was just worth checking that no-one else has got questions on that area before I move on to another one.

The TEMPORARY CHAIR: I think—

Senator SIEWERT: Okay, thank you. There are some questions that I would like to ask to seek clarification on some areas of the bill that I would like to understand better and also that I'm aware that many stakeholders want to understand better too. I will ask about eligibility. Could you please confirm that the wording in clause 13(1)(c) of the national bill? That clause articulates the elements of eligibility that will not exclude survivors from other elements of redress where the maximum amount of the redress payment that could be payable to the survivor is nil. I'm referring to the clause that was—

The TEMPORARY CHAIR: Sorry, one moment, Senator Siewert. I think the minister's—

Senator SIEWERT (Western Australia—Australian Greens Whip) (20:55): Clause 13(1)(c), which is page 21. It was added into the national bill.

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (20:55): Sorry, Senator Siewert, why don't you start again, as that might be really helpful.

Senator SIEWERT (Western Australia—Australian Greens Whip) (20:55): There was a clause added into the national bill from the Commonwealth bill—it's clause 13(1)(c) and it's on page 21—and it says:

... the sexual abuse is of a kind for which the maximum amount of redress payment that could be payable to the person (as worked out under the assessment framework) would be more than nil ...

What I'm seeking to get on the record and to clarify is if somebody's payment is nil, because of the redress being indexed and taken off the payment, but are they still eligible—sorry, I know this can sound like double-dutch!—for the other components of the scheme if it turns out that their payment is nil, because of having received previous redress under another scheme?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (20:57): I'm advised that, yes, you would be eligible and, yes, you would be entitled to access other components of the scheme.

Senator SIEWERT (Western Australia—Australian Greens Whip) (20:57): Thank you for clarifying that. I've got some questions around the revocation of a determination, and I want to go to section—

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (20:57): Could you give me the page number? It is easier.

Senator SIEWERT (Western Australia—Australian Greens Whip) (20:57): Yes. Pages 34 and 35, and it relates to clause 29(2) and 29(3). In what circumstances will the rules require the operator to revoke a determination in relation to a redress application made under those clauses?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (20:58): Sorry, Senator Siewert, could you break that down a bit just so we could get a little bit—

Senator SIEWERT (Western Australia—Australian Greens Whip) (20:58): In clauses 29(2) and 29(3) the operator must make a determination on the application, that's what clause 29 does. Clause 29(2) says:

If the Operator considers that there is a reasonable likelihood that the person is eligible for redress, then the Operator must:

(a) approve the application ...

And it goes on to a number of points. Then clause 29(3) says, 'Determination not to approve an application'. In what circumstances will the rules require the operator to revoke a determination in relation to a redress application made under those clauses?

Clause 29(4) then goes on to say:

The rules may require or permit the Operator to revoke, under this subsection, a determination made under subsection (2) or (3).
These are the subsections I was just referring to. What circumstances would permit that?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:00): I'm advised that there might be circumstances where further information is made available or comes within the purview of the operator's knowledge, and so they then revoke it and remake it.

Senator SIEWERT (Western Australia—Australian Greens Whip) (21:01): Remake a determination?


Senator SIEWERT (Western Australia—Australian Greens Whip) (21:01): Which may then be a negative determination?


Senator SIEWERT (Western Australia—Australian Greens Whip) (21:01): Oh, yes. So will the rules spell out what those requirements are or what sort of information would enable someone to make that determination?


Senator SIEWERT (Western Australia—Australian Greens Whip) (21:01): Okay. In terms of the difference between requiring an operator to revoke and permitting them to revoke—does that make sense? In what instances would they be required to do that or would they be enabled to?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:01): I'm advised that that will be in the rules along with under what circumstances that could occur. Does that make sense and answer your question, Senator Siewert?

Senator SIEWERT (Western Australia—Australian Greens Whip) (21:02): At the risk of being told this is in the rules, I think it's probably a fairly easy one: will the reasons be provided to a survivor as to why a determination has been revoked?


Senator SIEWERT (Western Australia—Australian Greens Whip) (21:02): Thank you. That takes me to the broader question around the rules. In answer to one of my questions in estimates—and I also would like to take the opportunity to thank the department for getting the answers back in estimates very quickly; I really appreciate it—when I was asking about the various instruments and rules, I want to seek some clarification now about some of the timing. My understanding from your answer is that the instruments that establish the framework and the direct personal response framework cannot be tabled in parliament until after the bill. I understand that we can't see the instruments until after the bill has passed. Can I ask where the process is up to in finalising those instruments?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:03): I'm advised that we're close.
Senator SIEWERT (Western Australia—Australian Greens Whip) (21:03): If I had a buck for every time I heard 'we're close' in this place, I'd be able to fund election campaigns!

Senator Fierravanti-Wells: You and I have been here a long time!

Senator SIEWERT: With all due respect, I have heard that before. Are we talking about these being done by 1 July?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:04): I'm advised that they will be done by 1 July.

Senator SIEWERT (Western Australia—Australian Greens Whip) (21:04): Just so that I'm correct in understanding the answer that you gave on notice: they will then subsequently become publicly available?


Senator SIEWERT (Western Australia—Australian Greens Whip) (21:04): Will that be straightaway? As soon as they are determined, will they be made publicly available?


Senator SIEWERT (Western Australia—Australian Greens Whip) (21:04): My understanding is that those instruments are not disallowable.

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:05): I'm advised that only the rules are disallowable.

Senator SIEWERT (Western Australia—Australian Greens Whip) (21:05): I was just making sure I understood that completely. In regard to the rules, which were provided in the department's submission around the extent of the rules, I have a couple of questions. When are they going to be available?


Senator SIEWERT (Western Australia—Australian Greens Whip) (21:05): Firstly, when are the rules going to be made available?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:05): As soon as they are determined.

Senator SIEWERT (Western Australia—Australian Greens Whip) (21:05): Are they going to be available by 1 July as well?


Senator SIEWERT (Western Australia—Australian Greens Whip) (21:06): I might come back to that one.

Senator PRATT (Western Australia) (21:06): Previously, the minister indicated that over 90 per cent of survivors would be included in the scheme, based on the institutions that have already opted in. How much further does the government expect this figure to rise?
Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:06): I'm advised that would depend on the number of institutions that have not opted in, and we are talking to those institutions.

Senator PRATT (Western Australia) (21:07): Does the government have any plans to make sure that there's a genuine funder of last resort for those people who aren't covered by the scheme, if people are not covered by the scheme in future?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:07): I'm advised that funder-of-last-resort arrangements will apply where a government has equal responsibility with a defunct non-government institution for the abuse of a child. The relevant government will therefore pay the non-government institution's share of redress. If a survivor is abused in an institution that exists but has simply chosen not to participate in the scheme, governments will not be a funder of last resort. This approach is necessary to ensure that non-government institutions, where they have the capacity to participate in the scheme, are not disincentivised from doing so.

Senator PRATT (Western Australia) (21:08): Why, on that basis, have you not done more to compel organisations that should be participating to do so?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:08): I would remind you that there is no constitutional basis upon which to compel institutions—well, there is no power to compel.

Senator PRATT (Western Australia) (21:09): I've got some questions about independent decision-makers. I'd like you to clarify, please, that it is the independent decision-makers who will be deciding whether or not to make an offer of redress and the amount of the offer.

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:09): I'm advised that the scheme will appoint appropriately qualified, independent assessors known as 'independent decision-makers'. Independent decision-makers will provide advice to the scheme operator on applications made to the scheme. The independent decision-makers will not report or be answerable to the government. Independent decision-makers will be able to provide survivors with access to independent and impartial internal review without subjecting them to potential retraumatisation. Independent decision-makers will be supported in their decision-making by a dedicated redress recommendation team within the Department of Human Services.

Senator PRATT (Western Australia) (21:10): How will they be employed? I think you've indicated it'll be through the Department of Human Services. Are these current staff within the Department of Human Services or are they going to be contracted in?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:10): I'm advised they'll be new staff.

Senator PRATT (Western Australia) (21:10): So they'll be new staff. Will they be employees of the Department of Human Services or will they be under contract?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:10): They'll be contracted by the Department of Human Services. No, it's the Department of Social Services—I beg your pardon.
Senator PRATT (Western Australia) (21:11): How much will independent decision-makers be paid to undertake this task?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:11): At this stage, that hasn't been determined.

Senator PRATT (Western Australia) (21:11): Can you rule out the possibility that, for being in a full-time role to do this kind of work, they will be paid more than survivors will receive in redress?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:11): I've just said that hasn't been determined, so your question is a hypothetical.

Senator PRATT (Western Australia) (21:11): I thought I would forewarn you with our concerns regarding those issues as you appoint these people. How will it be ensured that independent decision-makers have the required expertise to undertake this important and sensitive role?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:12): There is a process of consultation with the states and the territories in relation to identifying the appropriate people to fill this role.

Senator PRATT (Western Australia) (21:12): I've got a question about overseas claimants. Will the minister consider working with survivor groups to identify ways to deliver justice for claimants who live overseas currently, particularly those who've suffered abuse in immigration facilities or who were child migrants?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:13): I'm advised that the legislation applies to Australian citizens or Australian residents, and that's consistent with other legislation.

Senator SIEWERT (Western Australia—Australian Greens Whip) (21:13): I want to go to the issue of institutions opting in. Specifically, I want to ask about Catholic institutions. We know that most Catholic organisations are financially and operationally independent entities, and we talked about that during the inquiry into the bills. We have the Catholic Church or their entity that is being established opting in. Could you update us as to what percentage of Catholic organisations have opted into the entity. First off, I'll ask that. I'll have some other questions after that.

