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the Senate and committee hearings are available at

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SITTING DAYS—2014

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

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

Governor-General

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

Senate Office holders

President—Senator Hon. Stephen Parry

Deputy President and Chair of Committees—Senator Gavin Mark Marshall

Temporary Chairs of Committees—Senators Christopher John Back, Cory Bernardi, Sam Dastyari, Sean Edwards, Alexander McEachian Gallacher, Susan Lines, Deborah Mary O’Neill, Nova Maree Peris AOM, Dean Anthony Smith, Zdenko Matthew Seselja, Glenn Sterle and Peter Stuart Whish-Wilson

Leader of the Government in the Senate—Senator Hon. Eric Abetz

Deputy Leader of the Government in the Senate—Senator Hon. George Henry Brandis QC

Leader of the Opposition in the Senate—Senator the Hon Stephen Conroy

Manager of Government Business in the Senate—Senator Hon. Mitchell Peter Fifield

Manager of Opposition Business in the Senate—Senator Claire Moore

Senate Party Leaders and Whips

Leader of the Liberal Party in the Senate—Senator Hon. Eric Abetz

Deputy Leader of the Liberal Party in the Senate—Senator Hon. George Henry Brandis QC

Leader of The Nationals in the Senate—Senator Hon. Nigel Scullion

Deputy Leader of The Nationals in the Senate—Senator Hon. Fiona Nash

Leader of the Opposition in the Senate—Senator the Hon Penny Wong

Deputy Leader of the Opposition in the Senate—Senator the Hon Stephen Conroy

Leader of the Australian Greens—Senator Christine Anne Milne

Leader of the Palmer United Party—Senator Glenn Patrick Lazarus

Deputy Leader of the Palmer United Party—Senator Jacqui Lambie

Chief Government Whip—Senator David Christopher Bushby

Deputy Government Whips—Senators David Julian Fawcett and Anne Sowerby Ruston

The Nationals Whip—Senator Barry James O'Sullivan

Chief Opposition Whip—Senator Anne McEwen

Deputy Opposition Whips—Senators Catryna Louise Bilyk and Anne Elizabeth Urquhart

Australian Greens Whip—Senator Rachel Siewert

Palmer United Party Whip—Senator Zhenya Wang

Deputy Palmer United Party Whip—Senator Jacqui Lambie

Printed by authority of the Senate
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<td>Back, Christopher John</td>
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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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<td>Peris, N. M.</td>
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(1) Chosen by the Parliament of New South Wales to fill a casual vacancy (vice R. Carr), pursuant to section 15 of the Constitution.

**PARTY ABBREVIATIONS**

AG—Australian Greens; ALP—Australian Labor Party;
AMEP—Australian Motoring Enthusiast Party; CLP—Country Liberal Party;
DLP—Democratic Labour Party; FFP—Family First Party; IND—Independent,
LDP—Liberal Democratic Party; LNP—Liberal National Party; LP—Liberal Party of Australia;
NATS—The Nationals; PUP—Palmer United Party
Heads of Parliamentary Departments

Clerk of the Senate—R Laing
Clerk of the House of Representatives—D Elder
Secretary, Department of Parliamentary Services—C Mills
Parliamentary Budget Officer—P Bowen
<table>
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<tbody>
<tr>
<td>Prime Minister</td>
<td>The Hon Tony Abbott MP</td>
</tr>
<tr>
<td>Minister for Indigenous Affairs</td>
<td>Senator the Hon Nigel Scullion</td>
</tr>
<tr>
<td>Minister for Infrastructure and Regional Development (Deputy Prime Minister)</td>
<td>The Hon Jamie Briggs MP</td>
</tr>
<tr>
<td>Minister for Infrastructure and Regional Development</td>
<td>The Hon Warren Truss MP</td>
</tr>
<tr>
<td>Minister for Foreign Affairs</td>
<td>The Hon Julie Bishop MP</td>
</tr>
<tr>
<td>Minister for Trade and Investment</td>
<td>The Hon Andrew Robb AO MP</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Minister for Foreign Affairs</td>
<td>Senator the Hon Brett Mason</td>
</tr>
<tr>
<td>Minister for Employment (Leader of the Government in the Senate)</td>
<td>Senator the Hon Eric Abetz</td>
</tr>
<tr>
<td>Minister for Employment (Deputy Leader of the House)</td>
<td>The Hon Luke Hartsuyker MP</td>
</tr>
<tr>
<td>Attorney-General</td>
<td>Senator the Hon George Brandis QC</td>
</tr>
<tr>
<td>Minister for the Arts (Vice-President of the Executive Council)</td>
<td>Senator the Hon George Brandis QC</td>
</tr>
<tr>
<td>Minister for Justice</td>
<td>The Hon Michael Keenan MP</td>
</tr>
<tr>
<td>Treasurer</td>
<td>The Hon Joe Hockey MP</td>
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<tr>
<td>Minister for Small Business</td>
<td>The Hon Bruce Billson MP</td>
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<tr>
<td>Acting Assistant Treasurer</td>
<td>Senator the Hon Mathias Cormann</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Treasurer</td>
<td>The Hon Steven Ciobo MP</td>
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<tr>
<td>Minister for Agriculture (Parliamentary Secretary to the Minister for Agriculture)</td>
<td>The Hon Barnaby Joyce MP</td>
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<tr>
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<td>Senator the Hon Richard Colbeck</td>
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<tr>
<td>Assistant Minister for Education</td>
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<tr>
<td>Parliamentary Secretary to the Minister for Education</td>
<td>Senator the Hon Scott Ryan</td>
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<tr>
<td>Minister for Industry (Parliamentary Secretary to the Minister for Industry)</td>
<td>The Hon Ian Macfarlane MP</td>
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<td>Minister for Industry (Leader of the House)</td>
<td>The Hon Bob Baldwin MP</td>
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<tr>
<td>Minister for Social Services</td>
<td>The Hon Kevin Andrews MP</td>
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<tr>
<td>Assistant Minister for Social Services (Manager of Government Business in the Senate)</td>
<td>Senator the Hon Mitch Fifield</td>
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<tr>
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<td>Senator the Hon Marise Payne</td>
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<tr>
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<td>Senator the Hon Concetta Fierravanti-Wells</td>
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<tr>
<td>Minister for Communications</td>
<td>The Hon Malcolm Turnbull MP</td>
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<td>The Hon Paul Fletcher MP</td>
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<tr>
<td>Minister for Health</td>
<td>The Hon Peter Dutton MP</td>
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<td>Minister for Sport</td>
<td>The Hon Peter Dutton MP</td>
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<tr>
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<tr>
<td><strong>Minister for Defence</strong></td>
<td>Senator the Hon David Johnston</td>
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<tr>
<td>Minister for Veterans’ Affairs</td>
<td>Senator the Hon Michael Ronaldson</td>
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<tr>
<td>Minister Assisting the Prime Minister for the Centenary of ANZAC</td>
<td>Senator the Hon Michael Ronaldson</td>
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<tr>
<td>Assistant Minister for Defence</td>
<td>The Hon Stuart Robert MP</td>
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<tr>
<td>Parliamentary Secretary to the Minister for Defence</td>
<td>The Hon Darren Chester MP</td>
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<tr>
<td><strong>Minister for the Environment</strong></td>
<td>The Hon Greg Hunt MP</td>
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<tr>
<td>Parliamentary Secretary to the Minister for the Environment</td>
<td>Senator the Hon Simon Birmingham</td>
</tr>
<tr>
<td><strong>Minister for Immigration and Border Protection</strong></td>
<td>The Hon Scott Morrison MP</td>
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<tr>
<td>Assistant Minister for Immigration and Border Protection</td>
<td>Senator the Hon Michaelia Cash</td>
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<td><strong>Minister for Finance</strong></td>
<td>Senator the Hon Mathias Cormann</td>
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<tr>
<td>Special Minister of State</td>
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Each box represents a portfolio. **Cabinet Ministers are shown in bold type.** As a general rule, there is one department in each portfolio. However, there is a Department of Human Services in the Social Services portfolio and a Department of Veterans’ Affairs in the Defence portfolio. The title of a department does not necessarily reflect the title of a minister in all cases.
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CHAMBER
Tuesday, 8 July 2014

The PRESIDENT (Senator the Hon. Stephen Parry) took the chair at 12:30, read prayers and made an acknowledgement of country.

CONDOLENCES

Underwood, His Excellency the Hon. Peter George, AC

The PRESIDENT (12:31): It is with deep regret that I inform the Senate of the death on 7 July 2014 of His Excellency the Hon. Peter George Underwood, AC, Governor of the state of Tasmania from 2008.

I ask honourable senators to stand in silence as a mark of respect.

Honourable senators having stood in their places—

COMMITTEES

Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples

Meeting

Senator BUSHBY (Tasmania—Government Whip in the Senate) (12:31): by leave—On behalf of the Joint Select Committee on Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples, I move:

That the Joint Select Committee on Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate today, from 1 pm.

Question agreed to.

BILLS

Clean Energy Legislation (Carbon Tax Repeal) Bill 2013 [No. 2]
True-up Shortfall Levy (General) (Carbon Tax Repeal) Bill 2013 [No. 2]
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Clean Energy (Income Tax Rates and Other Amendments) Bill 2013 [No. 2]

Second Reading

Debate resumed on 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 notes

(a) the scientific and expert consensus regarding Climate Change;

(b) that in its first year, the Clean Energy Future Package:

(i) drove a 7% reduction in carbon pollution from electricity generation in the National Electricity Market;

(ii) saw renewable energy increase its share of the National Electricity Market by 25%;

(iii) delivered the household assistance package to compensate families and individuals for any impact of carbon pricing; and

(iv) supported continued economic growth, with over 160,000 jobs created in 2012-13 across the economy, including clean energy jobs;

(c) that since the 2013 election Australia’s international reputation on climate change action has been damaged by becoming the first nation to move backwards on climate change while the rest of the world, including China and the US, is moving forward; and

(d) the need for the Government to pass an Emissions Trading Scheme to place a cap on carbon pollution and drive a clean energy future for Australia."

Senator O’NEILL (New South Wales) (12:32): Today is an important day in the history of this nation. It seems that, contrary to what would seem to me to be best practice, this new Senate is set to go to a final and determining vote on the long-term future of our environment and the way in which our economic and energy choices will enhance or debase that environment. There is no mistaking that this looks to be an historic day here in the Senate. It seems that, with less than 24 hours in the Senate, a key group of new senators will be crucial in determining the policy that will take us on either of two very different paths. One path, careful, informed and mindful of the principal of non-maleficence, will see us join with an international community moving forward decisively to reduce emissions in response to the reality of climate change. The other path, which reveals the depravity of this government, will take us away from that fact into the dangerous world of fear and nightmarish fantasy that they, assisted by vested interests, have constructed for the Australian population. This Abbott government traded in fear and lies in this policy and others before the last election and they have created a context which we are seeing come to fruition in this place today.

I ask new senators and the old to give consideration to the details of this debate as it moves forward. As history is being made in this place today, it will feel just like any other day here. There will be many distractions to call our eyes away from watching this debate closely, but I urge that we not be distracted today, that we not avert our eyes, because we will be held accountable for what we do here today by our children and their children, and indeed by our international community.

I commence today, as I do on all days, with more hope than fear. My hope is that in the debate that follows—which I hope will be a long and a thorough debate—there will be some careful consideration of amendments that take into account the very good work that has been done in the area of climate policy, energy, environment and our economy by successive governments over so many years, by international experts over so many years, and by
outstanding academics and advocacy groups who today will be holding their breath and waiting for a good decision for this nation not just for today but also for our future. I could say that I am wearying of having to stand in this place and reveal and talk about yet another policy failure from this sorry excuse of a government. Just once, I would like to be able to praise the actions of those sitting on the Treasury benches for seeing some sense—but today is not to be that day.

It is disheartening in this day and age to even be debating the removal of a price on carbon as a key piece of economic reform that we need to undertake. This is a reform which has been developed over a decade by both sides of politics and by those who are sitting on the crossbenches. Labor, the coalition and other parties represented here have closely collaborated on the development of policy in this area. It seems to be basic common sense that, with human-induced rising temperatures, putting a price on pollution so as to create a price signal to encourage cleaner technologies is undoubtedly a better path forward. But, with the short-term populism and entrenched climate denialism prevalent in some quarters of our polity, such common sense does not seem so common.

Looking back on recent history, we see many have been sacrificed on the political altar of climate change policy. Clearly, climate change is a vexed policy issue deserving of a considered and pragmatic approach. It is an issue which so easily falls victim to political opportunism. Enter Prime Minister Tony Abbott, whose entire political leadership from day one has been framed around undoing and destroying efforts to mitigate the damaging effects of climate change—tearing down and wrecking, rather than building and creating. That is the mantra of those governing Australia at this time.

In opposition, Tony Abbott successfully lowered the tone of debate to mindless repetition, hard hats and fluoro vests, to destroy what had been until then—and we should not forget this, colleagues—bipartisan commitment, a consensus, which simply needed a bit more work around the edges. Sadly, our nation's future has been tarnished by this cheap bit populist who cannot see past the day's news cycle, let alone look to the future for future generations. Never in the field of climate policy has so much been destroyed for so many by so few. That is what I want to prevent happening here today.

To win the news cycle, we have seen Mr Abbott mortgage our future—and that cannot continue. Do not get me wrong: Labor has to own its fair share of the blame in this policy area, for letting a climate denialist into the Lodge. In developing our policy, I echo the recent comments of the Leader of the Opposition, Bill Shorten, when he said that Labor failed to sell our climate change policies to the people and we failed to provide enough political breathing room for then opposition leader Malcolm Turnbull to engage with his colleagues and deliver a good outcome so many years ago. The Labor Party recognised too late the army of climate denialists—also known as the flat earth society—standing behind Malcolm, sharpening their knives as he worked with Labor in the nation's interest to establish a lasting, bipartisan ETS, but it is not beyond us today.

We as a nation should rue the failure of the Rudd-Turnbull ETS, an ETS whose design had begun under the Howard government, similar to the one the Liberals took to the 2007 election. And sadly, as I look to the crossbenches, who can forget the Greens' political puritanism that sank the CPRS and ensured the context for this day was set up then? As Julia Gillard herself has acknowledged, by not responding to early political attacks on the carbon
price, Labor allowed Tony Abbott to frame in a negative light this policy issue from day one. And now we are paying a huge price for the Prime Minister's insane negativity, mortgaging the future of this nation for our children and our grandchildren. To dismantle our nation's first comprehensive response to climate change, at the very time such a response is of paramount importance and urgency, in my view borders on criminal negligence.

The bill before us today has been put to us in a couple of forms. Yesterday it was in separate pieces of legislation. Last night the Palmer United Party voted with the government to bring this legislation back together into one big lump. I am watching and hoping that, as the day proceeds, we will see from the Palmer United Party and all of the people in this room—all the senators responsible for delivering good policy for this nation—a set of amendments that are made with care, to ensure that we do not dismantle the great and visionary architecture that was set up under the last government and that we move away from the self-indulgence which has characterised this debate when it has got to key points in the past.

This bill defies logic. It is akin to a firefighter throwing away the hose as the fire approaches. But here we are and, with our new colleagues in their first week, we must seek to do the right thing, the best thing for our country. We need to give our colleagues a bit of breathing space. That is why I hope the government will refrain from gagging this debate today. To do so would not just be shameful; it would be an abomination of process. This critical issue needs to be fully debated and the amendments of the kind that we seek for our children and their children which we will make law today require our closest and most careful attention. I trust that my colleagues who are here with me in the chamber, especially the new ones who I see sitting here paying attention, are mindful of the portent of the decision making that will be made in this place today.

The coalition's arguments are so weak. They have systematically attempted to dismantle the publicly-funded sources of independent information on climate change in a vain attempt to yet again hide their shame. This government are committed to secrecy, to hiding, to shamefully resiling from facts and, when the facts do not suit them, simply dismissing the people who deliver those facts. They have abolished the Climate Commission, to save a princely sum of $1.6 million. That sum, $1.6 million, no small amount, but is it enough to wage the future of our entire nation and our next generations on? This government says yes; I say no. The commission's brief was to provide apolitical, reliable, independent information for the public. This was at odds with the coalition's desire to shut down informed debate. That is why we must make sure that the debate that continues in this Senate, the detailed consideration of these bills, is not shut down by this government committed to secrecy.

What else have they done? They have gutted funding for the CSIRO and have tried unsuccessfully to abolish the Climate Change Authority and the Clean Energy Finance Corporation thus far. At the end of this day, let us make sure those things are still standing—critical things for the development of our nation and for our future. These are the actions of a government that considers climate change is not real. The things I am speaking about reveal the actions of a climate sceptic Prime Minister, who is on the record as describing climate change as 'absolute crap'.

I note with appreciation the comments made by the member for Fairfax—who I note is in the Senate this afternoon—with Vice President Al Gore in tow, supporting the retention of the renewable energy target, the Climate Change Authority and the Clean Energy Finance
Corporation. It is good that these things are put on the public record. But for those in the gallery today and for those listening, the debate on this in this place will be fierce. We need to ensure that these elements absolutely remain and, indeed, that the entire architecture set up for the ETS remains in place for us to act with the rest of the world and not to look to the past as this Prime Minister would have us do. These are important foundations of Labor's climate policy and, with the support of Palmer United Party senators, I hope that these elements will survive the onslaught of the climate-denialist Prime Minister and his sorry excuse for a government, particularly on this issue.

The CEFC provides low-cost capital to stimulate investment in emission reduction infrastructure and technology and the Climate Change Authority provides independent advice to the government on the best climate change mitigation initiatives. You would think that these two issues would easily garner bipartisan support, but, as is often the case with the Abbott government, you would be wrong. Thankfully, the Senate that the Australian people gave us is here. It is not an aberration and, no matter how it is constructed in the media, this is the Senate that the Australian people elected. Today we will be doing some of our most serious work. We will be cleaning up the work of successively failed parliaments that have not addressed this issue properly and, once and for all, we will allow Australia to get on in an ethical way as part of an international community responding to the reality of climate change in our time.

As an island nation known for its weather extremes and natural disasters, Australia should be at the forefront of developing policy to mitigate the harmful effects of climate change. With the drumbeat of scientific findings growing louder for decades, this should be a post-partisan issue. The recognition of the need to act has reached a point where even the most strident climate sceptic publications have belatedly acknowledged the reality. Today the consensus amongst climate scientists on the risks of global warming is in the order of 97 per cent. If you went to doctors and 97 per cent of them gave you a diagnosis and three per cent gave you something different, I would say that pretty well everyone here in the gallery today would be taking the advice of 97 per cent over three per cent. That is what scientific evidence does: it provides us with something based on fact rather than the flourish of an argument. Australian people should be aware that the entire scientific community is in agreement on this issue.

Across Australia and the world there is indisputable evidence that climate change is causing detrimental effects to our weather and the environment on a scale that threatens our way of life. The scientific evidence is clear. Unlike the coalition under Tony Abbott, Labor recognises the importance of Australia playing its part in addressing this human induced crisis. We owe it to our forebears, who built this great nation, and to our children, who will inherit it, to do the right thing.

Under Labor, we did respond. We set up the Clean Energy Finance Corporation to provide billions of dollars in low-interest loans to help companies open up new opportunities to invest in clean energy technology and infrastructure, and it was effective. We set up the Clean Technology Fund and the Carbon Farming Initiative to help manufacturers modernise for a low-carbon economy and support new low emissions farming practices, and it was successful. We established the Climate Commission and the Climate Change Authority to provide independent advice on the effects of climate change and Australia's reduction targets, and we
were successful. Indeed, we garnered the applause of people all around the world for the efforts made under the 43rd Parliament of this country. We provided further funding to the CSIRO, in contrast to this shameful government that has cut funding to that elite and august body of scientific leaders in this country who have a reputation for par excellence around the world, and we were successful in the innovations that they generated.

Labor's policies delivered the strong leadership needed to help reduce the risks posed by climate change. Our efforts recognised the need for Australia to act as well as the need for increased global cooperation, as evidenced by linking our carbon price to the European market. As the member for Fairfax leaves the chamber, I urge all senators to be mindful of the success that we have already had and the achievements that we have already hard won. Do not let this day pass where we take away from the Australian people the efforts of our hard work and the opportunities in a future where we make our environment, our economy and our energy work as one for the benefit of this country and our fellows around the world.

Indeed, across the world, 90 countries have implemented or are implementing emissions trading schemes of various types, in contrast to the lies that will be peddled by the government. Those 90 countries account for more than 80 per cent of global emissions. Over 90 per cent of the international economy has now pledged to take action to mitigate climate change. The European Union has operated an emissions trading scheme covering 30 countries since 2005. New Zealand has had an ETS in place since 2008. These are the facts that the government will try to hide. These are the facts that the government is willing to lie about. These are the facts that vested interests will try to take away from the public light. But these are the facts that must be on the record in this place today and these are the facts that we must contend with as we work through this package of bills, this complex set of legislation, that will establish the law for this country for a long time.

Our top five trading partners—the US, Japan, China, South Korea and India—have either implemented or are piloting carbon trading or pricing schemes at local, state and national levels. China are currently launching seven pilot emission trading schemes which will cover 250 million people and 20 per cent of their entire economy by 2015, with a view to establishing a nationwide ETS by 2020. Action on climate change through a market based response is clearly a global phenomenon as, the world over, nations work towards lowering carbon emissions through the most efficient means possible.

Australia, this great nation to which so many have come—like my parents who emigrated from Ireland—has faced challenges. We have been mindful of facing those challenges in many policy areas over the course of the last 50 years, but historic days never feel like that while they are undertaken. But make no mistake, Mr President, today is a critical day in the history of this nation. Our new senators may be only 48 hours blooded in this place, but their decisions today, as Australians who rightfully take their place, will be powerfully marked by the legislation we create by the end of this day. I urge you to look to the future, to look to the facts and to look to the reality that we have made too many mistakes in this policy area up to date and that we need to leave a lasting and positive legacy for this country. (Time expired)

Senator LAZARUS (Queensland—Leader of the Palmer United Party in the Senate) (12:52): I would like to advise the chamber that this is not my first speech. I rise today to support the repeal of the carbon tax, subject to the inclusion of Palmer United's key amendment, which will require the full cost savings from the removal of the carbon tax to be
passed on to all Australians. Palmer United are determined to deliver real results for the people of Australia. Our historic amendment will ensure that Australians genuinely benefit from the removal of the carbon tax. Palmer United care about the people of Australia and will not sit by idly and watch those most in need hurt and suffer at the hands of red tape and broken promises.

There can be no justification for removing the carbon tax if it does not improve the lives of our citizens. That is why as leader of the Palmer United Party's Senate team, along with the support of my Palmer United colleagues, I am supporting the Clean Energy Legislation (Carbon Tax Repeal) Bill 2013 [No. 2], subject to the inclusion of the changes proposed by the Palmer United Party to ensure all Australians receive the full and immediate benefit of the removal of the carbon tax. Our key amendment to the carbon tax repeal bill 2013 [No. 2] requires the cost savings from removal of the carbon tax to be passed on to all Australians through lower power bills, which will put money back into the pockets of families across the country, ease the crippling and unfair burdens on businesses—

*An incident having occurred in the gallery—*

**The PRESIDENT:** Order! The gallery must remain silent. If there are any further interjections from the gallery, you will be ejected.

**Senator LAZARUS:** and give Australians stronger protection against exploitation from power companies by ensuring the ACCC has stronger powers to enforce and penalise power companies that do not pass on the savings.

Not only does this bill, with the inclusion of the Palmer United Party's historic amendment, deliver a toughened obligation for suppliers of electricity, natural gas and synthetic greenhouse gases to pass on all cost savings resulting from the carbon tax repeal; it also requires suppliers to clearly explain to the ACCC and customers the way in which cost savings have been calculated and passed on to consumers. That is why the Palmer United Party are supporting the bill, predicated on the inclusion of the key changes proposed by the Palmer United Party to ensure that power bills are amended to document the cost savings. Australians deserve transparency and should have the right to see the cost savings calculated in their power bills or associated documents. Without this information, Australians cannot be confident that they are enjoying the full and immediate benefit of the removal of the carbon tax. To ensure our entire country benefits from the repeal of the carbon tax, we must have mandatory requirements that the price of energy be reduced by the saving in carbon tax that no longer has to be paid.

Palmer United are committed to common-sense solutions which grow Australia and support all Australians to succeed, and this is why we must mandate that electricity and gas costs to Australian families, single mothers and pensioners be reduced by the abolition of the carbon tax. There must be reductions in the costs of energy to our industries and businesses to ensure their competitiveness and to bring down the cost of production and the cost of employing people so more jobs can be created and more Australians may find satisfaction and direction that gainful employment brings. The cost of running our schools, hospitals and institutions must benefit from lower energy costs.

There is no justification for the carbon tax. It sets the price of carbon at a far higher price than applies in the rest of the world, higher than the emissions trading scheme in Europe and
higher than the emissions trading scheme in New Zealand. Climate change is a global problem and it needs a global solution. Australian families cannot bear the responsibility for this matter when Australia's trading partners fail to act or are not united. For Australia to act alone and impose a tax on carbon at this time has only sought to place a tax on jobs and discourage investment. We must create more jobs and more opportunities for our people.

Removal of the carbon tax, inclusive of our amendment, will help to stimulate the economy, create much needed jobs and help to reduce the financial hardship being endured by Australian families. Everywhere I go in Queensland there is a lack of confidence: a lack of confidence to allow businesses to invest, a lack of confidence to employ people, a lack of confidence to allow economic growth and a lack of confidence to enable exports to expand. More revenue from economic activity will mean more resources for governments, hospitals, schools and a rising standard of living that Australians want, that Australians need and that Australians must have. And if the day comes when our major trading partners—China, the United States of America, the European Union, Japan and Korea—set up an emissions trading scheme then they will know Australia can act together with these countries to implement a global solution without disadvantaging our people.

Our commitment to the environment is clear; however, we need a solution which recognises and balances the needs of our environment, the needs of our economy and the needs of our people. Importantly, Australia must show leadership but the solution must be part of a global approach which does not unfairly hurt Australia. It has been said that when our trading partners set up an emissions trading scheme, they will require their trading partners which export to their countries to pay an emissions trading tax to their governments upon the import of products from countries that do not have an environmental trading scheme. In these circumstances, if Australia did not have an emissions trading scheme, Australia's exporters would be paying a tax to another country instead of Australia. Australia needs all the revenue it can get to meet the hopes and aspirations of its people. The carbon tax must go and electricity and gas prices must come down. Palmer United's team in the Senate is committed to lower electricity prices and lower gas prices for all Australians.

In 2013, when I was in Queensland campaigning for election to the Senate, I took a short break and visited family in Canberra. While in Canberra I became aware of an elderly couple who are forced to 'house sit' in Queensland each winter because they simply cannot afford the cost of heating their own home in Canberra. Every winter they have to leave the comfort, familiarity and safety of their own home just to survive the cold winter months. What sort of country have we become? As was once said, 'If a free society cannot help the many who are poor, it cannot save the few who are rich.'

I commend this historic bill to the Senate on the condition that the Palmer United amendment is accepted and included in the bill. All of us in this place must do all that we can to make the lives of all Australians better. We must go the extra distance to support our people, to protect our way of life and to assist those most in need—for this is the Australian way. For Palmer United it is the only way.

Senator SIEWERT (Western Australia—Australian Greens Whip) (13:01): I rise to contribute to the debate on the Clean Energy Legislation (Carbon Tax Repeal) Bill 2013 and related bills. As our leader, Senator Milne, has articulated, the Greens will be and are opposed
to the repeal of the carbon package. We believe that the future of our country depends on our addressing the biggest emergency that we face: the climate change emergency.

The package of legislation that this chamber passed not that long ago did set Australia on the path to addressing climate change, and it will be a sad day when this repeal legislation goes through. Future generations will look back and ask, 'What did you do to this country when you repealed this legislation?' And they will condemn this place for that action. This legislation takes us backwards. As I said, future generations will condemn us. While this government try to confect a budget emergency, they lose sight of the fact that we are facing a climate emergency in this country and globally.

The coalition want you to ignore the fact that climate is having an increasing impact on our lives. We cannot say that it is something that will affect us only in future. It is impacting on us now. Just ask the population of Kiribati whether they think climate change is real. I do not think they would be searching around and buying land elsewhere if their homes were not literally washing away. The coalition like to ignore the science but it is irresponsible to jeopardise the future of this planet, its people and its species. Last night in this chamber Senator Macdonald tried to paint the picture that climate change is not occurring. He likes to mess around with quotes on the science, and he misquoted the UK Met Office and he quoted media that was spinning the UK Met Office's results. He tried to imply that the temperature had not risen for the last 16 years. I do not think the particular article Senator Macdonald read from quoted a scientist about a period of time and then put '...' before continuing to put other quotes in place. In other words, it did not tell the full story. When I looked at what the UK Met Office actually said in that particular quote, they said:

As we’ve stressed before, choosing a starting or end point on short-term scales can be very misleading … Looking at successive decades over this period, each decade was warmer than the previous – so the 1990s were warmer than the 1980s, and the 2000s were warmer than both. Eight of the top ten warmest years have occurred in the last decade.

And it goes on from there. So, Senator Macdonald and members of the coalition, when you are quoting make sure you are quoting in context. He made other misquotes last night that I will address later.

Acting on climate change this decade is absolutely critical if we are to protect our oceans, our environment, our agriculture and our children's and grandchildren's futures. The most effective and most affordable way to reduce our emissions is to have a price on pollution and a market mechanism like the one contained in the Clean Energy Act and the package of bills that passed through this place not that long ago, which this government, ably assisted by the Palmer United Party, are now rushing to destroy—again, to be condemned by future generations.

Clearly, this government is determined to assist business to wring every last drop of profit out of the fossil fuel dinosaur industry while condemning and putting every obstacle in the way of clean, green energy such as renewable energies and the type of industry and development that both Senator Milne and Senator Ludlam talked about yesterday. We now have cities in Australia competing to see who can be the first to put in solar-thermal. That is the sort of industry we should be putting in place now, not more fossil fuel developments.

Without a price on pollution Australia has no effective action to reduce emissions. We will increase the burden of climate change on everyone and everything in our world. The situation
across all of my portfolios is getting worse with the increasing climate emergency. Our farmers, particularly mine in Western Australia, are already feeling the impacts of climate change, as is our marine life and our first peoples living in low-lying areas in the Torres Strait and in remote Australia. They are just a few examples. It is time to listen to the people of Australia, who know our country is facing an enormous threat—the threat of climate change. It is a threat made worse because of the dinosaur policies of the coalition government.

Look at some of the other comments made last night. Senator Macdonald referred to the Scott Reef, misquoting scientists yet again. He implied that the scientists looking at the some of the destruction of the coral around the Scott Reef were denying climate change. You only have to look at the comments they made to realise that our coral reefs are in severe trouble from climate change. I just do not understand why people continue to deny climate change. I do not understand why they do not take into account the impact climate change is going to have on their descendants—on their children, their grandchildren and their great-grandchildren, who perhaps will never be able to see a functional, intact coral reef. There are plenty of other impacts on coral reefs, such as overfishing and pollution, but climate change and ocean warming and ocean acidification are having a devastating impact on our remaining coral reefs. Senator Macdonald last night could have quoted some more of what scientists from AIMS were saying about Scott Reef. They said:

While it is encouraging to see such clear recovery, we need to be mindful of the fact that the coral recovery at Scott Reef still took over a decade. If, as the climate change trend suggests, we start to see coral bleaching and other related disturbances occurring more frequently, then reefs may experience a ratcheting down effect, never fully recovering before they suffer another major disturbance.

Clearly our marine life is coming under increased threat, and the longer we delay action the more its ability to adapt will be being diminished over time.

Thirty per cent of the carbon dioxide released into the atmosphere is ultimately absorbed by the ocean—a process that results in our seas becoming more acidic. Research released just a couple of months ago on Papua New Guinea's coral reefs conducted by the James Cook Centre of Excellence for Coral Reef Studies, the Australian Institute of Marine Science, the Georgia Institute of Technology and the National Geographic Society—all august organisations—found that fish are losing their survival instincts, even becoming attracted to the smell of their predators, that fish swim further from shelter and are more active and that fish appear to have failed to adapt to being exposed to higher levels of carbon dioxide. Clearly we cannot expect our environment to take blow after blow and still continue to bounce back. Clearly increased carbon dioxide levels are having impacts beyond what we even thought they could have. We are even changing the behaviour of fish, and we still do not know all the impacts on the natural environment.

Last summer those Western Australians in Perth knew it was very hot. We had some of our hottest days on record. We had day after day where temperatures rose above 40 degrees. For some it was easy enough to turn up the air conditioning, but for a lot of people it was an enormously stressful time. Among other things, these prolonged hot periods are responsible for a rise in the number of heat-related deaths. The greatest impact is on our most vulnerable—the frail and the elderly—but low-income households are also feeling the pressure. Those who are the worst off in our community are unable to switch on the air conditioner like others do and pretend that climate change does not exist. The clean energy
package that the Greens negotiated compensated low-income families for these short-term increases. It was a fair package that took into account the pressures on those who are at the lowest end of the income stream, who find it the hardest to adapt to the changing circumstances. Often they live in rented houses that are not economic to retrofit. This package helped compensate people to enable them to deal with the price on carbon.

We need to move now and not delay our response to some far off date in the future. It is time Australia woke up to the fact that climate change is here, it is real and it is impacting on our lives now. We need to be taking action now. We need to be looking at the changes we make now and how climate change will impact on people into the future. Those living in poverty, single parents and older Australians were helped, and are helped, by the clean energy package. They are compensated. What do we think the impact in the future is going to be as climate change really does kick in? It will be too late then to say that perhaps we should have taken some action in the past. Who is going to compensate those people who are affected? This government are not interested in how our poorest families will cope. We know that they do not care about the most vulnerable people in our country—otherwise they would not be dumping young Australians onto no income support at all; they would not be introducing their cruel budget measures. To cry crocodile tears now that a price may adversely impact on pensioners, on single parents and on our other most vulnerable members of our community is to do just that—cry crocodile tears. They do not care. Their budget clearly articulates that. It clearly picks on single parents, with three cuts in the budget to single parents alone. It deeply affects older Australians, ripping $80 to $100 per week from them into the future. It clearly impacts on people with disabilities, dumping them off DSP and onto Newstart; and, as I said, it dumps young people onto no income support. So do not pretend you care about the most vulnerable people. Do not use them as an excuse to dump action on climate change. That is what you are doing. You are using the most vulnerable in our community to dump action on climate change.

And then of course we have Direct Action. 'Direct inaction' or 'indirect no action' would be a better title for that particular package. It is a high-cost, narrow, government controlled scheme intended to replace the existing market-driven, economy-wide, lowest cost method of reducing harmful greenhouse emissions. There is simply no comparison between 'indirect inaction' and the market mechanism and what the clean energy package delivers. It is not a viable replacement for carbon pricing and it is vastly inferior to existing law. Direct Action is very expensive. It will be a white elephant. It is laughable to imagine that you can replace the comprehensive package that is in place now with Direct Action. It will go back to the bad old days of ill-placed and ill-founded plantations, streamlining and planting a few trees.

The abolition of the clean energy package and the implementation of Direct Action will lead to a $22 billion deterioration in the budget position. When we stop to consider this, it becomes obvious how reckless the government is being economically and with the future of our planet, our community and our plant and animal species. In its mad rush to squeeze every last dollar out of the old dinosaur fuels, this government leaves a huge cost for our children and future generations to pay instead. This budget emergency is a confected panic, designed to justify unbelievably harsh and unfair cuts to our most vulnerable while the government ignores the planet emergency and the climate emergency. This is not the way of the future. If
we do not take action now, we will lose entire species and habitats. All that we are gaining is more dangerous extreme weather events that threaten our communities and our families.

In the meantime, what is this government doing? It is facilitating big business and big polluters. It is ignoring the impact of climate change on our community, on our futures and on our fellow species. This government has no credibility when it comes to environmental management—protecting our land, water and oceans. One of this government's first moves when it came to power was to get rid of marine protected areas. But it said, 'We didn't get rid of them, we just got rid of the management plans.' That was cleverly designed to make it look as if the government was doing something. But all they are is boundaries on a map. There is no protection for our marine protected areas. The government is busy handing back environmental controls to the states. It does not care about our environment and our communities; it only cares about handing the keys to the Treasury to big business and to the polluters.

The government took $483 million out of Landcare in the current budget and handed it over to the Green Army. That is not an environmental program. It has taken away other important land management packages such as the biodiversity package. There is a range of programs that have been kick-started with income from a price on carbon. But the sad reality is that most of them have already disappeared or will falter when the government rips up the architecture of sound climate management, of making sure that we are dealing with this climate emergency. This is not forward thinking. This is a government that looks backwards, not forwards into the future. This is a bad step.

Despite the minister's rhetoric—'We have plans in place for land based abatement'—the sorts of changes that are needed will not be delivered. This will undermine the Aboriginal Carbon Fund, which has identified savanna burning and other land management mechanisms that require a decent price on carbon in order to be profitable. This government is not only undermining sound change; it is also undermining the economic development of Aboriginal communities who are not only funded for managing their land but also contribute to reducing our carbon footprint. The tenders offered through the Direct Action program will be much less than what is required to make Aboriginal land management effective in reducing our carbon footprint. It is now extremely clear that the carbon abatement—(Time expired)

Senator Ian Macdonald: Mr Acting Deputy President Sterle, I raise standing order 191, which I will repeat for your benefit:

A senator who has spoken to a question may again be heard, to explain some material part of the senator's speech which has been misquoted or misunderstood, but shall not introduce any new matter, or interrupt any senator speaking, and no debatable matter shall be brought forward or debate arise on such an explanation.

Senator Siewert has just either misunderstood or deliberately misquoted what I said last night about the Australian Institute of Marine Science. For the benefit of the Senate, I will repeat exactly the quotation I used last night from the Institute of Marine Science research director, Jamie Oliver:

I think all we can do at this point is say ... we are seeing a decline in the reef, and we are seeing that cyclones are playing a major role in that decline ... but we don't know for sure whether ... it has been as a result of human activities.
That is quite different from what Senator Siewert alleged I said. My point last night was simply that the science is not as settled as the Greens political party would have you believe.

Senator POLLEY (Tasmania) (13:23): I rise to contribute to the debate on the Clean Energy Legislation (Carbon Tax Repeal) Bill 2013 and related bills. So here we are again. This government is so committed to unwinding Labor's hard fought action to combat climate change that it has made repealing the carbon pricing legislation its No. 1 priority. And it is not seeking to replace a fixed price on carbon with a floating price or any other sort of intelligently designed scheme; no, unlike Labor, the coalition instead wants to throw good money after bad with an inefficient and expensive Direct Action scheme.

Late last year I spoke about how, as opposition leader, Tony Abbott consistently stunned observers with his ignorant comments concerning climate change policy. The most notable example occurred almost a year ago when he told open-mouthed reporters in Sydney that 'carbon pricing policy generally was not a true market'. In fact, he went a step further and clarified his statement as follows:

It's a market, a so-called market, in the non-delivery of an invisible substance to no one.

The stupidity of this comment is breathtaking and a little sad. Our Prime Minister is like the kid in class who not only does not understand what is being taught but feels compelled to convey his ignorance to everyone around him to get attention. I really wish that, instead of trying to grapple with the fundamentals of climate change policy, he would just sit in the corner and eat Play-Doh and leave this to others—because every time he speaks on climate change everyone in the room listening becomes a little bit dumber. But, of course, as Prime Minister he has been even worse; I think we all knew that this was going to happen and this would be the case. As we saw when he was overseas, week after week this government has taken backward steps on climate change and made our great nation a laughing stock on the world stage.

Until recently Australia was a country at the absolute forefront of innovation to combat climate change and we were earning worldwide recognition for our commitment. Now, under this government, we were the recipient of five 'fossil awards' at the climate change talks in Warsaw. A fossil award is handed out to those countries that have basically neglected their duty to combat climate change. We did not even bother sending a minister to these talks in Warsaw despite the fact that prominent leaders from around the globe attended and were ready to work together. On the very first day of the talks we won a fossil award because we had done the most to block progress at the climate change negotiations on that day. It was hardly a flying start—and it got worse. We won another fossil award for seeking to do what the government now looks set to achieve—repeal the carbon price. Countries around the world are looking to price carbon, either through a fixed or floating price, including provinces and states in China and the United States. And then there is Australia repealing progress that was hard fought and vital to the future of the globe. Oh, did I mention that the government won another fossil award for stripping $435 million from the Australian Renewable Energy Fund? It also did not go unnoticed that we dismantled our climate change department, abolished the Climate Change Authority and basically refused to sign up to new finance commitments in Warsaw that were gaining traction with many other powerful countries. We did not impress anyone.
This is how we are being seen now. Previously, countries around the world saw us as a nation committed to action, to progress, to combating climate change intelligently. We were world leaders, we were achieving things and powerful leaders and organisations were taking notice of us. But look at us now! It really is something that those opposite should be ashamed of. My home state of Tasmania was benefitting. Tasmania has an economy that needs all the assistance it can get. But what has this government done? It has taken away those opportunities. It is the equivalent of Daniel Day-Lewis turning around and winning five Razzies this year during Oscar week!

Our change in attitude and action is something that has stunned the international community. The world is watching us and we have failed; we are failing spectacularly. What is worse is that this Prime Minister of ours is not just content to neglect climate change policy at home. Oh no, he wants others to join him. He has even tried his best to start his own 'super friend' group dedicated to inaction on climate change. Several weeks ago our Prime Minister—with a completely straight face—floated the ridiculous idea of a group of leaders mobilising against global moves to increase action on climate change. What a noble pursuit! He himself, without any real consultation or rational thought, nominated Canada, the UK and New Zealand as leaders of the group. But they actually laughed him out of the room; not even his supposed Centre Right buddies stuck up for him! In fact, our friend across the Tasman, New Zealand Prime Minister John Key, went as far as to say: 'This government takes climate change seriously. That is why we're actively involved in international climate change efforts.' It got worse for him. When Tony Abbott declared that climate change was not the most important issue facing the world at the moment, his own political allies and other world leaders contradicted him. Advisers in the PM's office must have been wondering what they had got themselves into when they signed up to work for this government!

Let me be clear: Tony Abbott is rightly isolated in his intransigence on taking action to address climate change. This country needs carbon pricing to effectively combat climate change; it is as simple as that. Labor's policy of instituting an emissions trading scheme makes sense and is in keeping with global efforts. As I have said before, and as many of my colleagues have said before in this chamber, a floating price on carbon, such as an emissions trading scheme, holds several distinct advantages. It fundamentally alters how businesses consume energy. It uses the competitive forces of the marketplace itself to make Australia less reliant on carbon emissions. This is not necessarily because private enterprises have undergone an ideological transformation about what impact they are having on the planet. Rather, the pure calculus of how to meet their energy needs has been superficially adjusted in favour of renewable energy because pricing carbon is designed to achieve a transition from a reliance on carbon emissions to greater use of newer, cleaner technologies.