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:14): I'm advised that we're still working through how the entity will operate.

Senator SIEWERT (Western Australia—Australian Greens Whip) (21:14): Does that mean you still don't know how many Catholic organisations have opted into the entity to date?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:14): I'm advised that the Catholic Church has given a commitment for total coverage. We're still working through the details of that.
Senator SIEWERT (Western Australia—Australian Greens Whip) (21:15): Can I get you to clarify? Do you mean total coverage of all Catholic organisations, even those that consider themselves very independent?


Senator SIEWERT (Western Australia—Australian Greens Whip) (21:15): I want to ask a specific question, therefore, in terms of my home state of Western Australia. For example, have the Pallottine order, which ran the Wandering Mission in WA, opted in or will they be opting in?


Senator SIEWERT (Western Australia—Australian Greens Whip) (21:15): Can you take on notice please to tell me specifically?


Senator SIEWERT (Western Australia—Australian Greens Whip) (21:16): When do you expect to know when all of the Catholic organisations have opted in?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:16): Senator Siewert, we're still working through that. Hopefully, that will be as soon as possible.

Senator SIEWERT (Western Australia—Australian Greens Whip) (21:16): I want to go to the independent decision-makers. Could you explain how initial determination of an application will be made so that I'm clear on how the process with the independent decision-makers is going to work?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:17): Can we take on notice to provide you those details? I'm advised that it's actually quite a detailed answer. I'm advised that it's preferable to take that on notice.

Senator SIEWERT (Western Australia—Australian Greens Whip) (21:17): If you could take it on notice, that would be appreciated. You're telling me that there is one; is that correct?


Senator SIEWERT (Western Australia—Australian Greens Whip) (21:17): If you could provide that on notice, that would be appreciated. Thank you.

Senator PRATT (Western Australia) (21:17): Will the government make the assessment framework public to help survivors and their legal representatives navigate the scheme? If not, why won't the government consider this?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:17): I'm advised that when it's determined it will be made public.
Senator PRATT (Western Australia) (21:18): I’d like to ask some questions about the psychological support services available under the scheme. We understand that it’s widely recognised that the impacts of institutional child sex abuse can be profound and lifelong—and I’m sure the minister understands that. Can the minister, therefore, explain why counselling and psychological care arrangements only require the states to deliver a minimum of 20 hours support?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:18): Senator Pratt, I’m advised that the government has committed $52.1 million over three years to establish redress support services to assist survivors engaging with the scheme. Redress support services will be available to all applicants, including specialised support for Indigenous people, people with disability and people from culturally and linguistically diverse backgrounds. Support services will be available nationally and will use face-to-face, telephone, online and outreach services to ensure coverage.

Legal support services will also provide survivors with access to free trauma-informed, culturally appropriate and expert legal advice as required through the scheme. Legal support services will be available prior to application through to deciding whether to accept an offer of redress. The scheme will also support referrals for survivors to access existing Commonwealth-funded financial counsellors. Survivors will also have access, through the MoneySmart website and the redress website, to information about how to deal with large sums of money.

Senator PRATT (Western Australia) (21:20): There was no reference to the 20 hours of support from the states. Perhaps you could touch on that. Thank you.

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:20): Counselling will in most cases be paid for directly to state and territory governments. They have agreed to a minimum of 20 sessions. This is in addition to the universal support provided by Medicare. For those jurisdictions that do not subscribe to these arrangements, money will be paid directly to survivors.

Senator PRATT (Western Australia) (21:20): So, what’s the rationale for the minimum of 20 hours?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:20): I’m told it’s a minimum of 20 sessions.

Senator PRATT (Western Australia) (21:20): Why 20 sessions?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:20): I’m advised that that was determined in consultation with state and territory governments.

Senator PRATT (Western Australia) (21:20): What will be in place for people who might accept a cash payment instead of support but later find themselves in need of counselling and psychological care?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:21): I’m advised that they’ll still have access to Medicare.
Senator PRATT (Western Australia) (21:21): Thank you. Why has the government not pursued a model of lifelong psychological care as recommended by the royal commission?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:21): I'm advised that of course we could not compel participants—or the state and territory governments and non-government institutions—and therefore we had to strike an appropriate balance between the interests of survivors and the interests of these stakeholders.

Senator PRATT (Western Australia) (21:22): Which states will provide the services and, in contrast, in which states will resident applicants get payments?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:22): That hasn't been finalised yet.

Senator PRATT (Western Australia) (21:22): When do you expect that to be finalised? There must be some states that have said they'd provide services. So can you give us a more illustrative picture of where that's up to?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:22): I'm advised that it will be when they pass the appropriate legislation and then when they sign the intergovernmental agreement.

Senator SIEWERT (Western Australia—Australian Greens Whip) (21:23): Where a state determines to provide counselling and psychological services under the scheme and they receive the tiered payments directly, rather than the survivor, will the survivor be able to access these services for the duration of their lives?


Senator SIEWERT (Western Australia—Australian Greens Whip) (21:24): Thank you. Will survivors be able to continue their existing therapeutic relationships where a jurisdiction has opted to provide these services under the scheme?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:24): That will be determined by the different states and territories.

Senator SIEWERT (Western Australia—Australian Greens Whip) (21:24): Having spoken to many survivors, I know that sometimes it takes quite a long time to establish therapeutic relationships and to find support that actually meets their needs. What happens where a state decides that that's not the case and this upsets someone's therapeutic journey?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:25): I'm advised that the national services standards for the provision of state and/or territory based counselling and psychological care says at item 5: The preferences of the survivor will be taken into account when developing a plan for their care.

Senator SIEWERT (Western Australia—Australian Greens Whip) (21:25): Thank you. That relationship will be taken into account, but it won't be required for it to be maintained?

Senator SIEWERT (Western Australia—Australian Greens Whip) (21:25): I will take that as making a point, in that case. Here is an issue that I raised in my second reading contribution: where survivors are receiving services under the scheme and are subsequently moved to a state or territory that isn't their declared provider, how will that operate? Will they receive a lump sum so that they can continue to receive counselling and psychological services in the new jurisdiction, or will they be considered to have had their support services provided and then there will be no further support?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:26): Senator Siewert, can I take that one on notice? That's actually quite complex to answer, so we'll take that one on notice. Also, there is different applicability in different states. We will take that on notice.

Senator SIEWERT (Western Australia—Australian Greens Whip) (21:26): Thank you. I would appreciate you taking it on notice. But do I take it, from you having to take it on notice, that that issue has not been resolved? Would it be a fair conclusion to say it hasn't been considered?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:27): It's because the states are working through their legislation. That's the reason we will take that on notice. And they're at different stages of the process.

Senator SIEWERT (Western Australia—Australian Greens Whip) (21:27): When you say they're working through their legislation about the declared provider, do you mean how they are going to handle that and what reciprocity there is with other states?


Senator SIEWERT (Western Australia—Australian Greens Whip) (21:27): Do I take it, then, that that will be determined on a state-by-state basis as each state is finalising their legislation?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:27): Sorry, could you clarify that question?

Senator SIEWERT (Western Australia—Australian Greens Whip) (21:28): I was going to ask about your time frame, but I think the question really is: is the resolution of this matter dependent on each state as they deal with their legislation?


Senator SIEWERT (Western Australia—Australian Greens Whip) (21:28): Thank you. Can I flip this a little bit on its head and ask: are you prepared to negotiate with the states to make sure there is a process in place to ensure that a survivor can continue their counselling if they have started it under a declared provider in a state?

Senator SIEWERT (Western Australia—Australian Greens Whip) (21:28): So, people won't have to stop if they are considered, for example, to have used up their allocation? That is, under the provision of a declared provider, they won't be considered to have used that up in that state where they originally applied for redress?


Senator SIEWERT (Western Australia—Australian Greens Whip) (21:29): I really want to tie this down, because counselling and psychological supports, I think we all agree, are absolutely essential. I want to tie down that the Commonwealth has committed that if a person has started receiving therapeutic supports, counselling and psychological services under a declared provider and they move interstate, it will then be guaranteed that they can continue receiving their counselling and psychological supports.

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:29): Senator Siewert, we're working towards that. But, until the states land their position, we can't say that definitively.

Senator SIEWERT (Western Australia—Australian Greens Whip) (21:30): The other issue I just want to quickly canvass as it relates to counselling and psychological supports and services is: has it been anticipated that there may be a rush to some of the providers or an increase in the demand on services by survivors and whether the states actually have sufficient services in place and existing clients won't be displaced, for example?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:30): I'll take that one on notice, if I can, Senator Siewert.

Senator SIEWERT (Western Australia—Australian Greens Whip) (21:30): Okay. So that issue isn't resolved?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:31): At this stage we can't give a definitive answer on what actual services are available in each of the jurisdictions, but we will take it on notice.

Senator SIEWERT (Western Australia—Australian Greens Whip) (21:31): Thank you. In terms of the declared providers, have all states made a decision on that yet, or are we still pending decisions?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:31): Senator Siewert, I'm advised that New South Wales, Victoria and the ACT have, and the rest are working through their processes.

Senator SIEWERT (Western Australia—Australian Greens Whip) (21:32): Can I just be clear. Just because they're not on that list doesn't mean that they have made a decision; is that correct? Those states have made that decision, but those that you did not list just then have not made a decision not to do that; they're just still making their decision?


Senator SIEWERT (Western Australia—Australian Greens Whip) (21:32): I just want to go back to the issue around people being able to access services. I asked you: for people who are part of the declared provider approach, where the states are delivering the services and
they'll get access to services for the duration of their lives, does that mean that, through those services that the state commences, they will be able to access those services for the rest of their lives?


**Senator SIEWERT** (Western Australia—Australian Greens Whip) (21:33): Sorry, I beg your pardon. At the beginning of my series of questions here, I was asking about where a state determines to provide these services under the scheme and receive the tiered payments. I asked, 'Does that mean that survivors are therefore covered for the rest of their lives?' and you said yes. I'm just asking you to explain how, and the follow-up to that was: is that through the services that the state is providing?

**Senator FIERRAVANTI-WELLS** (New South Wales—Minister for International Development and the Pacific) (21:33): Senator Siewert, the counselling services are not time determined, so they don't expire.

**Senator SIEWERT** (Western Australia—Australian Greens Whip) (21:34): So they don't expire, but under this process there's not a cap on the number of services that you can receive?

**Senator FIERRAVANTI-WELLS** (New South Wales—Minister for International Development and the Pacific) (21:34): It will depend on the jurisdiction and the cap that that jurisdiction will provide. Again, it gets back to the point that we made earlier in relation to the jurisdiction determining their position at this point. By the time we provide the answer to you on notice, we may well have more clarity in relation to this.

**Senator SIEWERT** (Western Australia—Australian Greens Whip) (21:35): Getting more clarity would be appreciated, because people listening could think, 'I can access those services for the duration of my life;' not realising that there'll be a cap. There could then be an issue where, for the duration of your life, it's uncapped or it's available but capped. I'm seeing nodding; is that correct?

**Senator FIERRAVANTI-WELLS** (New South Wales—Minister for International Development and the Pacific) (21:35): Senator Siewert, again, I go back to the point I made earlier: until the states land on this position, I'm not able to provide an answer to you with clarity.

**Senator SIEWERT** (Western Australia—Australian Greens Whip) (21:35): Thank you; I appreciate what you've just said. We're being asked to vote on a bill that a number of us on this side of the chamber have expressed concerns about in terms of lack of clarity over quite a few areas. We're supporting this legislation, as we have articulated, but I'm trying to establish as much as I can about how the services are going to operate; hence these questions. Having said that, on the question of counselling and psychological services, I just want to seek further clarification on whether all survivors will be able to access the 20 sessions that you articulated earlier, regardless of the severity of their abuse. There's no link between severity of abuse and the number of sessions; correct?

Senator SIEWERT (Western Australia—Australian Greens Whip) (21:36): So it's a minimum of 20. Is that available to everybody?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:37): For the ones offering state based services.

Senator PRATT (Western Australia) (21:37): Minister, I'm somewhat confused by the answer that it is a minimum of 20, when some people won't need 20; I'm trying to unpack whether you're actually talking about a maximum. Why are you specifying a minimum of 20? Or are you saying that 20 is a cap or that the state has to provide for each individual a minimum of 20? You're saying that the state needs to provide them with a minimum of 20, irrespective of how many they use; is that right?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:37): As I've said, in most cases counselling will be paid direct to state and territory governments. The state and territory governments have agreed to a minimum of 20 sessions.

Senator PRATT (Western Australia) (21:38): How much is the state lumping together for counselling to get to that minimum? In terms of costing that, how are you working with the states to cost that for the purposes of a minimum of 20 when some might need more and some might need less?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:38): I'm advised that the states have agreed to a minimum of 20 sessions. As I said earlier, they are still working through some of these details but they have agreed to a minimum of 20 sessions.

Senator SIEWERT (Western Australia—Australian Greens Whip) (21:39): I'm hoping this will be my last question or two in terms of counselling and psychological services. So there's the minimum of 20, and there's the $5,000 maximum of the tiered payments. It seems to me that there's a potential large discrepancy here between the states that opt in to be the providers and those that don't, and those that get access to the $1,250, the $2,500 and the $5,000. That $5,000 isn't going to go very far, so there's going to be a discrepancy depending on where you live. Is that correct?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:40): We're still working through this with the states. That's as far as I can take the answer to your question.

Senator SIEWERT (Western Australia—Australian Greens Whip) (21:40): I suspect we're going to be asking lots of questions in estimates in that case. I'd like to move on. I want to go to the funder of last resort. Senator Pratt asked some questions here, so I don't have a lot more, but I do have some specific questions that canvas a different issue. Does the government envisage that some survivors will miss out on redress because the institution responsible is defunct and there is no participating government institution that is equally responsible? If so, have you got an estimate of how many?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:41): We don't know the number, but it will be on a case-by-case basis.
Senator SIEWERT (Western Australia—Australian Greens Whip) (21:41): So it is a distinct possibility that, if there is no participating government institution that is deemed equally responsible and the institution is no longer operating, those survivors will not be able to access redress, because there's no overall funder of last resort in that respect?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:42): As I said, Senator Siewert, it would be determined on a case-by-case basis.

Senator SIEWERT (Western Australia—Australian Greens Whip) (21:42): I understand what you're saying about a case-by-case basis, but, under this bill, this is a distinct possibility. That is correct, isn't it? I understand that it will be determined on a case-by-case basis, but it is a distinct possibility that there could be some survivors who are eligible but aren't able to access redress?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:42): I'm advised that it would need to be determined on a case-by-case basis by the scheme operator.

Senator PRATT (Western Australia) (21:43): Should people apply or not apply if they have been abused in an institution that no longer exists and that no level of government has participation in?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:43): They should apply.

Senator PRATT (Western Australia) (21:43): What criteria will the scheme administrator use to determine whether to grant redress or not?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:44): Until a person actually applies, we don't know what we don't know. When they do apply we are then in a process where we can determine the particular circumstances of that person. We can then proceed to look at the circumstances of that person. Until they do apply, for example, we may not know if the particular organisation in question is a defunct organisation. Until that person does come forward those parameters can't be considered.

Senator PRATT (Western Australia) (21:44): That doesn't quite answer my question. If we know that the organisation is defunct or does not exist and we know there's been no state or Commonwealth involvement, do they or don't they have a case?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:45): You need a person to come forward and apply. You look at the particular circumstances of that person. You determine the status of the organisation in question and then you consider it and take it to the next stage. But, unless a person comes forward and provides you with the circumstances and the detail of their circumstances, you can't in isolation make any consideration about that person's status, connections or whatever until that person comes forward and gives you the appropriate detail.

Senator PRATT (Western Australia) (21:46): What I'm trying to get to the nub of here is whether the government will inadvertently mislead people into applying for compensation they are not eligible for. I understand you've got to work through the details of which institution is responsible and who pays the compensation. But, if there is no longer an
organisation that exists and we know that, are they or aren't they then eligible for compensation?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:46): I've answered this. The reality is that we do not know the circumstances of a particular person. Unless a person comes forward and provides the details of their circumstances and those circumstances can be appropriately examined, that person's circumstances or the appropriateness or otherwise of redress for that person cannot be determined. It's pretty obvious. You apply for something and then you see if you are eligible for receiving benefits from a scheme or from a particular application. I'm sure you've made application for various things in your life and, until you applied, you weren't able to ascertain whether you were actually entitled to it. I'm speaking in the hypothetical.

Senator PRATT (Western Australia) (21:47): I think we had issues with each other on these issues in estimates. Chair, I'd like to ask the minister about the nature of the application. If we know that someone has had serious abuse committed against them, is or is not the existence of a relevant organisation a relevant factor in whether they will or will not get compensation?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:48): Senator Siewert asked me a question before, and I took that on notice. I'm sure that you'll read that when it is provided.

Senator SIEWERT (Western Australia—Australian Greens Whip) (21:48): A little bit earlier, there was a question about the percentage of people that are covered by this scheme, and I think the government is saying it's up around 93 per cent. How can you make that claim when you can't answer these questions?

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:48): I'm advised that that was the coverage amount that the minister provided, and I can't add any further to that.

Senator SIEWERT (Western Australia—Australian Greens Whip) (21:49): Perhaps you could provide the information on which that assessment was based. You keep saying this is going to be on a case-by-case basis, yet you make a claim that there are that many survivors that are covered, so you must have an idea of the number of survivors we're talking about and who may or may not be covered by defunct organisations.

Senator FIERRAVANTI-WELLS (New South Wales—Minister for International Development and the Pacific) (21:49): I will take that on notice. But I understood from your previous question that you were setting a series of parameters in relation to particular circumstances, so I didn't want to conflate the two things.

Progress reported.

**ADJOURNMENT**

The ACTING DEPUTY PRESIDENT (Senator Williams) (21:50): Order! I propose the question:

That the Senate do now adjourn.
Royal Australian Survey Corps

Senator DEAN SMITH (Western Australia—Deputy Government Whip in the Senate) (21:50): I rise this evening to honour a number of Australian servicemen who were recently recognised at a recognition ceremony conducted by the Royal Australian Survey Corps Association of Western Australia and held at the Army Museum of Western Australia in Fremantle. The association has decided to recognise the service of nine members of the Royal Australian Survey Corps who died whilst serving in the Australian Defence Force but who were not on what is called active service. These nine men had either joined the Survey Corps in Western Australia or had served in Western Australia based Survey Corps units. I was honoured to represent the Minister for Defence, my Senate colleague Senator Marise Payne, at the ceremony and to join Brigadier Duncan Warren AM, retired, the former commander of the 13th Brigade, and Major Fred Brown, retired, the president of the Royal Australian Survey Corps Association of Western Australia. Project recognition would not have been possible without the support of Australian Capital Equities, the Returned and Services League of Australia WA Branch, the ExFortuna Survey Association and other generous personal donations.