When it comes to our role as a responsible international citizen, Australia faces many choices. We can act as a dynamic and progressive middle power taking the lead on global environmental challenges and working cooperatively with others to achieve real change. We can participate enthusiastically and dependably at forums such as the one in Warsaw last year. We can be seen as a country committed to action, a country that cares about matters that extend beyond cynical domestic political calculus, a country that cares, a country that is respected and admired. Or we can revert to the 'bad old times'. We can withdraw, and embarrass ourselves on the global stage. We can confuse and mortify international friends.
committed to acting on climate change. We can ignore the views of others and snub the opportunity to be part of an international group of leaders. The choice is there, and sadly right now Tony Abbott is—

The ACTING DEPUTY PRESIDENT (Senator Bernardi): Senator Polley, I must insist you refer to the Prime Minister by his appropriate title.

Senator POLLEY: The Prime Minister is committed to being the George W Bush of Australian politics. He is ignoring the realities of climate change and arrogantly dismissing the views of our friends around the world, and really he is humiliating us every time he goes overseas. With his smirk, his swagger, his confused diatribes, his stubbornness, he is dragging Australia backwards, and no-one in his party is doing anything about it. As the member for Grayndler said earlier this year: The problem isn't that Tony Abbott is stuck in the past; it's that he wants the rest of Australia to go back there and keep him company.

Well, I do not want to keep him company, and I do not believe that there are many Australians from any walk of life who would want to keep him company either. We want change, we want commitment and we want proper action on climate change. Australia and the globe deserve nothing less.

Senator DI NATALE (Victoria) (13:34): In thinking about how to construct this speech, I thought about my two young boys, who happen to be here at the moment. I thought about what I would tell them, when they are old enough to understand, about why a parliament of the 21st century—armed with the knowledge that we have, knowing what we know about the science of climate change—retreated on climate change. Knowing what we know about what it means for our environment—the Great Barrier Reef, the loss of a great many species, the melting of the ice sheets in the Antarctic—how is it that we could have taken this sort of action? Knowing what it means for their health—with an increased frequency of extreme weather, droughts, floods and bushfires—and knowing that the world they inherit will be very different from the world we currently live in, why did we do what no other country around the world has done? When we had the opportunity to take action, when the time came to get on the front foot and tackle this challenge head on, we retreated. How do I explain that to my two boys?

I think it is important that we go back a little to look at how we got here. Climate change is an issue we have known about for decades. In fact, it was first put on the map by conservative Prime Minister Margaret Thatcher, who recognised just what sort of challenge it presented to future generations. It is an issue around which we have accumulated a growing body of knowledge. It is an issue where the mainstream scientific consensus is all heading in one direction.

People have a view that science is about these 'eureka' moments where we stumble on an answer to a problem that, up until that point, we have been unable to solve. Well, that is not how most science develops. It is a continual process of trial and error. It is researching a hypothesis. It is putting out information to your peers in the scientific community and having them critique that information. It is an iterative process, and we emerge with a scientific consensus on the back of that process. And the scientific consensus at the moment is very, very clear: we have an alarming problem, we need to act and we need to act quickly if we are going to be able to halt some of the most extreme consequences of climate change.
There is that knowledge, and there is that increasing awareness from politicians from across the political spectrum—and we need to recognise that it is a uniquely Australian problem that this is being seen through the prism of partisan politics. In fact, right around the world, it is not a left-right issue; it is an issue of knowledge versus those people who refuse to accept the scientific wisdom of the time. That is what this issue is about. My children will want to know: 'How was it that, at a time when that knowledge was so strong, the parliament refused to act?'

At the start of the last decade, we saw a growing momentum here in Australia for change. We were coming off the back of one of the worst droughts in our history. There was growing awareness around the world. Al Gore came to town and presented his documentary *An Inconvenient Truth*. We saw marches on the streets. We saw young people become engaged. And we saw both sides of politics take to an election a proposal for an emissions trading scheme—that is, a scheme to price pollution, to put a price on an activity that we are all paying for and, using classic market principles, say, 'If you are going to produce a good or service, and the cost of producing that good or service is borne by the taxpayer, then we should make sure that we internalise that cost so that you are responsible for that pollution and there is an incentive to reduce it.' That is a pretty basic principle in mainstream economics. Both the Howard government and the Rudd opposition at the time took that proposal to the Australian people.

Over the next few years, we saw a dismantling of that bipartisan consensus, and that has led us to where we are today. We saw a conservative opposition become dominated by anti-science, anti-enlightenment individuals prepared to mount an ideological crusade in the face of all the mounting evidence in front of them. We saw a Leader of the Opposition whose pragmatism knew no bounds—a self-confessed weathervane when it came to climate change—gain control of the opposition on the back of opposing concrete action on climate change. We then saw a Prime Minister who, up until that point, had recognised that this was the great global challenge of our era—what he described, quite rightly, as a moral challenge—and who had negotiated an emissions trading scheme with the opposition then walk away from that commitment and refuse to negotiate on that scheme with the Greens. On the back of that decision, we effectively dismantled the bipartisan consensus that existed here and in many other countries across the world.

From that point on, we saw the politicisation of an issue that is beyond politics. We saw a government promise a citizens' assembly on an issue that required government leadership. We saw a Prime Minister and an opposition leader refuse to stand up to the growing challenge that faces us. On the back of that election, we saw new voices elected to both houses of parliament and we finally got going with action on climate change. We saw the establishment of the climate change committee that came up with some of the world's most ambitious and important action to tackle climate change. We saw a fixed price on carbon, moving to an ETS—and, if this parliament accepted it, we would now have an emissions trading scheme in a short period of time, tied in with international carbon markets. We saw the establishment of a renewable energy bank, the Clean Energy Finance Corporation—a bank that provides up-front investment for the industries of the future—and we are seeing, right across the country, the wind industry, the solar industry and other new, emerging renewable industries take advantage of that and provide the added benefit of ensuring a return for this country. We saw
the establishment of the Climate Change Authority and the Climate Commission, effectively a reserve bank providing independent advice on targets and the most up-to-date science and ensuring that governments were provided with that information outside of the partisan nature of this debate—all important, necessary things but underpinned by the very notion that we have a price on pollution.

Unfortunately, we have now seen a new parliament and a new Senate which are prepared to undo some of those great reforms. How is it that we go from having some of the world's most significant, most ambitious climate change legislation to being the only country anywhere in the world to wind back effective action on climate change in the face of growing evidence of how serious this problem is?

If you look at the tobacco industry and how it took decades for us to finally confront the reality that tobacco was a cause of lung cancer, you can see some parallels in the climate change debate. Fringe scientists—people such as Bob Carter—have been held up as evidence that somehow the scientific consensus is wrong. The mainstream press, when presented with a scientific argument, feel the need to present a counterargument. That is not balance; that is false balance. The role of the press is to get to the truth, not to present two sides of an argument as though each side has equal legitimacy. It is truth that we are after, not some notion of false balance. And that is where we have arrived with the climate change debate.

Of course, we saw the role of politics front and centre. Back in the tobacco days, it was the conservative side of politics which saw this as some part of a global conspiracy to control people's freedoms and behaviours—that the link between lung cancer and tobacco was a myth and that those of us on the progressive side of politics were using it as a vehicle to restrict people's freedoms. That was the argument that was being trotted out 50 years ago. It was trotted out 50 years after the Surgeon General conclusively stated that tobacco causes lung cancer. Yet we had those same elements, those same conservative forces, implying that this was a part of some progressive crusade to restrict people's freedoms. And we are seeing that played out again with the climate change debate. That in the face of science, reason and logic this is somehow all part of some global conspiracy, that we are all in it together—the scientific community, the health community, economists and of course those of us on this side of politics—and that we have entered into some sort of grand bargain because we can think of nothing other than to restrict people's freedoms and liberties. What nonsense! What poppycock! Where have we come to when we are in an environment where science—which is all we have got, the best tool that we have—is being subjugated to a narrow, brutal, conservative and ideological agenda?

In the years to come, my children will look at this issue and at what this parliament has done and they will see those parallels between the climate change debate, the deniers and those people who stood up and took a stand when we needed to take a stand.

An incident having occurred in the gallery—

**The ACTING DEPUTY PRESIDENT (Senator Bernardi):** Order! Senator Di Natale, please resume your seat. Madam, you have already been warned by the President of the Senate that interjecting is disorderly. I will now have to invite you to remove yourself from the gallery.
Senator DI NATALE: Of course, what will be told is that we have a government that has a mandate to implement this change. Let me tell you what mandate this government has. It has a mandate to govern, it has a mandate to prosecute its arguments and it has a mandate to negotiate with the parliament. But it does not have a mandate to railroad legislation through this parliament without any opposition. Only yesterday we heard Senator Macdonald compare the issue of climate change to 1930s Germany. Let me tell you what totalitarianism is. Totalitarianism is expecting that, just because you have won an election, there should be no opposition, there should be no Senate and that we should acquiesce to the policies of the government of the day. That is not democracy. Democracy means the government has a mandate to govern and those millions of people who voted for the Greens, Labor or the Independents also have a mandate to prosecute their arguments to ensure that this parliament remains a democracy.

Where was the respect for the Labor Party's mandate in 2007 when it promised to introduce an ETS? Where was Prime Minister Tony Abbott's respect for that mandate when that was taken to the 2007 election? Where was the respect for the mandate of the Senate, also democratically elected? People who vote in the Senate do so intentionally, knowing that they are voting for a hand on the shoulder of the executive of the day. So we will continue to fight until this legislation makes its way through the parliament. The parliament of today will be determining the future of my kids and the future of kids right around the country. We will be making decisions that do not affect us. As Senator Cameron said yesterday, he is not a young man anymore.

Senator Cameron: I am 'youngish'!

Senator DI NATALE: Well, you said it! But it is his kids and grandkids who will inherit the decisions of this parliament, and they will be asking a question. They will ask: 'When the time came to make a stand, when you had the knowledge, when all of the science was pointing in one direction, why did you vote against that knowledge? What was it that brought you to a decision that meant that you believed you had some sort of divine understanding about a problem that requires scientific understanding and expertise? How is it that you were arrogant enough to believe that 10 minutes on the internet equipped you with the knowledge to make a decision that would affect us, our futures and the future of this planet?' Well, I will tell you something. We will be making it very clear that, when the time came to take a stand—not to retreat but to take a step forward—we did everything we could to do that. That is why we are here, and that is why the Greens have been consistent in our position from day one: we need to act with conviction to ensure that we implement a price on carbon and support for renewables, take action globally and lead the world in what is the great moral challenge of our century. I want to be able to look at my kids and say, 'I did that.' And all of you will have to do the same.

Senator CAMERON (New South Wales) (13:53): I stand in opposition to the bills that would seek to pull apart a key economic and environmental plank for Australia's future. I think that what is being proposed by the coalition is an act of not only economic but also environmental vandalism. Climate change is not simply an environmental issue; it is an economic issue for this country as well. The problem we have is that, while we see Europe, Korea, China and now the US moving to deal with climate pollution, we have the spectacle of this country moving back and moving away from taking a strong stand to ensure that we are
at the forefront of ensuring the future of this globe. And that is a very important issue for everyone in this country.

You see, my view is that the extremists are in control of the coalition, and those extremists' strings are being pulled by the likes of Gina Rinehart, the billionaire mining magnate, who says, 'I don't believe in climate change,' and says that she does not care about what happens as long as she makes a profit. And, as long as the money keeps pouring into the coalition's election coffers, the coalition will do the bidding of the Gina Rineharts, the BHPs, the Rio Tintos and the Twiggy Forrests. That is what we are faced with here. So we have got the lobby that is all about ensuring that there is not a price on carbon—the lobby that simply put their profits before the environmental good of this nation, before the environmental good of the world, before the economic good of the nation and before the economic good of the world. They take their orders from Gina Rinehart and Twiggy Forrest, because the money is coming through the Western Australian Liberal Party to the Liberal Party to keep running the arguments for their re-election. That is the reality of where we are: it is corporate power that is determining the coalition's position on this. If it were not, why then would you have a Prime Minister, Prime Minister Tony Abbott, who one minute supports climate change and supports a carbon tax and then, when Gina knocks on the door, it is all over, Red Rover—no carbon tax; climate change is not a reality. So you have one of the greatest opponents of climate change going from being a great supporter to being a great opponent. That is the Prime Minister, Tony Abbott.

Then you have all of these minions over here in the government who get their funding for their election through the banking industry. They will not look after the pensioners. They will not look after the poor in this country. All they want to do is get the money into their pockets, and when big business says, 'Jump,' they say, 'How high should we jump?' That is the reality of this mob over here. They do not care about the economy. They do not care about the environment. They only care about the money going into their pockets for their election. That is the bottom line with this mob over here. And they do not care about the community. They care nothing about the community. They do not care what happens to this country as long as big business keeps supporting them financially. That is the bottom line with this mob, and don't the National Party—

*Senator Williams interjecting—*

*Senator Scullion interjecting—*

**Senator CAMERON:** Don't you open your mouth, because you have sold out regional Australia. You have sold out the country—

*Government senators interjecting—*

**The PRESIDENT:** Order, on my right!

**Senator CAMERON:** You have sold out the country! You are the doormats of the Liberal Party, as we well know. You are their doormats. You have got Wacka Williams out there, whingeing and moaning about people getting ripped off, and then what does he do? He caves in on a royal commission. Have a royal commission into the unions, have a royal commission into pink batts, but don't have a royal commission into anything else!

**Senator Back:** Mr President, I rise on a point of order. Senator Cameron should be directed to refer to Senator Williams as 'Senator Williams' and not as 'Wacka Williams'.

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**CHAMBER**
The PRESIDENT: Thank you, Senator Back. Senator Cameron—

Senator CAMERON: I'm sorry!

The PRESIDENT: Senator Cameron! I had not finished. Senator Cameron, that is a correct point of order, and in future I would remind you, and all senators, to refer to members of this place and, indeed, the other place, by their correct titles.

Senator CAMERON: I will attempt to do that. My apologies, Senator Williams. Senator Williams sold out the country! Senator Williams sold out regional Australia! Senator Williams has sold out those pensioners who are getting ripped off by the banks! Senator Williams has not done the right thing. He talks a big game, but in action he does nothing. And that is because the Liberal extremists have got control, and you are under their control, Senator Williams. The extremists are in control in the Liberal Party. We know that only too well.

Debate interrupted.

MINISTERIAL ARRANGEMENTS

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:00): I inform the Senate that Senator Brandis will be absent from question time from today, Tuesday, 8 July, until Thursday, 10 July owing to ministerial business overseas. Senator Johnston will represent the Attorney-General and Minister for the Arts, as well as representing the Minister for Foreign Affairs and the Minister for Justice.

QUESTIONS WITHOUT NOTICE

Future of Financial Advice

Senator DASTYARI (New South Wales) (14:00): My question is to the still Acting Assistant Treasurer, Senator Cormann. Is the Acting Assistant Treasurer aware of the statements made at the most recent estimates by ASIC Senior Executive Leader Greg Kirk that an ASIC assessment of financial advice found 'about 20 per cent of the advice was of very poor quality or legally inappropriate'? Minister, won't winding back the future of financial advice reforms leave most small investors vulnerable to financial advice that is not in the best interest of consumers?

Senator CORMANN (Western Australia—Minister for Finance) (14:01): I thank Senator Dastyari for that question. The answer to the final part of that question is no. Of course, in accordance with the improvements to our financial advice laws that we implemented from 1 July 2014, we are keeping all of the important consumer protections that matter. We are keeping the requirement for advisers to act in the best interest of their clients and we are keeping the ban on conflicted remuneration.

ASIC has been pointing out very clearly why it is so important that ASIC conducts that sort of work. There is no doubt that historically we have had issues in this space in Australia that needed to be addressed. But guess what? Not even the strictest, most stringent, toughest regulatory arrangements are going to help in lifting professional, ethical and educational standards. We need the industry itself to provide leadership in relation to this.

Opposition senators interjecting—
The PRESIDENT: Order, on my left! Senator Cormann, I have just paused the clock. We will not proceed until we have silence on my left. Senator Cormann, you have the call.

Senator CORMANN: Good financial advisers provide an important service to Australians saving for their retirement or managing financial risks through life and help people with their financial health and wellbeing. They are dealing with other people's money, which is why there ought to be an appropriately robust regulatory framework in place which is not only robust but also efficient and which does not impose unnecessary costs that push up the cost of advice and puts access to high-quality advice beyond reach for too many people across Australia.

What we are about is ensuring that we continue to work with the industry around lifting professional, educational and ethical standards and making sure that the consumer protection requirements that matter are actually enshrined in our regulations and in our legislation. Not every bit of red tape is good for consumers. Where red tape pushes up the cost of advice without actually leading to proportionate improvements in consumer protections, it is actually bad for consumers.

Senator DASTYARI (New South Wales) (14:04): Mr President, I ask a supplementary question. Is the minister also aware that ASIC has found 'there is an industry wide problem of very poor advice, including problems of conflict of interest'? Given that there is an industry-wide problem of poor quality advice, did the still Acting Assistant Treasurer have any regard to ASIC's concerns when he made regulations winding back the FoFA reforms?

Senator CORMANN (Western Australia—Minister for Finance) (14:04): I reject the premise of that question. We are not winding back the FoFA reforms. We are keeping the consumer protection requirements that matter. We are keeping the requirements for advisers to act in the best interest of clients. We are keeping the ban on conflicted remuneration. However often the Labor Party continues to repeat an inaccurate assertion, it does not make it true. Is everything perfect out there? No, it is not. Do we have to continue to work hard to lift professional, ethical and educational standards? Do we need to ensure that we weed the bad apples out of this industry? Of course we do, and we are continuing to do this work. But guess what? Tying up small business financial advisers in red tape by doing special deals for vested interests, industry super funds, which are close to the heart of the union movement, is not the way to achieve it. The previous government was guided by the vested interests of its friends in the union movement, not by the public interest.

Senator DASTYARI (New South Wales) (14:05): Mr President, I ask a further supplementary question. Given that ASIC has also said that the current FoFA reforms 'should go a considerable way in improving the long-term quality of advice provided to investors', won't the government's removal of important protections leave consumers vulnerable to dodgy financial advice? Minister, if you are so proud of your regulations, why won't you right here, right now, table them? We will give you leave.

Senator CORMANN (Western Australia—Minister for Finance) (14:06): Thank you very much, Senator Dastyari. The improvements that we have made to our financial advice laws will help restore the balance between appropriate levels of consumer protections while making sure that access to high-quality advice that people can trust remains affordable. Of course, in relation to tabling the regulations, we will do the exact same thing that the previous government did in these circumstances: we will comply with all of the rules, all of the
procedures and all of the legal requirements when it comes to the tabling of the relevant regulations.

I look forward to the opportunity of talking to my friends in the Palmer United Party, talking to my friends Senator Day and Senator Leyonhjelm, to make sure that everybody understands exactly what we are doing and what we are not doing. Senators on the crossbench—and we of course warmly welcome them to this chamber—have been on the receiving end of a lot of dishonest misinformation. They have been on the receiving end of a lot of vested interests pushed by the Labor Party. I will ensure that the rules and procedures that are in the law are complied with. (Time expired)

Japan-Australia Economic Partnership Agreement

Senator WILLIAMS (New South Wales) (14:07): Mr President, I congratulate you on your election to the position of President of this chamber and I wish you well in controlling the rabble on your left. My question is to the Leader of the Government in the Senate, Senator Abetz. Will the minister outline to the Senate the benefits for Australia flowing from the new economic partnership agreement with Japan?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:07): I am delighted to take that question from Senator Williams, a senator who is genuinely concerned for his constituency and can see the benefit to all Australians in this new economic partnership agreement, which will be signed this afternoon by the Prime Minister of Australia and the Prime Minister of Japan. It would be fair to call this agreement historic. Indeed, those opposite might like to reflect on the fact that their former trade minister, Craig Emerson, has taken to Twitter and described the new agreement as 'the best Australia could have achieved'.

The former US assistant secretary of state for East Asia described it as 'a massive victory' and went on to say that 'Europe and the United States have been trying to get this kind of agreement from Japan for 30 years'—and here we are, after only nine months in government, with the great assistance of minister for trade Andrew Robb, able to deliver this agreement for the Australian economy. We are proud of the fact that we have been able to achieve this agreement, which shows that you can achieve things if a government is willing and determined to roll up its sleeves to get the sorts of achievements that will be of great benefit to all areas of the Australian economy.

Senator Cameron: You've rolled over again!

Senator ABETZ: Rolled over again? Even Tim Harcourt, Labor's favourite economist, described this as a huge opportunity. People on your own side, Senator Cameron, are lauding this as a good agreement. Show some grace and do the same! (Time expired)

Senator WILLIAMS (New South Wales) (14:09): Mr President, I ask a supplementary question. Will the minister outline to the Senate the benefits for Australian farmers flowing from the new agreement with Japan?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:10): This is a great agreement for Australian farmers and for the Australian rural community. We are the first major agricultural producer to conclude a substantial trade agreement with Japan. As with all such deals, you do not get everything you ask for but clearly this is the best
agreement we were able to secure with Japan and it is the best agreement that any country has achieved with Japan. The beef industry alone is set to see gains of $300 million to $400 million per year. But it goes a lot further than just the beef industry. It might be of interest to Senator Cameron that tariffs have been eliminated on more than $16 million in nut exports—macadamias, almonds and walnuts. Tariffs will also go immediately on carrots, potatoes and indeed—(Time expired)

Senator WILLIAMS (New South Wales) (14:11): Mr President, I ask a further supplementary question. Will the minister inform the Senate when the new agreement with Japan will be made available to parliament and also whether it will trigger an inquiry by the Joint Standing Committee on Treaties?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:11): Senator Williams asks a very important question as to the process to be now adopted in relation to treaty making in this country as a result of the changes made by the Howard government. The agreement will be tabled in parliament next week. It will be accompanied by a national interest analysis. However, the full text will be available on the DFAT website after the signing in less than two hours. Tabling will trigger an inquiry by the Joint Standing Committee on Treaties, which includes members from all sides of politics. The joint standing committee then has some 20 days to make a report in relation to this treaty and can conduct public inquiries if it so determines. The government will consider the committee's report before taking action to bring the new agreement into force.

Asylum Seekers

Senator KIM CARR (Victoria) (14:12): My question is to the Assistant Minister for Immigration and Border Protection, Senator Cash. Minister, how many Sri Lankan asylum seekers have been returned to Sri Lankan authorities via sea transfer and tow-backs in the past month? Will the government cease any remaining transfers to Sri Lanka as a result of the interim injunction issued by the High Court?

Senator CASH (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (14:13): I thank Senator Carr for his question. Senator Carr would know that the matter is before the High Court and, as such, it would be improper for me to comment. The government is awaiting a decision. In relation to Senator Carr's question about the return of asylum seekers to Sri Lanka, I have before me something those on the other side might be interested in. In fact, I am happy to have leave given, Senator Dastyari, for me to table these press releases. They are of course press releases that were issued by the previous government every single time they returned a group of asylum seekers to Sri Lanka. For example, on Saturday, 22 September 2012:

Group of boat arrivals returned to Sri Lanka

The Minister for Immigration and Citizenship, Chris Bowen MP, today announced that a group of 16 Sri Lankan men—part of the post-13 August caseload affected by new regional processing arrangements—are returning—

Senator Moore: Mr President, I rise on a point of order on direct relevance. The particular question was about how many Sri Lankan asylum seekers had been returned to Sri Lanka in the past month. We acknowledge that the issues raised by the minister provide an interesting
background, but in terms of direct relevance to our question I would ask you to request the minister to return to the question.

The PRESIDENT: Senator Cash is one minute into her answer. She is addressing the question and she has one minute left. Senator Cash, I do remind you of the question. You have the call.

Senator CASH: I have to say it is always astounding, the hypocrisy from the other side. When they returned asylum seekers to Sri Lanka, that was okay, but, when this government allegedly returns or does return asylum seekers to Sri Lanka, apparently that is bad. Senator Carr, your hypocrisy is astounding.

Senator Moore: I was on my feet before the minister had completed her question. However, I would like to make a point of order in terms of relevance. The particular question which I raised before was a specific question about numbers, but it also refers to return where there was an injunction issued by the High Court. I do not believe that was addressed at all by the minister in her response.

The PRESIDENT: The minister has concluded her answer.

Senator KIM CARR (Victoria) (14:16): Mr President, I ask a supplementary question. I ask a direct question, a straight question, of the minister and I expect a straight answer. Have asylum claims of people aboard any vessel at sea been assessed via teleconference? If so, how many and when?

Senator CASH (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (14:16): Again, you have got to love the hypocrisy—'and I expect a direct answer'. Senator Carr, in relation to your question, I believe that you are referring to the enhanced screening process. I advise the Senate that the process that we have followed in relation to enhanced screening is the same process that was practised by the previous government. Again, I refer the Senate to statements made—

Senator Moore: Mr President, I rise on a point of order, again going to direct relevance. The specific question referred to assessment by teleconference. Could the minister just confirm in her answer the issue around teleconference?

The PRESIDENT: I was listening to the minister's answer, Senator Moore, and she referred to enhanced processing. The minister still has half of her question left to answer. She was moving towards the answer and I believe she is being directly relevant.

Senator Conroy: We're not optimists like you.

The PRESIDENT: I am ruling on this. The minister has been directly relevant and she was explaining the position. Minister, you have the call.

Senator CASH: I was referring to comments by a former minister for immigration, Mr O'Connor, in 2013.

Senator Wong: Mr President, I rise on a point of order. The question is very simple: have asylum claims of people aboard any vessels at sea been assessed via teleconference? That is the question. The standing orders require that a minister be directly relevant to the question. I would ask you to ask the minister to address the question.
Senator Abetz: On the point of order, clearly 'enhanced processing' may well include teleconferencing. To play these word games—

Senator Wong interjecting—

Senator Abetz: It is amazing how Senator Wong demands silence when she makes a point of order, yet when I am on my feet she is—

The PRESIDENT: Senator Wong, you were heard in complete silence and I think Senator Abetz deserves that same courtesy. Minister, I believe you have not concluded your answer.

Senator CASH: Unfortunately it does go to the other side's complete lack of knowledge in relation to particular processes that they themselves had in place when they were in government, which also might explain the reason that we are in the state today that we are in, with over 50,000 people coming here illegally by boat. As I was saying, though, in relation to former Minister O'Connor, he stated— **(Time expired)**

Senator KIM CARR (Victoria) (14:19): Mr President, I ask a supplementary question. How have the actions of the Australian government been consistent with Australia's obligations under the 1951 refugee convention, including the principle of non-refoulement?

Senator CASH (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (14:19): Again, I have to say the hypocrisy in relation to the question is, quite frankly, astounding. I can advise the Senate that at all times this government believes it is acting in accordance with our international obligations and our obligations regarding safety at sea. I can also advise the Senate that the assurances that we have received from the Sri Lankan government are the same assurances as were given to the former government.

Asylum Seekers

Senator HANSON-YOUNG (South Australia) (14:20): Mr President, firstly, congratulations on your new position. My question is to the Minister representing the Prime Minister, Senator Abetz. My question is in relation to the 41 asylum seekers who have been forcibly removed to Sri Lanka, with 153 still remaining unaccounted for. Minister, after only a five-minute interview and knowing that asylum seekers will face an imminent jail sentence upon their return, what assurances does the government have that these people will remain safe from ongoing torture and persecution?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:21): There are two issues here that do require a degree of circumspection. One is that we still have an operational matter underway, which would be unwise to comment on. Secondly, these matters are currently being canvassed in the High Court and therefore it would be inappropriate to canvass the matter any further in this particular forum.

Senator HANSON-YOUNG (South Australia) (14:21): Mr President, I ask a supplementary question. I just point out that there is obviously the matter of 41 asylum seekers who have been returned, and that is not a matter before the High Court. Given the Prime Minister's comments that screening of these asylum seekers on the sea was in line with Australia's international obligations, despite what the United Nations says, when will the government release their legal advice supporting the Prime Minister's comments?
Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:21): It has been a long-agreed process of this parliament both in the House of Representatives and in the Senate that legal advice to government in general terms is not released. Also, in the middle of a matter being determined by the High Court, it would be highly inappropriate for legal advice to be canvassed elsewhere other than in the High Court. In relation to some of the assertions being made about Sri Lanka, it is my understanding that when people are returned to Sri Lanka the police interview them. It is an offence to leave Sri Lanka illegally, but that is a process that is dealt with under Sri Lankan law and in full accordance with Sri Lankan law in a public fashion. 'I do not believe that people are jailed indefinitely on return.' Do you know who said all those words? It was former Minister Bowen—not my words but Labor's minister. (Time expired)

Senator HANSON-YOUNG (South Australia) (14:23): Mr President, I ask a further supplementary question. On 26 June, the minister for immigration, Scott Morrison, proudly boasted when he told parliament: 'Stopping the boats is just the start for this government. We are just warming up.' Is the return of asylum seekers back to their persecutors what the government has been warming up for or are we to expect even more cruelty from this government?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:23): In stopping the boats, we as a government are warming up to take our full complement of refugees in an orderly fashion from the refugee camps around the world. As someone who has visited some of these camps in relatively recent times, I can assure you that they ask me the question: why is it that the then government allowed all these queue jumpers to come in when we have been waiting patiently for over 12 years, sometimes 15 years, for placement and they allowed queue jumpers who paid criminals to jump the queue? I see no sense of social justice whatsoever in giving priority to those who bypass safe haven after safe haven after safe haven and then pay a criminal to get them to the front of the queue. I would prefer to look after those who neither have the moral compass nor the financial capacity to queue jump. (Time expired)

Australia-Japan Defence Agreement

Senator FAWCETT (South Australia—Deputy Government Whip in the Senate) (14:24): My question is to the Minister for Defence, Senator Johnston. Will the minister outline to the Senate details of the defence equipment and technology agreement signed today between the prime ministers of Australia and Japan as it relates to greater cooperation between our two nations and the sharing of defence science, technology and materiel?

Senator JOHNSTON (Western Australia—Minister for Defence) (14:25): May I thank Senator Fawcett for the question and may I congratulate you, Mr President, on your election as President of the Senate. During the recent 2+2 defence and foreign ministers meeting in Japan, foreign minister Bishop and I discussed proposals to enhance our bilateral defence cooperation with our Japanese counterparts. I also discussed this with Minister Onodera at the Shangri-La Dialogue in Singapore in May of this year. I am very pleased to inform the Senate that today, as a result of those discussions, Prime Minister Abbott and Japanese Prime Minister Abe will sign an agreement between the government of Australia and the government of Japan concerning the transfer of defence equipment and technology. This is an
important milestone in the Australia-Japan defence relationship and an integral part of broader efforts to strengthen our strategic relationship. It has its foundations in the 2007 joint declaration on security cooperation and the 2012 joint statement on cooperating for peace and stability: a common vision and objectives.

The Australian Defence Force has worked well with Japan in difficult environments overseas during recent years. We have been together in Cambodia, East Timor and Iraq, and of course we are currently both engaged in South Sudan. This agreement will pave the way for our two nations to work more closely to identify potential areas of future research interest and mutual benefit in the fields of defence science, technology and equipment. Japan has been an important contributor to peace and stability in our region for many decades. His Excellency Shinzo Abe's address to a joint sitting of parliament today is a historic moment for both of our nations. The Australian government warmly welcomes this further strengthening of our very important defence relationship with Japan.

Senator FAWCETT (South Australia—Deputy Government Whip in the Senate) (14:26): Mr President, I ask a supplementary question. Would the minister inform the Senate how Australia will benefit from this increased cooperation with Japan, particularly in those areas you mentioned of defence science and technology?

Senator JOHNSTON (Western Australia—Minister for Defence) (14:27): This agreement will facilitate deeper bilateral defence science, technology and equipment cooperation, allowing Australia and Japan to work more closely to identify potential areas of future research interest and mutual benefit. Japan is world renowned for its defence science and technology experience and capability. By increasing our cooperation, it is expected both nations will be able to reduce the costs of developing defence capability. Our first cooperative defence project with Japan is a marine hydrodynamics project, which will be conducted by our Defence Science and Technology Organisation, DSTO, and Japan's Technical Research and Development Institute, TRDI. As the foreign minister said recently, no nation has been more important to Australia finding its place in Asia than has Japan. For decades, Japan was our largest trading partner and today Japan remains our second largest trading partner, with $71 billion traded between us in 2012. The signing of this agreement is yet another natural progression in our very strong relationship. (Time expired)

Senator FAWCETT (South Australia—Deputy Government Whip in the Senate) (14:28): Mr President, I ask a further supplementary question. Will the minister outline to the Senate the importance of the Australia-Japan-United States trilateral defence cooperation and how this enhances security and stability in the Indo-Pacific region?

Senator JOHNSTON (Western Australia—Minister for Defence) (14:28): Strengthening the Australia-Japan-United States trilateral defence cooperation is a significant and major priority for Australia. The Australian government seeks positive and proactive defence relations with the United States and Japan based on a common set of democratic values and similar strategic perspectives. Practical cooperation through exercises is a central part of our trilateral defence relationship, the benefits of which were demonstrated in the response to the great east Japan earthquake in 2011. Strong practical cooperation prior to the disaster made this cooperation possible and we were able to work together to provide rapid humanitarian and disaster relief assistance at very short notice. Australia is seeking to conduct more advanced trilateral exercises with a focus on improving each country's ability to enhance
maritime security through air, land and maritime cooperation. This trilateral relationship offers a stabilising regional presence that builds confidence and promotes freedom of navigation and maritime security in the regions and sea lanes. (Time expired)

**Financial Services**

**Senator WHISH-WILSON** (Tasmania) (14:29): My question is to the Minister representing the Treasurer, Senator Cormann. Given statements by the Prime Minister last week that the ongoing financial systems inquiry will advise the government on the recent Senate inquiry recommendation for a royal commission into the Commonwealth Bank, can Senator Cormann confirm to the Senate today that the financial systems inquiry will be providing advice to the government on whether there should be a royal commission held into the Commonwealth Bank?

**Senator CORMANN** (Western Australia—Minister for Finance) (14:30): That is not what the Prime Minister actually said last week. The Prime Minister said that the report of the Senate economics committee inquiry into the performance of ASIC was a very comprehensive report—indeed, it was over 550 pages—and it made 61 recommendations. The Prime Minister said, as I did, that the government would carefully consider the report and all of the recommendations and provide a full and considered response in due course. We also said that, in relation to the recommendations related to ASIC, there is a financial systems inquiry underway which is assessing the regulatory arrangements in our financial system and also reviewing the role and the performance of ASIC moving forward.

In relation to recommendation 7, which effectively recommended a royal commission into the Commonwealth Bank, the government have said that we are unconvinced that yet another inquiry is the best way to help victims. We are focused on what course of action is most likely to achieve an efficient and effective resolution of any legitimate, outstanding, unresolved issues of aggrieved Commonwealth Bank customers. In our judgement, the open advice review program—which was announced last week by Mr Narev, the CEO of the Commonwealth Bank—offers that opportunity if it is properly implemented in an appropriately independent fashion. However, we do reserve our final judgement. We are monitoring the way the program is implemented and, once the rollout is underway and once we have finalised our consideration of the relevant Senate economics committee inquiry, we will provide a full response to all of the recommendations, including the one that Senator Whish-Wilson refers to. But we remain unconvinced that yet another inquiry is the best way to help victims in the circumstances.

**Senator WHISH-WILSON** (Tasmania) (14:32): Mr President, I ask a supplementary question. I will take that as a kind of yes. Given that the head of the financial systems inquiry is David Murray, who was CEO of the Commonwealth Bank from 1992 to 2005, does the government acknowledge there is a conflict of interest in Mr Murray being asked to provide advice on the need for a royal commission to which he may be called as a witness or may be potentially implicated in?

**Senator CORMANN** (Western Australia—Minister for Finance) (14:32): Clearly Senator Whish-Wilson had pre-written his supplementary question and did not take into account the answer I gave. Mr Murray and the financial systems inquiry are not, never have been and never will be asked to provide advice to the government on whether or not there should be a royal commission into the Commonwealth Bank.
David Murray, who is a highly regarded Australian, as you have just indicated, has not been working for the Commonwealth Bank for about nine years now. He is doing an important job for the government in chairing the financial systems inquiry which is looking at, among other things, regulatory arrangements in our financial system. Obviously, the future and ongoing role of ASIC and the performance of ASIC in that context as a regulator in our financial system is an important part of that scope. We have full confidence in Mr Murray’s capacity to perform that job with distinction.

Senator WHISH-WILSON (Tasmania) (14:33): Mr President, I ask a further supplementary question. Considering comments by the Prime Minister in relation to the CBA matter that ‘I don’t want to overdo the reviews because in the end what people expect from government is appropriate action not endless study, particularly studies which don’t necessarily lead to outcomes’, why won’t the government heed the call of the Senate inquiry, including from the government’s own Senator Williams, and immediately move to establish a royal commission into the Commonwealth Bank scandal or into broader white-collar crime?

Senator CORMANN (Western Australia—Minister for Finance) (14:34): I am pleased to advise the Senate that, on this occasion, Senator Whish-Wilson did appropriately quote the Prime Minister. Indeed, we are not interested in endless further inquiries; we are interested in action. We are interested in how we can ensure that victims with unresolved, legitimate, outstanding issues can achieve resolution of their issues in the most efficient and effective way. We believe that the announcement by CBA of the open advice review program does offer that opportunity. But we reserve judgement. We will monitor the way that is being implemented, and we expect that it is going to be implemented in an appropriately independent and professional way. Subject to how that all plays out, we do not believe that a royal commission, which would take a couple of years and cost a lot of money, is the best way to deal with this particular circumstance.

Budget

Senator EDWARDS (South Australia) (14:35): Mr President, I join with my Senate colleagues in congratulating you on your election to the office you hold. My question is to the Minister for Finance and Minister representing the Treasurer. Can the minister explain to the Senate why it is so important to repair the budget?

Senator CORMANN (Western Australia—Minister for Finance) (14:35): I thank Senator Edwards for that very important question. It is important for us to repair the budget if we want to protect our living standards now and into the future. When we came to government in September, we inherited an economy growing below trend. We inherited a situation where there was rising unemployment, low consumer confidence and a budget in very bad shape. We inherited a spending growth trajectory which was unsustainable.

Opposition senators interjecting—

The PRESIDENT: Pause the clock. We will not continue until there is more quiet on my left.

Senator CORMANN: As Senator Dio Wang from the Palmer United Party would well know, given his background in the resources industry, the previous government had the benefit of the highest terms of trade in 140 years for most of their period in government. They were able to benefit from record high commodity prices. Even at their lowest, the terms of
trade were still 15 per cent higher than at the best time under the previous coalition government. Instead of using that opportunity to build a stronger and more prosperous economy, instead of using that opportunity to put money away for a rainy day, what did the Labor Party do? The Labor Party delivered $191 billion in cumulative deficits in their first five budgets, they left another $123 billion in projected deficits in the last budget, they left us with government debt heading for $667 billion within the decade and rising beyond that, and they left us with a situation where we now have to borrow $1 billion a month just in order to pay the interest on the debt that they accumulated. What is this government doing? This government is making the decisions that need to be made in order to ensure that this generation of Australians lives within its means and leaves the country for future generations in at least as good a shape as, if not better than, we found it. If we are to protect our living standards, if we are to provide opportunities for prosperity in the future, there is no alternative than to pass the budget. *(Time expired)*

**Senator EDWARDS** (South Australia) (14:39): Mr President, I ask a supplementary question. Can the minister inform the Senate how failure to repair the budget will impact on our living standards and our economic opportunities?

**Senator CORMANN** (Western Australia—Minister for Finance) (14:39): That is a very good question. The Labor Party wants to force us to continue to borrow from our children and grandchildren to fund our living standards today. Running deficits to fund consumption is a bit like putting some of your groceries on your credit card and not paying off your credit card, just running it up.

*Opposition senators interjecting—*

**The PRESIDENT:** We will not continue unless there is silence. Senator Conroy, for your information you are one of the loudest contributors. You have a question further down the list. We might not get to you if this continues.

**Senator Conroy:** You'll take away our third question for the whole hour?

**Senator Heffernan interjecting—**

**The PRESIDENT:** No, I am not doing anything; it is you holding up question time. We will not commence until there is silence on both sides of the chamber—and that includes you, Senator Heffernan.

**Senator CORMANN:** Running deficits to fund recurrent expenditure is like a household borrowing money to pay for groceries. That is what the previous government did, and if we do not get this situation under control then our children and grandchildren will have to pay the cost for our living standards today, with interest. That will force them either to pay higher taxes or to accept lower services down the track—there is no way around it. The money that is being spent by government today will have to be paid back eventually. *(Time expired)*

**Senator EDWARDS** (South Australia) (14:41): Mr President, I ask a further supplementary question. Can the minister inform the Senate whether there is any scope at all to defer efforts to repair the budget?

**Senator CORMANN** (Western Australia—Minister for Finance) (14:41): Not if we care about the future opportunities for our children and grandchildren. If we care about the future opportunities for our children and grandchildren, then we cannot keep kicking the can down the road. If we keep kicking the can down the road we will be forcing our children and
grandchildren to be on the receiving end of even tougher decisions. People in the Senate might think that the measures in the budget this year are tough measures, and I accept that they are, but if we do not make those tough decisions today as a country, the decisions will only become harder down the track. If we continue to defer the necessary decisions today, if we continue to resist the necessary savings to ensure that we live within our means, then it will be our children and grandchildren who will pay the price and it will be Labor that will stand judged for having prevented the government in 2014 from addressing the mess that the Labor Party left behind.

DISTINGUISHED VISITORS
The PRESIDENT (14:42): I acknowledge the presence in the gallery of former senator Natasha Stott-Despoja. It is good to see her.
Honourable senators: Hear, hear!

QUESTIONS WITHOUT NOTICE
Unemployment

Senator LAMBIE (Tasmania—Deputy Leader and Deputy Whip of the Palmer United Party in the Senate) (14:42): My question without notice is to the Leader of the Government in the Senate and Minister for Employment. Does the senator from Tasmania agree that his and his fellow Liberal Tasmanian parliamentary colleagues' incompetence is part of the reason that Tasmania is suffering from record unemployment, and will the senator agree to support my call for Tasmania to receive an extra $5 billion of Commonwealth funds over four years so that a special economic zone can be created which will help business employ more workers and lower the unemployment rate in Tasmania?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:43): As my fellow Tasmanian senator will understand, the Tasmanian economy finds itself in recession thanks to 16 years of state Labor governments, complemented by a Green-Labor government at the very end, and that was complemented further by a federal Labor government of six years, which was a Green-Labor government for the last three years. I would therefore say with respect to the honourable senator that visiting all the economic woes that Tasmania is currently suffering on the current federal government that has only been in power for nine months is not a proposition that I would endorse.