Australia has a proud tradition of honouring its servicemen and women, and we do so because those who join the Australian Defence Force are prepared to go and stand in harm's way to defend Australia and its interests. If a member of the Australian Defence Force dies or is killed whilst on active service he or she receives full and official recognition for that sacrifice. If a member dies or is killed when not on active service, then he or she does not receive any official recognition or the same level of support. It is this distinction that motivated the association to act.

The Royal Australian Survey Corps has a proud record of service as an integral part of Australia's Defence Force capability. From the earliest months of the First World War until the 1990s, the Royal Australian Survey Corps provided logistical support to the Australian armed forces in the form of maps and mapping, an essential part of any successful military undertaking. In fact, the Survey Corps was formed just 10 weeks after the landing at Gallipoli. Military surveying activities were usually carried out by regimental engineers, which made Australia's Survey Corps quite unique. It is one of just two dedicated survey corps in the world. The Royal Australian Survey Corps started with only three officers and 16 soldiers and was tasked with mapping Australia with the technology available at the time.

During the First World War, members were transferred to the Australian Imperial Force and saw active service on the Western Front and in the Middle East. Following the outbreak of World War II, the Survey Corps was significantly expanded, reaching a full strength of 1,700, the largest head count in the unit's history. The Survey Corps conducted impressive work during wartime, producing 1,400 different maps while also supporting the broader war effort.

In recognition of the Royal Australian Survey Corps' impressive wartime contribution, in 1948 King George VI granted the title 'Royal' to the corps. Senators will be interested to learn the Royal Australian Survey Corps could be attributed with physically mapping half of Australia. When many other units go into training during peacetime, it is the Survey Corps that has to work harder than ever. In more recent times the Survey Corps even provided emergency mapping assistance for Cyclone Tracy.
Marking the 100th anniversary of the formation of the Royal Australian Survey Corps, on 1 July 2015, the Governor-General, the Hon. Sir Peter Cosgrove AK, MC, spoke at a ceremony at the Australian War Memorial. Perhaps the most powerful words said of the importance of the work are those shared by the Governor-General when reflecting on the comments of the Prussian King Frederick the Great, who said:

Knowledge of the country is to a general what a rifle is to an infantryman …

Tonight I honour the legacy and sacrifice of nine fine men by reading their names into the Hansard this evening: Frederick Walter Bangay, enlisted 29 August 1940, discharged 22 February 1941, thank you for your service; Lionel Christopher Markey, enlisted 4 October 1940, discharged 18 April 1942; thank you for your service; Robert James Caswell, enlisted 1 July 1958, discharged 14 September 1965, thank you for your service; Lionel Bernard Sprenger MBE, enlisted 10 June 1940, discharged 5 December 1970, thank you for your service; Rodney Evan Bechaz, enlisted 4 February 1970, discharged 1 Feb 1975, thank you for your service; Paul Thomas Collins, enlisted 4 May 1976, discharged 18 February 1978, thank you for your service; Kenneth Kinneir, enlisted 27 July 1977, discharged 15 April 1979, thank you for your service; Pantaleo Avino, enlisted 20 November 1982, discharged 28 February 1992, thank you for your service; and Peter John Crabbe, enlisted 10 July 1982, discharged 18 November 2014, thank you for your service. I commend the Royal Australian Survey Corps Association for honouring the legacy of others and championing their cause and their right for recognition.

Income Tax

Senator WATT (Queensland) (21:56): This week I suspect that overall the time in this chamber is mostly going to be spent debating various different proposals around tax cuts. I thought it was important to take the opportunity, before that debate gets underway, to highlight the very real impacts that the different proposals around tax cuts would have on a number of areas, particularly in regional Queensland. It is something that I have spent quite a bit of time on over the last couple of weeks, getting out and around regional Queensland and highlighting the very different impacts that the government's proposals on tax cuts will have depending on whether you live in regional Queensland or in one of Australia's big cities, particularly in wealthier suburbs. It won't surprise people who have followed the actions of this government over the last couple of years that, in line with what they have done on school funding, health funding, penalty rates and a whole range of other issues, this government with tax cuts is yet again taking the opportunity to push ahead high-income earners, particularly in urban parts of Australia, at the expense of regional Australians and regional Queenslanders in particular.

When you look at the government's tax plan in overall terms and roll it out across all electorates, particularly stage 3 of its tax cuts, which would see someone earning $200,000 a year pay the same rate of tax as someone earning $50,000 a year, you see that it very much discriminates against poorer electorates or even electorates dominated by middle-income earners, let alone working-class or poorer people in our communities. On top of that, it gives the biggest tax cuts to the wealthiest electorates around Australia, which I would argue in many cases don't need a leg-up from the government.

When you look at data released by the independent Australia Institute over the last week, you will find that three of the 10 electorates in Australia that will benefit least from, get a
below-average tax cut from and be worst impacted by the government's proposed plan are in Queensland: the electorate of Hinkler, centred around Bundaberg and the Fraser Coast; the electorate of Wide Bay, also on the Fraser Coast; and the electorate of Longman, on Brisbane's northern outskirts around Caboolture. In fact Hinkler is the electorate which will get the second worst deal in the country from the government's proposals. Voters in the electorate of Hinkler will receive 71 per cent of the average benefit going to every household across Australia. Put another way, if you think about the government providing a dollar in tax cuts to an average household somewhere in Australia, a household in Hinkler in Queensland will only get 71c for that dollar that is going to an average household.

If you look at regional Queensland as a whole, all the federal electorates in regional Queensland will get a below-average tax cut from this government's proposals. In fact, every single electorate that is held in Queensland by a National Party aligned member of parliament will get a below-average tax cut. The electorates of Hinkler, Wide Bay, Maranoa, Capricornia, Flynn and Dawson—every single one of those electorates is held by a National Party aligned member of parliament and every single one of those electorates is going to get a tax cut below the national average from the government's proposals. Despite that, every single one of those National Party aligned members has actually voted for these tax cuts. They have voted to give their own voters a below-average tax cut, all to help other people.

Who does it actually help? The electorate in the country that will most benefit from these tax cuts is not in regional Queensland. It's not in Caboolture. It's not on the northern outskirts of Brisbane. It's not on the suburban fringes of any of our big cities. It's of course the Prime Minister's own electorate of Wentworth, the wealthy harbourside electorate in Sydney, which will get 192 per cent of the average tax cut going to households across Australia. Nearly double the national average tax cut is going to go to the Prime Minister's own voters in the electorate of Wentworth. Who is paying for it? It is those regional Queenslanders in electorates represented by the National Party, who are being let down yet again by their members of parliament who come down to Canberra, get their instructions from the Prime Minister and his Liberal Party mates and sell out their own voters back in regional Queensland. We have seen them do it over and over again on service cuts, with money cut by this government to regional hospitals, regional schools, regional TAFEs, apprenticeships in our regions and pensions to regional Queenslanders.

Time and time again this government has got its hand in the pocket of regional Queensland, ripping money out, all to shovel it to big business and banks in the form of a big tax cut and now to high-income earners as well. Over and over again, we have National Party aligned members of parliament in regional Queensland vote against the interests of their constituents to rip them off and rip billions of dollars out of their schools, hospitals, TAFEs and training to prop up tax cuts to the top end of town. They are about to do it again in backing in tax cuts for high-income earners in electorates such as the Prime Minister's own in Sydney. When will these National Party MPs actually start to stand up for their electorates and say: 'Enough is enough. We're not going to keep backing in these Liberal Party demands to help out their constituents. We are actually going to stand up for our own people. We are actually going to demand a fair tax cut for our residents, who are mostly low- and middle-income earners. We are going to demand better funding for our schools, hospitals, TAFEs and
pensioners. We've had enough of cuts in our areas to provide bigger tax cuts to big business and high-income earners, particularly in Sydney and Melbourne?

There is a plan that's available for these National Party MPs to vote for which actually would advantage voters in their own electorates, and that is the plan Labor is putting forward. Labor will be moving amendments which would see everyone earning under $125,000 a year, which does include most people in regional Queensland, be better off. In every one of those electorates that I named, all of those National Party electorates in Queensland, between 70 per cent and 75 per cent of taxpayers would be better off and get a better tax cut under Labor's plan than what their own National Party MPs have already voted for. But it's not too late. This week, these National Party MPs have the opportunity to make amends by getting their National Party senators here in this place to vote for Labor's amendments, to split the bill and to make sure the tax cuts do go ahead for low- and middle-income earners, particularly in regional Queensland. Let's stop this nonsense about giving massive tax cuts to the ultrawealthy in Sydney and Melbourne.

This debate we are going to be having this week on these tax cuts provides a test for another group in this parliament as well, and that is the remaining One Nation senators. There are only two left. We know from the events over the last couple of weeks that they are coming apart at the seams. They have lost senator after senator after senator. They as a political party are barely existing. They have a massive credibility issue hanging over their heads as we enter this week talking about tax cuts.

I've obviously been at pains to explain to the Australian people the number of times that One Nation senators have sold out battlers, particularly in Queensland, by supporting the government on penalty rate cuts, on cuts to pensions, on cuts to apprenticeships—on cuts to a whole range of things. But this is probably the biggest test that the One Nation senators have yet faced in this chamber. They are going to have to make a decision this week about whether they are going to back in the government's plans to deliver tax cuts to high-income earners, particularly in Sydney and Melbourne, and to back in tax cuts for big business, in particular the big banks, at the expense of working people and battlers back in regional Queensland. We will know once and for all which side Senator Hanson and Senator Georgiou, the remaining two One Nation senators, are on. Are they on the side of battlers, or are they actually on the side of billionaires down in the Prime Minister's own electorate of Wentworth?

This will be a very important test for them, especially as we run up to the Longman by-election, where One Nation are standing a candidate. Not only will they be tested this week about how they are going to vote on this tax legislation but they're also going to be tested when it comes to deciding where they're going to allocate their preferences for this by-election. If One Nation, as they so often do, direct their preferences to the LNP in Longman, what they are effectively saying is that they are going to support another government member who will come in here and continue to support tax cuts for big business, tax cuts for high-income earners and cuts to services that battlers depend upon. If, on the other hand, One Nation decide to leave their preferences open and leave it to voters to make their own decision, that is a matter then for voters to decide. One Nation have got to decide: are they for battlers or billionaires? Are they for the LNP or Independents? (Time expired)
South Africa: Human Rights

Senator ANNING (Queensland) (22:06): This is not my first speech. Appallingly, we’ve heard a deafening silence from the vast majority when it comes to the dire situation that white South African farmers face. While there have been a courageous few who have stepped up and spoken out on the issue, media attention has seemingly fallen by the wayside. It is easy to sympathise with the friends and families of murdered South African farmers when they take to the streets in their thousands. However, it is just as easy to forget the issue when the horrific images fade from our television screens. As recently as yesterday, South African farmers were being murdered. A woman was shot multiple times, barely surviving, while her husband, unfortunately, did not. Debbie Turner, a South African farmer's wife, gives another example of the brutal reality South African farmers face every day: 'They beat him with a pole. You could hear his bones break.' Debbie described the brutal murder of her husband, Robert Turner.

The rank-and-file members of the Liberal Party can see the importance of the issue, introducing a motion to give preferential treatment to South African minorities targeted by hate crimes. The flames of hate are being fanned by the very people who are meant to protect them. 'Shoot the Boer; kill the farmer,' confirmed as words of hate by the South Gauteng High Court, are being sung by elected representatives calling for the murder of whites. And, while some say that farm murders are decreasing, the number of targeted attacks have increased year on year. South African farmers are at the top of the scale, according to expatriate support groups. Farmers are four times more likely to be murdered than the rest of the South African population, yet where is the outrage from those who advocate for the protection of minorities?

White South Africans are being targeted, murdered in their homes or robbed in the street. They are a minority and are being subjected to state-sanctioned persecution, yet leaders around the world have been silent on these issues. Why? It is for the same reason that they are being targeted: because of their race. The ruling party has stated: The ANC unequivocally supports the principle of land expropriation without compensation. We've heard that before. Remember the slaughter of the white farmers in Rhodesia after the homicidal Robert Mugabe took power? Is this ongoing crisis not reminiscent of that time? Have we not learnt from the past? Australia needs to stretch its arms across the sea and embrace our brother frontier nation to offer sanctuary to our fellow European Christians.

Of course, after the black radicals killed or drove off the white farmers in Rhodesia, the crops withered in the field and turned to dust. They looked to South African farmers for assistance. It seems that the radicals in Africa have very short memories. If the South African Communist Party and its ilk have their way whites will be killed en masse for no other reason than their race. We have a word for that—genocide.

I've highlighted this before: it's time the Australian government stepped in and saved white South Africans before it is too late. It's time they listened to the rank and file members of their party and it's time they listened to their constituents.

I reiterate my strong support for Minister Dutton's call for prioritising persecuted white South African refugees. I continue to receive ongoing cries for help on a daily basis. The show of support from my Queensland constituents has hardened my resolve. I put it on record and say again today that we need to do more. The Australian government needs to find a
solution to what should be considered a humanitarian crisis. The solution is to bring them here. Unlike the Muslim fake refugees, much loved by the Greens and company, who come here to live in public housing and collect welfare, white South African immigrants to Australia have a strong record of self-reliance, integration into the community, working hard and paying taxes. We need, as a matter of urgency, to let white South African refugees come here before black radicals and South African communists finish their plans of genocide.

**Motorsport**

_Senator BUSHBY_ (Tasmania—Chief Government Whip in the Senate) (22:11): You may be aware that I have spoken in this place before about the widespread participation in and the positive impact of motorsport across Australia. Every week many thousands of Australians participate, officiate or volunteer at grassroots events right across our country, often involving families and bringing communities together. I have also spoken in this place about motorsport at the elite level, celebrating the extraordinary contribution of Sir Jack Brabham, following his passing, and to acknowledge the maiden win of current Formula One driver Daniel Ricciardo.

The events of the weekend just gone, 26 May and 27 May, prompt me to again rise in this place to speak on motorsport. On that weekend, three Australians participated in, and won, in three different categories of motor racing against the best the world can offer. I would like to take this opportunity to extend my sincere congratulations to each of them. Possibly the most high-profile of these wins was the win by Daniel Ricciardo at the 2018 Monaco Grand Prix. For anyone unfamiliar with the Monaco Grand Prix, it takes place on the streets through Monte Carlo and is characterised by sharp turns and numerous chicanes, and is a notoriously difficult course on which to overtake other drivers. It is also one of the highest profile races on the F1 circuit and one of the most challenging.

On this circuit, Daniel earned a pole position with the fastest lap of qualifying and then went on to hold the lead from start to finish. What makes this win even more remarkable is that around 28 laps in, or just over one-third of the way through the race, he suffered a major mechanical issue causing him to lose around 160 horsepower—almost 25 per cent of his power—while also sending his rear brake temperatures through the roof. Yet, despite this challenge, which would normally be expected to completely put him out of contention, Daniel went on to win from Sebastian Vettel with a winning margin of 7.3 seconds. This feat has prompted many observations about his skill, including a comparison from his team boss, Christian Horner, to a similar feat by F1 great Michael Schumacher. He said, ‘You’ve done an amazing job that is right up there with what Schumacher did in 1995.’

News Limited, reporting on the win, noted:

He has been operating as one of the elite - absolutely of comparable calibre to Hamilton, Alonso and Vettel - for years. But the perception outside of the paddock has yet to catch up with that reality. Because only results are recognised and he's not been in a car sufficiently competitive to rubber stamp what is glaringly obvious close-up.

At Monaco a few weeks ago, Daniel proved that even with a patently uncompetitive broken car his skill can still deliver results.

On the same weekend, Will Power became the first Australian to win the Indianapolis 500. I venture to suggest that Will is less well-known across Australia than Daniel Ricciardo but
his achievement is no less extraordinary. Will took first place from pole position in the 85 lap race at the Indianapolis Motor Speedway.

Some may be unfamiliar with the difference between Formula One, which has its roots in Europe, and the US based IndyCar. At its heart the difference is that every driver in IndyCar drives the same car produced to the same specifications and in Formula One each vehicle is constructed separately by different manufacturers to comply with a set of rules, each seeking to maximise an advantage within those rules. F1 competition takes place between teams, or constructors, as well as between drivers.

Will Power, driving for IndyCar Team Penske, delivered a victory that spoke very strongly of his skill as a driver in a race which saw him overcome some of the most talented drivers in the sport, including one of America's most successful female drivers, Danica Patrick. Will, who hails from Toowoomba, started his racing career in a Datsun 1200 and in 1999 started racing a seven-year-old Swift Formula Ford. He worked his way up through various racing formats in Australia and then Europe and represented Australia in the now-defunct A1 Grand Prix series.

In 2007 he started his racing career in the US and in 2010 joined Penske as a full-time driver, winning five races, scoring a record eight pole positions and finishing second in the championship that year. Since then he has won a further 25 races, a championship and many close seconds in the championship. His driving skills are better known and recognised in the US than they are in Australia, but his achievements are undoubtedly ones that all Australians should be proud of.

The third driver who enjoyed success on the weekend of 26 and 27 May is—as a Tasmanian—one close to my heart. Eighteen-year-old Hobart driver Alex Peroni achieved a first place and a second place in the two Formula Renault Eurocup championship support races at the Monaco F1. I've spoken about Alex before and how this young driver demonstrates all that is required to be Australia's next Formula One driver, continuing the long, prestigious and extraordinarily gifted lineage of Australian talent in this arena. When I spoke to the Senate about Mr Peroni in 2016 I noted the unusual juxtaposition of him being one of the world's most promising drivers in Formula 4, as he was then, yet as a learner driver not being able to drive on Tasmanian roads without being accompanied by one of his parents or another fully licensed driver.

In his win at Monaco last month Alex started from pole position and finished ahead of French rival Charles Milesi by 4.3 seconds. Whilst a short amount of time to us, 4.3 seconds is a significant margin by which to win in this sport, particularly at Monaco, and the biggest winning margin of the Eurocup races in 2018 so far. To go from his debut Eurocup season in 2017 to placing first in one of the most challenging circuits in motorsport in 2018 speaks to not only Alex's natural skill but also the fortitude and hard work which he puts into honing his talents.