Having said that, I absolutely share with the senator a commitment to do the very best for our home state of Tasmania. That is why we had a special package for Tasmania at the last federal election. The package included infrastructure, including support for tourism infrastructure; the Dial Blythe irrigation scheme in the north-west of the state, from where Senator Lambie comes; and a Tasmanian jobs package to assist employers to put more Tasmanians into employment. So we have had a very comprehensive policy to assist our home state of Tasmania. In relation to the proposition to give an extra $5,000 million to Tasmania over four years, it is not a proposition which we can entertain at this time given that, as we speak, we are borrowing $1,000 million a month from overseas just to pay the interest on the existing borrowings.

Senator LAMBIE (Tasmania—Deputy Leader and Deputy Whip of the Palmer United Party in the Senate) (14:45): The minister in his answer has failed to properly address my
request for his support for an extra $5 billion of Commonwealth funding for Tasmania. Mr President, I ask a supplementary question. Does the minister agree that his Liberal government has made plans to borrow $30 billion over the next five years so that he can give it away in poorly targeted foreign aid? Can the minister explain why the poor, the sick, the needy and the unemployed of other countries are more important to him than those in his own home state?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:47): For the benefit of Senator Lambie, I table the coalition's economic growth plan for Tasmania, which was part of our election policy. Specifically in relation to foreign aid, we have said as a government that what you need in all these matters, economic and aid, is a sensible balance. The previous government put us on a trajectory in relation to foreign aid which was completely and utterly unsustainable and for what we believe to have been other purposes. Nevertheless, despite the economic woes in which Australia finds herself, we still believe that we do have an obligation to those countries less fortunate than our own to provide a degree of foreign aid support, which we will continue to provide. (Time expired)

Senator LAMBIE (Tasmania—Deputy Leader and Deputy Whip of the Palmer United Party in the Senate) (14:48): The minister has again failed to properly address my request for his support for an extra $5 billion. Mr President, I ask a further supplementary question. Can the minister explain to the chamber why he is prepared to fight for record amounts of Australian taxpayers' money to be sent to other countries—some of which have militaries 10 times the size of ours—while the sick, the needy, pensioners, parents, students, the unemployed and the battlers in his home state of Tasmania are being harmed by his government's—(Time expired)

Senator Wong: Mr President, on a matter of courtesy: it is the senator's first question, so maybe we could give her a little bit of leeway to finish the sentence.

Opposition senators interjecting—

The PRESIDENT: Order, on my left! Your leader has made a request and I cannot fulfil that request until there is silence. Senator Lambie, do you have more to add to your question, which would be very brief?

Senator Lambie: Yes, Mr President. Thank you. Can the minister explain to the chamber why he is prepared to fight for record amounts of Australian taxpayers' money to be sent to other countries—some of which have militaries 10 times the size of ours—while the sick, the needy, pensioners, parents, students, the unemployed and the battlers in his home state of Tasmania are being harmed by his government's budget cutbacks?

The PRESIDENT: Before I call the minister, I advise the senator that the indulgence was granted for the first question but will not be granted for subsequent questions.

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:50): The budget that we set out just a few months ago is designed to bring about the restoration of the Australian economy, which in turn will provide the social dividends that we believe will flow. The simple fact is that, as we speak, we are borrowing $1,000 million per month just to pay the interest on the existing loans. What we are doing in our budgetary strategy is to slow
down that trajectory of deficit and debt that the Labor Party and Greens had us on, to ensure that we then get to a surplus situation. It is only when we are in surplus that we start paying down the debt. As a result, what we have been saying is that we do have to curtail our expenditure so we do not engage— (Time expired)

Veterans' Affairs

Senator CONROY (Victoria—Deputy Leader of the Opposition in the Senate) (14:51): My question is to the Minister for Veterans' Affairs. I refer to the minister's pre-election comments in June 2013 about military pensions. I quote:

CPI has not been a measure of cost-of-living for at least 15 years. Aged pensioners don’t have their index assessed in this way so they are falling further and further behind. It’s basically unfair where they’re at and they deserve a fair go and we’re going to give it to them.

Minister, why then did an official from the Department of Veterans' Affairs confirm at Senate estimates—with you sitting next to them—that the government's first budget slashed $65.1 million from the pensions of 280,000 veterans, war widows and orphans of veterans by using CPI-only indexation? How is this $65 million saving to the government not a loss to the weekly income of veterans and their dependants?

Senator RONALDSON (Victoria—Minister for Veterans' Affairs, Minister Assisting the Prime Minister for the Centenary of ANZAC and Special Minister of State) (14:52): I thank Senator Conroy for his question, which does give me the opportunity to talk about indexation as requested. Senator Conroy will be aware—and I presume this is the basis for his question—of the cross-portfolio decision made in relation to indexation measures which will take place in September of 2017.

Senator Conroy will also be aware that, in the run-up to the last election, I went to many veterans' forums around the nation and said, in relation to the DFRDB/DFRB superannuation scheme, that I believe there should be expanded indexation measures. As Senator Conroy will also be equally aware, in this chamber I introduced a bill to achieve that. Senator Conroy needs to be reminded—

Senator CONROY: Mr President, on a point of order on relevance: the minister is now seeking to avoid answering the question relevantly because he is now referring to DFRB retirement payments. My question was very specifically about the pensions of the 280,000 veterans and their dependants, who will now receive only CPI indexation, not the schemes he is now talking about.

The PRESIDENT: There is no point of order. The minister has been explaining the aspects of the question. He has still 40 seconds left. He is continuing his answer. The minister is relevant.

Senator RONALDSON: Thank you, Mr President. At the start of my answer, I indicated there had been some cross-portfolio changes. I assume that was the basis on which the question was asked. I would return if I may to the events in this chamber when Senator Conroy and the Australian Labor Party voted to keep CPI as the only measure for the DFRDB. I am happy to table the Senate Hansard but where— (Time expired)

Senator CONROY (Victoria—Deputy Leader of the Opposition in the Senate) (14:55): Mr President, I ask a supplementary question. Before the election, the Prime Minister told the 2012 RSL national conference:
If it's inadequate just to lift Centrelink pensions by the Consumer Price Index, it's even less fair to apply solely that index to those who have risked their lives for our country. Loyalty goes both ways. Why then has the Prime Minister broken this promise and implemented CPI-only indexation for the pensions of 280,000 veterans and their dependants—war widows, orphans?

Senator RONALDSON (Victoria—Minister for Veterans' Affairs, Minister Assisting the Prime Minister for the Centenary of ANZAC and Special Minister of State) (14:56): I think it is always best in a public forum like this to accurately reflect comments that have been made. Senator Conroy knows full well that the Prime Minister was referring to the DFRDB/DFRB indexation measure, which we are going to address. I will go back to where I was before. Senator Conroy, in three separate votes in relation to the DFRDB indexation, voted to keep CPI as the—

Senator Conroy interjecting—

The PRESIDENT: Senator Conroy, your leader is trying to raise a point of order.

Senator Wong: Mr President, on relevance: the minister is talking about a different scheme. He was not asked about that scheme. He was asked very specifically about the pensions of 280,000 veterans, war widows and orphans and the government's decision to index by CPI. He is now talking about recipients of an entirely different scheme. That cannot possibly be directly relevant under the standing orders.

The PRESIDENT: Senator Ronaldson commenced his answer by responding to a quote given by Senator Conroy and that was directly relevant to Senator Conroy's question. He still has 30 seconds remaining. I call the minister.

Senator RONALDSON: The absolute irony and hypocrisy! The Leader of the Opposition in the Senate, who led the charge in this chamber as finance minister, called our decision to make these changes 'unaffordable' and 'a sham'. This is the very person who took the point of order in relation to indexation. It is here in black and white that the Australian Labor Party—

(Time expired)

Senator CONROY (Victoria—Deputy Leader of the Opposition in the Senate) (14:58): Mr President, I ask a further supplementary question. Given the government's decision to index veterans' pensions to CPI only, axe the backdating of veterans' disability pensions for new recipients and scrap the seniors' supplement for some veterans, won't all of these combined measures have a disastrous impact on the cost of living for Australia's veterans?

Senator RONALDSON (Victoria—Minister for Veterans' Affairs, Minister Assisting the Prime Minister for the Centenary of ANZAC and Special Minister of State) (14:58): I will go through a variety of measures. Senator Conroy asked me about indexation. Look at page 238 of the former government's 2009-10 budget measures.

Opposition senators interjecting—

The PRESIDENT: Order! Senators on my left, you have your Manager of Opposition Business in the Senate waiting to raise a point of order.

Senator Moore: Mr President, on a point of order on relevance: the question specifically related to decisions of this government about the cost of living for veterans. We appreciate the history lesson from the minister but we would like to get an answer to this particular question.
The PRESIDENT: Thank you, Senator Moore. The minister has only been going for 15 seconds. He has 75 per cent of his time left to answer the question.

Senator RONALDSON: Thank you, Mr President. In the short time left to me, I invite the Australian Labor Party to do something very constructive for Australian veterans over the next 24 hours, and that is vote for the abolition of the carbon tax so veterans can get the benefit of this—

Opposition senators interjecting—

Senator Conroy: Mr President, on a point of order—

The PRESIDENT: Order! Pause the clock. Before Senator Conroy raises a point of order—Senator Ronaldson, I do draw your attention to the question.

Senator RONALDSON: Thank you very much. In response to the cost of living question, and in relation to family tax benefit A, where the indexation was reduced to CPI—

Opposition senators interjecting—

Senator RONALDSON: Can I just give this quote, please?

This measure will help reduce the long term cost to the budget of a substantial and growing expenditure, contributing to the return of the budget to surplus and the reduction of net debt.

The Australian Labor Party supporting CPI and indeed in changing that measure— (Time expired)

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

QUESTIONS WITHOUT NOTICE: TAKE NOTE OF ANSWERS

Answers to Questions

Senator DASTYARI (New South Wales) (15:01): I move:

That the Senate take note of the answers given by ministers to questions without notice asked by Opposition senators today.

The Minister for Finance has audaciously rolled back the consumer protections contained in the future of financial advice laws. Let's be clear about what has actually occurred. On 26 June 2014 the Corporations Amendment (Streamlining Future of Financial Advice) Regulation 2014 was signed by the Governor-General. But it was not until 30 June 2014—just hours before it was to come into effect—that the regulation was registered on the federal register of legislative instruments. Once the regulation has been added to the register, it must be tabled in the Senate. Ordinarily, this would have happened yesterday—the first sitting of the Senate since registration. But, as we have heard in this chamber again today, it has not been tabled and the government is afraid to tell us when it will be tabled.

What does this mean? Even if a regulation is made and registered and comes into effect, until that regulation is tabled the Senate cannot have a debate about whether it should be allowed or disallowed. The executive's ability to make regulations is an important function of government, but so is the ability of this place to scrutinise these regulations.

In keeping with the Senate's responsibilities to monitor executive action and hold the government to account, yesterday in question time I asked the acting Assistant Treasurer, Senator Cormann, when he would table the regulation. Senator Cormann referred to a press
release—not the regulation, but a press release—and told this chamber that the government will table these regulations 'consistent with the laws and consistent with usual practice'.

The minister is determined to drag the FOFA process out. I say to the minister: given the failure of the minister to table the Corporations Amendment (Streamlining Future of Financial Advice) Regulation 2014, the time has come. I refer to *Odgers' Australian Senate Practice*, which says:

It is not essential, however, that regulations be provided for tabling by a minister, or any other member of the government. Once an instrument has come into effect, it is open to any senator to seek to table it.

I note further—also from *Odgers'* and recorded in the *Journals of the Senate*—that on 24 June 2009 an opposition senator, by leave, tabled ministerial directions under the Building and Construction Industry Improvement Act 2005. The Senate leader may recall that. Which senator took the unprecedented step of tabling a regulation that had come into effect? It was none other than Senator Abetz, who sits across from us today—now the Leader of the Government in this place. Accordingly, I now seek leave—and the government has been forewarned of this—to table the government's own Corporations Amendment (Streamlining Future of Financial Advice) Regulation 2014.

The DEPUTY PRESIDENT: Is leave granted?

Senator Abetz: We will consider the request in due course and get back to the honourable senator.

The DEPUTY PRESIDENT: Leave is not granted.

Senator DASTYARI: Unbelievable! The Leader of the Government in the Senate will not even grant leave to table their own regulations. Senator Abetz, you stood up in this chamber and made a speech—

The DEPUTY PRESIDENT: Order! Senator Dastyari, I would like you to refer your remarks through the chair.

Senator DASTYARI: On 24 June 2009, Senator Abetz tabled ministerial directions. The government are so scared, so afraid—they know how horrible their own regulations are—they are not even prepared to table their own regulations. It is an indictment of this government, an indictment of these laws and an indictment of your attempt to roll back FOFA.

Senator SMITH (Western Australia) (15:07): On the second day of the new Senate in our country—a second day that gives effect to the decision that Australians made in September last year—what we have from the Labor opposition is an illusion. They would like you to think that they are concerned for veterans. They would like you to think that they are concerned for superannuants. They would like you to think that they are concerned for illegal boat arrivals. But nothing could be further from the truth. When we look at the facts, they speak very clearly. In September last year, Australians made a clear decision. That decision is reflected on this second day in this new Senate. That decision was to abandon the carbon tax. That decision was to abandon the minerals resource rent tax. That decision was to build roads for the future. That decision was to stop the boats and to protect human life by encouraging people not to take the risky course to our nation by sea illegally. Yesterday you would have heard the Labor opposition talk about other illusions, including the Medicare co-payment illusion. What they do not tell you about is that, in 1991, it was a Labor idea.
Senator Gallacher: Mr Deputy President, I rise on a point of order. May the honourable senator address his comments through the chair?

The DEPUTY PRESIDENT: Sorry; I was distracted. Senator Smith, please address your comments through the chair.

Senator SMITH: I most certainly will. What we also hear from Labor is the illusion of the concern that the government might be abandoning quality education. Nothing could be further from the truth.

We heard Senator Dastyari a moment ago accuse the government of running scared, but in fact the opposition in this country are being blatantly irresponsible. There is one immediate task confronting us all, and that is to repair the budget mess that was left by the former Labor government. It is interesting how little they talk about the budget emergency. It is interesting how little they talk about the urgent task that is required to fix the budget arrangements in our country. So do not listen to Labor. Do not look to Labor. Look in our national papers to find out what people are saying. Warwick McKibbin in The Australian Financial Review, just recently, talked about the very real international risks that put our country at risk if we do not repair the budget. The head of the Department of the Treasury had this to say about the opposition and what it had been doing in our national parliament.

Senator Conroy: ‘Stop saying it's unfair’!

Senator SMITH: He talked about ‘vague notions of fairness’. That may ring a bell with Senator Conroy. ‘Vague notions of fairness’ may a ring a bell with Senator Conroy.

Senator Conroy interjecting—

Senator SMITH: Senator Conroy might be reminded of the comment at the beginning of this month where the Treasury secretary said:

We have got to do more just to stand still.

He went on to say:

… it's quite another thing to exhort to vague notions of fairness to oppose any form of reform. If you do that, if you use such an argument to defend what is an unsustainable status quo, what you are doing is consigning Australia to a deteriorating future.

That is not your future, Senator Conroy, and not your future, Senator Gallacher, but the future of young Australians.

Senator Conroy interjecting—

The DEPUTY PRESIDENT: Senator Smith, just resume your seat for a moment. There are too many interjections in the chamber.

Senator Conroy: He's talking directly to me!

The DEPUTY PRESIDENT: I do not think he is, in fact.

Senator Conroy: He's mentioned my name four times.

The DEPUTY PRESIDENT: Names can be mentioned without talking directly to the senator. I will remind all senators to address their remarks through the chair, but there are too many interjections. Senator Smith.

Senator SMITH: So the point is clear. The challenge is crystal clear: our country faces a very serious budget emergency, a very, very serious budget dilemma that does not affect my
future but affects the future of young Australians, the future of your children and your grandchildren. But what we have from the Labor opposition is denial. They do not want to talk about it. They do not believe it exists. As I said, we have had the head of Treasury. We have had Warwick McKibbin in the Australian Financial Review. We have had the IMF. We have had the OECD. And you want to pretend that there is no problem. You come into this place talking about concern for illegal immigrants. That is an illusion. You come into this place talking about concern for veterans. That is an illusion. You come into this place and talk about concern for superannuants. That is all an illusion. Where is the compassion, where is the concern, for all the lives lost at sea? Where is the concern for the budget position of future Australians?

If I had more time available to me in this brief opportunity, I would reflect on the ALP campaign review and share with people why it is that Labor now finds itself in opposition, why it was that Labor failed at the last federal election—because it did not listen to the concerns and needs of Australians. (Time expired)

Senator URQUHART (Tasmania—Deputy Opposition Whip in the Senate) (15:13): I rise to take note of answers from Minister Cash on the coalition government's inhumane policies relating to people seeking asylum. Firstly, I want to refute the continual use of the terms 'illegal arrivals', 'illegal immigrants' and the other words that the coalition government use. In using these terms, they show their true colours in this debate. They highlight that they are interested only in perpetuating the fear of the unknown that unfortunately abounds in sections of our community. What we are talking about in this debate is people seeking asylum. They are actually people, real people, who are fleeing their homelands in search of a better life—people who may have children, partners, mothers or fathers here in Australia, people who may have left their family at home in search of a better life. The key thing is that people currently coming to Australia by boat are seeking asylum. They are not doing anything illegal. The government know that.

Worse than all of the propaganda about so-called illegals is the government's secrecy about so-called on-water operations. In the past week, the government's secretive approach to its immigration policy has gone beyond the pale. The silence from the government, led in its secrecy and arrogance by Minister Morrison, is completely unacceptable. The government has thrown out Australia's international humanitarian obligations and refused to provide basic information to the Australian people. Quite simply, the Australian people have a right to know if the government they elected is acting in accordance with our international obligations. Yesterday the government confirmed that 41 asylum seekers were returned to Sri Lanka. These people were reportedly processed at sea, via videoconference, and were asked only four questions. Minister Cash would not confirm that during a question today.

This supposedly enhanced screening process was never practised arbitrarily by Labor on vessels at sea, as Minister Morrison untruthfully said in his statement yesterday. The process used under the previous Labor government was transparent and thorough. Labor used a far more thorough process than the reported four questions which, it seems, were being used by Minister Morrison and the coalition government to assess whether people engage our protection obligations. It is absolutely not the same thing. To be clear: our process was transparent and thorough.
The coalition government's process is shrouded in secrecy. They must be up-front with the Australian public. What little information is available—that the screening was four questions, conducted arbitrarily on board a vessel via videoconference—is in no way comparable to the former Labor government's thorough and transparent screening processes. Labor has strong concerns about the integrity of this new method of processing people at sea and en masse. Labor has strong concerns about whether the coalition government's latest exploits comply with Australia's international obligations under relevant conventions.

Criticism of the coalition government's approach has come not just from within this parliament. Yesterday we saw a statement from 53 of Australia's leading international legal experts citing their profound concern about reports that asylum seekers had been subjected to rapid and inadequate screening and then a prompt return to Sri Lanka. I acknowledge the two faculty members from the University of Tasmania's law school who were signatories to this letter and thank them for their action. The letter raised concerns that Australia has breached at least three international laws. The signatories urgently call on the Australian government to make public its legal justification for this operation.

Minister Morrison must explain why the government neglected to act in accordance with the regional resettlement arrangement, which would have provided for people to be processed on Christmas Island with greater efficiency and transparency. Minister Morrison must also explain what process is underway to determine the refugee status of another reported 153 persons aboard a second vessel that was detected near Christmas Island. Minister Morrison cannot continue leaving his country in the lurch. He must provide a transparent account of what has occurred on our seas over the last week and a half. It is clear that the coalition government just want to take any opportunity for political mileage. They mix in a large element of secrecy with militaristic propaganda and potentially unsafe practices such as turning back the boats.

Labor is committed to breaking the people-smuggling trade. We are committed to an orderly migration program. We are also committed to increasing the refugee intake so that more people can resettle here in Australia, bringing with them their skills and experience and adding to our rich multicultural society. (Time expired)

Senator WILLIAMS (New South Wales) (15:18): Can I congratulate you, Deputy President Marshall, on your election as Deputy President of this Senate. It was a clear victory to you, given that you were unopposed. Well done!

I could come in on many things here. We have heard Senator Urquhart talking about the boats and the asylum seekers. I was doing an interview on Fairfax television this morning with Ms Terri Butler, the member for Griffith. Mr Deputy President, you would be familiar with the former member for Griffith, Mr Rudd. I am sure you are familiar with the man. When Mr Rudd was Prime Minister, in August 2008, he did away with the Pacific solution. (Time expired)

Senator Conroy: You don't want to talk about FoFA, though, do you?

Senator WILLIAMS: I will get to that, Senator Conroy. You would have been a naughty boy in your younger days! Some 55,000 people arrived in Australia by boat, which was an enormous cost to the taxpayer. But the sad thing was that, on the best figures we have, some 1,100 people lost their lives. We are a generous country. I am proud that in the town in which I live we have refugees, people from Sudan, who actually lived in a tent for eight years before
they could make their way to Australia and go through the hurdles of becoming an Australian
citizen—and proud Australians they are.

I want to talk about FoFA, which Senator Conroy just raised, a very interesting matter. I
was on the original Parliamentary Joint Committee on Corporations and Financial Services,
when we inquired into Storm Financial, Opus Prime, Timbercorp, Great Southern and many
other terrible financial products that cost so many people so much. The committee was
chaired by Mr Bernie Ripoll, the member for Oxley in the other place, from your side of
politics, Senator Conroy.

There is no relaxation of the rules; let's get that straight. Section 961 of the FoFA
legislation clearly states: 'Financial advice must be in the interests of the client first and
foremost.' That is not negotiable. We are removing part G, a catch-all phrase which, on
arguments put forward by lawyers, could leave financial planners open to being sued. That
would mean higher insurance premiums, more cost. Currently, just one in five Australians
now seeks professional financial advice. We need to raise that number, especially with respect
to those with self-managed super funds.

The FoFA inquiry has just been completed. I congratulate Senator Whish-Wilson, who
played a major role, and former senator Mark Bishop, from Western Australia, who did a
magnificent job of chairing the committee. One recommendation of the committee is that we
license every financial planner in Australia and give ASIC the power to suspend that licence
with just a phone call. If ASIC gets clear information that wrongdoing or forgery is being
carried out, with one phone call it will be 'Charlie Brown, you're down to Centrelink next
day.' That is a tremendous power and I am confident that we will get that recommendation
through.

But I want to talk about the question I asked Senator Abetz in relation to the signing of the
trade agreement today with Japan. What a magnificent presentation by Prime Minister Abe,
especially in relation to the Second World War—

The DEPUTY PRESIDENT: Senator Williams, I must remind you that the question
before the chair relates to questions asked by the opposition today.

Senator WILLIAMS: I was just trying to swing it the other way, but I will follow your
direction, Mr Deputy President.

The DEPUTY PRESIDENT: Thank you, Senator Williams.

Senator WILLIAMS: We talked about the budget and my colleague Senator Smith
focused on that as well—$320 billion was referred to last week, when talking about getting
the budget in order.

Senator Conroy: We didn't ask about the budget.

The DEPUTY PRESIDENT: Senator Williams, continue, and we will judge the
relevance of your contribution in due course.

Senator WILLIAMS: Thank you. We were talking about the questions to the government
about the things we are doing to clean up the financial mess we inherited.

Senator Conroy: They were all dorothis!

Senator WILLIAMS: I wonder if Senator Conroy would like to take the call, Mr Deputy
President! Continuing on—
Senator Conroy: What about FoFA?

Senator WILLIAMS: I am glad to take your interjection, Senator Conroy, about FoFA—

The DEPUTY PRESIDENT: No, Senator Williams, just please continue.

Senator WILLIAMS: Do I have to? Can't I take the interjection?

The DEPUTY PRESIDENT: No, you do not have to, but you are invited to.

Senator WILLIAMS: I have had my say on FoFA regulations, and the exaggeration you put forward is amazing. I have said what we have done with the Economics References Committee's 61 recommendations. We talked about a royal commission. I instigated the Senate inquiry into liquidators; 4½ years ago I called for a royal commission into white collar crime, from phoenix and Ponzi schemes right through the system, and, now, from financial planners, we have discovered, and there is more to come out about that as well. So, as I said, we are on a united ticket with Senator Bishop and Senator Whish-Wilson. Senator Dastyari played a major role, and yet here he is today attacking the FoFA regulations. It is a total exaggeration to say that the FoFA regulations have been wound back—a total exaggeration.

Senator Conroy interjecting—

Senator WILLIAMS: I have followed them closely, Senator Conroy. Perhaps it is not an exaggeration that you might be leaving us soon. Is that an exaggeration, or is that just a vicious rumour around the chamber? You might confirm that. In conclusion, Senator Dastyari's question was a total exaggeration. (Time expired)

Senator CONROY (Victoria—Deputy Leader of the Opposition in the Senate) (15:23): Mr Deputy President Marshall, could I also congratulate you. I also note that Senator Williams is lucky he is our favourite National Party senator; otherwise, we would be much harder on him!

I rise to take note of an answer provided by Senator Ronaldson. This government is slashing the pensions of 280,000 veterans, war widows and orphans of veterans. That is what the minister confirmed in this chamber today. You have not heard any trumpets about this one! But that—

Senator Williams: Mr Deputy President, I rise on a point of order. It is on relevance to the subject. When in government, you would not support the indexation changes we wanted, Senator Conroy.

The DEPUTY PRESIDENT: Senator Williams, that is not a point of order.

Senator CONROY: You are rapidly moving down that list of favourite National Party senators, Wacka! But that will not distract me from pointing out that this government has broken another promise: 'no cuts to pensions'. That is what they told the Australian community, and this is a clear admission by Senator Ronaldson, disguised as cross-portfolio savings measures. He confirmed cuts to 280,000 veterans, war widows and orphans of veterans. That is just disgraceful. That is a lie told by Mr Abbott, by Senator Ronaldson and by all members of the front bench of the government before the election. No wonder the community is so disillusioned with this government.

Let me repeat what the now Prime Minister and the now Minister for Veterans' Affairs would tell anyone who would listen to them before the election: indexing veterans' pensions
to the CPI was not good enough. Here is what the Prime Minister said when speaking at the RSL national conference in 2012:

If it’s inadequate just to lift Centrelink pensions by the Consumer Price Index, it’s even less fair to apply solely that index to those who have risked their lives for our country. Loyalty goes both ways.

That is what the Prime Minister of Australia said before the election. But what has happened now? It is not admitted; it has not been stated publicly. It was hidden and disguised heavily in the budget papers. So what we find is that loyalty does not go both ways when it comes to this Prime Minister. The loyalty of this government ran out when it introduced its first budget. What did we see hidden, tucked away, in the May budget? We saw the pensions of 280,000 veterans and their dependants linked to CPI.

What did the Minister for Veterans' Affairs say in June 2013, just on 12 months ago, on the cusp of the election? What did he say about linking pensions to CPI? He said: 'CPI has not been a measure of cost of living for at least 15 years. Age pensioners do not have their pension assessed in this way, so they are falling further and further behind. It is basically unfair, where they are at, and they deserve a fair go and we are going to give it to them.' That is what the minister said. That is what the Prime Minister said. But now that they have been elected the truth comes out, and they slash the pensions of 280,000 veterans, war widows and orphans of veterans. It is a disgrace.

As I said, this is another broken promise; it is another Liberal lie. And there is no-one here who wants to stand up and defend that answer in the taking note of replies so far. Senator Bushby is not going to try and defend this. Senator Cash is not going to try and defend this. And certainly Minister Fifield is not going to try and defend this. They just want to hope no-one notices. Well, it is unfair. They said this before the election, and they have done the opposite after the election. This saving comes straight out of the hip-pockets of veterans, their war widows and their disability pensioners. This is just one in a long line of Liberal lies. They told the Australian public one thing before the election—played them for mugs—and then started slashing in education and health and in pensions to veterans, war widows and orphans. We have had more Liberal lies, time and again. Well, this Senate is not going to stand by and play the cover-up game that those opposite have been trying to play. (Time expired)

The DEPUTY PRESIDENT: Just before I put the question, earlier in this discussion Senator Dastyari sought advice on leave being granted to table some documents. I will now seek some direction again. Is leave granted for Senator Dastyari?

Leave is not granted.

Senator WONG (South Australia—Leader of the Opposition in the Senate) (15:29): Mr Deputy President, I seek leave to make a short statement.

The DEPUTY PRESIDENT: Leave is granted for two minutes.

Senator WONG: I thank the Senate for its courtesy, but I do think it is important that we mark what has occurred here just now. The government is denying leave to table its own regulations. It is extraordinary, isn’t it? The government is denying leave to table its own regulations. What has occurred here is that Minister Cormann has made regulations, which are now in legal effect, to pull back the safeguards, the changes to financial advice, that the former Labor government put in place, bearing in mind some of the inappropriate and unethical behaviour we saw from financial advisers, which has been well-documented.
The government has amended and lessened the protections that Labor put in place. We disagree with that. But, more importantly, the government sought to avoid this Senate chamber in the way it did that. It did not bring through legislation where there would have had to have been a proper debate. The government said that it did it by way of regulation—so gazetted, agreed by the government and ticked off by His Excellency the Governor-General—and has legal effect now. These regulations will have to be tabled eventually and the Labor Party will be moving to disallow them. The government has refused to table its own regulations and, today, it has denied leave for those to be tabled by another party—that is, the Labor Party.

Interestingly, Senator Abetz, the minister who originally denied leave, did precisely the same thing in June 2009 in relation to directions under the Building and Construction Industry Improvement Act 2005. He tabled regulations then and sought to disallow them, but it appears what was good when in opposition is not good in government. The government, despite having notice of this and despite this being of public interest, has refused to grant leave to table their own regulations. *(Time expired)*

Question agreed to.

**Financial Services**

**Senator WHISH-WILSON** (Tasmania) (15:31): I move:

That the Senate take note of the answer given by the Minister for Finance (Senator Cormann) to a question without notice asked by Senator Whish-Wilson today relating to the Financial System Inquiry.

I am going to read a quote:

We do have an inquiry into financial governance going on now. We want to get to the bottom of these things and we want to ensure that investors are as safe as they can be in a market economy.

Those are the exact words from the Prime Minister when asked whether the government would be making a decision on a royal commission into the Commonwealth Bank following a Senate inquiry. I think any reasonable person can deduce from that that he is saying that he will receive advice on that from his financial systems inquiry. My question to Senator Cormann was whether that was indeed the case. I have concerns that the head of that financial systems inquiry, David Murray, has a conflict of interest or, at the very least, a strong perceived conflict of interest, in relation to providing advice to the government on whether it should have a royal commission into the scandals at the Commonwealth Bank and, even broader, into white-collar crime.

I have nothing personal against Mr Murray. I have no doubt that he is very experienced and very well-qualified. But he was the CEO of the Commonwealth Bank until 2005, for a long period of time, when the bank aggressively moved into financial planning, when the bank removed external compliance controls—which came up in the Senate inquiries as one of the issues—and when the bank hired rogue financial planners, such as Mr Don Nguyen, which we heard about in the Senate inquiries. Mr Murray was a part of that bank and an important part of that culture and was a very successful CEO under lots of measures.

The Senate inquiry has very clearly shown that we need a royal commission. We need a substantial inquiry into this bank and into other activities going on and we can look to ASIC to enforceable undertakings. Where are they are occurring? They are occurring in places such as Macquarie Private Wealth. That is just the tip of the iceberg in my understanding. So I
wrote to the Prime Minister and requested that he ask Mr Murray, whether permanently or temporarily, to step aside as chair of the financial services inquiry until this issue is resolved.

There have been other financial commentators on this, and I note that Senator Xenophon also commented in the media that, 'With all due respect to Mr Murray's background and qualifications, he is not the right person to be leading this inquiry'—particularly now when we are broadening the inquiry by looking at things, such as the future of financial advice reforms, the culture within the banking sector, the vertically integrated business models that Mr Murray was a part of driving—and this was not just in the Commonwealth Bank but also led to all the banks competing in the same area. I think a reasonable question to ask is: how likely is he to provide advice to the government that those types of business models—those business models that entrench conflicted remuneration—cause cultural problems in banks because they make so much money out of these areas? I do not think it is unreasonable to say that, if you are potentially going to be called as a witness to a future royal commission or you will be implicated in some way in that royal commission, you have a conflict of interest in terms of advising the government on whether you should even have a royal commission in the first place. It is very clear. So I have written to the Prime Minister and I have asked him to step Mr Murray aside and respond. I have not received a response and that is why I brought this up in question time today.

Clearly, the weakening of the FoFA laws, we have seen with the amendments, are causing significant concern amongst consumer groups in this country. I would like to say that the politics around this that somehow this is the banks versus the unions for super funds is wrong. I do not come from either of those backgrounds or perspectives to this inquiry; I come from the perspective of the consumer and looking at consumer protections. The government have not convinced these very large stakeholders that this is the right thing to do. The Greens said very clearly that we felt conflicted remuneration should be totally banned and that we would vote against the other FoFA amendments but we would be happy to see an independent inquiry after five years into whether it is true that red tape has increased costs to the smaller financial planners or whether the cost of the provision of financial advice has changed. It is reasonable to have an evidence-based approach to this; not kill these FoFA bills before they even hit and take effect.

The Australian Bankers Association made it very clear in the Senate inquiry that they expected these things to be changed by 1 July so that they did not have to change their compliance systems. Well, the government delivered for the big end of town and now the mum and dad investors across this country are worried and it has done damage to the financial services industry. *(Time expired)*

Question agreed to.

PETITIONS

The Clerk: A petition has been lodged for presentation as follows:

Budget

To the Honourable President and members of the Senate in Parliament assembled:
The petition of the undersigned shows:
- Grave concern about the proposed Federal Budget released May 2014, specifically
- Strenuous objection to the Co Payment for Medicare,
Disagreement with cuts to education reform and deregulation of the university sector,
Disbelief at the proposal to extend the retirement age to seventy years, limiting the job pool for younger people
Disapproval of the proposed lack of benefits to unemployed under 30 years for the first six months and
Condemnation of cuts to pensions and family tax benefits without corresponding cuts to politician wages and elimination of political pensions that are available prior to retirement age and are not means tested

Your petitioners ask that the Senate:
Block the proposed Federal Budget released May 2014
Preferably create a situation for a double dissolution election OR
At a minimum, block changes to Medicare, education, and Centrelink and
Encourage review and reduction of politician wages and entitlements, in line with poverty in large sections of the community, to create savings for the Federal Budget

by Senator Moore (from 569 citizens).

Petition received.

NOTICES

Presentation

Senator Wright to move:
That the Migration Amendment (Offshore Resources Activity) Regulation 2014, as contained in Select Legislative Instrument 2014 No. 64 and made under the Migration Act 1958, be disallowed [F2014L000624].

*Fifteen sitting days remain, including today, to resolve the motion or the instrument will be deemed to have been disallowed.*

Senator Faulkner to move:
That standing order 17 be amended as follows in relation to the Chair of the Procedure Committee:
Omit paragraph (4), substitute:

(4) The President shall be the chair of the committee and the Deputy President shall be the deputy chair.

Senator Wright to move:
That the Legal and Constitutional Affairs References Committee be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate on Thursday, 10 July 2014, from 3.50 pm, in relation to its inquiry on the Manus Island Detention Centre.

Senator Peris to move:
That the Joint Select Committee on Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate on Wednesday, 16 July 2014, from 10.30 am.

Senator Lundy to move:
That the time for the presentation of the report of the Finance and Public Administration References Committee on Commonwealth procurement procedures be extended to 17 July 2014.
Senator Macdonald to move:
That the Legal and Constitutional Affairs Legislation Committee be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate on Thursday, 10 July 2014, from 3.45 pm, in relation to its inquiry on the exposure draft of the Medical Services (Dying with Dignity) Bill 2014.

Senator Rhiannon to move:
That the Senate—
(a) notes that:
(i) the Global Fund to Fight AIDS, TB and Malaria (the Global Fund) is working to eventually eradicate deaths from these diseases,
(ii) the Global Fund has raised from national governments and private donors $12.2 billion of the $15 billion it is seeking for the period 2014 to 2016,
(iii) from 2004 to 2013 Australia contributed a total of $400 million to the Global Fund, and in this period the Global Fund invested a total of $4 billion in the Asia-Pacific region, and
(iv) an appropriate contribution to the Global Fund by the Australian Government would be $125 million, which would take Australia’s total contribution over three years to $325 million; and
(b) calls on the Australian Government to consider providing replenishment to the Global Fund.

Senator Wright to move:
That the Senate—
(a) notes the importance of protecting valuable agricultural, residential and conservation land from unconventional gas activities;
(b) supports the right of landholders and local residents to say ‘no’ to unconventional gas exploration and mining in their communities;
(c) recognises the concerns expressed by communities in the south east of South Australia over potential groundwater contamination from unconventional gas activities; and
(d) congratulates the South East Local Government Association in South Australia for standing up for their local communities and voting for a moratorium on unconventional gas.

Senator Xenophon to move:
That there be laid on the table by the Minister for Defence, no later than 4 pm on Thursday, 10 July 2014:
(a) the report of the review of the Air Warfare Destroyer project conducted by Professor Don Winter and Mr John White; and
(b) a statement of reasons as to why any information is commercial in confidence and the possible harm it might cause and where that information has been redacted from the report.

Withdrawal


BUSINESS

Leave of Absence

Senator BUSHBY (Tasmania—Government Whip in the Senate) (15:37): by leave—I move:
That leave of absence be granted for Senator Brandis from 8 July 2014 to 10 July 2014, on account of ministerial business.
Question agreed to.

NOTICES
Postponement

The following item of business was postponed:
Business of the Senate notice of motion no. 1 standing in the name of Senator Hanson-Young for today, proposing the disallowance of the Migration Amendment (Bridging Visas—Code of Behaviour) Regulation 2013, postponed till 14 July 2014.

COMMITTEES
Public Accounts and Audit Committee
Meeting
Senator BUSHBY (Tasmania—Government Whip in the Senate) (15:38): I move:
That the Joint Committee of Public Accounts and Audit be authorised to hold private meetings otherwise than in accordance with standing order 33(1), during the sittings of the Senate, as follows:
(a) Monday, 14 July 2014, from 3.30 pm;
(b) Thursday, 17 July 2014, from 10.30 am, followed by a public meeting;
(c) Thursday, 28 August 2014, from 10.30 am, followed by a public meeting; and
(d) Thursday, 4 September 2014, from 10.30 am, followed by a public meeting.
Question agreed to.

Treaties Committee
Meeting
Senator BUSHBY (Tasmania—Government Whip in the Senate) (15:37): I move:
That the Joint Standing Committee on Treaties be authorised to hold a public meeting during the sitting of the Senate on Monday, 14 July 2014, from 11 am to 1 pm.
Question agreed to.

National Capital and External Territories Committee
Meeting
Senator BUSHBY (Tasmania—Government Whip in the Senate) (15:38): I move:
That the Joint Standing Committee on the National Capital and External Territories be authorised to hold a private meeting otherwise than in accordance with standing order 33(1), followed by a public meeting, during the sitting of the Senate on Thursday, 17 July 2014.
Question agreed to.

MOTIONS
Western Australian Shark Cull
Senator SIEWERT (Western Australia—Australian Greens Whip) (15:39): I move:
That the Senate—

(a) notes that 305 senior scientists and experts have submitted their concerns about the shark cull to the Environment Protection Authority in a Letter of Expert Concern which clearly demonstrates the lack of any scientific basis for the Western Australian shark cull; and

(b) calls on the Federal Government to reject the Western Australian shark cull.


The PRESIDENT: Leave is granted for one minute.

Senator FIFIELD: We oppose this motion. The Minister for the Environment has determined that the Western Australian shark mitigation proposal requires full and rigorous assessment and approval under national environmental law for its potential to impact on listed, threatened and migratory species. The proposal is being assessed by the Western Australian Environmental Protection Authority under the existing bilateral agreement, an agreement put in place by Mr Tony Burke which has been in operation since 2012. The Minister for the Environment will not pre-empt a decision on the proposal and will assess it in full accordance with national environmental law.

Senator SIEWERT (Western Australia—Australian Greens Whip) (15:40): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator SIEWERT: The shark cull in Western Australia ran, as we know, over the summer and there is now a PER document out for public consultation, as Senator Fifield just articulated. The important part of this motion is that over 300—in fact now 305—scientists have written to the state and the federal governments to outline a letter of concern and to highlight very particularly the lack of scientific evidence around the Western Australian government's proposed shark cull or the continuation of the shark cull for three years. Three hundred and five international and Australian scientists are expressing very strongly their concern about this cull. This is about the federal government taking that information into account and rejecting what is a cruel practice that will decimate the shark species. (Time expired)

Question agreed to.

Whaling

Senator WHISH-WILSON (Tasmania) (15:42): I ask that general business notice of motion No. 318 standing in my name for today relating to the Southern Ocean whale sanctuary be taken as a formal motion.

The PRESIDENT: Is there any objection to this motion being taken as formal.

Senator Fifield: Yes.

The PRESIDENT: Leave is not granted, Senator Whish-Wilson.


The PRESIDENT: Leave is granted for one minute.
Senator FIFIELD: The government deeply values Australia's close and enduring friendship with Japan, based on our shared values and a commitment to peace, prosperity and the rule of law. We warmly welcome Prime Minister Abe, his wife and delegation to Australia. As the Prime Minister stated this morning, our two countries have forged one of the world's firmest friendships and most practical partnerships. The signing of the Japan-Australia Economic Partnership Agreement will lift this relationship to an even higher level.

The government's position on the matters raised in the Greens' motion is well known. Raising this issue today is nothing more than a stunt. In moving this motion, the Greens have, once again, shown disrespect for a visiting head of government. That is why the government have denied formality.

Senator MOORE (Queensland) (15:43): Mr President, I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator MOORE: I need to put on record again our party position. We believe that any complex or contested motions, particularly those to do with foreign affairs, should not be put to this place in the form of a blunt notice of motion. On that basis, we maintain our position in not supporting formality for such motions.


The PRESIDENT: Leave is granted for one minute.

Senator WHISH-WILSON: If we have the close, warm relationship with Japan, as Senator Fifield just said, surely we should be able to openly discuss our differences as well as what we have in common. The Greens value the environment. We prioritise looking after the environment. Whales cannot be here today to speak for themselves so we need to do it for them. Everything we put in this motion makes common sense. We are calling on the Japanese government to cooperate with Australian scientists in non-lethal whale research. This is what we do well internationally. This is what we need to do to head off what is a clear direction from the Japanese government to send harpoon boats back to the Southern Ocean next year to kill whales.

Today is the day we should be moving this motion. You can say it is political, Senator Fifield. I am a politician and this is parliament. Whales are important. They are very important, not just to the Greens; they are important to nearly all Australians. Ninety-five per cent of Australians surveyed do not want to see the Japanese killing whales. We should be able to talk openly and honestly. (Time expired)

MATTERS OF URGENCY
Asylum Seekers

The PRESIDENT (15:44): I have received the following letter from Senator Siewert:

Pursuant to standing order 75,

I give notice that today I propose to move "That, in the opinion of the Senate, the following is a matter of urgency:

"The Abbott government's continued secrecy over the interception and transfer of asylum seekers on the Indian Ocean, and the fate of the 153 asylum seekers who remain unaccounted for."