What many do not fully appreciate is the personal financial challenge needed to make your way in motorsport at this level. Alex has had to raise his own funds to buy into his racing teams, to run his cars, to buy practice tyres, to travel and to live away from home. The costs of competing are immense. Alex's budget for 2018 was $600,000. He has an incredibly hardworking and selfless team supporting him in this regard—many from Tasmania—and
some fantastic sponsors who have helped him get this far, including iconic Tasmanian bootmaker Blundstone and the Royal Automobile Club of Tasmania.

Many individual Tasmanians, including me, have also played a role, providing small donations to help Alex achieve his potential. Alex's personality makes it easier, though. He stays in contact with his team, builds strong relationships with the mechanics, the engineers, his teammates and his supporters, and entirely immerses himself in the processes that make him and his team such a success. I wish him well and will continue to do what I can to support him to ensure that his talent is fully developed and recognised.

The achievements of these three very different racers at very different stages of their careers, particularly what they achieved on this one weekend in late May, highlight how Australians with talent can compete and win on the world stage against the world's best. Congratulations to each of them.

Senate adjourned at 22:19

DOCUMENTS

Tabling

The following documents were tabled by the Clerk pursuant to statute:

[Legislative instruments are identified by a Federal Register of Legislation (FRL) number. An explanatory statement is tabled with an instrument unless otherwise indicated by an asterisk.]

A New Tax System (Goods and Services Tax) Act 1999—
Aged Care Act 1997—Complaints Amendment (Other Functions) Principles 2018 [F2018L00668].
Australian Charities and Not-for-profits Commission (Consequential and Transitional) Act 2012—
Australian Charities and Not-for-profits Commission (Consequential and Transitional) Amendment (Reporting) Regulations 2018 [F2018L00604].
Australian Citizenship Act 2007—Australian Citizenship Amendment (Concessional Application Fees) Regulations 2018 [F2018L00734].
Australian Prudential Regulation Authority Act 1998—
Australian Prudential Regulation Authority (Commonwealth Costs) Determination 2017 (Revised) [F2018L00603].
Australian Prudential Regulation Authority (confidentiality) determination No. 1 of 2018 [F2018L00765].
Australian Prudential Regulation Authority instrument fixing charges No. 1 of 2018 [F2018L00654].
Australian Prudential Regulation Authority Instrument fixing charges No. 2 of 2018 [F2018L00770].
Australian Prudential Regulation Authority Instrument fixing charges No. 3 of 2018 [F2018L00755].
Australian Prudential Regulation Authority Instrument fixing charges No. 4 of 2018 [F2018L00753].
Australian Prudential Regulation Authority Instrument fixing charges No. 5 of 2018 [F2018L00769].
Australian Research Council Act 2001—
Approval of ARC 2017 Linkage Projects for funding commencing in 2018—Determination No. 175.
Approval of ARC 2017 Supporting Responses to Commonwealth Science Council Priorities for funding commencing in 2018—Determination No. 174.
Banking Act 1959—Banking Executive Accountability Regime (Size of an Authorised Deposit-taking Institution) Determination 2018 [F2018L00651].
Broadcasting Services Act 1992—
Variation to Licence Area Plan – Atherton Radio – 2018 (No. 1) [F2018L00716].
Variation to Licence Area Plan – Cairns Radio – 2018 (No. 1) [F2018L00729].
Charter of the United Nations Act 1945—
Charter of the United Nations (UN Sanction Enforcement Law) Amendment Declaration 2018 (No. 1) [F2018L00701].
Civil Aviation Act 1988—
Civil Aviation Amendment (Fuel and Oil Requirements) Regulations 2018 [F2018L00599].
Civil Aviation Regulations 1988—Civil Aviation (Fuel Requirements) Instrument 2018—CASA 29/18 [F2018L00644].
Civil Aviation Safety Regulations 1998—
Flight in Certain Ultralight Aeroplanes in Rockhampton Class D Airspace (Peace Aviation) Exemption 2018—CASA EX55/18 [F2018L00647].
Operation of Aircraft with Defect Beyond Designated Rectification Interval Exemption 2018—CASA EX64/18 [F2018L00673].
Part 66 Manual of Standards Amendment Instrument 2018 (No. 1) [F2018L00640].
Prescription of Type Ratings Excluded from CASR Part 142 Flight Training (Edition 6) Instrument 2018 [F2018L00715].


Wing Strut and Wing Strut Fittings – Inspection and Replacement—AD/GA/8/9 [F2018L00662].

Commissioner of Taxation—Public Rulings—


Goods and Services Tax Determinations—Addenda GSTD 2011/1 and GSTD 2012/5.


Luxury Car Tax Determination LCTD 2018/1.

Product Rulings—

Addendum—PR 2015/3 and PR 2017/2.

PR 2018/5.

Self Managed Superannuation Funds Determinations—Notices of Withdrawals—SMSFD 2013/2 and SMSFD 2014/1.

Taxation Determinations—


Commonwealth Electoral Act 1918—Electoral and Referendum Amendment (Eligibility) Regulations 2018 [F2018L00669].

Competition and Consumer Act 2010—


Corporations Act 2001—


ASIC Corporations (Amendment) Instrument 2018/3 [F2018L00671].

ASIC Corporations (Amendment) Instrument 2018/473 [F2018L00708].


ASIC Financial Benchmark (Compelled) Rules 2018 [F2018L00723].

ASIC Market Integrity Rules (Securities Markets) 2017—


Corporations Amendment (Client Money Reporting Rules Enforcement Powers) Regulations 2018 [F2018L00743].

Criminal Code Act 1995—


Defence Act 1903—

Defence Determination, Conditions of Service Amendment (Aviation – increment placement, progression and transfer) Determination 2018 (No. 21) [F2018L00665].

Defence Determination, Conditions of Service Amendment (Benchmark Schools – Germany) Determination 2018 (No. 24) [F2018L00687].

Defence Determination, Conditions of Service Amendment (Leave) Determination 2018 (No. 22) [F2018L00666].

Defence Determination, Conditions of Service Amendment (Recreation leave) Determination 2018 (No. 23) [F2018L00691].

Defence Determination, Conditions of Service Amendment (Removals and storage) Determination 2018 (No. 25) [F2018L00758].

Defence Determination, Conditions of Service Amendment (Salary non-reduction) Determination 2018 (No. 20) [F2018L00601].

Defence Honours and Awards Appeals Tribunal Amendment Procedural Rule (No. 1) 2018 [F2018L00637].


Section 58H—Salaries — Officer Aviation Pay Structure — amendment—Defence Force Remuneration Tribunal Determination No. 3 of 2018.

Woomera Prohibited Area Rule 2014—Determination of Exclusion Periods for Amber Zone 1 and Amber Zone 2 for Financial Year 2017-2018 Amendment No. 4 [F2018L00595].


Defence Home Ownership Assistance Scheme Act 2008—Defence Home Ownership Assistance Scheme (Average House Price and Median Interest Rate) Determination 2018 [F2018L00760].

Environment Protection and Biodiversity Conservation Act 1999—

Amendment of List of Exempt Native Specimens – Australia's High Seas Permits, May 2018—EPBC303DC/SFS/2018/05 [F2018L00617].

Amendment of List of Exempt Native Specimens – South Australian Beach cast Marine Algae Fishery, May 2018—EPBC303DC/SFS/2018/01 [F2018L00618].


Amendment of List of Exempt Native Specimens – Take of Scallops, Sea Urchin, Turban Shell and Specimen Shells in the South Australian Miscellaneous Fishery, May 2018—EPBC303DC/SFS/2017/10 [F2018L00667].
Amendment of List of Exempt Native Specimens – Western Australian Pilbara Fish Trawl Managed Fishery and Western Australian West Coast Rock Lobster Managed Fishery, May 2018—EPBC303DC/SFS/2018/06 [F2018L00658].

Amendment to the lists of threatened species, threatened ecological communities and key threatening processes under sections 178, 181 and 183 (205) (7 May 2018) [F2018L00597].

Norfolk Island National Park and Norfolk Island Botanic Garden Management Plan 2018-2028 [F2018L00619].


Federal Financial Relations Act 2009—

Federal Financial Relations (General Purpose Financial Assistance) Determination No. 109 (April 2018) [F2018L00653].

Federal Financial Relations (General Purpose Financial Assistance) Determination No. 110 (May 2018) [F2018L00726].


Financial Framework (Supplementary Powers) Act 1997—


Financial Framework (Supplementary Powers) Amendment (Social Services Measures No. 2) Regulations 2018 [F2018L00607].


Food Standards Australia New Zealand Act 1991—

Food Standards (Application A1142 – Addition of Prescribed Method of Analysis for Resistant Starch) Variation [F2018L00655].

Food Standards (Application A1147 – Food derived from Herbicide-tolerant Cotton line GHB811) Variation [F2018L00652].

Health Insurance Act 1973—

Health Insurance (General Medical Services Table) Regulations 2018 [F2018L00766].


Health Insurance (Section 3C – Cataract and Optometric Services) Amendment Determination 2018 [F2018L00767].

Health Insurance (Section 3C General Medical Services – Additional item for reversal of a bariatric procedure) Revocation Determination 2018 [F2018L00731].

Health Insurance (Section 3C General Medical Services – Mechanical Thrombectomy) Revocation Determination 2018 [F2018L00730].

Health Insurance (Section 3C General Medical Services—Transvaginal repair of pelvic organ prolapse and procedures for the excision of graft material) Determination 2018 [F2018L00719].
Health Insurance (Section 3C Pathology Services—Cystic fibrosis gene testing) Determination 2018 [F2018L00757].