Is the urgency motion supported?
More than the number of senators required by the standing orders having risen in their places—

The 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 HANSON-YOUNG (South Australia) (15:45): I move:

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

"The Abbott government's continued secrecy over the interception and transfer of asylum seekers on the Indian Ocean, and the fate of the 153 asylum seekers who remain unaccounted for."

I look forward to listening to the debate on the topic over the next hour. I just want to make one clarification because, when this motion was put forward this morning at 8.30 am, the 153 asylum seekers that have been reported in relation to the second boat that we all understand we are debating today were unaccounted for, but, over the course of the day and because the federal government has been hauled in front of the High Court, we now know from confirmation by the federal government to the court that, in fact, 153 asylum seekers remain in custody on the high seas by the government—153 asylum seekers who are frightened, terrified, anxious individuals who wanted to come to Australia to ask for our help and protection, including dozens of children.

The High Court has now confirmed, after hearing the presentations from the federal government, that 153 people are being held in custody, effectively on a prison ship, by the federal government. The people on board this boat have been on the water for over three weeks. Children as young as a few months old and up to 12 years old have been on this boat out in the seas for three weeks and are now being held in custody by the Australian government.

We know that the federal government has not wanted to talk about this matter. We have had weeks of the federal minister, Scott Morrison, saying it was an on-water matter and he was not going to talk about it. We now know the cruel practices this government is up to. Only 48 hours ago the government participated in the illegal transfer of asylum seekers straight into the hands of the Sri Lankan navy, putting those people at very grave risk. Thankfully, because of the court action brought forward today, the fate of 153 people may indeed end up being better than that of the 41 who have already been handed over to the Sri Lankan government, but we do not know and the court will continue that debate over the next hour or two. We await the deliberations of the justice.

It is astounding that for weeks we have been given absolute silence by this government in the face of international condemnation and very serious concern by organisations such as the UNHCR—the lead refugee body in relation to protection matters—saying that this type of treatment of asylum seekers is unlawful and of major concern. The government have not wanted to be up-front with the Australian people about what is going on. Even today during question time the Minister representing the Prime Minister, who is third in line to be the Acting Prime Minister—if Mr Abbott and Mr Truss were out of town, Senator Abetz would be the Acting Prime Minister—stood here and refused to give this chamber of parliament answers to questions in relation to this matter. The government think they are above the law and above the parliament and continue to hold the Australian people in contempt over this
issue. The fact is that there are very serious legal and human rights concerns for those people and this government are playing with their lives out on the high seas.

The practice of on-water screening, at-sea assessment, that this government used to send back the 41 asylum seekers—they were handed back to the people they said they were fleeing; that is, the Sri Lankan government—was conducted in under five minutes via teleconference. There is no way that can accord with Australia's international obligations. The government did not want us to know any of this. This is all secret. There is no transparency. If the government were up-front, if they believed that what they were doing was right, then they would not be hiding it, but they continue to hide it. We have heard from family members of those on board the boat of 153 that they are terrified about what is going to happen to their family members if they are indeed sent back to Sri Lanka. Mr Morrison has done nothing but hide from the Australian people and hide the facts from this parliament. He has done nothing but put the fear of God in those who have done nothing more than seek Australia's protection.

What is going on out on the high seas today is Tony Abbott's *Tampa*. We have a situation where 153 individuals, including children, asylum seekers, say they are in fear of being sent to Sri Lanka and the Australian government are refusing to help them. They are being held on a prison ship out on the high seas and all we get from Mr Abbott as Prime Minister or Mr Morrison as immigration minister is silence, denial and more cruelty. I asked a question during question time today in relation to comments made by the immigration minister during question time some two weeks ago where he told the other place that the government was not just going to stop the boats; they were just warming up—to trash Australia's international reputation and the lives of individuals who come our way asking for help.

This issue has become so toxic in this country that we are now turning our backs on refugees and handing them back to the people they are running from. That is a clear breach of everything that the refugee convention is meant to stand for. There is a reason that this convention was drafted in the first place. The world hung its head in shame at the end of World War II when countries realised that boatloads of Jews had been turned away at various nation's ports and sent straight back to danger. That is why the world got together and said: 'Never again will we treat people like this. Never again will we allow politics and the lack of decency to overrule basic human rights and respect for human life.' Yet what we have here today is a prison ship being run and overseen by Scott Morrison and Tony Abbott, and the people on board being threatened to be handed straight back to the hands of their persecutors. It is a breach of faith in relation to what Australia does and how it acts in relation to international law, and it undermines the basic standards of decency that Australia has become so proud throughout its history.

What are we so afraid of? Are we afraid to extend a hand of help to those who are asking us just to give them a chance? I am not suggesting for a moment that every person who arrives on a boat is a refugee. What I am asking for is that we stand up for the rule of law and for basic decency and fairness, that we stop playing hide and seek with the lives of children on board these Customs and Navy vessels and that we stop playing with the lives of vulnerable people who have committed no crime, making their way to Australia to ask in desperation for protection. Let us have a process that is transparent, that is open and that is in line with the rule of law. In this place, it is our job as members of parliament to stand up for
the basic rule of law to ensure that there is a floor that we will not cross nor go below because people's rights do matter. The protection of refugees is important.  

**Senator CASH** (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (15:56): I too rise to contribute to the motion moved by Senator Hanson-Young. In listening to Senator Hanson-Young's contribution, Senator Hanson-Young posed the question: what are we afraid of? Let me tell you what we on this side are afraid of. We are afraid that if we re-implement the policies that Senator Hanson-Young supported for six years in this place, the policies that those on the other side introduced despite our pleas that they do not roll back the Howard government's border protection policies, we will see yet again more people getting on leaky boats; that we will see what occurred under the previous government, where men, women and the children whom Senator Hanson-Young speaks so passionately about in this place were drowning. That is the direct result of the former government's policies.

In excess of 1,200 men, women and children died at sea. I ask Senator Hanson-Young: when those deaths were confirmed, why did she not come into this place on each occasion and give an impassioned speech like she has done today? The answer is that it did not suit her political purposes. We do not want to see any more people put their lives at risk and get on a boat and quite possibly drown, like the more than 1,200 men, women and children who died as a direct result of the policies that Senator Hanson-Young is yet again promoting in this place. I will stand here quite proudly and say that.

In 2007, when the former Howard government lost office, there were four people in immigration detention. The immigration detention network was costing the Australian taxpayer less than $100 million per year. Fast forward to 2013, after six years of the Rudd-Gillard-Greens alliance, where did Australia end up? In excess of 50,000 people came here illegally by boat, in excess of 1,200 people were confirmed to have drowned at sea, and there are in excess of 14,000 people who did not have the means nor the opportunity to leave the UNHCR camps that they have found themselves in for not one year, not two years, but 20 years. That is the number of years that the people who came to my office in Perth were in camps for in the Congo—20 years. And each one of their children was born in a camp. Yet Senator Hanson-Young is prepared to stand up in this place and say that the Greens are prepared to turn their backs—Labor as well, because it was their policies that the Greens supported—on the millions of people who are languishing in UNHCR camps because they do not have the means. Those people do not have the opportunity to get on a plane, to get visas to two or three different countries, to touch down in Indonesia and to pay a people smuggler to come to Australia. This government is not going to do that. We are going to defend those people who are in camps. We are not going to implement policies that discriminate unfairly against those persons.

We took those policies to the 2010 election. There was an overwhelming swing towards the coalition. We took those exact same policies—we made no excuses for our policies—to the 2013 election and the Australian people cast their vote. When it came to border protection, they knew what they were going to get if they voted in favour of a coalition government, and they voted overwhelmingly in favour of a coalition government. You only have to look at the numbers in the Senate today to see that the Labor Party have been reduced to but 25 senators, and they were comprehensively thrown out of the other place. When the Australian people
voted on 7 September 2013 they knew what they were voting for, and they overwhelmingly voted for it.

There are two parts to this motion. The second part is in relation to 'the fate of the 153 asylum seekers who remain unaccounted for'. As I said in question time today, senators are aware that this matter is currently before the High Court. I understand that the court may have taken a short break but will be resuming. The Abbott government respects the court processes and we are awaiting the decision of the court. So, in relation to that part of the motion, it would be inappropriate for me to comment any further. But in relation to the first part of the motion—'the Abbott government’s continued secrecy over the interception and transfer of asylum seekers on the Indian Ocean'—there is no secrecy. In relation to on-water matters, again the Australian people knew when they cast their votes for us at both the 2010 and the 2013 federal elections that they were voting for the coalition's policies—not for the failed policies of the Greens and Labor from 2008 until 2013; they were voting for the coalition's policies. These are strong border protection policies. We make no excuses for that. They are saving lives at sea. Since we implemented OSB and turn-backs, we have not lost one life at sea—

Senator Hanson-Young: That's not true—

Senator CASH: compared with in excess of 1,200 men, women and children who drowned at sea—

Senator Hanson-Young interjecting—

Senator CASH: under the policies that Senator Hanson-Young so vocally still supports. Again, we have made our operational protocols, our communication protocols, clear to the Australian people, and we have said to them that we will not, for matters of national security, comment on on-water matters.

The fact that today marks the 202nd day since there was a successful people-smuggling venture to Australia shows, I would say, that our policies are working. But, in relation to the secrecy, I refer the Senate to a press release issued by the Minister for Immigration and Border Protection, Scott Morrison, on Monday, 7 July 2014, where he confirmed:

The Australian and Sri Lankan governments have moved swiftly to return a group of 41 Sri Lankan nationals who attempted to arrive illegally by boat to Australia as part of a maritime people smuggling venture.

He goes on to outline for the Australian people exactly what occurred:

The suspected illegal entry vessel (SIEV) was intercepted by Border Protection Command West of Cocos (Keeling) Islands in late June. At no stage was the vessel in distress and all persons aboard the SIEV were safe and accounted for.

He then confirms:

Forty one potential illegal maritime arrivals who were intercepted on the SIEV were returned to Sri Lankan authorities yesterday (Sunday 6 July).

He goes on to confirm:

The 41 Sri Lankan nationals were transferred at sea, in mild sea conditions from a vessel assigned to Border Protection Command (BPC) to Sri Lankan authorities, just outside the Port of Batticaloa.

All persons intercepted and returned were subjected to an enhanced screening process, as also practised by the previous government, to ensure compliance by Australia with our international obligations—
In relation to the claims of secrecy, I would say that the press release that I have in front of me—which I have not read out in full and which contains a lot more information—goes to show that when it comes to on-water matters, you are right: we will, in the interests of national security, maintain our communications protocol. But, as this press release shows, the government has been completely open in relation to these asylum seekers. (Time expired)

**Senator KIM CARR** (Victoria) (16:06): In an era of deafening, shrill, dog-whistle politics on refugee issues we well may thank the Constitution for the existence of the High Court, because it would seem that the High Court, being the most respected institution in this country, is at least paying some attention to human rights—a fact that this government has failed to acknowledge. The government's secretive approach to immigration policy has plumbed new depths. The High Court processes are now exposing the extent to which the government has been able to hide from this parliament and from the Australian people its actions in the name of national security. We have seen proceedings involving the detaining of 153 Sri Lankan asylum seekers—and I assume now that the government has confirmed the existence of the prison ship which we have alleged has existed for some time now.

The government has refused to provide information to this parliament but it is at least being obliged to provide information to the High Court. Today the government has made an undertaking to the High Court that it will not attempt to repatriate the asylum seekers without giving 72 hours notice. This is the first time the government has acknowledged that it has these people in detention. Mr Justice Crennan has accepted the undertaking that the government has made to the High Court and has said that a full bench will hear the case against the government on an expeditious basis.

**Senator Payne:** Mr Acting Deputy President, I rise on a point of order. Perhaps Her Honour Justice Crennan might be slightly perturbed about being called 'Mr Justice Crennan'.

**Senator KIM CARR:** Yes, of course—I thank the minister for the correction. The government's claim that it is acting within the law may now be fully tested, and the fact that the High Court has decided to hear these matters with a full bench suggests that the government has a case to answer. The barrister representing the asylum seekers, Ron Merkel, says that all of the people in this case are Tamils and there is evidence that they have fled their country to escape persecution. Crucially, he submits that they have received an affidavit from this government that constitutes the first official acknowledgement that it is actually holding asylum seekers. He submits that they are being held at sea by Australian authorities and that the key issue is whether or not the relevant parts of the Migration Act allow the government to hold them within the law. Another member of the asylum seekers' legal team, Mr George Newhouse, commented in an ABC report that the issue is whether Australian law allows the government to hold people in a secret rendition location.

Labor calls on the government to come clean with this parliament and to come clean with the Australian people. We have never accepted that the government should throw away the humanitarian handbook in pursuit of what is nothing more than a political scoreboard. The government is seeking to use refugees for political purposes. In the last parliament, not a day went by when the shadow minister, now the Minister for Immigration and Border Protection, would miss the opportunity to make enormous political capital about every boat that he saw coming across the horizon. There was no question then about secret operational matters that could not be discussed with the Australian people; there was no suggestion in the election...
period that the government was not going to provide basic information to the Australian people and to this parliament. These are all matters that have arisen subsequent to the election.

Serious questions are being asked, and the Australian people have a right to know the answers to these questions. Is this government's claim that it is acting in accordance with our international obligations justified? Criticisms of the government are not just being made in the parliament; they are not just being made by the Australian Labor Party. In fact, 53 of Australia's leading international legal experts released a statement citing their 'profound concern' with reports that asylum seekers are being subjected to rapid and inadequate screening and then promptly returned to Sri Lanka. According to these legal experts, the government's actions have raised a real risk of refoulement, placing Australia in breach of its obligations under international refugee and human rights law, including the 1951 refugees convention, the 1948 Universal Declaration of Human Rights and the 1966 International Covenant on Civil and Political Rights.

The fact is that we do not know if the government's claims are correct because they have not been straight with the Australian people and they have not been straight with the parliament. Now they are obliged to be straight with the High Court. The minister, Scott Morrison, must explain the process under which he has acted to determine the refugee status of these applicants. It is simply not good enough for the minister to make an assertion that he is acting within the law—there has to be a clear statement made about what the government is doing and this parliament has to have the capacity to hold the government to account particularly when it comes to the question of its capacity to act within the law.

The government is now asking asylum seekers four questions at sea—an assessment process they claim was the same as that of the previous government. That is not true. It is yet another lie by this government. What we are being told is that four arbitrary questions are being considered to be sufficient to decide whether a person is able to claim refugee status in this country. Legal scholars have noted that 'such summary procedures do not comply with minimum standards on refugee-status determination under international law', and 'holding asylum seekers on boats in this manner also amounts to incommunicado detention without judicial scrutiny'. There are other questions that the minister has to answer, apart from the question about why he constantly lies about operations and the application of refugee status—

Senator Payne: Mr Acting Deputy President, I rise on a point of order. Senator Carr knows that that is inappropriate language to use and I seek to have you ask him to withdraw it.

The ACTING DEPUTY PRESIDENT (Senator Bernardi): It is inappropriate, Senator Carr, and I ask you to withdraw.

Senator KIM CARR: I withdraw. The minister has said things which are completely and totally untrue about the way in which the previous government acted on these matters. He has constantly misrepresented the facts, he has been injudicious with the truth and on many occasions he has failed to fundamentally deal with some basic questions. What country information is the government using to assess refugee claims? What is the quality of the information being gathered? Who is conducting these assessments? What are the rights of appeal for applicants? What judicial restrictions were there when the assessments took place?
Were the asylum seekers able under our protective mechanisms to have legal representation, and if so from whom?

The fact is that there is no evidence being provided to this parliament to support the government's claim that it is acting within the law. The integrity of our refugee status determination system is significantly at risk by the failure of this government to actually come clean on these issues. The policy of secrecy and duplicity will bring this country into disrepute. The government's actions are clearly for political motives, not for national security motives. The appropriate action would be for the government to bring these asylum seekers to Christmas Island so that a proper and thorough assessment can be undertaken. Under those circumstances, it may well be appropriate to transfer people to Manus Island or Nauru, or to repatriate them. But there has to be a proper legal process to assess their claims for refugee status.

The minister needs to explain why he has neglected to act in accordance with the Regional Settlement Arrangement, which would have provided a much higher level of efficiency. The minister now has to acknowledge the facts in this matter before the High Court of Australia. This is something he has failed to do in this parliament and for the Australian people. We will soon see whether the government's claims to be acting within the law are, in fact, valid. We will soon be able to test the claim that Australia is acting within its international obligations. I look forward to the High Court's deliberations.

Senator MILNE (Tasmania—Leader of the Australian Greens) (16:16): I rise today to support this matter of urgency relating to the Abbott government's continued secrecy over the interception and transfer of asylum seekers on the Indian Ocean and the fate of 153 asylum seekers who remain unaccounted for. This is 153 people just like us. This is 153 people who are now in the custody of the Australian government. They have committed no crime. Seeking asylum is not illegal. They have been taken into the custody of the Australian government and they are imprisoned on a ship. We understand that they were intercepted, possibly in the contiguous zone, and then taken onto the high seas. We now have the farcical situation where the Australian government will be supplying that ship on the high seas—presumably from Christmas Island—in the hope that they will be able to send these people back to the people who have persecuted them. Sending the persecuted back to the persecutors is what this government is doing in Australia's name. It is shaming us internationally. People are looking at what we are doing and find it hard to believe that Australia could do it. But they have proof that we have done it because 41 people have been sent back—and, the minute they were sent back, they were put in the hands of the police and security forces in Sri Lanka.

I think it is time Australians had a really good look at what is happening in Sri Lanka and the Abbott government's appeasement of a country where the Rajapaksa are behaving like a dictatorship. They have already impeached their Chief Justice. Sri Lanka is being run as if it were a totalitarian dictatorship. I think Australians would like to know exactly what the relationship between the Liberal Party and the Rajapaksa is. Is it true, for example, that figures from the Liberal Party went to Sri Lanka and assisted in the campaign to have the Rajapaksa elected? I would be interested in hearing from the Liberal Party in Australia whether that is the case.

However, in relation to what their people are being handed back to, I draw the attention of the Senate and the community to a March 2014 report entitled An Unfinished War: Torture
and Sexual Violence in Sri Lanka, 2009-2014, which was authored by the Bar Human Rights Committee of England and Wales and the International Truth and Justice Project Sri Lanka. It concludes:

Abduction, arbitrary detention, torture, rape and sexual violence have increased in the post-war period. Targeted for these violations are LTTE suspects, or those perceived as having been connected to, or supporters of, the LTTE—

that is, the Tamil Tigers—

The purported aim is to extract confessions and/or information about the LTTE and to punish them for any involvement with the organisation. These widespread and systematic violations by the Sri Lankan security forces occur in a manner that indicates a coordinated, systematic plan approved by the highest levels of government. Members of the Sri Lankan security forces are secure in the knowledge that no action will be taken against them. This report establishes a prima facie case of post-war crimes against humanity by the Sri Lankan security forces, with respect to (a) torture and (b) rape and sexual violence.

Our own Public Interest Advocacy Centre, in their report Islands of Impunity? in the International Crimes Evidence Project, recorded accounts of two Tamil women who were raped during interrogation by the security forces in Sri Lanka in 2011 and 2012. That is what we have sent 41 people back to. They are in the hands of those people right now. As well, 153 others are on the high seas, effectively imprisoned by the Australian government. The only reason they have not be handed over is that the Sri Lankans have not yet picked them up in their ships. The question is whether they will or not—because they have come from India. What arrangement does Australia have with the Sri Lankan government? There is an interchange between the two countries. Does it include people who have been picked up in waters and sent back?

Let us get to this enhanced screening process. Enhanced screening started with the Labor government and we condemned it then. It was an attempt to get around the law. Interestingly, every time it was challenged, the Labor government dropped it because they knew that it would not stand up in the courts. And now we have got enhanced questioning from the Liberal government, in complete and utter violation of international law, with people not being properly represented and four questions being asked. It is a sham of a process and will be seen as such. The matter is now before the courts.

I went to Sri Lanka after the war to see for myself what was going on there. I was so alarmed by what I saw that I have continued to keep a serious count of what is happening. In my office I have a large painting called This is not a white van. It is written in English, in Sinhala and in Tamil. The reason I have it is people I spoke to in Sri Lanka told me people are being disappeared in white vans on a frequent basis. A British report entitled An Unfinished War: Torture and Sexual Violence in Sri Lanka 2009-2014—by Yasmin Sooka, the Bar Human Rights Committee of England and Wales and the International Truth and Justice Project in Sri Lanka—states:

The overwhelming majority of the witnesses were 'white vanned', a term now used in Sri Lanka to denote abduction by the security forces.

A quarter of the witnesses reported being abducted and tortured on more than one occasion.

There is still an enormous number of people in the military in Sri Lanka. In the north, people are being dumped back into areas where there is no infrastructure—it was destroyed during the war—and their land is being taken away and given to the military. We have seen
shocking abuses of humanity in Sri Lanka by a government where four brothers run the country. They control the media, they have impeached the Chief Justice and they do not allow the kinds of representations that you would expect in a democracy. They are covering up, and allowing, absolute vilification and violence against religious minorities in Sri Lanka as we speak.

Australia did not sign onto the United Nations Human Rights Council resolution in a disgraceful display of appeasement of Sri Lanka; nevertheless, the UN got that resolution through. The Sri Lankan government will not allow the United Nations Human Rights Council to go into the country and have a look at what is happening there, yet our Prime Minister is saying what a jolly good job they are doing in Sri Lanka and how things have improved. I can tell you that things have not improved for anyone who stands up to the Rajapaksa regime. Regardless of whether you are Tamil or Sinhalese, if you stand up to the regime you will be 'white vanned'. That is the reality. We have already heard evidence from one of the 153 people on this boat that the regime had hung him up by his thumbs to force him to confess that he had in some way been associated with the Tamil Tigers.

What sort of country have we become when we have a government that is prepared to send persecuted people back to their persecutors? What sort of country have we become when we violate international law in such a disgraceful way?

Senator SESELJA (Australian Capital Territory) (16:26): I would like to respond to some of the earlier input from Senator Carr before I get to the Greens contribution. Senator Carr, I think, is having a bad day. His question in question time backfired as he sought to criticise the government for things he alleges happened under this government but which in fact happened under the former government. In fact, at that time we saw press release after press release from Chris Bowen about returning asylum seekers to Sri Lanka. Senator Cash started reading some of these out, before the points of order howled her down. But we saw press release after press release highlighting this fact. We saw this hypocrisy on 2 November 2012 from Chris Bowen:

... there are powers available to the government to return people where they do not engage Australia's international obligations—and when appropriate we certainly intend to use them. ... We have seen 116 Sri Lankans return home—voluntarily and involuntarily—since 13 August, as people realise that these smugglers only sell lies and false promises about what awaits people in Australia.

Occasionally, the Labor Party, when they were in government, would actually get to the heart of the matter. The problem was that they were never able to manage the policy. I go to the other part of Senator Carr's critique. He claimed that there were political motives here, not policy motives. It is absolutely clear, in the hysterical response, in the misrepresentations from the Australian Labor Party, that it is only about political motives on their part—because, fundamentally, they do not want this policy to succeed. They claimed that it would not succeed. We heard time and time again that we could not stop the boats, that our policy would not work.

The Australian people are far smarter than that, and they see through that. They saw the former government change the policy, and thousands upon thousands of people came to this country. We saw more than 1,000 people drown trying to get here. That is what the Australian people saw under the Labor Party's border protection policies—for what they were. What they have seen since the change in government, since the change in policy, is that this has in fact
stopped. The boats have stopped arriving. The drownings have stopped. We are now in a position where we can actually take people from offshore; we could not do that before because we were oversubscribed by people arriving here illegally. That is the fundamental change. Fundamental to that success has been the suite of policies.

The Australian Labor Party would like us to give a running commentary, as they tended to do. They would like us to take the Labor Party prescription, which failed when it came to the protection of our borders. We believe there is a better way, and that is what we are implementing. Lieutenant General Campbell put it well when he talked about why you do not give a running commentary. He said:

I take this responsibility very seriously.
I do not believe in secrecy for secrecy's sake.

The protocols I have established, and which are supported by the Government, for the release of official information related to Operation Sovereign Borders, seek to balance the public's right to know, which I respect, the safety of all involved, which I am responsible for, and the mission which I have been given and which I am determined to achieve.

I say on behalf of the Australian people that Lieutenant General Campbell has done an outstanding job of delivering on that mission.

When we hear the Labor Party and the Greens asking for that running commentary, I would remind them that this is a significant part of what has worked. It was not something that Scott Morrison just plucked out of thin air; it was the best possible advice that he took from the likes of Lieutenant General Campbell. He has followed that advice. He has allowed professionals to get on with the job, and we have seen a change to a very clear message that coming here illegally will not happen anymore.

We have stopped the drownings. We have stopped the boats. Now we have the Labor Party and the Greens wanting our policy to fail. We cannot afford to let this policy fail. All aspects of this policy are critical to ensuring we do not again see the drownings and we do not again see people languishing in camps overseas because they cannot get here because people have greater needs—(Time expired)

Senator SINGH (Tasmania) (16:31): The opposition asked questions today of Senator Cash in relation to this very issue. Senator Cash was unable to answer any of the questions that were asked by Senator Carr. Standing orders, as we know, require that a minister be directly relevant in their answers. But she was directly irrelevant in her answers. In fact, Senator Abetz on the ABC's Insiders program last Sunday gave more insight into what the government is or is not doing in relation to this issue than Senator Cash did. Yet she, like Minister Morrison, is a minister responsible for the fate of these 153 asylum seekers.

We have no idea where these asylum seekers are located on this Australian vessel. The High Court has adjourned for today, but we now know that government lawyers have told the High Court that 72 hours notice will be given before these 150 or so asylum seekers held on the Customs ship are handed back to Sri Lankan authorities. We now know that these asylum seekers have 72 hours more—existing somewhere in some waters. We have no idea where they are.

We know that some 37 children are alleged to be on board. Huge concern has been raised by 53 of Australia's international legal experts. The President of the Australian Human Rights
Commission, Gillian Triggs, has raised concerns about the fate of those children on board. We know from the statement that has been provided by those 53 legal experts that the government's actions have raised a real risk of refoulement, placing Australia in breach of our obligations under international refugee and human rights law—including the 1951 Refugee Convention, the 1948 Universal Declaration of Human Rights and the 1996 International Covenant on Civil and Political Rights.

But more than that, there is something immoral about the government's actions here. This is a democracy. We live in a democracy. We act under the rule of law, even though that may not be going on in Sri Lanka—a country which we know has human rights violations. We know from the United Nations Human Rights Council what has occurred since and during the war in Sri Lanka. We operate under the rule of law, yet we are more than happy to send Sri Lankan asylum seekers back to a country that is failing in regard to its own human rights responsibilities, where people are in fear of persecution. That is why the Sri Lankan asylum seekers have left their country; they are fleeing persecution.

Australia is a western country that lives by its rule of law but is willing to send asylum seekers back to a country where they fear persecution. And the Australian government will not even tell its own people where these asylum seekers are and what they are going to do about it, other than what we have found out through the media. We find out a lot more about the government's activities through the media than we do through the government and through question time. They have now given 72 hours notice, continuing to hold these asylum seekers on board. What kind of country are we to treat asylum seekers in this way? We are violating people's basic human rights as well as international law. I am sure this is not the Australia the majority of Australians want to live in.

The other concerning aspect that has come out of this is the integrity of our refugee status determination system, which is at significant risk under this minister. What are they doing about it? They are continuing to hide in secrecy, continuing to not let the Australian people know. There is a father who is pleading with Minister Morrison, desperate to know where his family is. I believe his three-year-old daughter is missing on a boat. This is outrageous—(Time expired)

Senator McKenzie (Victoria) (16:36): I rise today to speak to the urgency motion before us on the government's asylum seeker policy. I note Senator Singh's comments that the majority of Australians would not be comfortable with the government's approach to dealing with asylum seekers coming to our country by boat. I would challenge that, because the Australian people were very, very clear about the government's planned policy on how to treat asylum seekers, particularly those who attempt to come to our nation by sea. They were very clear, and the majority of Australians actually backed the government's policy. Australians voted to repeal the carbon tax, get the budget back on track, repeal the mining tax and stop the boats. The international system that we are under is an order that requires—

Senator Hanson-Young interjecting—

Senator McKenzie: fairness so that those who are in camps who have been waiting an inordinately long period of time, Senator Hanson-Young—and there are children in those camps; there are children who are born in those camps—

Senator Hanson-Young interjecting—
Senator McKENZIE: there are children who die in those camps—

The ACTING DEPUTY PRESIDENT (Senator Bernardi): Order! Ignore the interjections, Senator McKenzie. Order, Senator Hanson-Young!

Senator McKENZIE: because the places that we have allocated for them to be able to access are being taken by those people who come illegally to our shores. So the government's policies to address that issue are actually resulting in some good news.

Labor's failed border protection policies resulted in an environment where more than 50,000 people arrived illegally, including more than 8,000 children. More than 1,200 are known to have perished at sea attempting to arrive at our shores on the leaky boats, subject to the people smuggler's offensive business practices—and I will go to that a little later. More than 14,800 visa places that would have gone to people offshore, under the Special Humanitarian Program, were given to boat arrivals under Labor and the Greens, so people waiting offshore in terrible circumstances, often already recognised by the UNHCR and others for a chance at resettlement, were denied the opportunity. Twenty thousand additional places within our refugee and humanitarian program, for special humanitarian visas, have been freed up over the 2013-14 year and the next four years by our ensuring that the places are not taken up by those who come illegally by boat. That is in addition to the 1,000 Woman at Risk places that this government and the minister have made available. For the last six months, over 200 days, there has not been an illegal boat arrival, so those places have been allowed to be taken by men, women and children who are currently already assessed as being asylum seekers and able to take advantage of seeking asylum within our nation's borders.

We are not going to get into a policy of appeasement for people smugglers. We will seek to frustrate them at every single turn. It is a very flexible business model. For instance, in response to government policies, the people smugglers are offering 10 people for the price of nine, or 'buy nine, get one free'—I am referring to an ABC article—and other discounts, multibuy offers et cetera. This is the flexibility and the determination that the people smugglers use in order to prey on very, very vulnerable people in overseas situations. This is the business model we are seeking to break, so that those who are assessed as asylum seekers appropriately under the UNHCR can find safe haven within our shores and seek to build and contribute to our nation and go forward, as so many have previously.

We have heard commentary today about the secrecy of the government, particularly with our Operation Sovereign Borders Joint Agency Task Force. I would argue that the greatest way we can actually address—(Time expired)

Senator LINES (Western Australia) (16:42): I rise to speak on the urgency motion moved by Senator Hanson-Young in relation to the government's secrecy on asylum seekers. I would put it to the parliament that the coalition government never intended to give us anything more than a three-word slogan in relation to asylum seekers and refugees. In fact, their farce on this whole issue began with another three-word slogan: three-star general—who, it would appear, had a very short chain of command and, indeed, a very short-lived campaign. Despite the fanfare of military uniforms, flags and yet another slick three-word slogan—Operation Sovereign Borders—ustralians were not impressed with Minister Morrison's weasel words and not impressed with the shroud of secrecy over what was being done in our names.
In January, a new offensive of secrecy began. The three-star general was scrapped, the briefings by Minister Morrison were scrapped and we moved to an 'as needs' basis. That is what we were told—when the government deemed that we needed to know something, they would tell us. Well, surely we have reached that point now. There is a need for the Australian public to be informed by its government of what is being done and what has been done in our names. Our interest is not idle curiosity, as the PM claimed; nor is it shrill or hysterical, as Minister Morrison claimed.

The facts are: we have no idea what is going on, and that is exactly the position the government wants us to be in. It has not demonstrated one shred of humanity or decency in its treatment of those seeking asylum. What happened to those 41 Sri Lankan asylum seekers? How is it that they were turned over on the high seas to the Sri Lankan authorities? And now we hear—not through the government, not through Minister Morrison or indeed the Prime Minister informing us, but through the media—that those asylum seekers may face charges and even jail. Where are the others? Did they even leave from Sri Lanka or did they depart from India? What will happen to them? Today, thankfully, because of the actions of the High Court, the Australian public has been brought up to speed. But what a disgrace. Where is the government in this? It is continuing to hide behind secrecy. That is its policy: its harsh treatment of asylum seekers, its continued demonisation of asylum seekers somehow jumping queues that do not exist and somehow taking humanitarian places that would have gone to others. The government is simply trying to demonise, hide and remain in an absolute cover of darkness over asylum seekers.

Do you know what? It is not the 1950s and, thankfully, media communications have moved on. It is not possible for the government to keep this a secret anymore. If the government will not tell us, then the media, the High Court or someone else will. Maybe the Indonesian government will make announcements, as it has done in the past. But the secrecy of this government, its failure to answer questions here in the Senate and in the other place, is a disgrace.

We have to ask: what is the government doing in our name that it cannot make public? What is going on? I can only conclude that it must be inhumane. What the government is doing is inhumane on all levels. Its treatment and demonisation of those seeking refuge from troubled areas is a disgrace. And how many children are floating in the ocean? How many children are there? We do not even know. What will happen to them in the next 72 hours? The government gave an undertaking in the High Court about that. Again, no information from the government—absolute secrecy. It is a disgrace and the Australian public will not be fooled.

Question agreed to.

ANSWERS TO QUESTIONS ON NOTICE

Question No. 621

Senator PAYNE (New South Wales—Minister for Human Services) (16:47): I table a document relating to question on notice No. 621, asked by Senator Ludlam, concerning the use and export of native timber from Western Australia.
GOVERNMENT

Documents

Order for the Production of Documents

Senator PAYNE (New South Wales—Minister for Human Services) (16:47): I table documents relating to the orders for the production of documents concerning the East West Link and the Perth Freight Link.

Committees

Environment and Communications Legislation Committee

Senator RUSTON (South Australia—Deputy Government Whip in the Senate) (16:48): At the request of Senator Williams, I present reports from the Environment and Communications Legislation Committee on the provisions of the Clean Energy Legislation (Carbon Tax Repeal) Bill 2013 [No. 2] and related bills and the Climate Change Authority (Abolition) Bill 2013 [No. 2].

Ordered that the reports be printed.

Documents

Tabling

The Clerk: Documents are tabled 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

Community Affairs References Committee

Publications Committee

Membership

The ACTING DEPUTY PRESIDENT (Senator Bernardi) (16:48): The President has received letters from party leaders requesting changes in the membership of committees.

Senator PAYNE (New South Wales—Minister for Human Services) (16:48): by leave—I move:

That senators be discharged from and appointed to committees as follows:

Community Affairs References Committee—

Appointed—

Substitute member: Senator Smith to replace Senator Reynolds for the committee's inquiry into grandparents raising grandchildren

Participating member: Senator Reynolds.

Publications—Standing Committee—

Discharged—Senator Sterle

Appointed—Senator Bilyk.
Question agreed to.

Education and Employment Legislation Committee

Report

Senator RUSTON (South Australia—Deputy Government Whip in the Senate) (16:49): At the request of the Chair of the Education and Employment Legislation Committee, Senator McKenzie, I present the report of the committee on the provisions of the Safety, Rehabilitation and Compensation Legislation Amendment Bill 2014, together with the Hansard record of proceedings and documents presented to the committee.

Ordered that the report be printed.

DOCUMENTS

East West Link

Order for the Production of Documents

Senator KIM CARR (Victoria) (16:50): by leave—I move:

That the Senate take note of the document.

I must say that it is really quite discourteous of the government not to even give notice that they were going to table these documents. It was only fortuitous that someone was glancing at the screen when this occurred. I note that the letter the government has tabled is, in effect, not a response to the Senate's request for the business case for the East-West road project in Melbourne. This is the most perfunctory and discourteous piece of correspondence because it simply represents a letter from the interim infrastructure coordinator of Infrastructure Australia indicating that Infrastructure Australia's assessment is progressing and that no assessment has been made on the project. But the request of the Senate was to actually provide the business case.

This is an important issue that goes to the expenditure of $3 billion of Commonwealth money. It is an issue about the handing over of very large sums of money to the Victorian government without a verifiable business case being presented. The project is of considerable importance to the city of Melbourne, to the people of Melbourne and to the communities that are directly affected by the project and the claims that are being made, which remain untested.

This is a project which, to all intents and purposes, is half baked. It was rushed through in such a manner that even the Victorian government planning minister responsible has ordered that significant sections of this project be redesigned. So there remains a vital question, unanswered by the government's rather tardy response on these issues, which goes to the expenditure of moneys being proposed and whether it is appropriate that very large sums of money be provided to the Victorian government without a proper business case being provided.

As we have seen in regard to the evidence put before the Senate estimates committee, $1.5 billion of the money is proposed to be paid by the Commonwealth, or Infrastructure Australia, without a proper business case being prepared for either stage 1 or stage 2. Stage 1 is the link between the Eastern Freeway and the Tullamarine Freeway. Infrastructure Australia has only been presented with a 40-page, short-form business case—a business case which, as has been advised to the Senate, was not suitable for a part of a proper assessment. Infrastructure Australia has classified the project as having real potential but not currently ready to proceed.
Yet the government provides $500 million to be paid to the Victorian government before 30 June for stage 1, and another $1 billion is to be provided for the following three years. For stage 2 of the project, Infrastructure Australia has indicated that only a conceptual business case has been provided. That is the assertion being made—that only a conceptual business case exists. We of course know that there needs to be substantially more for there to be appropriate consideration of the value of this project.

If the government is providing such extraordinary sums of money, you would have thought that there would be a proper planning process in place and that there would be a formal business case provided. As recently as 6 June, the minister responsible, the Assistant Minister for Infrastructure and Regional Development, said that payments would only be made when they were hitting milestones for the particular project. Yet the East West Link has not hit the first and most fundamental of those important milestones, the production of a credible business case. So I am led to believe that there may be serious doubt as to whether a business case really exists beyond this conceptual claim that is being made.

It will only return, from what we do know, 80c for every dollar invested, according to Infrastructure Australia. The process of committing $3 billion of Commonwealth funding to this project would be laughable if it were not so serious—$2 billion of funding for this project will have a cost-benefit ratio of 0.8, and there is $1 billion of funding for stage 2 of this project but no evidence of a formal business case existing. It is little wonder that my colleague Senator Conroy has described this whole project as somewhat shonky. Perhaps we could suggest that there is somewhat more to be said about it than that.

There are a number of serious questions that I think the Senate is entitled to have addressed. Why is it that the Commonwealth is providing this money without a proper planning and business case proposal? Why is it that such a folly is being produced for the electoral support of the state government in Victoria, at a great cost to the people of inner Melbourne? And why is the Premier of Victoria proceeding with this matter? There is no clear understanding of where the money is actually going to come from, given the recent amendments to Infrastructure Australia's legislation which we saw passed through this parliament and accepted by the government.

There appear to be no traffic forecasts for when the freeway will happen. There is no proof of the alleged benefit of it being a congestion-busting project that can actually be produced. There is no decision on the level of tolls. There is no disclosure on how much taxpayers' money will go into the road over the 30-year life of the project. We saw, in Senate estimates, revelations that the project would deliver a cost-benefit ratio of only—let me repeat it—80c for every dollar that is being invested.

If this project is ready to proceed, as has been claimed, then we need to see its ranking. My understanding is that it is not even second on the ranking system. And if the project does show real potential and if it is in fact shovel ready, then why is it that its ranking, in Infrastructure Australia's assessment, has been so low? It is inferior to other major projects in Melbourne. The project means that there are serious resource allocations in terms of opportunities for public transport. We know that that fits within the government's political priorities of intense hostility to the provision of funding support for public transport.

What we do know, through the estimates process—and this is not dealt with in this ministerial response today—is that this whole process is surrounded by a shroud of silence.
The government has determined to impose on the project and on Victoria—the government has resorted to, once again, what is now becoming characteristic of it—a culture of secrecy.

There is no way they can hide behind the fig leaf of commercial-in-confidence. The Senate has asked for these documents quite legitimately, and it is appropriate that these documents be provided. The government has given no explanation as to why they are not being provided. The documents cannot possibly be considered commercial-in-confidence because the bidders of stage 1 have already lodged their bids. The planning for stage 2 remains at a conceptual stage, despite the promise of an early payment of $1 billion.

The correspondence with Infrastructure Australia assessments are not commercially confidential, nor do they enjoy executive privilege. So I think we are entitled to raise questions about why the government is seeking to behave in this manner about this particular project. We do not agree that these documents should be withheld from the parliament and from the people. The government's nondisclosure continues a process of intense secrecy, which is now becoming all pervasive within this government. It is a pattern of contempt—contempt for the community, contempt for the Senate and contempt for this parliament. And, of course, far from building the infrastructure of the 21st century, it appears that we conclude from this that the government is engaged in a secret deal to get this road built at the expense of local communities—secret deals which try and save a hapless and hopeless Victorian government, which is facing a very serious challenge. I look forward to its defeat at the election in November. Secret deals only confirm the view that, far from building the roads of the 21st century, this government in Canberra is engaged in a pork-barrelling cavalcade to assist their mates in Melbourne. (Time expired)

Perth Freight Link

Order for the Production of Documents

Senator LUDLAM (Western Australia) (17:01): by leave—I move:

That the Senate take note of the documents.

I thank the chamber for the opportunity to speak to these documents that were tabled by Senator Payne a short time ago and I thank Senator Payne for putting them into the public domain. Similar to the issues that Senator Carr has just raised at length on the East West Link in Melbourne, the documents that I sought the Commonwealth to release relate to the Perth Freight Link—a project that has no social licence in Perth's southern suburbs. It is, in fact, hated. Let us put this very clearly on the record: nobody wants it. It is a proposal that will do absolutely nothing towards its stated objective of taking container traffic off Leach Highway and other approach roads to the container port in North Fremantle. In fact, quite the reverse—it is likely, from our analysis, that the project will create a hideous traffic bottleneck in North Fremantle.

This so-called freight superhighway between Kenwick, Perth airport and the southern suburbs out to Fremantle port is precisely the opposite direction in which we need to be travelling. We should be getting container freight off the roads and onto rail. There has not been one dollar of investment by this government. This government has pulled funding for freight and passenger rail out of the Commonwealth budget and, instead, put it into obsolete road infrastructure, such as what we are discussing today. This is a project that has no social licence. It is a freeway to nowhere.
To the credit of the former state Labor government, the Fremantle Eastern Bypass was taken off the planning books. There is now housing being built through that corridor. It is dead. It was meant to be the feeder road that would take the traffic from the Roe Highway extension. This is a freeway extension that is effectively a road to nowhere—smashing through five kilometres of Banksia woodland and seasonal wetlands, destroying Aboriginal heritage sites and ruining neighbourhood amenity. And for what?