Higher Education Support Act 2003—Higher Education Support (Maximum Payments for Other Grants) Amendment Determination (No. 1) 2018 [F2018L00712].

Insurance Act 1973—
Insurance (prudential standard) determination No. 2 of 2018 – Prudential Standard GPS 001 Definitions [F2018L00747].


Legislation Act 2003—

Legislation (Tobacco Instruments) Sunset-altering Declaration 2018 [F2018L00613].


Marine Safety (Domestic Commercial Vessel) National Law Act 2012—

Marine Order 503 (Certificates of survey — national law) 2018—AMSA MO 2018/8 [F2018L00751].

Marine Order 507 (Load line certificates — national law) 2018—AMSA MO 2018/7 [F2018L00764].

Marriage Act 1961—Marriage (Recognised Denominations) Amendment (New Denominations and Other Name Changes) Proclamation 2018 [F2018L00675].


Migration Act 1958—
Migration Amendment (Investor Retirement Visa) Regulations 2018 [F2018L00674].


Migration (IMMI 18/054: Fast Track Applicant Class) Instrument 2018—IMMI 18/054 [F2018L00683].


Motor Vehicle Standards Act 1989—


National Cancer Screening Register Act 2016—National Cancer Screening Register Amendment Rules 2018 [F2018L00702].


National Disability Insurance Scheme Act 2013—

National Disability Insurance Scheme Amendment (Specialist Disability Accommodation – Participating Jurisdictions) Rule 2018 [F2018L00626].


National Disability Insurance Scheme (Incident Management and Reportable Incidents) Rules 2018 [F2018L00633].

National Disability Insurance Scheme (NDIS Provider Definition) Rule 2018 [F2018L00628].

National Disability Insurance Scheme (Prescribed Program—Western Australia) Rules 2018 [F2018L00602].


National Disability Insurance Scheme (Provider Registration and Practice Standards) Rules 2018 [F2018L00631].


National Disability Insurance Scheme (Specialist Disability Accommodation Conditions) Rule 2018 [F2018L00627].


National Health Act 1953—

National Health Determination under paragraph 98C(1)(b) Amendment 2018 (No. 4)—PB 38 of 2018 [F2018L00690].

National Health (Efficient Funding of Chemotherapy) Special Arrangement Amendment Instrument 2018 (No. 5)—PB 41 of 2018 [F2018L00682].

National Health (Highly specialised drugs program) Special Arrangement Amendment Instrument 2018 (No. 4)—PB 40 of 2018 [F2018L00704].

National Health (Immunisation Program – Designated Vaccines) Variation Determination (No. 2) 2018 [F2018L00714].

National Health (Listed drugs on F1 or F2) Amendment Determination 2018 (No. 4)—PB 43 of 2018 [F2018L00693].


National Health (Originator Brand) Amendment Determination 2018 (No. 3)—PB 44 of 2018 [F2018L00696].


National Health (Pharmaceutical Benefits Scheme-Exempt items – Section 84AH) Amendment Determination 2018 (No. 1)—PB 45 of 2018 [F2018L00694].

National Health (Price and Special Patient Contribution) Amendment Determination 2018 (No. 4)—PB 37 of 2018 [F2018L00698].

National Health (Subsection 84C(7)) Amendment Determination 2018 (No. 1)—PB 47 of 2018 [F2018L00703].


Norfolk Island Act 1979—
Norfolk Island Applied Laws Amendment (Suspension) Ordinance 2018 [F2018L00695].

Norfolk Island Continued Laws Amendment (Child Welfare Officer) Ordinance 2018 [F2018L00745].

Norfolk Island Legislation Amendment (Fees) Ordinance 2018 [F2018L00697].

Parliamentary Business Resources Act 2017—


Parliamentary Business Resources Regulations 2017—Advice of decision to pay assistance—12 June 2018.


Primary Industries (Customs) Charges Act 1999—Primary Industries (Customs) Charges Amendment (Honey) Regulations 2018 [F2018L00686].

Primary Industries (Excise) Levies Act 1999—

Primary Industries (Excise) Levies Amendment (Agaricus Mushrooms) Regulations 2018 [F2018L00614].

Primary Industries (Excise) Levies Amendment (Honey) Regulations 2018 [F2018L00689].

Primary Industries Levies and Charges Collection Act 1991—Primary Industries Levies and Charges Collection Amendment (Honey) Regulations 2018 [F2018L00680].

Primary Industries Research and Development Act 1989—Fisheries Research and Development Corporation Amendment (Fishing Levy) Regulations 2018 [F2018L00748].

Private Health Insurance Act 2007—

Private Health Insurance (Data Provision) Rules 2018 [F2018L00717].

Private Health Insurance (Health Insurance Business) Rules 2018 [F2018L00718].


Radiocommunications Act 1992—
Radiocommunications (Duration of Community Television Transmitter Licences) Determination 2018 [F2018L00710].
Radiocommunications (Spectrum Licence Tax) Act 1997—Radiocommunications (Spectrum Licence Tax) Amendment Determination 2018 (No. 1) [F2018L00720].

Remuneration Tribunal Act 1973—
Remuneration and Allowances for Holders of Public Office—Remuneration Tribunal Determination 2018/05 [F2018L00594].
Remuneration Tribunal (Members’ Fees and Allowances) Amendment Regulations 2018 [F2018L00706].


Social Security Act 1991—
Social Security (Parenting payment participation requirements – classes of persons) Instrument 2018 (No. 1) [F2018L00238]—Replacement explanatory statement.


Superannuation Act 1990—
Superannuation Amendment (PSS Trust Deed) Instrument 2018 [F2018L00707].


Superannuation (Self Managed Superannuation Funds) Supervisory Levy Imposition Act 1991—Superannuation (Self Managed Superannuation Funds) Supervisory Levy Imposition Regulations 2018 [F2018L00605].

Superannuation (Self Managed Superannuation Funds) Taxation Act 1987—Superannuation (Self Managed Superannuation Funds) Taxation Regulations 2018 [F2018L00606].

06/18.

Taxation Administration Act 1953—
Notice of Requirement for Parents with a Child Support Assessment to Lodge a Return for the Year of Income Ended 30 June 2018 [F2018L00622].
Notice of Requirement to Lodge a Return for the Year of Income Ended 30 June 2018 [F2018L00620].

Single Touch Payroll – Exemption for Employers Having a Seasonal Workforce [F2018L00711].

Treasury Laws Amendment (Reducing Pressure on Housing Affordability Measures No. 2) Regulations 2018 [F2018L00739].

Telecommunications Act 1997—
Telecommunications (Consumer Complaints) Record-Keeping Rules 2018 [F2018L00721].


Therapeutic Goods Act 1989—
Poisons Standard June 2018 [F2018L00625].

Therapeutic Goods (Biologics—Information that Must Accompany Application for Inclusion in Register) Determination 2018 [F2018L00638].

Therapeutic Goods (Complementary Medicines—Information that Must Accompany Application for Registration) Determination 2018 [F2018L00641].


Therapeutic Goods Legislation Amendment (Fees and Other Measures) Regulations 2018 [F2018L00759].

VET Student Loans Act 2016—VET Student Loans (Courses and Loan Caps) Amendment Determination (No. 2) 2018 [F2018L00623].

Veterans' Entitlements Act 1986—
Veterans' Entitlements (Expanded Access to Non-Liability Health Care for Mental Health Treatment) Amendment Determination (No. 2) 2018—2018 No. R60 [F2018L00749].


Tabling
The following documents were tabled pursuant to standing order 61(1)(b):

Documents presented by the President
1. Parliament House—30th anniversary of official opening—Message from Her Majesty Queen Elizabeth II, dated 9 May 2018, and letter from the Official Secretary to the Governor-General (Mr Fraser), dated 19 April 2018.

Documents in response to orders for the production of documents
2. Genetic Control of Invasive Rodents Program—Commonwealth Scientific and Industrial Research Organisation involvement—Order agreed to on 10 May 2018—Letter to the President of the Senate from the Assistant Minister for Science, Jobs and Innovation (Senator Seselja), dated 1 June 2018, responding to the order, and attachments. [Received 4 June 2018]

Murray-Darling Basin Authority—
3. Order agreed to on 13 February 2018—Letter to the President of the Senate from the Minister for Resources and Northern Australia (Senator Canavan), dated 21 May 2018, responding to the order, and attachments. [Received 22 May 2018]

4. Adjustment mechanism projects—Order agreed to on 9 May 2018—Letter to the President of the Senate from the Minister for Resources and Northern Australia (Senator Canavan) responding to the order, and attachment. [Received 4 June 2018]

5. National Broadband Network—Order agreed to on 9 May 2018—Letter to the President of the Senate from the Minister for Communications (Senator Fifield), dated 10 May 2018, responding to the order. [Received 14 May 2018]

**Auditor-General's reports for 2017-18**

6. No. 38—Performance audit—Mitigating insider threats through personnel security: Across entities. [Received 11 May 2018]

7. No. 39—Performance audit—Naval construction programs—Mobilisation: Department of Defence. [Received 14 May 2018]

8. No. 40—Assurance review—Achieving value for money from the Fair Entitlements Guarantee Recovery Program: Department of Jobs and Small Business. [Received 15 May 2018]


10. No. 42—Performance audit—Effectiveness of monitoring and payment arrangements under National Partnership Agreements: Across entities.


12. No. 44—Performance audit—Defence's management of sustainment products—Health materiel and combat rations: Department of Defence.