The state government's own scoping documents the last time it was assessed established that it would have absolutely negligible impact on container traffic on Leach Highway. So those in the city of Melville who are trying to do the right thing by their constituents in diverting traffic to make somebody else's life a misery are, in effect, backing a project that simply multiplies the problem and takes it somewhere else. Why the hell aren't we getting this container traffic off freeways and onto rail? A simple duplication of the Fremantle rail bridge to give dedicated access to freight traffic out of the port of Fremantle would de-bottleneck that access to the port and make an enormous difference as soon as it is separated from the passenger rail network. That is the kind of network thinking that we need to be engaged in rather than this insane drive towards more urban freeways.

This is a project that was nowhere near Infrastructure Australia's priority list. It has been brought forward and this Commonwealth government has dedicated $925 million to a project that has not completed Commonwealth environmental impact assessment and that has no business case. The cost-benefit analysis has numbers that were quite obviously cooked. We have just been told that they cannot be put into the public domain. In effect, the Senate and the people of Western Australia and Perth's southern suburbs are being told to get stuffed by a government that has committed $900 million of taxpayers' money to ramming this freeway through their neighbourhood and through this priceless Banksia woodland area.

Well, it is not going to happen. It is absolutely not going to happen. Local residents, communities and people across Perth's suburbs have been fighting this proposal for 20 years, and we will continue to do so. But it should not have to be this way. Why are we continually having to confront repetitive acts of utter stupidity? This urban bushland is too precious to lose. I want to acknowledge the people from the Save Beeliar Wetlands alliance, other groups, those who are trying to defend the top end of High Street and the approach to Fremantle, including those councillors and the mayor of the City of Fremantle, who have told the state government to go back to the drawing board and put some proper plans together, and also those right along this so-called freight corridor who are doing everything they can to bring some sanity back into the debate.

Apparently, there is a secret cost-benefit analysis out there that says there is a five-to-one benefit-to-cost ratio. So for every dollar of the $925 million that Prime Minister Tony Abbott proposes to spend on this obsolete piece of infrastructure, there will be $5 somehow magically generated. Here is what I think is likely to be the case: when this document finally drops into the public domain, when somebody inside the state public service finally slips it under the door of a journalist or an MP—and I am not dropping any hints there—so that this material ends up in the public domain where it belongs, we will find a whole pile of made-up numbers. On the cost side we will find that they have substantially undercooked the cost of this project and on the benefit side we will find that they just take the $925 million, which is just the Commonwealth cost component, and the other 20 per cent to be carried by the state...
and magically invent $4 to $5 billion worth of benefits, as people are want to do when they start project ideas as a foregone conclusion. This has not been properly assessed. It will be defeated. It is not a project the Perth's suburbs need.

I am very proud to stand with those campaigners and local residents' action groups, the Aboriginal people who have custodianship over sites in the path of this mad project and those who are standing up for the urban bushland in Perth's suburbs. It is absolutely irreplaceable. We are facing local extinctions of keystone species like the Carnaby's cockatoo and other iconic species on the Swan Coastal Plain, which is being torn to shreds by urban development. You would have thought, in the teeth of peak oil and with Perth's traffic already paralysing the city—peak hour now goes for three hours at either end of the day—that a state government, utterly moribund, with no business at all before the state parliament and with absolutely no ideas in its second term, which it apparently won without any idea why it was even bothering, would not proceed with this project, which should have been dead, buried and taken out of the Metropolitan Region Scheme decades ago.

The Greens will be standing up with our colleagues in the Labor Party, who have also, to their great credit, opposed this project from the beginning, with our colleagues on the crossbenches and with those right through the community of all political persuasions, in Bibra Lake, in North Lake and across the alignment for this route all the way into Fremantle and North Fremantle. We will continue to stand with them until this ridiculous project—this absolute abuse of taxpayer funding and abuse of Infrastructure Australia's process of independent assessment—is taken off the books once and for all.

Question agreed to.

BILLS

Clean Energy Legislation (Carbon Tax Repeal) Bill 2013 [No. 2]
True-up Shortfall Levy (General) (Carbon Tax Repeal) Bill 2013 [No. 2]
True-up Shortfall Levy (Excise) (Carbon Tax Repeal) Bill 2013 [No. 2]
Customs Tariff Amendment (Carbon Tax Repeal) Bill 2013 [No. 2]
Excise Tariff Amendment (Carbon Tax Repeal) Bill 2013 [No. 2]
Ozone Protection and Synthetic Greenhouse Gas (Import Levy) Amendment (Carbon Tax Repeal) Bill 2013 [No. 2]
Ozone Protection and Synthetic Greenhouse Gas (Import Levy) (Transitional Provisions) Bill 2013 [No. 2]
Ozone Protection and Synthetic Greenhouse Gas (Manufacture Levy) Amendment (Carbon Tax Repeal) Bill 2013 [No. 2]
Clean Energy (Income Tax Rates and Other Amendments) Bill 2013 [No. 2]

Second Reading

Debate resumed on 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 notes
(a) the scientific and expert consensus regarding Climate Change;
(b) that in its first year, the Clean Energy Future Package:
(i) drove a 7% reduction in carbon pollution from electricity generation in the National Electricity Market;
(ii) saw renewable energy increase its share of the National Electricity Market by 25%;
(iii) delivered the household assistance package to compensate families and individuals for any impact of carbon pricing; and
(iv) supported continued economic growth, with over 160,000 jobs created in 2012-13 across the economy, including clean energy jobs;
(c) that since the 2013 election Australia's international reputation on climate change action has been damaged by becoming the first nation to move backwards on climate change while the rest of the world, including China and the US, is moving forward; and
(d) the need for the Government to pass an Emissions Trading Scheme to place a cap on carbon pollution and drive a clean energy future for Australia".

Senator CAMERON (New South Wales) (17:08): I am pleased, in continuation, to oppose the environmental and economic vandalism by the Abbott government of the climate change infrastructure that has been put in place in this country. We heard some debate last night from Senator Macdonald—and I will come to Senator Macdonald's speech, which I thought was actually fascinating and quite hilarious.

We hear about the mandate that the coalition have on climate change. I do not believe that you have a mandate when you lie to the Australian public. I do not think you have a mandate when you come here and, year after year, week after week, day after day, talk absolute nonsense and lies about the effects of climate change on this country and the environmental implications and economic implications of climate change. You just cannot claim a mandate when you have lied to the Australian public. Not only have the coalition lied to the Australian public on climate change; they have lied on pensions, they have lied to students, they have lied to schools and they have lied to people on social services in this country. They are a government who came to power based on lies and misrepresentation. I just do not believe the Australian public will not exact a huge price from the coalition at the next election because of their deceitful approach to a range of issues that are so important for the Australian public in this country.

Sure, among the most important issues is having a good economy, but I was the chair of the environment committee for some years and we debated the issue. We had hearing after hearing on the effects of climate change in this country, and the environmental effects are clear—the environmental effects are clear but, in my view, the economic effects, which were contested, are also clear. You can look after the environment and the Australian government can play its part in ensuring that we are at the forefront of decarbonising the economy, creating new jobs in manufacturing, creating new jobs in industry and cleaning industry up. We can do all that at very little cost to the economy. Jobs will still grow, wages will still increase and we will have industries that are better and cleaner. We will have a situation where my grandkids, when they grow up, can be confident that we have played our part in trying to achieve a world consensus to do something about carbon pollution.
The physics of carbon pollution is quite clear—that is, if you keep pumping carbon into the atmosphere, physics tells you that the atmosphere will warm. What is happening at the moment is that a lot of that global warming is taking place in our oceans. That is why the CO$_2$ has gone into the ocean—so the scientists tell me. I am not a scientist, but that is what the scientists tell me. Yes, Mr Acting Deputy President Bernardi, you can nod your head. I know that you are a climate change denier. You are proud of that, but I do not think that does this parliament much good. I do not think it does Australia any good and it certainly does not help the kids who are going to be growing up in decades to come. It does not help them.

I take the view that I want my grandkids to have the same opportunities I had—to get out and have a decent life in a decent environment. What is wrong with that? Even if you do not believe it, Mr Acting Deputy President, as you do not, you still have to give the benefit of the doubt to future generations. You still have to give the benefit of the doubt to the environment. That is what the scientists are telling us. They do not believe there is much doubt in this. All the scientists are saying that you have to deal with this issue—or not all of them; there are some scientists who are in it for their own benefit arguing something different. The overwhelming view from scientists around the world who specialise in this area is that the earth is warming, it is man-made warming and it is a problem for the ecology and for economies.

You see, it is not just an environmental issue. I would have thought the party who claim that they are great economic managers would see this—though I do not believe for one minute that the coalition are great economic managers. How can you be a great economic manager when you had John Howard and Peter Costello spending every bit of money that came into the coffers on handing back tax breaks? Peter Costello was the worst Treasurer this country has ever had. He was the weakest Treasurer. He could not stand up to the Prime Minister on economic issues; he gave in to the Prime Minister. He did not build; he did not invest; he did not do anything we needed to do for this economy. Peter Costello was an absolute disgrace. I know you guys all think he was so great but, quite frankly, he was an absolute disaster. John Howard, in combination with Peter Costello, was a disaster for this country. They did not think of the future. They did not build for the future, and that is the problem.

Did anyone watch Q&A last night? If you watched Q&A you would have heard the economists debating what the issues are. What the economists were saying last night was that one of the big problems was the Howard government were economic vandals in terms of how they dealt with the economy. So, when you hear the coalition stand up here telling us how great they were for the economy, understand that is a nonsense. It is another Liberal lie. It is something they tried to build up to justify cutting away at decent rights in this country—to justify cutting away at getting a decent welfare system and a decent health system in this country. They are pulling $80 billion out of the health and education systems of this country. They are abandoning the Gonski approach that says, if a school needs more money, it should get decent finance. If you have kids at a disadvantage in school, they should be supported to get the same opportunities as all the schoolkids whose parents can afford to send them to a private school. Why shouldn't working-class kids get a fair go? The coalition have never explained that, and they will not give working-class kids a fair go in this country.
When you add up the budget this coalition has brought in, their vandal's approach to the economy and their vandal's approach to the environment, we have big issues. As I said before, they came to power based on lies. They lied to the Australian community, and the Australian community is aware of this. The Australian community is telling every politician in this place that their lies will not go unaccounted for. Labor learnt a lesson before the last election, when there was misunderstanding about what we were doing. But I tell you what there was with this mob: there were clear lies before they went to the election. There was a lie after lie after lie. But the public are onto you lot. They know that you lied. You lied about health, you lied about education and you lied about the university system; it was lie after lie.

Sticking a little yellow high-vis vest on and saying you are the friend of the worker is not much good when you then say to GM and Toyota: 'We do not want you anymore. You can go to Thailand; we'll do a free trade agreement with Thailand and all the jobs can go there.' Then they say: 'Oh, but it is the carbon price that is doing this. The carbon price is chasing jobs overseas.' The Treasurer stood up in the lower house and basically defied Toyota and GM to leave the country, and they did. They are leaving the country and that is the sort of economic nonsense we get from this mob over there.

Why would they be doing this? Why would they be supporting the dismantling of what is a good economic policy—that is, that the market determines the price of carbon? Why would they do that? Why would they be putting the economy and the environment in jeopardy? There is one clear reason for it: they are paid millions of dollars by the mining companies. The mining companies are some of their main financial supporters, so they do the bidding of the mining billionaires. They do the bidding of the Gina Rineharts. They do the bidding of the Twiggy Forrests. They do the bidding of Rio Tinto. They do the bidding of BHP. That bidding is: 'You will not charge us for our environmental pollution.' That is what they say, and the coalition says: 'Yes, we will support your position.' They say to the mining companies: 'How high should we jump?' The mining companies tell them how high they should jump, and they jump that high. That is what is going on here and it is not good for the environment or the economy. You should be taxing things that are bad for the environment. You should be taxing things that are bad for the economy, and that is why you tax pollution. That is why you put a price on pollution.

All over the world, prices are being put on pollution, but what we have in this country are these troglodytes in the coalition, these Luddites who do not accept what is happening around the world, who say to the mining industry: 'We will protect you from paying a cent on pollution. We will protect you from paying any money in tax.' They are completely in the thrall of the mining companies. They are run—lock, stock and barrel—by big business, this mob, and that is why they are doing what they are doing.

They do not care about the national interest. They do not care about pensioners. They do not care about the education system. They do not care about the health system. They lied their way to power and they have been caught out, because the Australian public is onto them. The Australian public's view on climate change is changing. They now understand that the price on carbon has not destroyed the economy. It will not destroy the economy or chase jobs overseas; it can be done at a reasonable price and it can actually create jobs. That is why what the coalition is doing is absolute vandalism of our economy and our ecology in this country.
They are lying to the public. They lie constantly about issues that are before the public debate in this country. They will pay a price, and we should oppose what they are doing in this Senate.

**Senator LAMBIE** (Tasmania—Deputy Leader and Deputy Whip of the Palmer United Party in the Senate) (17:22): Mr Acting Deputy President, this is not my official first speech, which will be delivered at a time when my family is present. However, in rising to speak I would firstly like to acknowledge and pay my respects to the traditional Indigenous owners of Australia and Tasmania both past and present. I would also like to acknowledge and pay my respects to the serving and former members of our military and their families for protecting us and sacrificing all to keep democracy and freedom alive in Australia. In recent times they have protected us from violent, murderous extremists and kept Australia sharia law free.

Before I speak directly to the carbon tax repeal legislation before the chamber, I seek your indulgence, Mr Acting Deputy President Bernardi, to note the sad passing of a great Tasmanian, His Excellency the Hon. Peter Underwood AC, the Governor of Tasmania. Apart from serving as Tasmania's 27th governor, I note His Excellency also served his nation and state magnificently as a judge of the Supreme Court in Tasmania and also as Chief Justice. His Excellency was involved in many community organisations and had a passion for the arts. On behalf of all Tasmanians, I send my sincere condolences to Mr Underwood's wife, Frances, and their family.

Mr Acting Deputy President, I thank you for your indulgence, and I now turn to the debate at hand and the package of government bills before the Australian federal parliament designed to remove the national carbon policy mechanism for Australia. The repeal of the Labor-Green carbon tax is vital for the future prosperity and economic survival of our nation and of my beautiful state of Tasmania. Palmer United members have met and resolved to support the repeal of the legislation that has imposed the job-killing Labor-Green carbon tax. In addition, an amendment that guarantees a power price decrease has been circulated by Queensland Palmer United senator, Glenn Lazarus. The simple legislative change, negotiated by Palmer United members and the government, will ensure that the carbon tax repeal savings will flow through to all ordinary Australians and not stay with the power companies.

Palmer United members will hold the Abbott government to account on behalf of our pensioners, families, workers and businesses and give them a legislative guarantee of lower electricity and power prices. Because of the Palmer United Party members in this place—as well as our good friend Victorian senator Ricky Muir and our friends in the motorists party—Australians will not have to rely on just a nod and a wink from our Prime Minister to receive up to an extra $500 a year. Because we have listened to ordinary Australians and finally given them a real voice in this parliament, they will have a guarantee in black and white that they will receive the money that is rightfully theirs.

Australians have been deceived by the Labor-Greens members of this place, who allowed their unfair carbon tax to be imposed on our nation while the rest of the world remained carbon tax free. Tasmanian pensioners, families, workers and businesses were told the fib that if they paid more for their energy and power then they could stop world climate change. This proposition is obviously wrong, ridiculous and absolutely absurd. Pensioners in my Burnie, who are freezing this winter because they cannot afford to turn on their heaters, are the
victims of those in this chamber who support a carbon tax. Tasmanian workers who lost their jobs in manufacturing industries that could not afford record energy prices are the victims of those in this chamber who support a carbon tax. The Labor-Greens carbon tax has failed to deliver any global environmental benefits; however, it has caused the loss of tens of thousands of Australian jobs and in Tasmania we have record unemployment—unemployment that the Labor-Greens carbon tax has contributed to in a significant manner.

Every industrialised, advanced nation in the world knows that the only way that jobs will be guarded, sustainable new jobs created and standards of living protected is to ensure that world competitive, cheap, reliable energy is delivered to their businesses and their families. So at a time when our businesses are forced to pay up to three times more for their energy than their overseas competitors in America, the UK, Canada and Europe, I am proud—I am really proud—to be part of a political party which will take a small step in the right direction and vote for legislation that will lower the cost of energy for Tasmanian and Australian businesses and bring our nation more into line with our international competitors.

As part of the carbon tax repeal debate, the Palmer United Party will also, through Western Australian senator Dio Wang, move amendments to the Climate Change Authority (Abolition) Bill, which will establish the legislative framework for a future emissions trading scheme. This is an historic, practical and world-first climate change solution created by the Palmer United Party and its parliamentary leader, Clive Palmer, and endorsed by the former US Vice-President, Nobel Peace Prize winner and climate change warrior, Al Gore. Provisions of this ETS will only be made legal and come into effect once Australia's main trading partners like the US, China, South Korea and Japan establish similar legislative mechanisms and emissions trading schemes. This ensures that Australian jobs and businesses will not be placed in jeopardy, and that our energy prices have a chance of becoming world competitive, while the industrialised nations of our world collectively address the challenge of climate change.

The Palmer United's ETS amendment also provides the Australian business community with a practical economic plan to address world climate change. I urge all members of this place to vote in favour of the Palmer United ETS amendment. This will send a powerful signal, a message of unity, to the rest of the world and boost Australian business confidence at a time when confidence has taken a hit due to a poorly constructed and poorly sold Liberal-National Party Australian budget.

The Clean Energy (Income Tax Rates and Other Amendments) Bill 2013 [No. 2] is part of the package of bills before the Australian federal parliament designed to remove the national carbon pricing mechanism for Australia. The Palmer United Party will oppose this bill because this bill will stop the rise in the tax-free threshold for low-income Australian workers from $18,200 to $19,400. If the Prime Minister and the Liberal and National parties have their way and this particular bill passes this Senate chamber, effectively it will mean that a household with two workers will have $460 per year stolen from them by the government.

Palmer United Party members will not support government measures which take away from the poor while the government protects their wealthy, rich mates. We will not do that. $465 a year or $8.90 a week may not be a lot of money for Liberal and National Party politicians and their supporters, but for the people of my Tasmania—the sick, the elderly, the disabled—who are forced to rely on low incomes, $8.90 is the difference between eating
properly, keeping your phone or electricity on or being able to afford pain medication or antibiotics to become well. Shame on any member of this place who votes to support this bill and cruel budget measure.

Strong legislative support for the repeal of the Labor-Greens carbon tax by Palmer United Party members also honours a commitment and a promise we made to the people of Australia. In voting with my fellow PUP senators to repeal the Labor-Greens carbon tax I will have kept my word. I will have honoured my promise to the people of my Tasmania. I will be able to look my father, my mother and my sons in the eyes and know that I have not let them down. I know that, by repealing the Labor-Greens carbon tax, my vote will ensure the full savings power companies receive under repeal are handed to everyday Australians—every last cent.

Noting our opposition to the Clean Energy (Income Tax Rates and Other Amendments) Bill 2013 [No. 2], I commend the remaining carbon tax repeal bills to the Senate along with the Palmer United Party's amendments. I know that this course of action will provide hope for my beautiful Tasmanian community, which is facing an extraordinary economic and social crisis after many decades of mismanagement and neglect by the Labor, Greens and Liberal parties.

Senator BACK (Western Australia) (17:32): I congratulate Senator Lambie on her initial comments, realising they were not her first speech. Acting Deputy President Bernardi, as you would know, I had a business in Tasmania from the mid-1990s through until the early part of the last decade. In fact, it coincided with the then Rundle Liberal coalition government losing power. In my first years in Tasmania I watched with dismay as the Labor government, lead then by Mr Bacon, gradually dismantled what was in fact a very proud and a relatively wealthy island state. I have seen the extent today of unemployment, the extent of underemployment, the extent of movement of people away from Tasmania and, as I hope Senator Dio Wang is able to realise, the extent to which now other states of Australia, particularly our state of Western Australia, have had to support Tasmania, so I applaud any effort at all that actually will see a return to economic wellbeing of that state. I congratulate the new senators. I congratulate Senator Lazarus on his contribution earlier this afternoon and I congratulate Senator Lambie on the position that she has taken with regard to supporting the Clean Energy Legislation (Carbon Tax Repeal) Bill 2013 [No. 2], and it is on that that I wish to speak this afternoon.

It is always delightful to follow Senator Cameron, because Senator Cameron has a way of twisting the truth. In fact, I do not think Senator Cameron and certainly my side are on the same page. You hear Senator Cameron talking about lies again and again and again. You have cause to reflect and to wonder: who was it who said in 2010, 'There will be no carbon tax under a government I lead'? Was it not, in fact, Ms Gillard? Indeed, it was Ms Gillard. I will make the observation now and I will make it again in contributions as I have the opportunity over time, and I make this distinction: when Ms Gillard told us that lie, as indeed it was, and then she reversed it, it was for her own personal interest and it was for the interest of the then Labor and Greens government. Any action that has been taken by Prime Minister Abbott and his cabinet and our side of politics since we came into government in September last year has been directed at the wellbeing of the people of Australia.

Senator Jacinta Collins: Oh dear, oh dear, oh dear!
Senator BACK: And, indeed, as Senator Collins herself knows, there is some electoral pain for us at the moment. I sat and listened to Senator Cameron talking about Peter Costello's contribution as the Treasurer of this country. He paid back $96 billion of Paul Keating's debt, he then was able to free up $5 billion to $6 billion a year in interest no longer being paid out and the Rudd followed by Gillard governments then had access to some $20 billion in the bank. The Howard government had no net debt—a government that had a surplus rather than a deficit—so even for Senator Cameron it is very, very difficult to stretch that truth that far.

Whilst I refer to Senator Cameron, if I may, I seek to table as part of my contribution the record of a meeting that I had with the Hon. Tomas Christensen of the Climate Change Support Team of the United Nations last year. I seek leave to table that document.

Leave granted.

Senator BACK: I thank my colleagues around the chamber for allowing me to do that. The catalyst for doing that was a contribution that Senator Cameron made yesterday about the impact of bushfires in the Blue Mountains. The document I just tabled is a statement made by a senior UN officer at the time—Christiana Figueres, the Executive Secretary of the UN Framework Convention on Climate Change—in which she referred to the New South Wales fires at the time being due to climate change. I had the pleasure for some years of being the chief executive officer of the bushfires board of Western Australia. My reason for tabling this document is to inform Senator Cameron and advise the chamber, as indeed I did the United Nations when I was there last year, that the bushfires in New South Wales, far from being due to climate change, were due to an absolute abrogation of the responsibility of fire managers, land managers and others, and that was to undertake fuel reduction activities in the Blue Mountains.

I have made many speeches in this place predicting the day when the Blue Mountains would go up. Why? Because, where they should have been attending to five to 10 per cent reduction in fuel levels in those Mediterranean forests, they were down to less than one per cent. Far from Senator Cameron's assertion that those bushfires were due to climate change: if they were due to climate change, they would also have been due to climate change from the 1820s and 1830s, when fires were first recorded in those areas—long before this apparent involvement of human beings in the Industrial Age. They were due to manageable deficiencies that should have been addressed at that time.

It allows me to make the point in this contribution that we have already endured incredible cost under the carbon tax, which of course only went up again on the first day of this month. There has been and there will be no decrease in carbon dioxide emissions levels as a result of that action. As a result of the $500-plus a year that it has cost residences, there has been and will be no loss of carbon dioxide emissions. We know what has happened. We know that Australian manufacturing, often carbon-intensive, has moved offshore to countries where there are far fewer restrictions than we have in Australia, so it is probable that, despite any other action than that of introducing a carbon tax in Australia, the carbon dioxide emissions levels around the globe have actually increased.

And it is a very significant shame that Senator Cameron this afternoon would have made the observation in his belief that the people of Australia are fools. I say to Senator Cameron that they are not fools. I will quote what I believe to have been his words in his contribution this afternoon: 'Australian people misunderstood what we are doing leading up to the last
election. If he goes and has a look at the poll results, he will certainly be assured that the Australian people completely understood the position of the coalition as opposed to that of the Labor Party and the Greens. In my own state of Western Australia there was an increase in our primary and two-party-preferred vote. It is a state in which we now hold 12 of the 15 lower house seats and six of the 12 Senate positions. I think the people of my state understood very well what impact the carbon tax has had. When I have the opportunity to comment on the repeal of the mining tax I will be able to share with the chamber the impact of those two dastardly taxes on the community of Kalgoorlie, where I was the other day and where employment levels have dropped. Unemployment has increased significantly, and people have left the area. I could comment—and I will—in more detail on the town of Karratha, in the Pilbara, where there are now 400 vacant homes. I understand one real estate agent alone in Port Hedland further north in the Pilbara has 400 homes on the market apart from those that are vacant.

So we know what the impact of the carbon tax has been. We know the impact of carbon leakage, where emissions-intensive businesses move overseas. We know what has already happened and we know what will happen again in the future. We hear mention of emissions trading schemes. Having studied this closely, I say don't for any one moment hold your breath if you think that countries around the world are likely to introduce an emissions trading scheme any time soon. The Chinese may be paying lip service to it but have absolutely no intention of introducing an ETS. In the United States, we know, the Chicago market for carbon collapsed for two reasons. First, there was no interest in it. Second, there were already the early signs of corruption, so it was completely wiped off the Chicago markets. We know what has happened to the price of carbon in Europe: as European economies have declined, so the price of carbon has declined to ridiculous levels. For us now to be paying $25.40 per tonne makes a total mockery of any action Australia ought or should take in the absence of a global solution. Others from the other side have mentioned then Prime Minister Howard's comments with regard to an emissions trading scheme, but he always prefaced this with the comments, of course, that we would not move alone; we would move in concert with our trading partners and, indeed, with our trading competitors.

We look at some of the comments that were made in the chamber yesterday by Senator Cameron and Senator Milne with absolute despair at what will, should, could or may be happening dynamically. As a person with some experience in the biological sciences and as a person with some degree of optimism, what I can tell you is that organisms on this planet have always, still are and will always adapt. For example, there has been great dialogue and discussion about the polar bear populations in the Arctic. I recently made it my business to go examine what is happening. I came upon a paper presented only about a month ago—on 11 June in the United Kingdom—by Professor Susan Crockford, herself 35 years an expert in the biology and zoology of polar bears and their evolution. Her conclusion is that there has been no adverse effect as a result of changes in the Arctic Circle.

So I went to the other end of the planet to learn from a paper of May 2014 that the Antarctic sea ice is at its highest levels since measurements were first taken: some 12.965 million square kilometres, which has gone up from 12.7 million since 2010. Those are facts. You can dispute them but they are the facts.

*Senator Di Natale interjecting—*
Senator BACK: The moral superiority of this gentleman, Senator Di Natale, is interesting. If you happen to agree with him on something, that is fine. If you happen to disagree with him, he attacks you personally. Senator Di Natale, yes I do have a scientific background.

The ACTING DEPUTY PRESIDENT (Senator Bernardi): Address your comments to the chair, Senator Back.

Senator BACK: Through you, Acting Deputy President: yes, I am capable of disagreeing with you, Senator Di Natale, and that I will. It is amazing how, if the science supports one side of an argument, they are put on a pedestal. As we all know—those of us with a scientific background, and medicine is a prime example of the fact—over history, we have always had vigorous disagreements. We know the first people who looked at the presence of microorganisms—as Senator Di Natale would know—were roundly criticised by the members of the medical profession when they stood up and said, 'Where are these organisms?' Of course, they were only evident through microscopy. This is the difficulty that we have in a circumstance like this where the opinions of others must always be derided, and I will simply not accept that I can have a different view which you, Senator Di Natale, do not agree with.

The climate is of course changing—the climate has always changed. Where are the challenges for the world? They are in the future provision of energy. Ask yourself the question: 'How is it that a country in the landmass of the United States, with a population of only 23 million people, is as wealthy as we are?' I have put this question to young people and they have said, 'Its iron ore—iron ore is relatively recent.' One even told me it was wool. Well, it is a long time since Australia rode on the sheep's back. The answer has always been cheap energy. What have we lost as a result of this legislation coming in from the Labor and the Greens parties? What we have lost is cheap energy.

Let me go now to the other end of the spectrum, if I can. The United States has created a new record with their employment levels going up consecutively each month for the last five months. Would you like to answer the question why, Acting Deputy President? It has been because of their capacity to extract shale gas. Shale gas has now become so available and so cheap that—and I learnt this when I was in New York last year—American manufacturers are bringing manufacturing back into the United States from Asia, Europe and elsewhere, and the cost of energy to an American manufacturer is now less than 50 per cent compared to that of a competing German manufacturer. That is where the benefit has been. As a result of this, what are we seeing? We are seeing jobs throughout the American economy and we are seeing jobs in areas that have traditionally been areas of high unemployment—because, once again, they have access to cheap energy.

We also are blessed with cheap energy. I would hope the day comes when we would see support for, for example, further exploration of the use of thorium if, indeed, it is an energy source that we can use globally. The Chinese are working actively in this field. They are working actively in the coal to liquids transition with liquid fuels. They are doing far more than other countries, and I can assure you that, regardless of any lip-service from them about an emissions trading scheme, it is a very long way off on their agenda.

We now have the circumstance where we have new participants in the Senate. The Labor Party, the coalition and the Greens have argued this backwards and forwards for five years. We now have duly elected new senators—one would hope that the Australian people knew
what they were doing—and their voices should be heard and their opinions need to be taken into account.

In the few minutes left to me, I want to again address some of these questions that were thrown at us in this litany of lies as proposed by Senator Cameron. He goes on about the Australian economy. He goes on about the fact that Costello and Howard left this nation in such a poor state. He goes on about a AAA rating. The one statistic that people must remember is that, because of the deficit and debt that we inherited, every Australian today is contributing $1 billion of borrowed money every month just to be repay the interest. That works out to be $100 per working person per month.

Let me put that $1 billion into perspective. Senator Cameron goes on about education. A new primary school opened near my electorate office only last week. That which cost $15 million. Given the fact that we are paying $30 million a day interest on a debt, we are forgoing a new primary school somewhere in this country every 12 hours. What would that be doing for primary education? Senator Cameron goes on about the lies associated with higher education. I say to him that what this coalition has proposed in terms of opening up opportunities for young apprentices to take financial advantage interest-free to get their apprenticeships and not pay any money back until $50,000 of income is earned is, I think, excellent. As an academic of a regional university in the past, I am familiar with the HELP scheme. The HELP scheme has been extended to pre-university bachelor degrees so that people who may not have been confident enough or had sufficient grades to get into university initially can enjoy the same financial support. Both lower socioeconomic people and higher socioeconomic people can get that financial support. Again, there is a scholarship scheme. Many of us funded our own tertiary education training. There are tremendous initiatives being undertaken by this government. It is now time for the Labor Party and the Greens to accept the will of the Australian people of September last year and get out of the way, allow us to repeal the carbon tax and put that $550 per annum back in people's pockets where they can spend it more useably.

**Senator URQUHART** (Tasmania—Deputy Opposition Whip in the Senate) (17:52): I rise to speak in the debate on the Clean Energy Legislation (Carbon Tax Repeal) Bill 2013 and related bills. Labor will not be supporting this legislation. Yesterday morning, a large number of young activists participated in an event on Parliament lawns. Members of the Australian Youth Climate Coalition braved the Canberra cold to say, 'Your Choice = Our Future'. It is your choice, Senators, to stand up for the future these young Australians so desperately want: a future where their country, where our country, is a global leader in clean energy; a future where Australia has a strong, robust emissions reduction mechanism, a legislated emissions reduction target, and where Australia is seeking to advance a pathway to a global agreement. It is up to us—76 Australians from some of the most diverse backgrounds—to put our differences aside and find a way forward on this issue.

No one party was given a mandate at the Senate election last September. It has been four months since the government's first failed attempt to repeal the carbon emissions reduction mechanism and replace it with nothing. It has been seven months since the Environment and Communications Legislation Committee reported on this suite of bills. The committee's first inquiry into these bills was quicker than Labor senators would have liked, but the committee
undertook the full process of calling for submissions and allowing for public hearings. As was canvassed earlier today, the government did not allow the full process to be undertaken.

Despite the Senate listing the reporting date for the second inquiry as next Monday, 14 July, in quite a desperate act government senators on the committee used their majority to refuse requests from opposition senators to call for submissions and hold public hearings. This is despite there being ample time last week and, with the leave of the Senate, this week to hear from witnesses who could provide the committee with an update on the effectiveness of the carbon price, and to hear from witnesses about similar mechanisms around the world.

The government's report on this inquiry is barely a page long. It is so short that I am going to read most of it into Hansard so that those at home listening can hear how farcical this government is in the first week of this new Senate. The report states:

On 26 June 2014, the Senate, on the recommendation of the Selection of Bills Committee, referred the provisions of the Clean Energy Legislation (Carbon Tax Repeal) Bill 2013 [No. 2] and associated bills to the Senate Environment and Communications Legislation Committee for inquiry and report by 14 July.

It says 'for inquiry and report', yet no inquiry was undertaken. Why? Because the government senators could not be bothered. They did not want to hear new evidence. They did not want to examine how the carbon price is working to cut emissions. And, today is just 8 July; not 14 July. The report does not detail why these bills need to be brought on today. The report goes on:

The committee notes that these bills contain identical provisions to those referred to the committee by the Senate on 14 November 2013.

Following a full inquiry, the committee tabled its report on this inquiry on 2 December 2013.

Therefore, the committee has resolved to reiterate the previous report of the committee on bills with identical provisions.

The committee reports accordingly.

That is it—3½ paragraphs, and not a mention that opposition senators sought only a one-day hearing, not a mention that opposition senators wanted only one day of government senators' time to enable examination of the new information on the bills. No, the government just wanted to rush these bills through, to fulfil one of their three-word slogans and rid this place of any action on climate change.

While the coalition are desperate for the parliament to pass this bill and associated bills, they refuse to bring the Carbon Farming Initiative Amendment Bill 2014 into this place this week. In fact, looking at the schedule of work for the Senate, the bill is not due until late August! Those opposite would have this place repeal the carbon price mechanism and leave the country with nothing in its place potentially for months.

The coalition announced its direct action policy in 2010. There has been limited information provided about the policy since this announcement and very little support for the policy from within the science and economic communities. The direct action policy includes a number of elements, all asserting to contribute to Australia's emissions reduction target of five per cent on 2000 emissions levels by 2020. The elements of direct action include extending the carbon farming initiative, planting 20 million trees, establishing the Green Army and the so-called centrepiece, the Emissions Reduction Fund. The Emissions Reduction Fund is based
on a reverse auction to purchase carbon pollution abatement. The 2014-15 budget allocated $1.14 billion across the forward estimates for the ERF. The government insists up to $2.5 billion is available for purchasing abatement; however, it has been unclear how this money is appropriated, as it is not allocated in the budget papers.

As Senator Cameron outlined yesterday, this suite of bills sets Australia up to fail on our climate change obligations, to fail our children and grandchildren and to fail millions of people facing displacement from the effects of climate change. These repeal bills seek to set Australia up to do less to combat climate change. These bills seek to leave the burden, leave the heavy lifting of decarbonising our economy, to future generations.

There is a strong foundation of scientific fact underpinning the need to reduce global greenhouse gas emissions to reduce the risk of global warming above two degrees—so certain in fact, that doubt has crept in. With 95 per cent certainty that greenhouse gas emissions from humans are the cause of global warming, some cast doubt and say, ‘What about the five per cent?’ If you were 95 per cent certain that something bad or something nasty was going to happen to you or your family, would you sit by and say, ‘What about the five per cent?’ or would you find out what was causing the problem and go about fixing it? It is not too late to fix the problem of climate change, but time is running out fast.

Labor’s approach to reducing emissions is to repeal the carbon tax and keep in place the already legislated emissions trading scheme, which puts a legal cap on carbon pollution. This lets business work out the cheapest and most effective way to operate within that cap. Cap and trade is overwhelmingly endorsed by economists as the most cost-effective and efficient emissions reduction method.

A number of international organisations, including the OECD, have confirmed that higher levels of emissions reduction can be achieved at much lower cost through a carbon market mechanism. Carbon pricing is cheaper and more efficient than direct subsidies without a pricing signal. The first two years of the carbon price has seen emissions from electricity fall, with coal powered generation down and renewable energy generation up. Meanwhile, national unemployment and inflation remain under control and solar and wind energy use has soared. The carbon laws have worked with the renewable energy target and economic changes to achieve these results. As such, the carbon price has been effective in increasing the competitiveness of renewable energy generation. Meanwhile, Australia’s economy has grown and additional government assistance to households has more than offset any price rises caused by the carbon price.

Total emissions from electricity consumption in the national electricity market are down by over five million tonnes in the 12 months to May 2014. This means emissions from electricity generation have fallen by over 17 million tonnes, or over 10 per cent, since carbon pricing was introduced. The latest Australian greenhouse gas inventory shows that national emissions continue to drop. Emissions from all sectors, including land use and forestry, fell by over four million tonnes in the year to December 2013. The government's own assessments estimate the carbon laws will decrease national pollution by 40 million tonnes compared with business as usual. Current policies are also driving an uptake of renewable energy, with electricity from renewables rising by almost 40 per cent since June 2012 in the national electricity market. Brown coal consumption has fallen by nine per cent and black coal by almost 10 per cent.

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CHAMBER
Despite all of the ridiculous rhetoric from Prime Minister Abbott and the coalition government, the Australian economy remains strong. Annual growth is over three per cent and unemployment remains below six per cent. At present, jobs in the renewable energy sector continue to grow—jobs that are at risk if these bills are passed. Price impacts from the carbon pricing mechanism have been as expected or less and have had minimal impact on the Consumer Price Index. Latest figures show a 2.9 per cent rise in the year to March 2014—a rate that is within the Reserve Bank of Australia's target range. There was no tremendous spike in prices as incorrectly predicted by those opposite. Nine out of 10 households are being compensated for these price impacts, with a majority of households receiving more than enough to cover the price rises. In fact, the coalition government's own budget highlighted the small inflationary impact of carbon pricing. The budget stated that CPI would reduce by less than a percentage point in the next financial year, with underlining CPI barely changing. Keeping binding caps on pollution in our laws will ensure Australia meets its international emissions reduction targets under the second commitment period of the Kyoto protocol and under the United Nations Framework Convention on Climate Change—targets with which 99 countries, covering 80 per cent of global emissions and including all of the major emitters, have pledged to reduce or limit emissions by 2020.

What of China? China has committed to reducing its carbon emissions per unit of GDP by 40 to 45 per cent by 2020. China is moving to establish a national carbon market by 2020. China is also ramping up efforts to clean up its energy supply and improve energy efficiency. Over the past year, China launched seven regional carbon markets, invested over $50 billion in renewable energy and set limits on coal use. The seventh regional carbon market, in the south-west city of Chongqing, opened just two weeks ago. Chongqing has a population of almost 30 million people and the scheme covers over 250 companies, with carbon dioxide emissions exceeding 20,000 tonnes each per year. Unlike the other pilots in China, Chongqing's program covers six other greenhouse gases apart from carbon dioxide, including methane, nitrous oxide and manmade fluorinated gases. While we debate this ridiculous notion to rid our nation of an emissions trading scheme—which, with no action from this place, will come into effect on 1 July next year, or with support for Labor's amendment could come into effect sooner—China has seven regional emissions trading schemes and is moving to a nationwide scheme by 2020.

What of the United States of America? What action is our friend from across the Pacific taking to control emissions? The US has committed to reduce national emissions by 17 per cent below 2005 levels by 2020. This equals 21 per cent below their 2000 levels by 2020. If Australia were to keep pace with the US commitment of 17 per cent below 2005 levels by 2020, this would equal a 12 per cent reduction off our 2000 levels. President Obama has just announced new rules to reduce carbon pollution from American coal and gas power plants. The new rules add to existing federal regulations, state based carbon markets and renewable energy target schemes which are in place in 29 American states. It is clear that both the United States of America and China have clear plans to control pollution, invest in clean energy and to help negotiations on a global framework agreement in 2015.

Meanwhile, our Prime Minister is seeking to create an alliance with the Canadians to stop the global agreement. These bills and this alliance have left many across the world wondering: is the new Australian government serious about reducing emissions? After all, it
was just a few years ago that the new Prime Minister famously dismissed climate change science as 'absolute crap to a small crowd in rural Victoria. In fact, based on the coalition government's policies, Australia's rating on the Climate Change Performance Index has dropped to 57th out of 61 countries. Embarrassingly, at last year's Warsaw Climate Change Conference, Australia received four of five 'Fossil of the Day' awards. These awards recognised the coalition government's backward proposal to wind back the carbon price mechanism and abandon support for research and clean energy. The coalition government has sought to frame this debate about the utility bills paid by households and businesses. In seeking to repeal the carbon price, the main purpose seems to be the miraculous reduction in utility bills and overall costs on households and business. Never mind that the rise in electricity has overwhelmingly been the fault of infrastructure upgrades to our distribution networks. Never mind that there are different prices and usages in every state.

The Prime Minister was unambiguous in stating the reductions Australians can expect if these repeal bills pass. He said:

Thanks to this bill, household electricity bills will be $200 lower next financial year without the carbon tax. Household gas bills will be $70 lower next financial year without the carbon tax.

There is evidence to suggest the coalition government have overestimated the impact of removing the carbon price on household expenses. The committee heard that households in some states could expect a greater than quoted reduction, while in others where rates or usage are not so high the reduction will be less. While Mr Graeme Wood, energy director at the Grattan Institute, told the committee that the savings that will be generated from removing the carbon price will be less than the increases when the carbon price was first imposed, other prices have risen over time and the carbon price has been internalised by business.

Unpicking it in exact terms is nigh on impossible. All of this would be fine in normal debate. People would understand that the Prime Minister is debating prices in average terms and would expect some reduction. However, given this Prime Minister's penchant for absolute honesty in this debate, if the repeal bills do one day pass this place, I will be eager to learn of any research into changes in electricity and gas costs, and hold him to account if his absolute guarantees are not met. If he is off, it will be another broken promise from this new coalition government—a record of broken promises that is getting longer and longer by the day.

The delays, the poor legislation and the RET review are clear impediments to long-term investment in the Australian renewable energy sector. The Investor Group on Climate Change suggests that it is easier and more secure to invest in countries such as Ireland, the UK and USA because of policy certainty than it is to invest in Australia now. Investors like long-term certainty with the lowest possible risk and reasonable returns. And it is not just big institutional investors that are being hit by the investment uncertainty created by the coalition government's delays and poor policy. The 2,000 investors in the Hepburn Wind cooperative in Victoria have had their projected returns slashed. The families who invested in the cooperative made their investment decision around 2008-09 and, of course, at that time there was bipartisan support for a carbon price mechanism. Their earnings are expected to reduce from 4.1c per share in 2012-13 to 1.1c per share without a carbon price. So much for the 'open for business' mantra declared by the new Prime Minister. The coalition government in fact are 'eyes wide shut' in their approach to providing certainty to business.
A flexible price would bring the Australian carbon price into line with the carbon price prevailing under the European Union emission trading system, which is currently expected to be around $6 per tonne of emissions. Moving to flexible price emissions trading would ensure Australia meets its international emissions reduction commitments, while we also reduce compliance and transaction costs for businesses and increase flexibility and improve risk management. Importantly, embedding a carbon price in our economy sets Australia up on a long-term trajectory for emissions reductions. Slow decreases in the cap on pollution over a long period of time gives business and households certainty and limits risk of a carbon shock in future years—a carbon shock that will hit households and business far harder than a responsibly introduced carbon price. Direct action subsidies with a finite duration do no such thing—and the coalition government is fully aware of this.

The necessity to act on climate change only grows stronger each year. The immediate and long-term costs of allowing warming greater than two degrees is the core reason for acting now with a policy suite designed to scale up over time. Removing this policy suite for the sake of a reduction in utilities costs in one financial year, which may not actually eventuate, is reckless and irresponsible. Despite the shallow rhetoric of the coalition government that they believe in climate change and support action, it is clear from these repeal bills that nothing could be further from the truth. If these repeal bills pass, we, the parliament, will leave Australia with no credible emissions reductions policy. We will leave future parliaments of Australia with much harder decisions.

I thank those young Australians from the AYCC who braved the Canberra cold yesterday to say, 'Your choice, our future.' Their message to this chamber is that senators must stand up for a future that these young Australians so desperately want; a future where their country, our country, is a global leader in clean energy; a future where Australia has a strong, robust emissions reduction mechanism, a legislated emissions reduction target, and is advancing a pathway to a global agreement. I urge senators to vote no to these bills.

Senator LUDLAM (Western Australia) (18:12): It gives me no pleasure to rise to speak on the Clean Energy Legislation (Carbon Tax Repeal) Bill 2013 [No.2] and related repeal bills tonight. In fact, what is being put once again to this chamber is a proposal to swing a wrecking ball through the Clean Energy Act and quite deliberately and systematically bankrupt the renewable energy industry. A short time ago there was a brief altercation in the chamber when Senator Back was speaking. I have a lot of time for Senator Back. I do not assume him to be a stupid person and I also do not assume that he wants his kids or grandkids to inherit the kind of world that we seem to be plunging towards. Nonetheless, we did see in brief debate and interjections in the chamber a really important microcosm of the way that the climate change debate has been conducted in this country.

Senator Back pointed out just one small example of the way that this argument gets conducted. He pointed out, quite correctly, that the sea ice around Antarctica is increasing and has been increasing for some time, as though that then gives us carte blanche to either disregard the work of the majority of the world's climate scientists or throw some confusion—and I suspect it is actually genuine confusion on the part of Senator Back—as to the fact that, if the planet is warming on average, how on earth could sea ice be expanding around Antarctica? For me, some very, very basic research shows exactly why this argument has become so confused and why the work of climate scientists is so easy to abuse for political
ends or on the basis of genuine confusion. Yes, sea ice around Antarctica is expanding. One of the reasons for that is that the land ice, the perched ice, the huge volumes of ice perched above sea level, is sliding into the sea at an extraordinary rate and that is changing the salinity balance of the Southern Ocean, which is causing more winter sea ice. The fact is the Western Antarctic Ice Sheet is coming apart at the seams. As far as I am aware, it is not disputed in the climate sceptic or denier literature but is a straightforward fact that, since 1992, the Antarctic continent has lost 1,350 billion tonnes of ice. To put that into perspective, that is 1,350 cubic kilometres of ice that has slid into the sea—an average of about 70 cubic kilometres of ice a year.

What is happening in Antarctica is unambiguously a sign of a warming planet. The poles are obviously warming much more rapidly than the tropics. The Greenland ice mass is coming apart at the seams, and the fingerprints there are actually much stronger and more easy to read. There is in effect a runaway feedback loop occurring around the north pole ice cap, because the retreat of the sea ice and the break-up of Greenland is leading to, effectively, a reduced albedo effect along the North Pole, which is effectively now a mass of dark water soaking up incoming sunlight like a sponge.

What is happening in Antarctica appears, at first reading, to be more ambiguous—which is evidently what has confused Senator Back and many others. You have an expansion of winter sea ice which disappears as soon as the summer sun hits it. It is in part because Antarctica is coming apart at the seams. Right there in microcosm is, I think, a way that these arguments can be thrown into public debate for political effect to create an impression or a genuine sense of confusion on those who maybe should have just kept reading the next paragraph of whatever report was put in front of them. Seventy cubic kilometres of ice every single year amounts effectively to a sea level increase, just from that part of Antarctica, of about 0.19 millimetres per year. It does not sound like a lot and yet it is leading irrevocably to, at first, retreat or defence and eventually evacuation of most of the coastal settlements on this planet within the next 100 or 200 years.

The legislation that the bills we are debating tonight seek to repeal were written over a period of years—at the behest of Senator Milne; Senator Bob Brown; Adam Bandt; the country independents, Mr Windsor and Mr Oakeshott; Prime Minister Gillard and Minister Greg Combet—in a room with economists, experts in social and tax policy, experts in climate science and those with an interest in the business community. The bills that came through were not perfect but they were hammered together through a process of negotiation. They are what we see tonight, and the fact that we have to stand here and contemplate the unravelling of a functioning carbon price instrument—the only industrialised country in the world to do so—is almost beyond belief.

The permanent record will show, for as long as the Hansard records of this building stand, those who cast their votes, eventually unwinding this price instrument that transferred money directly from the heaviest carbon polluters in the country across to those who could least afford the increases in electricity prices, such as the pensioners and the people on low incomes who were compensated either directly or by way of changes to the tax scales. It is an instrument that transferred money into energy efficiency for business, transferred money into biodiversity protection and, perhaps most importantly, transferred money via entities like ARENA and the Clean Energy Finance Corporation into the industries that we desperately
need to pick up the slack. That is what you are seriously proposing to unravel tonight, and I think you will stand condemned for that vote.

I kind of gag every time I hear Minister Hunt put the proposition that the carbon price is not working and that greenhouse gas emissions in Australia have basically remained flat during the period of time that the carbon price was in place. The fact is that it is trivially easy to explain exactly how deceptive Minister Hunt is being. The fact is that a large part of the Australian economy is not covered by the carbon price: partly agriculture, partly transport, partly other sectors, and emissions in those sectors are rising very steeply and have almost completely cancelled out the spectacular gains that have been made in the electricity sector, which is covered by the carbon price. Do you not understand that, or are you deliberately misrepresenting what is occurring? The electricity market is changing, the structure of it is changing, baseload coal-fired power stations—particularly the older ones—are being phased out and decommissioned or are on the drawing board for that, and new generators are stepping up.

As far as short-term peaking gas supplies—which we might come back to in a moment—wind energy is the cheapest and most abundant large-scale source of renewable energy. Then there is rooftop solar. There has been a massive and almost unprecedented expansion of rooftop solar PV. And now we are finally seeing the next generations of large-scale solar PV farms and, perhaps, most excitingly, new technological innovations like the Carnegie Wave Energy farm based out of North Fremantle, which has just signed its first power purchase agreement with the naval base in Cockburn Sound. There are large-scale plants like that proposed by SolarReserve, a company based in Santa Monica in California, which set up a small Perth office last year and were proposing to enter the Australian retail market. They have held very productive discussions with off-grid miners in Western Australia and elsewhere, and I suspect they are not going there to talk about parts per million CO₂ in the atmosphere.

I do not imagine solar reserves negotiations have taken into account the 1,350 cubic kilometres of ice that have been lost from Antarctica in recent times. I suspect what they are talking to the off-grid miners about is whether they are interested in eliminating their fuel bills and completely changing their input costs. I repeat: eliminating their fuel bill. You can run off-grid mines on sunlight these days, colleagues. It changes everything. So, a big slow clap to the mining lobbyists who chased this company out of Australia—unbelievable! These are the mining lobbyists who are effectively attempting, through legislative initiatives such as the one we are debating tonight, to drive these investors out of Australia—the very people who are negotiating with some of their member corporations about eliminating their fuel bills and effectively taking their fuel costs off the budget and off the balance sheet. In exchange you get a solar asset, which is worth something. That is the scale of the stupidity in play around these bills. The penny has finally dropped, even in the mining community, that the solar industry can help eliminate one of the largest input costs.

So guess what is happening to solar reserve? No doubt many on this side of the chamber and on the crossbenches would be aware that Four Corners recently featured SolarReserve. They have just commissioned a plant in Nevada—a 110-megawatt baseload, or better than baseload, solar thermal plant in the high country of Nevada. That is being designed and built to cater for the peak energy electricity demand of Las Vegas. The peak demand of Las Vegas
occurs at eight o'clock at night, and so they have done something slightly counterintuitive—they have built a 110 megawatt solar thermal plant.

That company recently established in Australia. Yes, they are talking to the off-grid miners about eliminating some of the most expensive distillate and gas prices anywhere in the world, because they are trucking fuel sources for large-scale mines and mills out to these remote sites, and they are also talking to Western Australian electricity market operators about on-grid plants. Here is what they have to say about the Australian government's renewable energy policy. Solar Reserve's chief executive Kevin Smith told Four Corners the company had been deterred by a drift in policy and the planned scrapping of the carbon tax. He said that that policy change 'pretty much took the life out of the renewable energy sector as far as large-scale projects for utility applications' were concerned. He said:

… other markets around the world are advancing. Australia is going to be left behind.

On the appointment of climate change denier Dick Warburton to chair Prime Minister Abbott's completely unnecessary attack on the renewable energy target, Mr Smith said:

… clearly … that appointment was made because they want to move back towards conventional fuels, coal and oil.

It is pretty clear that the policy in Australia is now being centred around big coal. The coal industry clearly have rallied to move policy away from renewable energies because they view renewable energy as a threat and want to move back to conventional coal, and that is why those opposite stand condemned tonight.

The coalition side of this chamber, acting on behalf of their financial backers and donors in the coal and gas industries, are unwinding the carbon price and bankrupting the renewable energy sector. I cannot put in language strong enough the contempt that I feel for those on that side of the chamber. The legacy they are leaving for their own families and for ours is that the coal and gas industries, in their attempt to maintain their incumbency in electricity markets that no longer need them, will take everything else and everyone else down with them—70 cubic kilometres of ice from Antarctica every year; try to keep that figure in mind.

An Australian businessman, Danny Kennedy, founded the rooftop solar company Sungevity in 2006. He could not make it work here and he ended up in California, not that far from Silicon Valley. Because of the availability of venture capital—obviously it is a larger electricity market and maybe there is also a more imaginative investment community; certainly in California at the time there was much more systematic policy support—they now employ 500 people and they have offices all over the world. Mr Kennedy says that Australia risks 'going the way of the dodo' and missing out on 'the biggest economic opportunity of the 21st century'. Is there anyone out there listening?

If anybody out there seriously believes that we are doing this to reduce the energy bills of low-income Australians, then obviously they do not understand the compensation paid to people. In fact, people on low incomes are overcompensated. If anybody seriously believed that those opposite cared about people's cost of living, particularly those on low incomes, the budget destroyed that myth. The deliberate damage they have done, quite carelessly, to people's cost of living shatters that shallow line of argument that they ran so successfully last September in the federal election and so spectacularly unsuccessfully in the Western Australian by-election in April. Mr Kennedy says:
We get stuck in quarry Australia mentality from the 20th century while the rest of the world is phasing out coal and trying to move towards these new industries and creating whole new ways of doing business and jobs which Australians may never benefit from.

This is because they are being driven offshore—not accidentally, not through careless policies, not incidentally on the way to some greater or more noble cause; it is deliberately. The government is bankrupting them because they are threatening the business model of the coal and gas generators. It is nothing more or less complicated or sophisticated than that.

Why would the government do such a thing? It is hard to believe, given the scale of what is occurring, but you might be either confused or ignorant or in basic denial, which I guess is understandable from a certain point of view, about what is happening to our climate all around us. You might be able to sustain the argument that it is on a sheer commercial basis and not through the application of ideology at all—and I am not one who thinks that those on the other side of the chamber are ideologically motivated, although it does amuse me when I am told that the implementation of a carbon price, a floating market instrument, was some sort of Marxist conspiracy. That is pretty funny, but I do not think it is ideological at all. I think what is happening here is as a result of a hard-headed business case. It is a basic investment decision.

If we look at who pays the carbon price—about 370 of the largest polluters in Australia—18 of the largest 60 emitters, about 30 per cent, are donors to the coalition. They paid for the coalition's election campaigns, they bought their TV ads, they wrote their damn slogans. That has come to about 2½ million bucks since 1998—including $305,000 from Woodside, a pretty big business in my home state of WA. They also had the highest liability outside the electricity sector to the carbon price—just under $172 million. BHP donated $135,000 and Rio Tinto $20,000 since 1998—both companies with substantial carbon price liabilities. They made a sensible business decision with an extraordinary return on investment. You are a disgrace. There was $878,000 from Santos, a quarter of a million bucks from Adelaide Brighton and $10,000 from OneSteel. Should I go on? I have probably made the point abundantly clear. That is why I do not think ideology is in play at all here.

The government's financial backers and those who write their slogans and pay for their TV ads see a threat to their business model, see how radically their assets have been stranded by an electricity network that simply cannot afford them any more. They have seen a threat coming and have taken control of the political executive—not this parliament, thankfully, but the Abbott executive—and written the government's energy policy for them: scrap the toxic carbon tax; the one that was going to wipe Whyalla off the map and the one that was going to be such a catastrophe for the economy. They continued growing on trend, or slightly above, after the carbon price was introduced.

The government made it up and that is why the line started ringing very hollow and completely and spectacularly failed the Liberal and National parties. In the WA by-election, the first electoral opportunity to test the lies and the claims the government made in the run up to the September election last year, the coalition's vote collapsed by another five per cent and the Greens recorded the highest vote in the history of our party in WA. The coalition should be a little nervous. I am not surprised that none of you can make eye contact here tonight—by your votes you will stand condemned. I am glad that Hansard are in here tonight recording—

Senator Edwards interjecting—
Senator LUDLAM: who will place a vote and who will be sitting on what—

The ACTING DEPUTY PRESIDENT (Senator Back): Order! Senator Ludlam is speaking.

Senator Edwards: I've had to sit and listen to him for 20 minutes.

Senator LUDLAM: I am going to use my entire 20 minutes just for your benefit, Senator Edwards—every second. A quick word about the Palmer United Party, who we welcomed to this chamber after a long election campaign and, in the case of my colleague Senator Wang, two goes—with the Western Australia Senate election re-run. It seems to me that Mr Palmer has played a very clever game, in essence neutralising the parts of the Clean Energy Act that would cost his mining interests money and potentially—we still do not know—saving those parts of the package that could keep a viable renewable energy industry alive in this country while we run the clock down on this one-term, failed government.

I also acknowledge Senator Muir, who is on the record this afternoon proposing that ARENA, the Australian Renewable Energy Agency, be saved, that it be given a stay of execution so that it can continue to invest in start-ups and the innovators and those who are not yet a commercial proposition but who, with a bit of care and attention and a few well-targeted dollars, might be able to make a go of it. The cross-benchers are seeing more sense than the government. The ALP, despite some of the strange arguments that it ran during the election campaign, stuck to its guns.

This policy is one of the reasons that the Australian Greens exist. It is one of the reasons we are here. The coalition, whenever this bill is committed to a vote, will stand condemned by not just those who will be sitting on the opposite side of the chamber from them but their kids, their grandkids and those who will never know our names. The coalition will stand condemned.

Senator SESELJA (Australian Capital Territory) (18:32): I am disappointed that Senator Ludlam did not take that last 20 seconds so he could give us a little bit more bile and a little bit more lecturing. He did promise Senator Edwards that he would take the whole time so he could finish. I will respond briefly to Senator Ludlam. The Greens always project their worst failings onto others. After receiving the biggest political donation in Australian history, the $1.6 million from the Wotif founder, they immediately started to do his bidding after receiving about donation.

Senator Ludlam: Is this all you've got?

Senator SESELJA: No, I have much more and I am coming to it. We also heard from Senator Ludlam how their campaign against the carbon tax was so well demonstrated by the WA by-election. Let us remind Senator Ludlam of the results in WA. Five out of the six senators—that is right, five out of the six senators—elected at the WA by-election promised to repeal the carbon tax. Senator Ludlam, you are right. You were the one out of six and you got one Senate seat. There were three Liberals promising to repeal the carbon tax, there was the Palmer United Party promising to repeal the carbon tax, and there was the Labor Party at that time promising to repeal the carbon tax. The ALP have subsequently reneged on their promise, but they were promising it at the election. If you were voting at the WA Senate re-run and you were taking the parties at their word, you would have voted for the five senators who said they wanted to repeal the carbon tax and who were subsequently elected. Not only
did people vote for it at the election last year, they had a chance to do it again in WA—and they voted for it again. They gave the pro-carbon-tax position one Senate seat and they gave the anti-carbon-tax position five Senate seats. This is the kind of ridiculous logic we often hear from the Greens. Because they got elected we can forget about all the other votes. We can forget about the other 85 per cent of people who voted against the Greens in WA and take it that those 15 per cent must represent the will of the people. They do not; they represent 15 per cent. The rest voted for something quite different.

We are on the cusp of a very important moment for our nation—the repeal of the carbon tax. That is a wonderful thing. But we are also seeing another, important, shift in our political life. Senator Ludlam's tantrum was about the fact that the Greens are no longer in charge. We saw over the last six years under the Labor-Greens government that the Greens were in charge. We saw that the Greens position on things such as climate change became the government's position—it became the legislated position. That is what we are seeking to undo with the legislation we are debating tonight.

There is the Greens view, which is supported normally by around eight per cent, sometimes a little more. I accept that there are around eight to 10 per cent of people who support the Greens view of the world. You cannot fault the fact that they are fairly consistent on these things, although they have a mixed record. They are fairly consistent in taking a fairly extreme view when it comes to the issue of climate change: we are all going to be ruined tomorrow; every cyclone, every flood, every heatwave, every cold snap is a result of climate change; and, further, if only we had a carbon tax none of those things would ever have happened. That is one view of the world. Then there is the mainstream Australian view, which is that people see that the climate is changing. They see that mankind makes a contribution to that and that we should do something to try and mitigate that. I think that is the mainstream view in Australia. They do not buy the doomsday scenario that we are about to be inundated, to be flooded out of our homes, and that every weather event is the result of carbon emissions and could be fixed if only we had a carbon tax, if only we had a bigger carbon tax, if only we took that prescription. That is not the mainstream view and that is not what people have voted for. The overwhelming majority of Australians do not believe that. They do believe climate change is happening, they do believe we are making a contribution, they do believe we need to act—and the coalition agrees with that position.

So we have the Greens on the one hand who unfortunately have been in charge when it comes to the Labor Party's position on this for a long time. And it is shameful that the Labor Party are still voting to keep the carbon tax today. We have heard from various Labor senators claiming something different, that they are actually voting against the carbon tax. Well, let the record reflect very clearly that Labor senators, as their House of Representatives colleagues did, as Bill Shorten did, are voting to keep the carbon tax. That is their position. That is how they are intending to vote. That is what they have signalled in the debate. If this legislation passes, as we certainly hope it will, that will be despite the opposition of the Labor Party and despite the opposition of the Greens.

I want to go to where the Labor Party has lost its way when it comes to dealing with climate change and issues around the carbon tax. We talked about the Greens being in charge, and nothing could be clearer than what we saw in the period between 2010 and 2013. At the 2010 election, 149 of the 150 members who were elected to the House of Representatives had
a position going into that election of no carbon tax. I heard Senator Di Natale earlier saying, 'You don't have a mandate for this and that and we've got a mandate to do this.' Well, we have had an election. Going back to the 2010 election, the coalition has a position opposing a carbon tax, the Labor Party had an explicit position opposing a carbon tax and most of the crossbench had a position opposing the carbon tax. In the Senate an overwhelming majority went to the election promising no carbon tax and opposing a carbon tax. Yet, because there was one Green in the House of Representatives, the Labor Party allowed their policy position to be determined by that one Green. This is where they lost their way.

Former Prime Minister Gillard often said, 'Yes, I did promise no carbon tax but I've always supported a price on carbon.' Well, that is not true either. Going into that election, Prime Minister Gillard not only promised unequivocally no carbon tax; she also said when it came to action on climate change she would seek a deep and lasting consensus through a citizens' assembly and through other measures. That was the Labor Party position. It was not: 'We will put a price on carbon but not a carbon tax.' It was: 'There will be no carbon tax and any action we take is going to come after deep consultation with the community through a citizens' assembly.' That was then scrapped. And what did they do? One Green says to them: 'I want a carbon tax. If you want my vote you need to give me a carbon tax.' Of course, the Greens were always going to back the Labor Party into office. There was never a question that Adam Bandt was going to do anything other than support the Labor Party into office in 2010, but they prostituted themselves politically and gave away their policy position to a minority party. That is how they have got into this position and that is fundamentally what we are seeking to reverse here tonight.

We are seeking to reverse the position where a party which gets about eight to 10 per cent of the vote is able to dictate terms and go against the will of parties who, between them, have received between 80 and 90 per cent of the vote. So 80 to 90 per cent of voters have voted for one thing but the Greens have dictated to the Labor Party the opposite. This is the fundamental problem with the position of the Labor Party.

The Labor Party of course did say they were going to abolish the carbon tax, but now they are voting not to do that. They went not only to the 2010 election but also to the 2013 election promising to abolish it. Today or tomorrow, when it comes to a vote, they are again going to vote for higher prices, for higher electricity prices, for higher gas prices. The Labor Party will side with the Greens again—the Greens who politically have done them so much damage, who have dragged them away from the mainstream on the issue of climate change towards the highest and most aggressive carbon tax across the world. They are going to do it again, to vote in the Senate to keep that carbon tax.

What are the Labor Party and the Greens voting for? What are they voting to protect? They are voting to keep higher prices. We have heard it said that 'well, prices may not come down', but the evidence is in: when the carbon tax repeal goes through, we will see electricity prices come down, we will see gas prices come down and we will see that with some of the costs that flow from higher electricity and gas prices. So not only will we see a great impact when it comes to supporting business; we will see a great impact when it comes to supporting households. A number of pieces of evidence are already coming in to suggest that we will see reductions as a result of this repeal. This is what those opposite will be voting against. In New South Wales, IPART has said gas prices would be about 9.2 per cent lower. Queensland
senators will be voting against an 8½ per cent fall in typical household electricity bills, and that comes from the Queensland Competition Authority's media release. Tasmanian senators will be voting against a 7.8 per cent real fall in electricity prices, and that comes from the Office of the Tasmanian Economic Regulator.

In the ACT—and I think that Senator Lundy may be speaking next—they will be voting against an 11.6 per cent fall in electricity prices. The source of that is the ICRC, the Independent Competition and Regulatory Commission in the ACT. So ACT senators will be voting against that.

Across the country we will see those kinds of reductions in household costs. We read today in The Canberra Times that repealing the carbon tax will save the average Canberra household $228 a year just in electricity costs. I heard the comments from Senator Lazarus earlier about the Canberra family forced to house-sit in Queanbeyan because they could not afford the electricity prices in winter. Hopefully, we can give them some relief. We can give families like them some relief from this tax which has had such a negative impact on our economy and on households.

Business does not need convincing. I know that the Greens position in the world is that business cannot be trusted and that we should not listen to it. We do respect the contribution that business makes to our economy and to our community through creating jobs. We have it here from the Australian Aluminium Council: it supports the government's intention. ACCI has long called for the abolition of the carbon tax. AMEC—the Association of Mining and Exploration Companies—said:

… the implementation of the repeal of the MRRT combined with other initiatives contained in the Coalition Government’s various policy documents will provide much needed stimulus to the Australian mining industry.

The Cement Industry Federation, the BCA—the Business Council of Australia—the Federal Chamber of Automotive Industries and the Master Builders of Australia all welcome the announcement by the Abbott government that it will repeal the carbon tax and associated laws and regulations.

The decision by the previous Rudd and Gillard governments to impose a carbon tax on Australian businesses and householders only served to add to the cost of living and home building, having little, if any, impact on global greenhouse gas emissions. The carbon tax also served to exacerbate difficult trading conditions in the building and construction industry. The carbon tax added further to the cost of living for households and to house affordability pressures, which were already acute.

It goes on and on. Business understands that, if you get rid of this multibillion dollar handbrake on the Australian economy, it will be good for households, it will be good for job creation and it will be good for business.

I must say that the gullibility of some of those who still argue in favour of this carbon tax is extraordinary. They tell us about the actions that are going on around the world; they tell us we are falling behind. But let us just put some facts on the table. The Productivity Commission report says:

… no country currently imposes an economy-wide tax on greenhouse gas emissions or has in place an economy-wide ETS.
So we have Australia's carbon tax of $25.40 per tonne covering around 370 liable entities across 60 per cent of total emissions. And yet the European Union's ETS, which is often put up as the model, covers 45 per cent of emissions—but not at $25 a tonne. It is around $8 a tonne. The New Zealand ETS covers 50 per cent of total emissions at around $4 per tonne. The Regional Greenhouse Gas Initiative, in which nine states on the US East Coast take part, covers the electricity sector only at around $5 per tonne.

The coalition wants to see this tax repealed not because of any blind ideology but because it is good for Australian households, because it is good for Australian business and because the people of Australia have consistently expressed a desire to get rid of this tax. They have expressed it in their vote, they have expressed it in numerous opinion polls and, most importantly, they have expressed it at the ballot box. When it has been clearly put to them, 'Do you want to support a party that is going to repeal the carbon tax?' they supported that party. Even in the Senate rerun in WA, five of the six senators had a position of getting rid of the carbon tax.

We want to move away from a situation where the Greens run the show. Hopefully, that is what is starting to happen through the passage of this bill. The situation where a party that gets only eight to 10 per cent of the vote is able to dictate terms to the community and to the parliament is undemocratic. It has led to poor policy. It has not been good for our economy and it has not been good for our households. We see the absurd—(Time expired)

Debate interrupted.

**DOCUMENTS**

The ACTING DEPUTY PRESIDENT (Senator Back): Order! It being 6.50 pm, the Senate will proceed to the consideration of government documents.

Royal Commission into Institutional Response to Child Sexual Abuse

Senator CAROL BROWN (Tasmania) (18:50): I move:

That the Senate take note of the document.

I rise to acknowledge the interim report of the Royal Commission into Institutional Responses to Child Sexual Abuse.

The work of this royal commission could not be harder or more important. When the royal commission was established by the Gillard government in January 2013 it was made clear that they were not only inquiring into crimes of the past but were also making recommendations to ensure that children, the most vulnerable in our community, are better protected in the future.

This report highlights the significant amount of work the commission has undertaken so far and outlines the work that lies ahead. The report states that by 31 May 2014 the commission had held 1,677 private sessions and had received 1,632 written accounts. By 30 June 2014 they had held 13 public hearings, in Adelaide, Brisbane, Canberra, Perth and Sydney. I know that since that time they have held hearings in my home state of Tasmania.

The work of the commissioners and all the staff involved should be commended. But those who deserve the greatest acknowledgement are those who have been abused and who have courageously come forward to share their experiences with the commission. It is important that we hear and know their stories. I would recommend that all those who sit in this place take the time to read the report, particularly some of the stories that are recorded in the second
volume. These stories form part of our nation’s history, not a proud part but a part it is important we acknowledge. It is important that the stories are heard to help people heal and help us all learn and protect children in the future.

In addition to detailing the extraordinary work of the royal commission to date, this report calls on the government to extend its final reporting date by two years to 15 December 2017. The report said:

The Royal Commission is presently required to complete its work by the end of 2015. Having regard to the private sessions, public hearings, research and consultation that must be undertaken to complete the tasks required by the Letters Patent, the Commissioners are satisfied that more time is essential. The Royal Commission has asked the Government to extend the final reporting date to 15 December 2017 and fund the Royal Commission so that it has the resources necessary to complete its work by that time.

We know that the funding for the royal commission has already been cut in this year’s budget, but now the government can take steps to redeem itself on this issue and to accept the request of the royal commission. This critical work must not remain undone. If the government does not agree to this reporting extension and additional funding, many survivors, particularly those from vulnerable and hard-to-reach groups, will miss out. Their experiences will remain unheard, the opportunity for healing denied and the opportunity for some justice refused. I seek leave to continue my remarks later.

Leave granted.

Senator URQUHART (Tasmania—Deputy Opposition Whip in the Senate) (18:54): I also rise to take note of document 20, volumes 1 and 2 of the interim report of the Royal Commission into Institutional Responses to Child Sexual Abuse. I thank the commissioners and their staff for their work so far and I deeply thank the courageous survivors who provided evidence to the commission about their experiences. Without their courage, these dark secrets would remain hidden and, as such, our community would not have had this opportunity to learn from these tremendous institutionalised wrongs and to work to ensure that these horrors are never repeated.

Volume 1 summarises the work done so far. As at the end of May, the commissioners had held 1,677 private sessions and received 1,632 written accounts. Over 1,000 people are currently waiting to attend a private session. The website has been viewed by over 233,000 visitors. At the end of June, 13 public hearings had spanned 96 days and heard from 219 witnesses. The commission had completed 21 research projects and started work on 12 more, while over 160 matters had been referred to the police for investigation.

Volume 2 shares 150 personal stories from survivors who shared their experience of abuse with the commission at a private session, including six stories from Tasmanian survivors. I will share one of those stories to the Senate tonight, but all names used are not the real names of people involved. The following is Sharon’s story:

Soon after her birth in 1949, Sharon was placed in the care of Shirley, a woman living in country Tasmania. Sharon remembers about 10 different children coming and going in Shirley’s house over the years, and they were all sexually abused by Shirley’s partner, Trevor, and her son, Wayne.

Sharon was abused two to three times per week for around eight years. At the age of 12, she told Shirley about the abuse:

‘She gave me a belting and I thought, “That’s it, I’m going to go to the police. There’d have to be somewhere better than here”. I walked 13 kilometres to the station to tell them, but they wouldn’t listen.
They put me in the car and drove me back, and said, “Don’t come here again.” I ran away when I was 15 because I was sick of it. I was hungry and I had no clothes. I took some things from the shop and got caught.

When Sharon appeared in court … someone must have noted she was pregnant, because soon after she was sent to a Catholic girls’ home…. she didn’t receive any information about being pregnant, and wasn’t really aware that she was. One evening, she developed cramps and didn’t go to the evening meal. Her labour started soon after. Sharon said she tried to leave her room, but … the door was locked … By the time her screams brought attention, she’d given birth to a baby girl. The baby was immediately taken from her, and Sharon was later given conflicting messages as to whether she had survived. A death certificate stated the baby was stillborn, but Sharon said she’d heard the baby cry, and she thought there was a possibility the girl was still alive.

Sharon later married and had two children. She didn’t tell her husband about the baby until the Government apology to the ‘Forgotten Australians’ in 2009. ‘There were so many people there just like me. It was a real eye opener.’ She carried a great sadness that the other children she’d grown up with had found their birth families and she hadn’t. ‘I think that would have helped, to know who I was, or to know something about where I’d come from.’

In 2010, Sharon received $55,000 from the Tasmanian State Government Redress Scheme. She said the payment meant a great deal to her. ‘They believed me, and I’d never been believed before. That was the first time.’

This survivor, Sharon, was failed by the Tasmanian government's foster care system, by the police, by the Catholic church and by everyone she had ever tried to trust while growing up, but she was brave enough to share her story with the commission.

Through the commission's work, our institutions are reforming their practices. The commission must be funded today complete its work to ensure all survivors of child sexual abuse have the opportunity to report their experiences. It is estimated that the commission needs a further $104 million. Considering that Senator Brandis reallocated $4 million from this commission to one of the Liberals' political royal commissions, I urge him to reinstate that $4 million and to find $100 million from within the budget. It is the right thing to do; it is the only thing to do. I seek leave to continue my remarks.

Leave granted; debate adjourned.

**DOCUMENTS**

**Consideration**

Order of the day no. 21 relating to government documents was called on but no motion was moved.

**ADJOURNMENT**

**The ACTING DEPUTY PRESIDENT (Senator Sterle) (18:59):** Order! There being no further consideration of government documents, I propose the question:

That the Senate do now adjourn.

**Australian Muslim Women's Centre for Human Rights**

**Senator CASH** (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (18:59): Tonight I rise to inform this chamber that, despite decades of hard work and research, family violence remains one of the most persistent forms of violence against women and children. As Minister
Assisting the Prime Minister for Women, I can assure you that safety for women and their children is one of my highest priorities. Providing a safe community for our children is a society’s duty and, on 13 March 2014, I had the pleasure to launch the most recent program of the Australian Muslim Women’s Centre for Human Rights to strengthen the protection of children in their community. The Working with Muslim Women on the Effects of Family Violence and Child Sexual Abuse on Children training manual developed by the Australian Muslim Women’s Centre for Human Rights is a practical tool to help workers—and, in particular, non-Muslim workers—in the community welfare, government and legal sectors who are working with Muslim women and their families.

This training manual is truly remarkable. I congratulate all the women responsible—some of whom I met in Melbourne at the launch—and, in particular, Joumanah El Matrah, Executive Director, Australian Muslim Women’s Centre for Human Rights, on developing such a comprehensive and user-friendly guide for the community. It details the history of Islam, patterns of migration, the cultural and familial context of Muslim women and children, and strategies for working with Muslim and migrant communities in relation to family violence against children and child sexual abuse. The training manual makes clear that culture and the experience of migration can impact on the specific ways in which violence is inflicted upon and experienced by Muslim women and children. It also highlights that migrant women in Australia may not report family violence because of fear, misinformation and difficulty accessing support.

This information is critical and will ensure that practitioners and community leaders are not only educated themselves but can also educate the community through information sessions with Muslim women about the impact of family violence and sexual assault on children. The use of case studies and practical exercises in the module will be particularly useful in this endeavour. This is a practical way of reaching into Muslim communities, but it could also be broadly used in other CALD and non-CALD communities to work with them, educate them and support them. It is only through these measures that we can achieve real cultural change. We know that strong community leadership leads to strong communities. Indeed, effective community organisations enhance our social fabric and help us—as a government and as a nation—to ensure that no person is left behind.

The training manual these women have developed is a step towards making sure that no child is left behind and no child is forced to suffer in silence. I was particularly impressed with the focus on diversity in the manual. It can be too easy for workers in this field to assume they know Muslim culture when in reality there is a tremendous diversity among Muslims in Australia. As the training manual makes clear, the issues of violence against children and violence against women are intimately entwined. Women are the principal carers of children. When violence is in the home, women and children witness violence against each other, and it is not uncommon for women and children to experience violence from the same perpetrator.

I can assure you that the Australian government is committed to ensuring the safety of women and children. Achieving a significant and sustained reduction in violence against women and their children is a long-term endeavour. We must all endeavour to ensure that women are respected, not violated, and that family and sexual violence in Australia is eliminated. Community groups are the vital link in setting the standard that will be accepted. The Australian Muslim Women's Centre for Human Rights is showing valuable leadership on
the matter of violence against women and children in their community, and I commend them on their work to actively protect our most vulnerable citizens. I would like to conclude by quoting a sentence from the training manual that resonated with me:

An investment in women is an investment in the entire community. I could not agree more.

**Australian Red Cross**

Senator BIRMINGHAM (South Australia—Parliamentary Secretary to the Minister for the Environment) (19:03): I rise to note a centenary that should be celebrated by all Australians, and that is the centenary of the Australian Red Cross. On 13 August 1914, the Australian branch of the British Red Cross Society was formed at Government House in Melbourne, just nine days after the outbreak of World War I. The Australian Red Cross, as it became known when it was recognised in its own right in 1927, has grown to be one of the most successful humanitarian caring organisations in Australian history and life. By 1944, the Red Cross had reached a membership of some 450,000 Australians who were contributing towards its valuable work.

Many Australians know the work of the Red Cross through their blood donation services, something that they have been doing from their early days. Indeed, we saw the first plastic blood packs being used in Australia in 1960. In 1970 we saw Red Cross make a breakthrough in blood screening for hepatitis B and in 1980 it screened for HIV for the first time. Equally, Red Cross has a huge role in disaster relief and assistance, working both within Australia and internationally. In 2002, Red Cross launched the Bali Appeal after the Bali bombings and raised some $15 million through that appeal. In their response in 2004 to the Asian earthquake and tsunami, which devastated Indonesia, Thailand, Sri Lanka and the Maldives, their disaster relief appeal raised some $108½ million. In 2008, in response to the Black Saturday bushfires which devastated Victoria, their appeal raised some $379 million.

The commitment of Australians to Australian Red Cross, after their 100 years of work, remains very strong to this day. It is a centenary well worth celebrating, and it is well worth ensuring that people recommit themselves to the work of Red Cross into the future, whether it is through those blood donation services, that humanitarian relief and disaster relief and assistance, or the many other practical activities that Red Cross undertake, such as first aid training and the like. As part of their centenary celebrations, Red Cross has set up a website, centenary.redcross.org.au, to collect stories about people's involvement with Red Cross. Looking at some of the fabulous stories that have already been put up there, I was drawn by a couple. There is the story of Rosemary Smith, speaking of service to Red Cross in the 1960s, who said:

In the 1960s, I helped Nan at the Red Cross Canteen at the Adelaide Children’s Hospital. When decimal currency was coming there was a great debate. We could get six lollies for sixpence, but when it became five cents, would we only get five lollies? It did not seem fair.

I remember many parents, with children, waiting all day to see a doctor. Nan gave them the leftover buns. I was a member of the Dunant Red Cross Younger Set in the 60s, established by staff of the Savings Bank of South Australia. We organised a band and barbecue and hundreds came. I was turning sausages in my sleep! We had to comb the grass tennis court on our hands and knees the next morning for butts and rubbish. It was a very successful fundraiser.

Her story is one of many.
Another story is from Barbara Elefsen from Whyalla. She told the story of coming to Whyalla in 2000 from Minnipa in South Australia. She said:

I was an Anglican and I offered to do church flowers where I met Clare McNamara and asked her about some voluntary things to do around Whyalla. She suggested Red Cross and I joined in 2009.

I have found Red Cross very interesting as I help with Blood Bank and Badge Day. I also enjoyed going to meetings and conferences and the friendship it offers. I am looking forward to 2014 Centenary and our Rose Garden project.

Other stories went back some distance. Fay Jackson told her story of leaving the Mount Millar farm after 43 years to live in Whyalla. She needed to get to know people so her first choice was to join the Whyalla Red Cross. She said:

Over the years I have been involved in doorknocking, badge days, blood bank and helped out at our conferences, all of which I have enjoyed.

My mother was a Red Cross member in Cowell for many years. During World War II, mum and I knitted many helmets, socks, gloves, and scarves for the soldiers. I enjoy meeting up with friends at our meetings and having a chat afterwards with a cup of tea. I am now in the process of making a Red Cross Banner with members names stitched on.

I was a blood donor up until the age of 70, giving a total of 50 pints. I was the first blood donor in Cowell.

It has been a remarkable 100 years for the Red Cross. May there be many, many more successful years of humanitarian and community work.

**NAIDOC Week**

**Senator PERIS** (Northern Territory) (19:08): I rise tonight to talk about the National Aborigines and Islanders Day Observance Committee, commonly known as NAIDOC. This week is NAIDOC Week and as I speak events are taking place right across the country celebrating Aboriginal and Torres Strait Islander culture and recognising the contributions that Aboriginal Australians have made and continue to make to our country and our society.

NAIDOC Week is always a fantastic week. There are events in every corner of the country, ranging from the very serious to the very fun. Just some of the events include flag-raising ceremonies, history seminars, art classes and exhibitions, health and suicide prevention seminars and sporting events.

This year's NAIDOC theme is 'Serving Country—Centenary and Beyond'. The theme honours all Aboriginal and Torres Strait Islander men and women who have fought in defence of our country. There are several events commemorating those who served, to reflect on their sacrifice and to recognise the role they have played in shaping our identity and the priceless contribution they have made to our nation. I pay my personal respects to all these Aboriginal and Torres Strait Islander Australians past and present.

NAIDOC Week ends with a national awards ceremony on the Gold Coast on Friday night, which I am really looking forward to attending. It will be the first time I have attended as politician. I have attended previously as a recipient of a sporting accolade.

NAIDOC Week is a great opportunity for people from every background in Australia to celebrate the 50,000 years of this country's history. NAIDOC is about unity. It is about people from every culture that makes up this great country coming together. Unfortunately, this NAIDOC Week has started on a sour note. I have been inundated with concerns from people
throughout Australia in relation to the comments from the Prime Minister late last week, when he said:

I guess our country owes its existence to a form of foreign investment by the ... in the then unsettled or, um, scarcely settled, Great South Land.

I have three major issues with this statement—which is remarkable given that it is such a short sentence. Firstly, this country does not owe its existence to any form of foreign investment. Secondly, British settlement was not foreign investment; it was occupation. And, thirdly, Australia was not unsettled when the British arrived. Those are not my opinions; they are three plain and simple facts. Ironically, when the Prime Minister made these comments I was in Kakadu, surrounded by paintings dating back 30,000 years.

The Prime Minister is spending a week in East Arnhem Land in September. I encourage him, when he is there, to talk to the Yolngu people about how our ancestors were trading with the Makassans 400 to 500 years ago and to talk about the rock paintings.

As I mentioned, I have been inundated with concerns from many Australians—not just from Aboriginal people—right across Australia, and I know that other members of parliament have been inundated as well with concerns about the Prime Minister's comments. However, not all of the correspondence I have received has been supportive. There is no other way to describe some of what I have received than racist hate mail. As politicians we are all used to anonymous trolls on the internet attacking us from time to time. But none of us should ever have to put up with racist attacks. Some people are saying things to me and to other Aboriginal people like, 'Just get over it. We won; you lost,' in relation to British settlement. They are saying that this is a public debate. That is not debate. And that is why I am speaking up. I think the Prime Minister needs to understand that this is the sort of action he encourages, even if he does not intend to, when he makes comments such as those.

But my major issue is not with the comments he made last week. My major issue is with the Prime Minister's proposed changes to the Racial Discrimination Act. This is more than comment; this is the government actively changing legislation, which the Attorney-General has defended as protecting the rights of bigots.

When the Attorney-General made those comments earlier this year I was one of several people who raised my concerns that his comments would be a green light to racism and hate speech. And, sadly, I think that this has been the case. The Prime Minister and the Attorney-General have given a degree of comfort to bigots to engage in racist hate speech.

I have written to the Prime Minister saying that his changes to the Racial Discrimination Act are compromising progress towards constitutional recognition. You cannot on one hand say you want to recognise Aboriginal Australians in the Constitution and then on the other hand tell Aboriginal people that you want to change the law to protect the rights of bigots.

I say to Tony Abbott that you cannot possibly be the Prime Minister for Aboriginal Australians unless you drop your planned Racial Discrimination Act changes. In saying that, I acknowledge that this is not just about Aboriginal Australians; it is about all Australians, given that some 5,500 submissions have already been received by the Attorney-General.