13. No. 45—Performance audit—The integration of the Department of Immigration and Border Protection and the Australian Customs and Border Protection Service: Department of Home Affairs. [Received 6 June 2018]

14. No. 46—Performance audit—Management of the national collections: Australian War Memorial; National Gallery of Australia. [Received 13 June 2018]

15. No. 47—Financial statement audit—Interim report on key financial controls of major entities: Across entities. [Received 14 June 2018]

**Government documents**


17. Clean Energy Regulator—Renewable Energy Target administrative report for 2017. [Received 12 June 2018]

18. Enterprise Tax Plan—Answer to question—Letter to the President of the Senate from the Minister for Finance (Senator Cormann), dated 29 May 2018, providing information concerning a question without notice asked by Senator Keneally on 10 May 2018. [Received 30 May 2018]

19. Foreign Investment Review Board—Report for 2016-17. [Received 12 June 2018]


21. Institutional Responses to Child Sexual Abuse—Royal Commission—Australian Government Response. [Received 13 June 2018]

Migration Act 1958—Section 486O—Assessment of detention arrangements—
Commonwealth Ombudsman's reports—Reports for 2018—
25. No. 15.
26. No. 16.

Government responses to Commonwealth Ombudsman's reports for 2018—
27. No. 13, dated 7 June 2018.
30. No. 16, dated 7 June 2018.

Regional forest agreement between the Commonwealth of Australia and Victoria—

Responses to Senate resolutions

36. Schizophrenia Awareness Week—Resolution agreed to on 10 May 2018—Letter to the President of the Senate from the Western Australian Minister for Health; Mental Health (Mr Roger Cook), dated 1 June 2018.

Documents pursuant to continuing orders

37. Departmental and agency appointments and vacancies—Budget estimates 2018-19—Letters of advice pursuant to the order of the Senate of 24 June 2008—
Defence portfolio. [Received 17 May 2018]
Department of the Prime Minister and Cabinet. [Received 14 May 2018]
Department of the Prime Minister and Cabinet (Indigenous Affairs Group). [Received 15 May 2018]
Department of the Prime Minister and Cabinet (Office for Women). [Received 15 May 2018]
Department of Veterans' Affairs. [Received 14 May 2018]
Education and Training portfolio. [Received 14 May 2018]
Foreign Affairs and Trade portfolio. [Received 15 May 2018]
Health portfolio. [Received 11 May 2018]
Home Affairs portfolio. [Received 11 May 2018]
Infrastructure, Regional Development and Cities portfolio. [Received 14 May 2018]
Industry, Innovation and Science portfolio (including Resources and Northern Australia). [Received 14 May 2018]
Jobs and Innovation portfolio (Jobs and Small Business). [Received 23 May 2018]
Social Services portfolio. [Received 17 May 2018]
Treasury portfolio. [Received 11 May 2018]
38. Departmental and agency grants—Budget estimates 2018-19—Letter of advice pursuant to the order of the Senate of 24 June 2008—
Agriculture and Water Resources portfolio. [Received 30 May 2018]
Australian Research Council. [Received 14 May 2018]
Attorney-General's portfolio. [Received 11 May 2018]
Cancer Australia. [Received 11 May 2018]
Defence portfolio. [Received 17 May 2018]
Department of Communications and the Arts. [Received 14 May 2018]
Department of Education and Training. [Received 14 May 2018]
Department of Health. [Received 11 May 2018]
Department of Infrastructure, Regional Development and Cities. [Received 14 May 2018]
Department of Jobs and Small Business. [Received 14 May 2018]
Department of the Prime Minister and Cabinet. [Received 14 May 2018]
Department of the Prime Minister and Cabinet (Indigenous Affairs Group). [Received 15 May 2018]
Department of the Prime Minister and Cabinet (Office for Women). [Received 15 May 2018]
Department of Veterans' Affairs. [Received 14 May 2018]
Environment and Energy portfolio. [Received 14 May 2018]
Foreign Affairs and Trade portfolio. [Received 15 May 2018]
Home Affairs portfolio. [Received 11 May 2018]
National Health and Medical Research Council. [Received 11 May 2018]
National Mental Health Commission. [Received 11 May 2018]
Social Services portfolio. [Received 17 May 2018]
Treasury portfolio. [Received 11 May 2018]
39. Unanswered questions on notice—Additional estimates 2017-18—Statements pursuant to the order of the Senate of 25 June 2014—
Agriculture and Water Resources portfolio. [Received 15 May 2018]
Department of Defence. [Received 17 May 2018]
Department of Foreign Affairs and Trade. [Received 14 May 2018]
Department of Veterans' Affairs. [Received 11 May 2018]
Digital Transformation Agency. [Received 14 May 2018]
Education and Training portfolio. [Received 14 May 2018]
Health portfolio. [Received 25 May 2018]
Home Affairs portfolio. [Received 11 May 2018]
Industry, Innovation and Science portfolio (including Resources and Northern Australia). [Received 14 May 2018]
Infrastructure, Regional Development and Cities portfolio. [Received 11 May 2018]
Jobs and Small Business portfolio. [Received 11 May 2018]
Social Services portfolio. [Received 14 May 2018]
Treasury portfolio. [Received 29 May 2018]

Government responses to committee reports presented out of sitting
[responses will be recorded in the Journals of the Senate and available for consideration on Tuesday under standing order 62(4)]
41. Community Affairs References Committee—Report—Future of rugby union in Australia—Government response, dated May 2018. [Received 17 May 2018]
42. Rural and Regional Affairs and Transport References Committee—Report—Biosecurity risks associated with the importation of seafood and seafood products (including uncooked prawns and uncooked prawn meat) into Australia—Government response, dated May 2018. [Received 25 May 2018]

Committee reports presented out of sitting
[reports will be recorded in the Journals of the Senate and available for consideration on Tuesday under standing order 62(4)]
Economics References Committee—
43. Commitment to the Senate issued by the Business Council of Australia—Interim report, dated May 2018. [Received 31 May 2018]
44. Corporate tax avoidance – Part 3: Much heat, little light so far—Report, dated May 2018, Hansard record of proceedings, documents presented to the committee, additional information and submissions. [Received 30 May 2018]
46. Environment and Communications References Committee—Waste and recycling industry in Australia—Progress report, dated 12 June 2018. [Received 12 June 2018]
Foreign Affairs, Defence and Trade References Committee—
47. Impact of Defence training activities and facilities on rural and regional communities—Final report, dated May 2018, Hansard record of proceedings, documents presented to the committee, additional information and submissions. [Received 11 May 2018]
48. Implications of climate change for Australia's national security—Report, dated May 2018, Hansard record of proceedings, additional information and submissions. [Received 17 May 2018]
Intelligence and Security—Joint Statutory Committee—Advisory reports, dated June 2018—
49. Counter-Terrorism Legislation Amendment Bill (No. 1) 2018—Advisory report, dated June 2018. [Received 7 June 2018]
50. National Security Legislation Amendment (Espionage and Foreign Interference) Bill 2017—Advisory report, dated June 2018. [Received 7 June 2018]
51. Political Influence of Donations—Select Committee—Report, dated June 2018, Hansard record of proceedings, documents presented to the committee, additional information and submissions. [Received 6 June 2018]

Committee reports pursuant to reference from the Selection of Bills Committee or pursuant to the order of the Senate of 9 May 2018 presented out of sitting
[committee reports relating to the consideration of bills—not available for consideration]

Community Affairs Legislation Committee—

52. Health Insurance (Approved Pathology Specimen Collection Centres) Tax Amendment Bill 2018 [Provisions] and Health Legislation Amendment (Improved Medicare Compliance and Other Measures) Bill 2018 [Provisions]—Committee has determined by unanimous decision that there are no substantive matters that require examination—Report, dated 5 June 2018. [Received 5 June 2018]


54. Social Services Legislation Amendment (Encouraging Self-sufficiency for Newly Arrived Migrants) Bill 2018 [Provisions]—Progress reports [3], dated 18 and 25 May and 15 June 2018. [Received 18 and 25 May and 15 June 2018]

Economics Legislation Committee—

55. National Consumer Credit Protection Amendment (Mandatory Comprehensive Credit Reporting) Bill 2018 [Provisions]—

Progress report, dated 22 May 2018. [Received 23 May 2018]

Report, dated June 2018, Hansard record of proceedings, document presented to the committee, additional information and submissions. [Received 5 June 2018]

56. Treasury Laws Amendment (2018 Measures No. 4) Bill 2018 [Provisions]—Report, dated June 2018, Hansard record of proceedings, documents presented to the committee, additional information and submissions. [Received 13 June 2018]

57. Treasury Laws Amendment (Accelerated Depreciation for Small Business Entities) Bill 2018 [Provisions]—Committee has determined by unanimous decision that there are no substantive matters that require examination—Report, dated 29 May 2018. [Received 30 May 2018]


59. Legal and Constitutional Affairs Legislation Committee—Migration Amendment (Clarification of Jurisdiction) Bill 2018 [Provisions]—

Report, dated June 2018, and submissions. [Received 5 June 2018]

Dissenting report from Opposition senators. [Received 6 June 2018]

Rural and Regional Affairs and Transport Legislation Committee—Reports, dated June 2018—

60. Primary Industries Levies and Charges Collection Amendment Bill 2018 [Provisions], and submissions. [Received 13 June 2018]

61. Water Amendment Bill 2018 [Provisions], and submissions. [Received 12 June 2018]