I will finish on a positive note—and that is about the week of unity that NAIDOC represents. Happy NAIDOC Week for all Australians! It is a way to celebrate our entire history.
Mental Health

Senator POLLEY (Tasmania) (19:13): I rise today to speak on another unjust, entirely short-sighted and altogether cruel decision by this government—the axing of the Dementia and Severe Behaviours Supplement. On Thursday, 26 June, in this chamber—on what I note was the last question time of the previous Senate—the Assistant Minister for Social Services Mitch Fifield announced that his government would scrap this vital supplement. It is a supplement which is just one year old and which provides a payment of $16 a day for those dementia patients who meet the strictest of criteria.

Sadly, the number of people who need this supplement is growing as our population ages. It is a reality that we need to face up to. It is a responsibility that we, quite simply, cannot neglect. It is true that the demand for the payment has outstripped initial departmental projections, but this oversubscription demonstrates how vital this supplement is and how many providers rely on it to provide adequate care and support for those with dementia. Put simply: the modelling underestimated just how big a challenge it is caring for these people at the most vulnerable point of their lives.

The aged-care sector, the minister’s department and the minister himself knew oversubscription was an issue from late last year. The minister had every opportunity to act before it reached this level and before the budget was announced, but he did not act. Not only that but he did not consult with the sector. They were given precisely zero warning. They were given no warning whatsoever. Such was his intent to keep this decision a secret, that a document concerning the supplement sent to members of the Aged Care Sector Committee was delivered only the evening before his sudden announcement—that is night before—and it did not actually specify that the cessation, or even suspension, of the supplement was imminent. This was axing by stealth. It is what we have come to expect from a government that is not committed to aged care and has no vision for the sector or the challenges that it faces.

It also goes without saying that this move has overwhelmingly been met with shock and resentment by the aged-care sector. Last Friday in Melbourne I was fortunate enough to meet with several aged-care providers, as well as representatives of Leading Age Services Australia. They are stunned that this change has been thrust upon them without warning. Many providers now have to recalculate how they will care for those in their facilities. It is not surprising that last Thursday over 40 aged-care representatives met in Melbourne to vent their outrage at this decision. The message they conveyed was clear: they feel as if this government has abandoned them. This is particularly the case given that many providers have acquired extra specialist staff, planned for new buildings and facilities, and invested in other support resources based on the very existence of this vital supplement. They relied on this supplement and now it has been ripped away from them without any warning.

This government should be ashamed of itself. I call on Minister Fifield to stand up, show some leadership and tell us exactly what he plans to do now, because providers are completely in the dark and those with dementia are facing an uncertain future. We as a community have to face the fact—as the rest of the world does—that we, in fact, are facing a tsunami of people who will be suffering from dementia over the next two to three decades. This is another attack on those who can least afford to not have support. Our parents, our
grandparents and our neighbours may very well end up with dementia and need this specialist care.

It is outrageous that again this government has shown no foresight; it has shown no plan; it has no strategy for aged care. The reality is aged care does not get the support from this government that it deserves. We should have a minister for aged care—and it is not just me calling for a minister. The sector itself is outraged that this government does not give any priority to aged care. Australia deserves better from this government but, unfortunately, as always, Australians have been left off the map as far as this government is concerned. (Time expired)

Gasnier, Mr Reg

Senator FAULKNER (New South Wales) (19:19): Last Saturday afternoon rugby league fans at Jubilee Oval in Kogarah, the heart of the St George rugby league district, remembered and honoured the career of a champion of St George and Australia—the immortal Reg Gasnier. The 'prince of centres' passed away on 11 May this year at the age of 74—one day short of what would have been his 75th birthday.

Reginald William Gasnier was born in the southern Sydney suburb of Mortdale on 12 May 1939. A talented all-round sportsman, he excelled at cricket, rugby union and his chosen sport—rugby league. Reg Gasnier will be remembered as one of the greatest rugby league players of all time. His greatest weapon was acceleration—he was quick off the mark, moving from a standing start to a lighting pace in seconds. He was graceful, almost floating across the field while simultaneously avoiding tackles with a magic step or a swerve. He was a prolific try scorer but never selfish.

Off the field, Reg Gasnier was a true gentleman—an absolute pleasure to meet. You could not fault him. He was self-deprecating, modest about his achievements and quick to complement others on theirs. He was passionate about the red and white, hailing from an era when young men played football for the district they grew up in. They were deeply patriotic and in those days rarely changed clubs.

Gasnier played for Renown United Juniors and moved quickly into the ranks of St George first grade. Reg would have played even earlier if his father thought he was ready for top-level rugby league. He played centre for the Saints from 1959 to 1967. He was part of that formidable team of the late 1950s and early 1960s, playing in six of the Dragons' record 11 consecutive premiership victories. In 125 appearances for the Dragons he scored 127 tries and kicked 20 goals.

In 1959 Reg Gasnier made his international debut against New Zealand in the first test of a three-test series at the Sydney Cricket Ground. In the second test, he tore the Kiwis apart with a hat-trick of tries. In 1962 he was named Australian captain—our youngest ever at just 23 years of age. He finished his international career with a total of 39 caps—36 in tests and three in World Cup matches—scoring 26 tries for Australia and captaining the side on eight occasions. He retired prematurely, at the age of 28, after breaking his leg against a French provincial team on the 1967 Kangaroo tour. Following retirement, Reg Gasnier embarked on a successful career in the media. Many would remember his words of wisdom on ABC Grandstand's television coverage of the Saturday match of the day during the 1970s.
In 1985, Reg Gasnier was selected as one of rugby league's four original immortals, along with Clive Churchill, Bob Fulton and Johnny Raper. He was a Team of the Century player and was inducted into the Sport Australia Hall of Fame and the Australian Rugby League Hall of Fame. He was a Member of the Order of Australia and was awarded the Australian Sports Medal and the Centenary Medal. He is celebrated in bronze in a life-size sculpture in the forecourt of the Sydney Football Stadium. It is appropriate that he be remembered here in the Senate, particularly in the presence of one of our number, Senator Lazarus, who himself, of course, was a rugby league great.

For those of my generation, Reg Gasnier was simply part of our lives—a prodigy, a hero and, now, a loss for so many. Vale, Reg Gasnier.

**Taxation**

**Senator URQUHART** (Tasmania—Deputy Opposition Whip in the Senate) (19:24): In the last sitting week I met with Chloe, Sinead, Nick, Maddison and Caleb from Micah Challenge. Nick is the chaplain at Cressy District High School and Chloe, Sinead, Maddison and Caleb are students at the school. A large number of students from across the country travelled to Canberra to 'shine a light' on global tax dodging and corruption, which robs the world of development aid finance.

I note that the largest cut in the Abbott coalition government's first budget was the devastating $7.6 billion cut in aid to the world's poor. Prime Minister Abbott and Foreign Affairs Minister Bishop are cutting billions from the budget that supports things like food programs, childhood immunisation, maternal health and treatment for HIV and malaria. The Abbott government's $7.6 billion cut to aid includes a $110 million cut to the Asia-Pacific in one year alone, despite the government's claim that its aid program would focus on our region. This comes on top of the Abbott government sacking 500 staff from the Department of Foreign Affairs and Trade, including former AusAID experts with critical experience in delivering overseas aid. In contrast to the Abbott coalition government, Labor improved accountability and effectiveness while at the same time nearly doubling the aid budget, from $2.9 billion to $5.7 billion per year.

The message from Caleb, Maddison, Chloe, Sinead and Nick was that Australia has a unique opportunity, as chair of the G20 summit in 2014, to tackle the scourge of tax dodging, which robs developing countries on a massive scale of vital revenue for poverty reduction and sustainable human development. Micah Challenge estimates that, in 2008, developing countries lost more than US$160 billion through just two forms of multinational corporate tax dodging: transfer mispricing and false invoicing. This figure dwarfs the amount that these countries receive in aid, which amounted to US$120 billion in 2009.

What should we do to tackle tax evasion? Micah Challenge says that it is as easy as ABC—with A being the automatic exchange of information between tax authorities. With appropriate privacy safeguards, AEOI is a powerful way to reduce tax evasion and is already supported by Australia, which provides information on tax matters automatically to over 40 countries and receives such information from 20 countries. When Denmark sent out 1,100 letters informing Danish taxpayers about information that had been shared automatically, 440 people reported foreign income that year which they had not previously reported. Very few developing countries have been able to benefit from AEOI, particularly if their tax
administrations are not strong enough to meet requirements for reciprocal information sharing.

B is beneficial ownership disclosure through a public register that lists the true owners and beneficiaries of companies, trusts and foundations: Anonymous companies and secret trusts can be covers for crime, corruption and tax dodging. The World Bank's *Puppet masters* report found that, in 213 grand cases of corruption that took place over the past 20 years, more than 70 per cent used anonymous companies. Current Australian law does not require multinationals to disclose the existence of all their subsidiaries that exist in tax havens.

C is country-by-country reporting for multinational corporations. Currently, international reporting standards only require multinational companies to produce reports at a global level, making it impossible to know how much money was earned or invested or how much tax was paid in each country in which they operate. The European Union will require the same from large oil, gas, mining and forestry companies in 2015 and will require banks to disclose profits, taxes paid, subsidies received, turnover and number of employees for each country where they operate. Australia is lagging behind in this global trend towards greater transparency. Requiring country-by-country reporting makes it harder for companies to shift their profits and gives citizens access to information they need to hold their governments to account for the revenue they receive.

When Labor were in government, we put in place a significant package aimed at closing some of the loopholes for multinational profit shifting. While the Abbott coalition government has pursued in principle the agenda on multinational profit shifting, I have been troubled by its legislative actions. While the government has gone to the G20 and said it is a priority to deal with multinational profit shifting, its only actions have been to reverse parts of that package.

Thank you to Chloe, Sinead, Nick, Maddison and Caleb from Micah Challenge. You are showing real leadership while this government fails on foreign aid and fails on multinational profit shifting and tax dodging. *(Time expired)*

**Aboriginal Legal Service of Western Australia**

**Senator LINES** (Western Australia) (19:29): I want to stop and just imagine something for a moment. Imagine if you worked for a service funded by the government and you had been put on notice, since the election in September 2013, that your budget is going to be cut but you have to wait until budget night 2015 to find out what that funding cut looks like. You have been put on notice but you do not know how much you are going to lose. You have no idea whether you will be asked to cut back on particular services or provide services in a particular area or whether, in fact, you will be told how services are to be delivered. That is what the Minister for Indigenous Affairs, the Prime Minister of our country, has said to Aboriginal legal services right across the country: 'Cuts are coming. They are going to come on budget night 2015, but between now and then we are not going to tell you how much will be cut or what will happen to your services.'

I want to focus particularly on the Aboriginal Legal Service of Western Australia. It is a fine organisation. Like most Aboriginal services, it does not get any money or funding at all from the state. It is entirely dependent upon the Commonwealth government for its funding. We know in Western Australia—and, indeed, this statistic is borne out across the country—
that there are very high rates of incarceration of Aboriginal people. They are way too high, and in Western Australia we have one of the highest incarceration rates of Aboriginal people in the country. That tells me, and it should tell other senators, that the work of the Aboriginal Legal Service of Western Australia is critical. Not only that, Western Australia is vast and the Aboriginal Legal Service provides services throughout Western Australia from a very small budget. That is what it manages to do: it provides a unique and culturally appropriate service, which employs a lot of Aboriginal people on a daily basis, to assist those Aboriginal people who find themselves charged with a crime.

I want to paint a picture of the Aboriginal Legal Service of Western Australia in just one small part of the north-west. The Aboriginal Legal Service has been around for 40 years in Western Australia, doing a fine job. It is the view of those Aboriginal Legal Service officers that without the ALSWA—if they were to disappear; if the Aboriginal Legal Service were to lose so much funding it could no longer represent persons charged with offences—the criminal justice system in Western Australia would collapse. The ALSWA provides those services across the length and breadth of Western Australia. For those senators who are not Western Australians, that is a landmass greater than that of Western Europe. Unlike Western Europe it does not have good transport links; most travel is done by road and in some areas by air.

In Broome the ALSWA has three lawyers and a court officer. The court officers tend to be Aboriginal people and they have a right of appearance in WA courts. Their circuit covers Broome, Derby and Fitzroy Crossing. On any day the circuit is operating, between 70 per cent and 95 per cent of the clients on the court list are clients of the Aboriginal Legal Service.

What does that look like? We can all trick people with statistics, but the court lists of those three towns vary between 45 and 120 people every circuit. Most of those—in fact, almost all of them—are clients of the ALSWA. In some places where the circuit spills into another day simply because of the case load, Legal Aid—because they too have had cuts and will suffer cuts into the future—is not there. The legal aid service in Western Australia cannot manage that second day, so the ALSWA does the whole list.

The ALSWA in Broome also holds remote courts in the Aboriginal communities of Bidyadanga, Dampier Peninsula and Looma. These are long distances to drive so, in addition to doing the legal work of representing most of the clients before the courts, ALSWA officers then drive distances of 120 or 200 kilometres to represent their clients. That pattern is not unique to Broome. That pattern is represented across the state.

The ALSWA does the full spectrum of legal work from the most serious criminal matters to minor offences. All of that work is done with very limited resources; all of that work is being done under the threat of future cuts—but we do not know how much will be cut and we do not know how those cuts will be applied. All this is being done by a government which purports to be aiming to do its very best by Aboriginal people in this country. When they do something of the magnitude that is being done to the Aboriginal Legal Service you could not say they are doing their best by any stretch of the imagination.

In Western Australia no thought is being given to the remoteness of the communities that the ALSWA attend to or the travelling distances. They have just been told to expect a cut. I spoke to the Aboriginal Legal Service this afternoon to ask them to check that I had all of my facts correct. When I last spoke to the Aboriginal Legal Service—this was in evidence to the
select committee on Abbott's Commission of Audit—they told me that at that time they had 12 serious cases. They had 12 people facing charges of murder. Under Labor—and this goes back a very long time—there was a fund that the Attorney-General administered called the expensive case fund. Obviously murder cases are complex. People have the right to be represented in complex cases; they would make a submission to the Attorney-General's office to receive this additional funding to support them with these very serious charges. The ALS now have 14 murder charges and no funds; the funding has completely dried up.

The Abbott government is expecting the Aboriginal Legal Service of Western Australia—and I am sure this is no different for other Aboriginal legal services across the country—to somehow fund very complex, serious cases from their current funding. They are not funded to do this. They do not know how they are going to brief counsel, they do not know where that money is going to come from, but they are very determined that Aboriginal people are entitled to the same access to justice and defence as any non-Aboriginal person. But that is not what is happening at the moment: funding by the Attorney-General's Department for these particular expensive cases has dried up. The Abbott government has not seen fit to put any additional funds in there, and yet we have the Aboriginal Legal Service of WA expected nevertheless to provide good representation, as it does, without any funds for Aboriginal people facing very, very serious charges.

We have heard over and over that cuts to Aboriginal legal services would not affect frontline services, but ALS are a front-line agency. There is no getting away from that. There is no getting away from the fact that the ALS are in the front line, they are in our court systems, they are out in Aboriginal communities. I urge the Abbott government, between now and the budget next year, to get its act together and give some assurance to the ALSs across this country that they will not be cut. This is not fair and it has got to stop; the ALS must have some confidence in their ability to represent people into the future.

Underwood, His Excellency the Hon. Peter George, AC

Greste, Mr Peter

Senator SINGH (Tasmania) (19:39): I would like to start by noting my deep regret for the passing of the Governor of Tasmania, the Hon. Peter Underwood AC, and pass on my condolences to his family. Mr Underwood was certainly someone highly respected by the Tasmanian community—right across all spheres of the community, from the arts community to the multicultural community and to the law and justice field—and he will be sadly missed.

I am rising this evening to speak on another matter of grave public importance. Just over a year ago today, the first government democratically elected by the Egyptian people was overthrown in a military coup d'etat. The leader of that coup, the then Supreme Commander of the Egyptian Military Forces, General Abdel Fattah el-Sisi, is now President el-Sisi, having won a surprisingly high 96 per cent of the vote in the June election. And whether as Supreme Commander or as President, Egypt's leader has not been the staunch defender of Egyptian democracy some of his comments suggested he would be. In truth, it has been quite the opposite.

Since June 2013 perhaps more than 22,000 Egyptian citizens, some of them children, have been detained indefinitely in military prisons without trial, and effectively unacknowledged by the Egyptian government, for no reason other than attending a protest—and sometimes not
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even that. Over 1,400 Egyptians have been killed in protests, while 183 members of the
Muslim Brotherhood were sentenced to death in a mass trial last month. Something is clearly
rotten in the state of Egypt, but amidst all this cruelty and sadness Australians have been
focusing on the fate of one man: a journalist named Peter Greste. He is a close friend and a
colleague to many of our own friends in the press gallery; an Australian.

We know the salient details of his case by now, and by now we are agreed on the fact that
the future he and his family face today is utterly bleak and outrageously unjust. Suffice to say,
journalism is not a crime in a democratic society; journalism is a necessity. Peter Greste is a
journalist. Juris Greste, Peter's father, has appealed for people to remember:

… guys like Peter, at the moment, look like having to pay a very, very high price to be able to learn
about what is happening in difficult and challenging places around the world.

A free press with freedom of expression and opinions is one of any country's most critical
democratic rights and freedoms. In the UN General Assembly's first session in 1946, before
any human rights declarations or treaties had been adopted, it adopted resolution 59(I) stating:

Freedom of information is a fundamental human right and … the touchstone of all the freedoms to
which the United Nations is consecrated.

In this country courageous and unhindered journalism improves our democracy by enabling
public participation in decision making. Australian citizens cannot exercise their right to vote
effectively or take part in public decision making if they do not have free access to the
information and ideas on difficult and challenging issues reported by journalists.

Totalitarian governments never allow a free press. While in name Peter Greste was tried
and convicted of the so-called crime—and I use that word dismissively—of helping to
promote false news benefiting the Muslim Brotherhood, in reality he was tried and convicted
of being a journalist. So Egypt then is not a democracy, and before our eyes it slides further
from the democratic hopes and dreams for which its people sacrificed so much in 2011. Along
with his colleagues Mohamed Fahmy and Baher Mohamed, Peter Greste was arrested in late
December 2013, two weeks into a routine assignment covering Egypt's political situation. The
prosecution's most damning evidence against him included a documentary he had produced
about Egyptian soccer, footage of sheep farming and photos of his parents on a European
vacation. According to the Egyptian foreign ministry, Egypt's judiciary:

… enjoys full independence, and the new constitution provides safeguards to ensure media freedom and
to guarantee due process in judicial proceedings.

And yet, on the basis of evidence less conclusive and less relevant than images of Italian
holidays and sheep eating grass, Egypt's 'fully independent' court sentenced Greste and Fahmy
to seven years in prison, while Mohamed received a 10-year jail term. In front of the world,
this was as good as Egyptian due process gets. The standards of due process afforded to those
22,000 untried Egyptians not in the global spotlight might be imagined.

Peter Greste is not a criminal. He and his family are innocent victims of a terrible,
fracturing injustice. I would like very much to recognise the extraordinary bravery and
inspirational attitudes of Peter's family, particularly his parents, Lois and Juris Greste. But
recently they talked about driving out through the desert to see Peter for the first time after his
sentencing. They were promised two hours and were given 45 minutes. Juris Greste said it
was 'horrendous'. Imagine having that feeling—getting to see your son, and the very act of
being with him, of spending time with him, being 'horrendous'. They had a small bucket
between them and, as they were sharing hugs, Juris said it might have overflowed with tears and sobs. And even then, as hard as that initial meeting was, as many tears and sobs as there were, the darkest moment was when he and his wife were told by the prison authorities that their time with Peter was up.

Despite all their positivity, hope and advocacy, Juris admitted that Peter and his family are now having to 'really, really, face the cold, hard, real possibility that Peter may be imprisoned for as long as seven years'. Peter is also aware, obviously, that his career in journalism, a career he loved and of which he was understandably proud, may well be finishing in the Egyptian sands.

I would like to commend the Deputy Leader of the Opposition and shadow foreign minister, Tanya Plibersek, for her early and unwavering support of Peter Greste and the idea of a free press. She has expressed brilliantly Labor's anger at Peter's treatment and how appalled we all are by his sentence. She has made it absolutely clear, more than once, that Labor stands ready to assist the Abbott government to do everything it can to secure Peter's release and our gratitude for the hard work of Australian diplomats on Peter's behalf. I also commend the foreign minister for her strong and principled language on behalf of the government. I urge her, though, to ensure that the Abbott government remains in contact with President el-Sisi's government and takes any sensible chance it can to intervene for Peter.

I hope very much for his sake, for his family's sake, for journalism's sake and for Egypt and its people's sake that Peter Greste's career is not over. The Greste family want us to keep our interest in Peter's case. This is the least we can do. Indeed, I trust that we, as Australia's parliament, will remain united in our efforts to do as much as we can for Peter and his family. I am very confident that we will. In the words of the Leader of the Opposition, Bill Shorten: All the Grestes should know that the Australian parliament will stand with them for however long it takes to free their beloved son and brother.

Care Leavers Australia Network

Senator MOORE (Queensland) (19:48): Last Saturday I was honoured to be invited to the 14th anniversary of CLAN. People in this place well know that term 'CLAN', which stands for the Care Leavers Australia Network. This extraordinary bunch of people, which many of us met for the first time in 2003, formed originally 14 years ago in the year 2000. Joanna Penglase was wondering about doing a PhD. Her own experiences as someone who had experienced care in New South Wales had led her to believe that there needed to be more work done around the issues that faced people who had been in care. She had the strength to put an advertisement in a newspaper which said, 'Were you in care?’ It was a gamble. We know it was a gamble—she didn't know how many people were going to respond; she didn't know whether people would really understand what it meant. As result of that newspaper advertisement, a copy of which is now treasured in the CLAN museum in Bankstown, there were hundreds of responses. One of the women that Joanna met was Leonie Sheedy, an extraordinary woman as well, who had been through care in the Catholic system in Victoria. Leonie and Joanna met and from that a legend was born.

The care network that CLAN has set up for people across this country who experienced living in institutions, particularly in the period from the 1950s onwards, I think now has actually taken the place of family in many people's lives. We got to know CLAN and many other people when the Community Affairs References Committee did their original report,
which we called Forgotten Australians. That report was in August 2004. The scenes in this place will never be forgotten. Senators stood in front of a packed gallery and expressed their own feelings about what it was like over many months to hear the contributions and experiences of young people and old people, who looked to us to hear what they said and to do something about it. CLAN was key in agitating for a Senate inquiry. From 2000 until 2004 that was one of their key aims—to ensure that their parliament would listen to the issues and come up with some processes that would acknowledge what had happened. The key issue was acknowledgement of what had happened. We had people who said: 'We just wanted people to know what happened to us. Nobody believed us. We were without power.'

Through the process we heard, as we said in the opening of our report, horrific stories about the experiences of people in our own country:
The Committee received hundreds of graphic and disturbing accounts about the treatment and care experienced by children in out-of-home care. Many care leavers showed immense courage in putting intensely personal life stories on the public record. Their stories outlined a litany of emotional, physical and sexual abuse, and often criminal physical and sexual assault. Their stories also told of neglect, humiliation and deprivation of food, education and healthcare. Such abuse and assault was widespread across institutions, across States and across the government, religious and other care providers. In response to the evidence that we heard, in response to the quite traumatic experience of listening to the accounts, reliving with people who were telling of their experiences sometimes for the very first time, our committee came up with a report of which I think all of us are very proud. It is still one of the reports created by the Senate which has received the most interest. People still consistently ask to have copies of this report for ongoing research and also to stimulate further action in the area.

We made a report with over 40 recommendations. As often happens with Senate reports, some of these recommendations are taken up and some are not, but one which is of particular interest is that very many of the people who came to see us thought that the experiences they had suffered should be the subject of a royal commission. As senators listening to this process, it is a really big call to ask for the expense, the focus and the concentration of a royal commission. We said that we thought that originally we should look to the goodwill of the various organisations, institutions and governments, who were absolutely aware of what had gone on. There is no doubt. One of the things that came out of our inquiry was that these issues were not unknown.

They were unknown to the wider public; I have no doubt about that. We heard accounts of people who were in the Nudgee children's home in Brisbane. It was run by the Sisters of Mercy. My family is a strong supporter of the Sisters of Mercy, and we were going through Sisters of Mercy convents at the same time as people were telling us they were having situations in their own lives in these institutions which were horrific. I tell the story that, if my mum and the people she worked with who were raising money for some of these institutions and organisations had known what was going on, I have no doubt it would have stopped. But what was clear was that it was not known to the wider public.

However, as a result of this inquiry, we believed that these histories should be made public. Much has been done in terms of having public institutional awareness, having widespread awareness training and also having memorials around so that people can actually see that this history was real and understand it. But the senators said that, should there be no movement of
the organisations and governments that had been involved within a reasonable time to actually redress the processes that had gone on, there would be the need to reconsider the issue of a royal commission. That was 2004. We revisited these issues in 2006, and still it was clear that, whilst some action in some states was progressing and some institutions had begun interaction with people who had been in them, the rate of progress was insufficient. So continuing advocacy and interaction with groups like CLAN was being made across our community and with parliamentarians from all sides of the place. In fact, one of the really positive aspects of the interaction with CLAN is that many federal parliamentarians who had heard of and been involved in the issues around care leavers were then able to become patrons of the CLAN organisation. They included Senator Steve Hutchins, who was here; Mr Steve Irons in the other place, who has been a very public advocate because of his own personal experiences, which he has put on the record; Jason Clare, the local member for Canterbury-Bankstown, where CLAN has their national office; and Richard Marles from Geelong. The reason Richard is involved—apart from having met Leonie, which is a reason in itself—is that there are significantly large institutions in Geelong with quite chequered histories in this area. It was probably one of my proudest moments when I was also asked to be a patron of CLAN. It is an experience which has enriched me and provided the opportunity to meet many wonderful people who have become friends through this process.

However, the pressure from all sides continued to mount because we could see that, while some progress had been made, we still had not actually got to the heart of the horror that was happening in our communities and in our institutions, particularly around the issue of sexual abuse. I am one of those people who think that, whilst the royal commission that we have set up is an extraordinarily valuable institution—it is one which I celebrate and will talk more about soon—the fact that the extent of the focus has been around the issue of sexual abuse should not be any message to the wider community that the only harm done was of a sexual nature. In fact, one of the things that were most clear in our committee report was that the range of abuse that people who were caught up in these situations and institutions experienced went far beyond just the criminal actions of sexual abuse. There was the psychological abuse of people who were without love or support.

Clearly throughout our report we focused on the importance of the feeling of family, the feeling of support and the feeling of love, all of which were absent in the lives of so many of these children. The impact of that loss continues throughout life. You have people who are in their 60s and 70s sitting and talking to you, explaining that not only have they been victims of the lack of love in their lives but they have felt that their children and grandchildren have continued this pain because they did not have the ability to parent—to love—having no personal experience. It is important that we acknowledge that the creation of the royal commission in January 2013 was a great achievement and something that many people had worked towards for many years. But the creation of a royal commission into sexual abuse is not the full extent of the support that people who went through institutional care need to have.

We know that in Australia we now have a royal commission working very hard on the issue of sexual abuse. I know that two senators earlier this evening, in talking about the first report of the commission, talked about the areas that have been covered and about the desperate need to ensure that there is an extension to the work of the royal commission. We cannot leave this work unfinished. We made a commitment to the people who came to this
place in 2004 that we would listen to their voices and respond to their need. They asked for
their issues to be acknowledged; I believe that there has been acknowledgement. They asked
for research to be done into the issues around institutional care; we believe that that has
occurred and continues to occur. They also asked that the horror, the crimes they suffered,
should be the subject of a royal commission; that has now occurred. But what would be the
absolute betrayal would be to not fulfil the criteria that were given to the commission and to
walk away from this group of people again, without giving them the attention, support and
acknowledgement they deserve.

The royal commission was set up in January 2013. It was appointed with six
commissioners, including the chair, Justice Peter McClellan. It has a total budget of $281.13
million for the period 2012-2016. The key priority that was acknowledged by the
commissioners was to hear from people who had experienced sexual abuse as a child. The
commissioners set their work very deliberately. They needed to have a strong community
awareness campaign. They also needed to network with existing support groups and
institutions. Key amongst those support groups was CLAN. CLAN has had an intimate
relationship with the commission from the day the commission started. I was fortunate, at
CLAN's 14th anniversary event, to see the trust that these people, who are not used to giving
trust, gave to the commission. It is their hope that the commission will fulfil the
responsibilities of the Australian community to these people who are so damaged. In fact, the
14th anniversary event was also called the Royal Commission Forum: Truth, Justice and
Redress for all Australian Care Leavers.

The keynote speaker at the event was Justice Peter McClellan. I respect this man for his
professionalism but most particularly for his compassion. Justice McClellan came and spent
over 1½ hours with CLAN. In his address he talked about what was going on in the
commission and the various pressures. Then he had over 35 minutes of questions and
answers, patiently responding to the needs of the people who wanted to talk with him, many
of whom had had the opportunity through the special private sessions of the commission to
talk, just so they could be there with their family. I believe that CLAN has become the family
for so many of these young people who are now older. Many of them did not have families
when they were young, but now CLAN and the wonderful network that it embraces has
become their family. So together they were able to talk with a person who had been very
important to them.

Out of that process came the work that has been done up to this time, the wide-ranging and
important private sessions. By May 2014, 1,677 private sessions had taken place and 1,632
written accounts had been provided to the commission. These accounts can be made with
some personal help provided by networks so that people can have their voices heard with the
support they need. One of the things that came out of our committee hearing was that so many
people who had been in care had not received effective education. They need help to
communicate their own experiences, so the written accounts have been so valuable. The
public hearings, of which there have been 13, look at particular institutions and issues, give
open sessions so people can be subject to evidence and there can be questioning about what
has gone on. We also have the research stream. As I said, one of our recommendations in
2004 was for more research in this area. There have been 21 research projects already
completed, with 30 underway. Seven issues papers have been developed.
But to enable this commission to fulfil its aim—the terms of reference are clearly on the public record—we are asking for, the commission is asking for, an extension so that it will be able to complete the work that it has made a commitment to do, to ensure that it can make sure that people who have asked for private sessions can have them, that public hearings can be concluded and that more research papers can be done.

Very importantly, with extended time we will have the opportunity to look again at some of the evidence that has already been given. We know through some of the public sessions that changes have already been taking place in some of the institutions, such as the Salvation Army, certain elements of the Catholic Church and some other organisations that have committed to changing their practices. By extending the program we could then be able to go back and see whether that has actually worked. That is a really important element so that the public can see the value of the commission.

We have no option but to respond to the need to continue this commission. We have started the work. People in CLAN have been working since 2000 to ensure their voices are heard. Our Senate inquiries in August 2004 and subsequently have also said this work must be done. The royal commission has already made its first report. It is compulsory reading. People should read the two volumes, in particular volume 2, which has individual accounts of people's pain and hurt and also the way they are rebuilding their lives. We must have the commission extended for the two years that it has asked for. By that time we will be able to make sure that the promises many of us made in this place in 2004 are kept. We told those people who had been called the 'forgotten Australians', because their pain and suffering and hurt was not acknowledged, that they would no longer be forgotten. The royal commission can ensure that that will be the truth, and we need to be part of that truth.

**Australian Youth Climate Coalition**

**Aboriginal Elders Visiting Program**

**Senator WRIGHT** (South Australia) (20:08): On Monday this week I had the great pleasure of meeting 200 enthusiastic, passionate young people who had converged on parliament from all over Australia with a very clear message for the parliamentarians they were meeting and wanted to communicate with, and that was that our choices in this place this week would determine their future. These young people were from the Australian Youth Climate Coalition, the AYCC. Some of them are here in the gallery and I welcome them to parliament tonight. The AYCC is a youth run organisation that has a mission of building a movement of young Australians to empower them to take action on climate change. It is an incredibly impressive organisation. Since some of my children have been involved in it I have been on a journey of understanding about what they do. The AYCC is now one of Australia's largest youth run organisations, with a stunning membership of more than 115,000.

I love working and meeting with AYCC people because they are smart, passionate and committed to working together. They are also effective and disciplined. In fact, their discipline and their commitment to what they are doing would put a lot of organisations staffed and with memberships of older Australians to shame. That is because they are essentially taking responsibility for the future and the way we can proceed in dealing with the catastrophic climate change that we are facing. And they are taking that responsibility in a way that many of our leaders are not prepared to do. I think that is because they know that it
is their futures which are at stake if we do not act decisively and effectively on climate change.

The AYCC enables young people to take action in their communities to put climate change and climate issues into the national spotlight. On Monday we heard from, among others, Daniel Spencer, the inspiring campaigner with Repower Port Augusta in my home state of South Australia. Daniel has been working long and hard in partnership with a very impressive community group, the Repower Port Augusta Alliance. Their work is to see the dirty, outdated, coal power station, which has been causing health issues for the Port Augusta community for decades, transition to a solar thermal power station of the future. That would be a wonderful thing for South Australia to achieve and celebrate. Just last week, we were very pleased to hear that Alinta Energy have announced they will pursue a feasibility study into the efficacy and possibility of a stand-alone solar thermal power station, with storage, in Port Augusta. It was a very exciting decision by Alinta to look at that kind of power station, because the storage technology would give the capacity to provide baseload power and that would mean that power would be available from the power station whether the sun happens to be shining or not. It was very encouraging and positive news in what has been a pretty dispiriting week for people around Australia who care about having a safe and liveable climate for future generations. I congratulate Daniel Spencer and the Repower Port Augusta Alliance for their ongoing dedicated advocacy for solar thermal and a safer, healthier, more prosperous future for the Port Augusta community. Indeed, we would all benefit as well.

Recently, representatives from the AYCC also visited me in my electorate office to ask me to sign up to their Safe Climate Roadmap. Daniel and Rachel visited me that day and I was delighted to sit down with them and discuss their vision for a safe climate future. The AYCC Safe Climate Roadmap is ambitious but pretty simple. It has three aims. One is to reduce our carbon pollution in line with what we know, in line with the science which is now incontrovertible. The second aspect is to transition Australia's energy to 100 per cent renewables within 10 years. The third aspect is to move Australia beyond coal and gas. We cannot ignore the evidence any longer, and certainly that is the view of the AYCC young people. They know climate change is already here.

Australians are already experiencing the impacts of climate change, with more extreme heatwaves, rainfall, fire, floods and droughts. In the past 12 months we have had Australia's hottest year, breaking over 123 weather records and sparking the earliest ever start to the bushfire season. The predictions about what climate change would bring and look like that were made in the late eighties and early nineties are actually happening now, in 2014. In my home state of South Australia, people are telling me about droughts and more extreme weather events and how they are affecting their daily lives and their economic future. Climate change in South Australia is a threat to our wine regions. Grapevines are particularly sensitive to temperature during the growing season. If average temperatures change, many areas in South Australia may no longer be suitable for wine production. That matters to us because it is an industry that employs more than 10,000 South Australians and makes a significant contribution to the state economy. If we do not take strong action right now, the science is clear: our destabilising climate will bring huge and irreversible impacts on Australia's prosperity, our health, our wellbeing and our environment.
But one of the things that I love is meeting with the young people of the AYCC, because they are optimistic. They are not all about doom and gloom; they see climate change not just as a threat but as an opportunity. Indeed, they helped me to see what an opportunity it can be. Although Australia is one of the biggest polluters and exporters of coal and gas in the world, we are also one of the sunniest and windiest countries. So that means that we can transition to 100 per cent renewable energy in just 10 years if we put our minds to it and we decide that it is a priority and that is what we are going to do.

The Safe Climate Roadmap is a plan to protect our climate for this generation and generations to come. Clearly, Australians overwhelmingly support ambitious action on climate change, and the road map is just reflecting what is, in fact, a popular view. A 2014 Lowy Institute poll found that 63 per cent of respondents believed that the government should be taking a leadership role in reducing carbon emissions and only seven per cent thought that the government should be doing nothing.

As part of the road map, people all across the country have been sharing their stories about why they are passionate about this issue. The stories are varied and compelling. There was one story that I was taken with, and that was Jamarley’s story. Jamarley is from Charleville in Queensland, and I will quote him:

I am a young Aboriginal Bidjara man. The traditional Bidjara language is nearly extinct and so my connection to the land and the environment is really all of my culture that I have left. I care about climate change because for thousands of years me and my ancestors have heavily relied on the land and all that it provides for us and climate change will jeopardise this relationship.

In my home town of Charleville, there are several proposals for coal seam gas wells. I’m worried about the impact that these projects will have on native species, plants, sacred places, our waters and our climate.

We have the technology to power Australia with renewable energy, energy that is clean and sustainable. It's time we stopped digging up coal and gas and look towards a greener future.

And this is Maddie's story. Maddie hails from Mount Barker, a city on the outskirts of Adelaide in my home state of South Australia. Maddie says:

When I first heard about climate change I was frightened by the devastating impacts already occurring on our planet.

I felt powerless in the face of such a big, urgent and seemingly hopeless problem. But at some point I realised that we do have power to make a change in Australia. We are huge polluters but have equally huge potential for renewable energy.

The opportunity we have to make a positive change inspired me to start a climate change action group at my school when I was 16. I care about climate because I care about people.

Everything that we need—food, water, clean air and a safe and beautiful environment to live in—is dependant on a healthy climate. Globally we do not have the capacity to deal with more extreme weather events like bush fires, cyclones and flooding, without experiencing catastrophic impacts on human life. I want to see a solar thermal power plant at Pt Augusta.

I want to see a stop to the investment in coal and a start to the investment in renewable energy. I won't stop fighting until we as a nation take some responsibility for the lives of future generations.

We know that climate change is an issue that without swift and meaningful action will have an impact on many different aspects of our lives. In Australia we have the opportunity and the resources to be a world leader in climate change mitigation but we are falling behind.
Nations around the world are taking decisive action on protecting our climate, while here in Australia we face the repeal of legislation that is actively working to reduce our carbon emissions: this is not the way to go. International institutions, such as the IMF and the World Bank, are strongly encouraging countries to implement pollution-pricing schemes. And I must confess that although I am a resolutely optimistic person, because I think the alternative is not worth considering, I have been pretty disheartened of late. We have very good climate change mitigation legislation in place and yet we have a government inexplicably trying to take us backwards.

Since the carbon tax was introduced, Australia's annual greenhouse gas emissions, excluding land sources, have fallen one per cent, or 5.2 million tonnes of carbon dioxide equivalent. More than one million Australians now have solar photovoltaic systems installed in their homes, a huge commitment to renewable energy. This government is trying to reverse laws that make sense and that work, and which will secure a sustainable future for our country.

Scientists and politicians have been talking about climate change for decades, but as decision makers at the highest level here in Australia we have not done enough. The decisions we make between now and 2020 will determine the severity of climate change that future generations—like my children and their children, and the young people from the AYCC and throughout Australia—will experience.

That is why I am inspired by the leadership that an organisation like the AYCC shows. Because Australians care about climate change; Australians care about the effects that climate change will have on future generations and these young people of the AYCC are taking responsibility to do something about it. I wish we could say the same about the government of Australia.

And now I will turn to another aspect of life in South Australia. A couple of months ago I went to prison. I did end up leaving prison on the same day but I do want to go back and I am wondering if that makes me a recidivist! I visited Mobilong Prison at Murray Bridge in South Australia and I did so in the company of a remarkable group of strong and caring women. Tonight I would like to share what was a very moving experience.

I visited Mobilong with the Aboriginal Elders Visiting Program, who are known affectionately as ‘the grannies group’. There are 12 grannies in Adelaide who now visit prisoners in the Adelaide Women's Prison and at Murray Bridge, and they are about to start visiting the Adelaide Remand Centre. There are also seven grannies who visit Aboriginal prisoners in Port Augusta.

The program has been ongoing for some time, but they have only been visiting formally in a structured way for about eight months. The grannies group itself was established in 1999. It was a group of Aboriginal women who came together to discuss their experiences as mothers and grandmothers who had family members exiting prison. They all had kids or grandkids who had either been drug users or been in trouble with the law in some way. They came together to support each other. They got some help from the government with a couple of meetings and a forum, but they decided to keep meeting regularly to support each other and the wider community in South Australia. One of their aims was to foster support for a community based approach to drug issues and to reduce the number of drug related deaths occurring in their networks. They still meet fortnightly to catch up and support each other,
and where they meet is also a place for people who have been newly released from prison to come along and get some support. Since those early days, the grannies group has become an absolute force to be reckoned with, and I think if you asked people in the South Australian Department for Correctional Services they would agree with that.

After some years, this group began to reach out to young Aboriginal people who were in youth detention, with the understanding that these young people often felt isolated, marginalised and very much unconnected to those sustaining factors in their lives like family and kinship—and the visiting program has grown from that. The women came up with the idea of visiting prisons regularly to provide that touch of humanity and home to their kin and to other people's kin who were isolated and lonely. They have developed what I think is probably a unique prison visiting program in Australia, and it has indeed been supported over time by the South Australian Department for Correctional Services.

And so it was that I invited myself along and got to visit Mobilong Prison with these wonderful women. I was able to witness how their combination of love and uncompromising, unflinching strength offers hope and support to some of the most marginalised members of their community. The prison officials greeted us and briefed us, and among them was Mr Richard King, the Director of the Aboriginal Service Unit, who has been very supportive of the program. While the officers were being very polite to me as a visiting senator and doing some briefing, I could see that the women, who are in their 50s, 60s and 70s—older women—were impatient to get on with it, to get out to meet those young men who had come to rely on their visits, who were eager to meet them and who needed them. So we made our way to a healing circle. It was a lovely day, a sunny winter's day, at Murray Bridge, and so we were able to sit outside. We sat in a special area that had been developed with circular seats. I noticed that in the middle of it was a lovely little garden area. I found out that indeed at one point this small garden area had been rocks and rubble but that one of the young prisoners had taken it upon himself to create a garden there. It was a lovely environment to sit. Then I witnessed the prisoners, the young men, coming out. They had been waiting near the fence for these older women to turn up. It did not take long before they came over. They were hanging over the women, hugging them, kissing them, touching their arms and sitting next to them. Some of the women had relations such as grandsons or nephews in the prison at that time and some of the women were also, I suppose, proxy grandparents, mothers and aunts. It struck me just how important that human contact, that human touch, was. I understand that originally it had been a 'no-no', but one of the women, Heather Agius, had been very clear and very firm with the prison authorities: if she was going to come along and do this she would do it on her terms. It was an Aboriginal way to have that connection—and, indeed, she won the day and they allowed that to happen. What I witnessed was a group of young to middle-aged men opening up and sharing their stories with these caring women. I understand that in the early days these men were very reticent to speak; there was not a lot of speaking going on. But clearly what I saw was a need to communicate and speak and, by the same token, these older women were very clear and very strong in encouraging the men to understand what had brought them to prison, how they could be strong men for their families and their partners who were outside the prison, and where they could move to from there. I saw that over time the men had opened up and trusted these older women and that the older women had legitimacy and authority, which meant that they could give strong, caring, loving advice that would be taken on board by the men. I also saw that there had been a violence prevention
program, which had become increasingly culturally appropriate and which the men were
benefiting from; they were learning to open up.

What I really saw was that absolute need for people to have an opportunity to leave prison
and to be able to make something of their lives again, to have that sense that they are valuable
and worthwhile, that they matter and that they have not been forgotten while they were in
prison—and that is certainly what the grannies group offered to these young men. While I was
there, they took the opportunity to tell me about what they needed when they left prison—and
none of it is brain science. It is clearly an obvious need that people would have on leaving
prison: they need to have accommodation; they need to have assistance to find employment.
They were hungry to work, especially having found to some extent some self-respect through
the programs they were doing and from the feedback they were getting from the grannies.
They wanted to go out and work and contribute. They also needed assistance with drug and
alcohol rehabilitation. It was clear to me that, if they were not given those supports, it would
be very difficult for them to make that transition.

I will echo their needs. I will go out and speak to the South Australian government and
reiterate what it is that people need to support them if they are going to make a good transition
from prison to community. I would also like to say what respect and admiration I have for
those loving, affectionate, strong women who regularly make that visit. I know that, if they
were not to turn up, the men would be absolutely bereft. I believe it is an idea and a program
that could be trialled in other parts of Australia.

Employment

Senator MADIGAN (Victoria) (20:27): I rise tonight to speak as Australia marks yet
another free trade agreement—this time with Japan. I rise at the end of a day of self-
congratulation by both sides of politics. Prime Minister Abbott has again confirmed his
commitment to free trade fundamentalism. He said that this latest agreement will improve the
prosperity of both nations. Only last week, opposition Senate leader Penny Wong, speaking at
a conference in Melbourne, said the ALP would not abandon its longstanding commitment to
free trade. But I challenge both the Prime Minister and Senator Wong to open their diaries to
public scrutiny. I challenge them to show us the amount of time they actually spend on
factory floors. In the last 12 months, how much time have the Prime Minister and Senator
Wong spent with business owners, industry associations and employees? That is where I
spend most of my time when I am not in this place.

Manufacturing, farming and food processing are the engine rooms of this country. That is
where jobs are created and sustained. Jobs in these sectors are the key to healthy families and
community life. Jobs are integral to creating and sustaining a society that is economically,
socially and environmentally viable. That is my ethos as the DLP senator for Victoria, and for
almost 60 years now that central credo has been at the heart of my party, the Democratic
Labour Party.

The very loud, very clear message I get from Australians I meet is singular and direct.
People in manufacturing tell me that the blind adherence to free trade in this country is killing
them and destroying jobs. They say no other country in the world operates with such open
arms to trade as Australia does. They say no other country in the world allows itself to be
swamped by faulty, dangerous, non-compliant products as Australia does, all in the name of
free trade. Not only that, the substantial importation of defective products is putting
Australian lives and Australian families at risk. The unpoliced, unaudited, inadequately monitored market that exists here is allowing the importation of faulty and dangerous windows and electrical equipment on a massive scale. Free trade agreements are not fair trade agreements. Australia has become a landfill site for crap made overseas. There is a lack of enforcement here. There is a lack of credible deterrence. In the building industry, this is happening in plague proportions.

Let me digress for one moment. I refer to a recent newspaper report of a young woman found dead on the New South Wales Central Coast. She was found wearing headphones and with burns to her ears and chest. The report indicated that a faulty charger, illegally imported from overseas, sent high voltage through her body. The business that sold the charger was subsequently shut down. Hundreds of dodgy and non-compliant USB chargers were seized. But this terrible incident raises serious questions for the government and the opposition. I am not wishing to make political capital out of this tragedy, but the woman who died was a mother of two. She was about to start work as a theatre nurse at Gosford hospital. Any life prematurely struck down is a tragedy, even more so in this case considering this woman's youth and potential and the family she left behind. The disaster seems more poignant and regrettable considering the unusual circumstances of her death.

We, in this country, stand on a precipice. The unchecked importation of illegal and dangerous products into Australia is happening at an alarming rate. Tonight I will address one aspect of this issue—and possibly the most important—and that is the structural quality and safety of family homes. The persistent flood of illegal and dangerous building products threatens the lives of Australians. It threatens their homes. It threatens their jobs. It continues unabated and under the radar. It continues because of systemic regulatory failure. It is a symptom of blind adherence to free trade that operates nowhere else in the world like it does here. Most of all it continues because of the attitudes of the Liberal coalition government and the ALP.

Homes are the biggest investments in people's lives. Homes are their places of sanctuary. Homes are where we raise our children. What is taking place in the home building sector is breathtaking. It is happening because of ignorance and lack of action by governments of both persuasions. What is taking place is killing Australian companies, it is killing Australian jobs, and it will kill Australian people. This is the pink batts fiasco on steroids, with much wider ramifications. In fact, I will speak specifically of pink batts in a minute. I will speak of how a senior government minister, Mr Garrett, the minister in charge of the former government's much maligned program, ignored specific warnings. And we are seeing the same thing again: bureaucrats spouting free trade propaganda, politicians blinded by dogma and policies pursued for an agenda—with absolutely no connection to the reality of average Australians.

A recent report undertaken by the Australian Industry Group, aptly titled *The quest for a level playing field*, has raised serious concerns about this issue. Of the 222 respondent building sector companies, 92 per cent reported nonconforming products in the sector. Our building sector is drowning in substandard imported windows. Our building sector is drowning in substandard imported electrical and plumbing products. Our building sector is drowning in faulty imported steel and aluminium products. Our newest buildings are packed with imported engineered wood products containing carcinogens such as formaldehyde. And behind walls and under floors and in ceilings, all out of sight and supposedly out of mind, are
imported faulty pipes and fittings. If you cared to read the AiG survey, you would see that the new housing estates mushrooming on the outskirts of our capitals and regional cities are ticking time bombs. You would conclude the high-rise commercial and residential buildings in our cities will become sites of devastation, destruction and despair. The level of non-compliant products, the lack of supervision and policing, and the use of dangerous items from overseas will, industry insiders have told me, kill more Australians.

Allied with this is the number of Australian manufacturing firms being crushed by a tidal wave of cheap, non-compliant and substandard building products entering our market. The AiG report said:

Research estimates value the electrical lighting, cable, motors, generators and other electrical equipment market at around $8 billion in Australia in 2013 and employing around 17,600 people. And according to AIG, this sector is dominated by very low margins and a flood of new market entrants importing products, from Asia and elsewhere, that are not fit for purpose and not conforming to Australian standards.

In the glass and aluminium sector, a $4 billion market last year, employment and manufacturing has been hit hard by the influx of cheap imports. A large percentage of these are noncompliant and undoubtedly dangerous. There were 11,000 glass installers in Australia in 2010, according to the Glass and Glazing Association of Victoria. By 2012, 4,000 of them were no longer in business. Four thousand businesses gone. Many more employees have been cut adrift and many more families impacted.

In 2003, the Australian Windows Association received three requests a year to deal with product or installation issues. Ten years later, the AWA receives three requests a week. The issue of non-compliant, substandard imports is getting worse, not better. Compliant Australian companies are closing because they cannot compete. This is free trade in action. This is free trade Australia-style, where our local manufacturers are being crucified in the face of cheap, dangerous, unregulated imported products.

Just last month an architecture and design website carried a report that a major building project in Melbourne would have to replace $18 million worth of substandard glass—$18 million! The glass came from a Chinese supplier, apparently, and was described by a union as being substandard and low quality. Developer Grocon confirmed the replacement process, saying it was done because some of the glass exhibited blue streaks in polarised light conditions.

All well and good. But what would have been the impact if a faulty glass panel had fallen from the 26th floor? A glass industry person told me a pane of glass plummeting from that height has the capacity to slice through a car parked at ground level. Is this alarmist thinking? Not at all, if you take into account that the rate of velocity is 9.8 metres per second per second.

The Australian Industry Group reports a deeply troubling trend that has resulted in mounting problems around the country. The use of substandard building materials has resulted in expensive and potentially dangerous compromises in safety and quality, not to mention the economic costs to the community and individuals. These include 200 panes of glass that have fallen from the Waterfront Place building in Brisbane. The ASIO government building in Canberra—just down the road—has lost some 21 glass panels. Windows have had
to be replaced, in a 24-storey development in Perth, with conforming products. Melbourne's Melburnian apartment block faced a repair bill of $9 million after nine panels of glass failed. These are only a small number of the examples.

If Australian manufacturers were responsible, they would have been pursued through the courts mercilessly. Anecdotally, I have been told of the construction of an elderly citizens' home in Western Australia. The use of non-compliant glass was only discovered when a tradesman fell through a panel. Can you imagine the ramifications if the project had proceeded and the mistake had not been inadvertently discovered?

I dread the state of our building and construction sector in this country. I dread the unimaginable costs of repair and rehabilitation work that we will be faced with over the coming decade. And I fear for the safety of the thousands of Australians who are unknowingly living in houses built with substandard and dangerous glass, electrical and steel products—to name a few. And of course I feel for our manufacturers, who adhere to a strict compliance code. They are valiantly attempting to compete against the cheap and non-compliant building products which are being imported. And I fear for the manufacturers' workers and their families, who face an uncertain future because of this trend.

I acknowledge that Australian companies pay tax here. They pay superannuation and holiday pay and workers compensation. They provide a safe workplace. They do not consume people to make their products. Australian workers receive personal leave and a host of other protections, unlike workers in many foreign companies. And they compete against unregulated and fraudulent operators overseas, who ship dodgy stuff into this market, seemingly at will.

It is now on the public record. Electricians formally warned the then environment minister Mr Garrett that metal roof insulation could cost lives, months before he banned it. Industry sources tell me that repeated advice to the government about industry safeguards was overrun by the political imperative that fuelled the roll-out of the pink batts program. We are on the brink of another disaster. We are again in the grip of a runaway political imperative. This time its name is 'free trade'. But this time I predict we will face a catastrophe that will make the pink batts debacle—even with its tragic loss of life—look like a teddy bears picnic.

People in this place and the other see my opposition to free trade as a historical remnant—an echo from the 1950s and 1960s. 'Poor old Madigan,' they think, 'that poor old senator from the DLP.' But the arrogance of successive Australian governments will go down in history. The avoidable loss of life through complacency and ignorance will go down in history. History will judge this government harshly, as it has already judged the Rudd and Gillard governments. History will look back on our infatuation with free trade and judge us foolish men and women who fiddled while Rome burned. The fires are burning. The smoke is on the horizon. And we do nothing at our peril.

**Nielsen, Ms Juanita**

**WestConnex**

**International Development Assistance**

*Senator RHIANNON* (New South Wales) (20:44): Thirty-nine years ago, on 4 July 1975, Juanita Nielsen went to Abe Saffron's Carousel Club in Kings Cross. She was never seen again. As another year passes and as we mark one more anniversary of Juanita's
disappearance, I rise to pay tribute to Juanita and remember her life. Juanita's story reminds us there is much more to the world of politics and power than even the boldest journalist or newspaper editor would report. Juanita paid the ultimate price for challenging the powerful and daring to expose the greed and corruption in Sydney over 30 years ago. The story of Juanita's disappearance and murder has intrigued Sydney for decades. Her story is not only about greedy developers and corruption but also about speaking out and protest, about challenging power and the dangers in standing up to it.

Juanita was 38 when she disappeared in 1975. She was born in 1937 to a wealthy family. She worked at the family's retail company, Mark Foy's, in the 1960s. In the early 1970s, she used family money that she had inherited to buy her now famous terrace house on Victoria Street and publish a community newspaper called NOW. It was around this time that opposition to the demolition of Victorian terraces and people's homes by developers around The Rocks and Woolloomooloo areas was building. It was also building in Juanita's street in Kings Cross.

A proposed redevelopment of Victoria Street by developer Frank Theeman and his company, Victoria Point, saw Juanita join with her neighbours, including union activist Mick Fowler, a member of the then Seaman's Union of Australia, to campaign against Theeman's proposal. This campaign led to the Builders Labourers Federation to impose a green ban on the site in 1972. The Victoria Street residents continued to campaign with the strength of the BLF behind them, and Juanita's street in Kings Cross.

The residents' campaign cost Frank Theeman millions of dollars. For every day that Juanita and other locals held on, Theeman and his company, Victoria Point, lost about $3,000. Mr Theeman was known to use intimidation to bully his opponents, and Juanita and others had received death threats because of their anti-development campaign. One of Juanita's fellow activists was abducted for three days. He was eventually returned, and it was understood it was on the condition that he cease campaigning. And that is what happened.

Juanita never returned from her visit to the Carousel Club in Kings Cross at 10.30 am on 4 July 1975. She had apparently gone to the club in response to an inquiry about advertising in her newspaper. Juanita is believed to have died on, or shortly after, the day she disappeared. Two inquiries—a coronial inquiry in 1983 and a parliamentary inquiry in 1994—had found that Nielsen had been killed and that police corruption crippled the investigation into her death at the time.

Every year the Greens host a memorial lecture to pay tribute to Juanita Nielsen and the green ban era and to reflect on what her murder represents. Remembering Juanita is about ensuring she did not stand up to the big end of town for nothing. In honouring her determination we need to also stand up for our right to protest, which is under continuing attack in Australia. Ruby Hamad, who gave the 2014 Juanita Nielsen memorial lecture, noted:

We need to believe in the power of protest—that it's something bigger than ourselves. Regardless of whether protests are successful or not, it is the act of protesting itself, of making our voices heard and our bodies seen that is empowering and vital.

Unfortunately, some things have not changed since Juanita's disappearance. Murders and abductions are no longer the preferred way to intimidate opponents, but developers continue to exert excessive influence on the political process, as recent ICAC hearings have shown. The good news is there are hundreds of grassroots campaigns and thousands of activists who
are standing up to developers and complicit governments. They are fighting appalling developments that would bring negative impacts to their community and local environments and, in many cases, they are having success.

Activists like Juanita would be appalled to see the situation in New South Wales today and just how close both Labor and Liberal governments have been to developers. She would expect those of us who have followed to take a stand as she did. Jenny Leong, who also spoke at this year's Juanita Nielsen memorial lecture, took this theme up. She said:

Juanita Nielsen paid the ultimate price for taking a stand—for being willing to stand up in the face of power, violence and vested interests, for her community, for what she believed in. Looking back at this community struggle, of the life and times of Juanita and the green bans, should not be a passive reflection. It should be a call for action for us to ensure we make sure to step up—to not sit by—to resist, to fight, to take a stand.

Juanita Nielsen's work for a livable Sydney went far beyond Victoria Street. She opposed overdevelopment in The Rocks and Millers Point and I am sure she would raise her voice against the latest plan for another Liberal government to get rid of public housing from this area. There are 293 public housing properties in Millers Point and The Rocks slated to go under the Liberal government's plan. The government has failed to undertake a complete assessment of the housing stock in question and it has not developed a staged strategy to ensure certainty for public housing tenants who are affected. In the face of the severe housing affordability crisis across Sydney, the government is selling off some of the most centrally located public housing in the city. At the same time, the government has failed to provide any affordable housing units in the state's largest construction site at Barangaroo. The Liberals clearly see no place for public housing anywhere in the CBD. Juanita Nielsen worked for a housing mix that served people, not developers. That is what has made Millers Point and The Rocks and, fortunately, Victoria Road still successful communities. This is what we need to retain at Millers Point and build across the city.

On another point, I take up the issue of WestConnex, a proposed motorway development for Sydney. In one of the Prime Minister's books, *Battlelines*, he states that even the 'humblest person is king in his own car'. We might well ask: what about the Queen's? Managing to be both subtly discriminatory and antiquated at the same time is an interesting attribute of Mr Abbott's. Here he has provided an insight into his vision for transport infrastructure.

The concrete outcome of this conservative ideology in New South Wales is now the multibillion dollar mess of the WestConnex toll road. WestConnex was first revealed as a con as far back as 2008, when the then Labor state government attempted to bury a damning report on the project. It revealed that a tollway would cause more problems for the community than it was attempting to solve. Jim Steer, the leading British transport consultant who authored the report, argued that it would bring Sydney's CBD and surrounding roads to a standstill. Steer also argued that the tollway ran counter to the Labor government's metropolitan plan, with its aim of clearer, cleaner air and increased public transport use. So it is clear why that report was buried.

Subsequent investigations by planning experts, community groups and the New South Wales Greens MP Mehreen Faruqi have backed Steer's criticisms. Research shows that, in cities comparable to Sydney, car use is declining due to fuel prices and cost-of-living pressures, while demand for public transport is growing. Planning should embrace this shift in
the interests of more liveable urban environments; instead, WestConnex, if constructed, would end our chance of building a liveable, sustainable urban environment. WestConnex would increase transport costs, with commuters being slugged $7.5 billion in tolls to fund the project.

It is interesting how this issue has played out for Labor in New South Wales, because, coming into the last federal election, the then Minister for Infrastructure and Transport, Mr Anthony Albanese, announced support for the $20 billion WestConnex motorway even before the business case, traffic modelling and environmental impacts had been investigated. This was part of a total con job that something was being done about the traffic problems in Western Sydney. The great irony of it is that WestConnex is actually planned for inner Sydney and would just add to traffic problems there while robbing the people of far Western Sydney of the public money badly needed for public transport projects there.

When dealing with limited infrastructure funds, the trade-offs have to be carefully weighed in the best interest of the public. WestConnex will not increase the efficiency or usability of Sydney's transport system. Close examination suggests those who will benefit are the corporate mates of the Liberal Party. Dr Michelle Zeibots, who has researched in this area for well over a decade, argues that the best solution to road congestion is public transport—and that is not arguing against the trucks and the cars that use our roads; they will travel more efficiently if we can reduce congestion, and we can do that with better and more public transport. Good public transport provides a cheap and efficient option to driving a car. If precious public funds are wasted on WestConnex, commuters will be forced to use their cars or expensive privatised mass transit options.

The environment of Sydney will also be negatively impacted by WestConnex. Huge exhaust stacks will blanket the surrounding areas in fumes. The government is yet to reveal the location of these stacks. Like the locals, the government knows these stacks are a bad-news story. Filtration systems have been deemed not to be value for money, leaving local residents wondering what dollar value the government has placed on their lungs. They will be wondering for a while longer because the environmental impact statement is still yet to be publicly released.

While a cloud hangs over the air the locals will breathe, there is added uncertainty, with concern the bulldozers will be coming to houses where people live and sleep. Late last year, Presbyterian Aged Care in Haberfield were told that their building would be knocked down. The manager then cancelled safety upgrades to their fire extinguisher system and electronic care program. Just two weeks ago, the WestConnex Delivery Authority made the situation worse by telling residents that the decision was, in fact, not final and would not be made until the middle of 2015. Working with the community and local Greens groups, New South Wales MP Dr Faruqi attempted to get to the bottom of issues like this through a parliamentary inquiry. In a development symbolic of this scandal, the inquiry was virtually squashed when a Shooters and Fishers MP cut a deal with the Minister for Roads and Freight, Duncan Gay. Interestingly, a park near the home of the Shooters MP was saved from demolition—but at what cost to the community?

WestConnex will not serve the community and its implementation is already a debacle. Are the state and federal coalition governments incompetent or serving someone else's interests, or both? There are two clues for anyone seeking to shine a light on this shady mess. One clue is
that the WestConnex Delivery Authority is chaired by Tony Shepherd, the former president of
the powerful Business Council of Australia and also the head of the Commission of Audit,
which laid the ground for the most devastating budget in living memory. Another clue is
where the Liberal Party gets its campaign funds—and this is just one example: in the past two
years alone the Liberal aligned Cormack Foundation has raked in over $220,000 in dividends
from the private toll road operator Transurban, the largest tollway company in Australia.

Although they are up against power, wealth and a stubborn conservative ideology, the
community is not lying down. I give my congratulations to all involved, who are currently
working to expose the bias of the project's business case. Last month, the community group
No WestConnex held a packed meeting where residents continued to organise and advocate
for better public transport options. The Petersham-Newtown and Port Jackson local Greens
groups are continuing to work with Greens councillors in Marrickville and the community
against this misuse of public funds. There are practical alternatives, like the inner west light-
rail extensions being promoted by Greens MP for Balmain Jamie Parker, the north-south
light-rail plan that Parramatta city councillors developed and the network of heavy-rail and
tram projects that Ecotransit has proposed and which will benefit the south-west of Sydney in
particular. That is where the billions allocated to WestConnex should be channelled.

On another matter, the world's three major pandemics—AIDS, tuberculosis and malaria—
cause an enormous amount of death and disability, generally striking those in the most
productive years of their lives as well those who are the most vulnerable. For years the
fatalistic view prevailed that nothing could be done to stem the tide, but in recent years
scientific advances have led to highly effective interventions which have become affordable.
Now these diseases can be treated and prevented on a massive scale; all that is needed is
investment. That is why I will be moving a motion tomorrow to recognise the work of the
Global Fund to Fight AIDS, Tuberculosis and Malaria, which is working to eventually
eradicate deaths from these diseases, and to call on the Australian government to consider the
next stage of replenishment of the global fund.

I recently met with representatives of the global fund, which supports countries in their
fight against three of the world's most devastating diseases. As a partnership between
governments, civil society and affected communities, the global fund channels billions of
dollars each year to health professionals to treat and prevent AIDS, tuberculosis and malaria
in their countries. The global fund does not implement or manage programs on the ground,
relaying instead on local experts to select and administer the programs that save the most lives.
It is a most impressive model. In the AIDS sector this model is an innovative approach, based
on the principle of community ownership. Health professionals in each country clearly
know best how to meet the health challenges their country faces, but they may need support and
appropriate tools. Community ownership allows people to determine their own priorities and
also makes sure they are responsible for ensuring the implementation of their country's
programs. The fund does not preallocate funding to specific countries or diseases but instead
responds to genuine demand.

Civil society is also at the heart of the global fund's work. Civil society organisations
played a key role in the creation of the fund, helping to conceive the funding model that exists
today. The global fund's financing is intended to be in addition to, not in replacement of,
national health budgets. The fund and its partners have been campaigning for wealthy
countries like Australia to contribute a portion of the program costs. This would help make funding available to those most in need and those who can make the most effective use of it. Those decisions take into account a country’s ability to contribute. From 2004 to 2013, Australia contributed a total of $400 million to the global fund and in this period the global fund invested a total of $4 billion in the Asia-Pacific region. Clearly our government and the global fund are to be congratulated for this work.

Tomorrow I will be asking the Senate to note that an appropriate contribution to the global fund by the Australian government would be $125 million. This would take Australia’s total contribution over three years to $325 million and ensure that Australia is playing a role in the global fight against AIDS, tuberculosis and malaria. The Greens believe this would be an excellent investment, and the results achieved by the global fund speak for themselves. The motion to be moved will ask the government to consider the next stage of replenishment.

In 2000, AIDS, tuberculosis and malaria together killed approximately six million people. The devastation to families, societies and economies caused by these three pandemics was considered a global emergency. We can all clearly imagine the personal hardship and tragedies. Little more than a decade later, the global fund and many other organisations are starting to have an impact on the three diseases. As at the end of 2013, more than six million people are receiving lifesaving antiretroviral therapy through fund supported programs—how impressive is that? Diagnosis and treatment for TB has reached 11.2 million people and 360 million insecticide-treated nets have been distributed to families to protect them from malaria. Thanks to these programs, and the efforts of all the partners, total mortality from AIDS, tuberculosis and malaria has decreased by 40 per cent since 2000. I congratulate all who have been involved.

In all, the fund estimates it has saved the lives of more than 7.9 million people around the world. Australia has a role here and, I believe, a responsibility to recognise this work and consider the next stage of support we should offer.

**Agriculture**

**Senator O’SULLIVAN** (Queensland—Nationals Whip in the Senate) (21:04): I rise tonight to speak on a matter of importance for beef producers in Australia and, in particular, for beef producers in northern Australia—that is, northern Australia as described in a survey by Meat and Livestock Australia as being those properties above the line reflected by the New South Wales-Queensland border, which takes us all the way through to the northern aspects of Western Australia.

Since 2004 farm debt in our country has increased by some 75 per cent—up, in dollar terms, from $40.3 billion in 2004 to approximately $70 billion this year. One of the indicators of concern associated with that debt is around a figure established in 1980. In 1980 a producer or a private farm enterprise generated $3.12 in gross income for every dollar of debt held. When last surveyed in 2010 by ABARES, that figure had collapsed to 64c of gross income generated for each dollar of debt that farm enterprises held.

Of the national debt I have referred to, Queensland producers are responsible for about $16.9 billion, which equates to 36 per cent of the national debt and yet we do not generate 36 per cent of the GDP of agricultural production in our state. While, across the country, each state’s primary producers have had their challenges over the last decade or more, I would...
argue that primary producers in Queensland—particularly those in agriculture and most particularly those in beef production—have faced more challenges than most; in some areas they are accompanied by those in the sector in the Northern Territory and northern Western Australia. These primary producers, in beef cattle production in particular, have battled the force majeure of droughts, floods and cyclones and the impacts that occurred through the suspension of the live cattle trade in 2011. Indeed, some of the issues associated with those decisions are still working their way through the balance sheets of some producers in the Northern Territory, northern Western Australia and northern Queensland.

The increase of debt that has occurred has been applied largely to the purchase of additional property in response to the trend of 'get big or get out' that has occurred during the last decade to 15 years, and additionally to farm improvements and capital purchases on-farm for plant and equipment. It is well known that many of these producers who now find themselves in trouble were the darlings of their financial providers as recently as four or five years ago, and certainly up until the advent of the global financial crisis. Over those years, because of the incidence of some improvement in property values, which I will refer to later as having declined, many producers were able to borrow more money against the value of their assets. In many cases this money was applied in depreciating investments or for stocking purposes or for general operational purposes in the belief that, by subsidising the operations of their property for a period of time, their fortunes would turn around—that is to say that they would have a break in the weather, the dollar would reduce, market demand would increase or the fortunes of the live cattle trade would improve quicker than many of them had hoped.

In subsidising their production and operational costs, many of these producers have in fact artificially subsidised the cost of beef production in our country. When those sorts of things happen, it can sometimes take a number of years before the impacts are felt on the balance sheet of the individual primary producers or, indeed, across the industry. We saw these debt trends commence about 10 years ago with agribusiness banks offering low-interest, interest-only loans. These are dangerous for the non-sophisticated borrower, which many of these producers are—I do not say that in a deprecating way; I say that in the sense that many of these producers are not necessarily sophisticated in the ways of big finance. In much the same way as we have seen with the recent revelations of the Commonwealth Bank here in Australia, this is no less the case when bank managers and agri-advisers within banks are giving advice to primary producers about their expansion programs. They encouraged them to borrow money, in this case in particular it was interest-only loans, some with terms of 10 years.

This was soft credit into what arguably ought to have been seen as a subprime market in the sense that the wrong time to borrow is when there is grass up to your knees and the dams are full, but that was what was happening. It is my view that these agribankers, including in many instances the banks that are part of the big four and those others that specialise in this space, did not take into account the seasonal variations that would generally present to producers. They possibly could not have known about, but ought to have made some contingency provisions for, things such as fluctuating currencies and large impact interference in things like the live cattle trade if the borrower, if their client, had a big exposure in that area. Soft money is what things like credit cards provide: you really do not feel the effect of
it; there are no principal payments to be made, just interest payments. Indeed, at the time
when interest rates are at an all-time low, one can cope with that until such time as it is time
to pay the piper. When it is time to pay the loan back or it is time to restructure the loan or
your income streams collapse for some of the reasons I articulated earlier in this speech, then
you have a complete incapacity to service your loan.

Many of these loans were a 100 per cent lend against the purpose of the loan. For example,
many of these producers who were buying expanded landholdings were doing so by
borrowing 100 per cent of the money and using alternative properties—sometimes their only
other principal place of business, their home property as it is referred to in this sector—or
assets that were off-farm. Not only were they at risk, again in a subprime capacity, of
exposing the asset acquired, but they also put at risk in many cases some of the other
assets they had. Tragically, for some these were third-, fourth- and fifth-generation holdings
passed down through their families.

These properties were subject to biannual review covenants, and the same smiling bankers
who left them two years previously and helped them to expand a business that always had the
potential to fail—or certainly was, by any other measured examination, high risk—were to
return into their lives, only this time it was no longer a friendly visit. We had the enormous
tragedy, and it plays itself out still today, where there were neighbours with identical
circumstances, identical properties and identical debts but where one of them was in grave
difficulty and in fact losing their enterprise whilst the other one had perhaps a year or 18
months longer to live. During that time—as was the case with many properties, fortunately,
in the Northern Territory—fortunes can turn around, allowing these second families, these
second businesses, to recover. The cases I refer to, of course, are where the live cattle trade
was reinstated—and has indeed prospered for many over the last 12 or 18 months.

We have a situation where I believe that in some defined sectors of beef production,
certainly more pronounced as one goes further north—indeed, by the time one gets to the line
of Townsville to Broome and north of there—this has had a terrible impact. For some months
now—indeed, from the very first stages of my time here in this place—I have been calling for
a debt survey to occur so that industry and policymakers, both at a state and federal level,
have all the facts before them that one would need to make policy decisions that will impact
on the lives of many thousands of these producers.

The banks have a responsibility here. I am not a bank basher. I have had a lot of association
with banks over time and it has been my experience that, if I have held up my end of the deal,
they have largely held up theirs. But in this case the banks are frustrating any efforts by us to
determine exactly the extent and type of debt levels we are dealing with through what I regard
as a crisis. Through many and various media outlets, the Australian Bankers Association chief
executive has said that the banks will not participate in a state debt survey. Mind you, from
2000 or 2001 through 2011 the banks did participate in such a debt survey with the rural
reconstruction authority in my home state of Queensland, and they acknowledge that by
saying:

Banks have previously participated in the survey, however, a number of banks have raised questions
about its effectiveness, particularly given the considerable investment banks need to make to contribute.
I find that to be, in all the circumstances on the public record, a difficult statement to accept.
The banks are suggesting—mind you, I often cringe when this is said by someone else—that,
with the massive profits they have generated, much of it on occasion from people in rural and primary production, they find the cost involved in collating their own data too high. It is their data, yet cooperating with, in this case, a state government agency to determine the debt levels is too difficult. I find that to be a remarkable statement and one that I would suggest does not accurately reflect the truth of why the banks are not participating.

It is my view that the banks would not want to exacerbate a belief that there is softness in the property market. I have said this before and I will say it again: I need to be particularly careful that I do not, or that anyone else making commentary in this space does not, exacerbate an already difficult situation. But it is a broadly held belief that many properties are in that uncertain space where the banks will progressively and in a very orderly fashion move on them. Many of those property operators are no longer viable. Their loan to valuation—LVR—ratios are in some cases up in the 70 per cent and 80 per cent range, which we all know is not sustainable for rural production, having regard to the return on investment that we have been seeing from these properties over the last 15 or 20 years. In fact, many of them have reported through ABARES surveys a decline in their gross incomes and most certainly a significant decline in their net profits. There was some work done in this space by the meat and livestock authority that showed that, in the 14 different regions surveyed by them, there were losses of about 2.9 per cent of gross turnover recorded. They made this statement at the end of their report:

The majority of northern beef producers are not generating profits sufficient to fund current and future liabilities.

That is a massive statement and well worth repeating. The majority of northern beef producers—and I described who they were: above the line of the Queensland-New South Wales border across to the northern part of Western Australia—are not generating profits sufficient to fund current and future liabilities. That is a very disturbing statement. In the same period that I reported the increase in borrowings we have an increase in non-viable business operations from one per cent to 6.5 per cent at the same time as there was a 75 per cent increase in the debt.

It is essential that the banks of Australia participate in this case in a debt survey in my home state of Queensland. Without diminishing the circumstances of many primary producers in other states, I would have to say that, given that 66 per cent of the nation's herd is in Queensland, the number of producers who are affected by this subprime crisis in agriculture is probably greater. Given the circumstances in Northern Queensland, with the run of drought, fires and the live cattle job, there are many producers who fit in this situation.

Only a pigeon knows how to get to where they are going when they don't know where they are. That certainly would not apply to the agricultural sector or the banks in my home state. I say to the banks: I have been moderating what I have had to say to date. I have been persistent over these last three or four months, but my patience, like the capacity of primary producers, is running thin. They are called upon to immediately respond.

Japan–Australia Economic Partnership Agreement

Senator McKENZIE (Victoria) (21:24): Congratulations, Mr Deputy President, on your unanimous election earlier this week. I rise to celebrate, as we all have been in this place today, a significant milestone in our trade partnership with Japan. Prime Minister Tony Abbott this afternoon signed the Japan–Australia Economic Partnership Agreement with
Japan's Prime Minister, Shinzo Abe, after the Prime Minister of Japan had addressed a joint sitting of parliament and definitely indicated to all of us why he has been so successful in his home country. His charming and honest reflection of our relationship and the future of the relationship between our two countries was indeed a breath of fresh air.

The agreement will drive growth, create thousands of jobs and, importantly, benefit our farming, manufacturing, services and resource sectors and other industries. It is a first for Japan, and I am sure in no small part it is because of Prime Minister Abe's leadership. But first I want to remind this chamber and the Australian people of a remarkable man, politician, prime minister and former Leader of the Nationals, Sir John 'Black Jack' McEwen, who helped foster the great friendship and trade relations that we have with Japan today.

Born in Chiltern in the north-east of my home state of Victoria and a farmer near Shepparton, Sir John 'Black Jack' McEwen went on to represent the people of northern Victoria when elected to parliament in 1934. He became the Minister for Commerce and Agriculture, then Minister for Trade and Industry in the Menzies government, where he was instrumental in initial trade talks with Japan that resulted in the post-war Japan-Australia treaty in 1957. This historic agreement has been mentioned many times today and is also significant to Japan's Prime Minister Shinzo Abe, visiting here today, whose grandfather and then Japanese Prime Minister Nobusuke Kishi signed the 1957 treaty with Australia. Black Jack McEwen said in a statement on the treaty at the time:

There have been two principal goals. We need a trade agreement with Japan to preserve the great stake that we already have in that market. We need an agreement also to gain important new benefits in the Japanese market. Both of these objectives have been achieved to a very large degree.

... ... ...

It gives a new basis of security for the great trade Australia already does with Japan.

It gains new and important benefits for Australian export to Japan.

The provisions of the Agreement safeguard Australian rights of access to the Japanese market on terms at least as favourable as those of any other country. This applies to all Australian products for which there is export opportunity in Japan.

The benefits to agriculture and other commodities were evident, as Black Jack McEwen highlighted in an address to the federal council of the Australian Country Party in 1970: 'We negotiated a trade treaty with Japan, and now we have made tremendous progress in developing the Japanese market for a whole range of rural and other exports: wool, wheat, mutton and lamb, beef and cheese, and tallow. These are a few examples of the kind of progress we've been able to make, and with all the negotiating vigour and skill we could muster in tackling the export price, the marketing problems of the Australian farming community as they have emerged.'

I am pretty confident that, over the last seven years, the current agreement which our nations subscribe to today resulted with no less negotiating vigour and skill. It was begun under Prime Minister Howard and completed thanks to Trade Minister Robb. The Australian farming community will benefit. There is contention about who will benefit and by how much, but I think we are all confident in the benefits that free trade can bring to our nation and to our region more generally. I am not sure, though, that tallow is in the regulations of the current agreement!
Former foreign minister and previous Howard-Anderson government minister Alexander Downer commented on the significance of the 1957 treaty and its 1963 revision, in which Black Jack McEwen also played a significant role:

The Treaty heralded an era of unprecedented high level dialogue and underwrote the subsequent dramatic growth in trade relations between Australia and Japan. For Australia, the Treaty was a clear vote of confidence in Japan's ability to sustain its impressive post-war economic growth. The Treaty was also a constructive way of encouraging Japan's inclusion in regional and global deliberations — of facilitating, where possible, an international role for Japan more commensurate with its growing economic prowess.

... ... ...

The Treaty's flow-on benefits to all other aspects of Australia-Japan relations were evident almost immediately.

... ... ...

The Commerce Treaty thus stands as one of the most important achievements in the long history of Australia's engagement with the Asia Pacific region. It laid the indispensable basis for a better and more durable Australia-Japan relationship.

In 1973, the Japanese government conferred on Black Jack McEwen the Grand Cordon of the Order of the Rising Sun. A spokesman for the Japanese embassy in Canberra said at the time that this was the highest Japanese award that could be conferred on a foreigner and that the award was made in recognition of Sir John's part in furthering friendly relations between Australia and Japan. Thanks largely to Black Jack McEwen, Australia and Japan have strengthened their ties and friendship over the years. Today's signing of the economic partnership agreement is a symbol of that. As a result, our farmers, students and education providers and manufacturing and resource sectors, and many other industries, will benefit. I pay particular respect to and congratulate Minister Robb for his role in that.

Aside from the strategic relationship and the sharing of defence matters, three key areas identified by the Deloitte report 'Beyond Boom' — agriculture, education and energy — are comprehensively addressed by the economic partnership agreement. They are all areas in which regional Australia has a strategic advantage to capitalise on. The Japan-Australia Economic Partnership Agreement will deliver significant opportunities and benefits to Australian farmers and agricultural producers in a highly valuable but protected market. Japan is Australia's second largest agricultural market, worth around $4 billion in 2013, but Japan had high tariffs of up to 219 per cent on agricultural imports and Australian exporters have had to navigate a complex regulatory framework. I was fortunate enough to be in Tokyo, meeting with Meat and Livestock Australia, the day after Andrew Robb flew out and came to agreement with the Japanese government. The feeling of Meat and Livestock Australia was incredibly high that day because of the significant drop in, particularly beef, tariffs in a market where the relationship between the parliament and the rural industries is particularly strong. It makes the French look particularly weak.

Key agricultural outcomes on the agreement's entry into force include the rapid reduction of the high 38.5 per cent tariff for beef, Australia's largest agricultural export to Japan, worth $1.4 billion in 2013. Modelling shows that this outcome alone will deliver gains to the industry of up to $400 million a year. Wine is another commodity that Prime Minister Abe made mention of at the official dinner tonight. There is the elimination over seven years of the
15 per cent tariff on bottled wine and the immediate elimination of the tariff on bulk wine, a particular boon to wine producers right around the Murray Region in Victoria.

The dairy industry is one of the commodity groups that did not get exactly what they would have preferred. It has high hopes for the China free trade agreement. It gained immediate duty-free quotas for Australian cheese, immediate duty-free access for the growing trade in milk protein concentrates, lactose and casein, which we like to call black gold, and new opportunities for ice cream and frozen yoghurt. For the horticulture industry, another significant component of the agricultural industry in my home state of Victoria, there is the immediate elimination of tariffs of up to six per cent, and higher tariffs will be eliminated over five to 10 years.

For the grain industry there is immediate duty-free and quota-free access for Australian wheat and barley for animal feed, streamlined export arrangements for some Australian wheat varieties, and the elimination of the 21.3 per cent tariff on wheat gluten and tariffs on canola and vegetable oils for up to 10 years. For processed foods, tariffs of up to 29.8 per cent on juice; canned fruit, another significant product out of central Victoria; soup; jam; peanut butter; tea and pet food will be eliminated. This is great news for Victorian farmers and processors. Australia is also the first major agricultural exporter to secure a bilateral trade agreement with Japan, delivering a first-mover advantage and future-proofing exports against future trade deals our competitors are seeking with Japan.

Japan has guaranteed market access for Australian education providers to Japan's higher education services market, including vocational and technical education. Japanese students seeking to study at a wide range of Australian education and training providers listed on the Australian National Register of Higher Education Providers will be able to apply for low-interest loans offered by the Japan Student Services Organization. This will particularly benefit the international competitiveness of Australia's TAFE sector. Japan has guaranteed that it will treat all Australian education providers in areas other than primary and secondary schooling as it does Japanese providers. This includes improved commitments on adult education and secures existing access for Australian universities in Japan. Australia and Japan have further agreed to cooperate bilaterally and exchange information regarding policies to promote the recognition of each other's qualifications. That is a significant challenge, but it will be fabulous when it occurs.

Australia and Japan have agreed to improve access to graduate studies in each other's country and strengthen student mobility between both countries as seen by our New Colombo Plan. At the official dinner tonight we welcomed some students who will be heading off to Japan shortly. These outcomes have been welcomed by Universities Australia as further strengthening cooperation in higher education between the two countries. On my visit in April I was able to talk with officials from Kyoto University and Kyoto higher education providers more generally to discuss the opportunities. They were very keen for Australian students to be aware of how beautiful their city is, the quality of the education they are able to provide and the diversity of the education available within the city of Kyoto—similarly with Hiroshima University, which I was also able to visit. They are looking forward to being able to take advantage of the opportunities that the New Colombo Plan will provide them.

The two areas of concern that I heard consistently when I was in Japan were the issues of food security and energy security, with Japan having to import a significant proportion of its
nation's needs in both of those areas. That is why the Australia-Japan relationship is so strong. We obviously have a competitive advantage in both those commodity areas.

In 2013 Australia exported more than $42 billion worth of resources, energy and manufactured products to Japan. On the agreement's entry into force, 99.7 per cent of Japan's imports of these products from Australia will enter Japan duty free. On full implementation, all of Australia's current resource, energy and manufactured exports will enter Japan duty free through a navigational system which we hope remains secure so those commodities will reach Japan safely. Australia will continue to enjoy tariff-free access for automotive parts; pharmaceuticals and vitamins; medical instruments and apparatus; paper; household items, including whitegoods and electronics; sheepskins and cowhides; as well as all large resource exports, including iron ore, coal and LNG.

One of the great aspects of Prime Minister Abe's visit to Australia is that he brought such a large business delegation with him. Yesterday it was an absolute privilege to meet with Kawasaki and talk about potential investment opportunities for that company in the Latrobe Valley in my home state of Victoria. Foreign investment in energy, particularly by Japan, could lead to economic and environmental benefits flowing to both nations as a result of the partnership, thanks to the really high-level research that is being done. Japan is now the third largest source of investment, worth about $131 billion, in Australia.

The Japan-Australia Economic Partnership Agreement follows the successful conclusion of the free trade agreement with Korea. The Abbott-Truss government will now focus on securing a free trade agreement with China. These three countries are Australia's biggest export markets, accounting for 50 per cent of all our exports. It is a stark contrast with Labor's effort that, during their six years in government, failed to secure a single agreement with these countries. This is an agreement built on a relationship that began so many years ago and is based on common respect for our traits of resilience and courage, a mutual commitment to the rule of law and to democratic principles.

The DEPUTY PRESIDENT: Before I adjourn the Senate, I want to thank Senator Sterle for stepping in as Acting Deputy President from 7 to 7.30 this evening at very short notice and, in particular, Senator Smith, who stood in from 7.30 to 9 pm, again at very short notice. Their cooperation in this matter is very much appreciated. I thank them both.

Senate adjourned at 21:40

DOCUMENTS
Tabling

The following documents were tabled by the Clerk:
