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the Senate and committee hearings are available at

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**SITTING DAYS—2020**

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<td>December</td>
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**RADIO BROADCASTS**

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- **BRISBANE** 936AM
- **CANBERRA** 103.9FM
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- **MELBOURNE** 1026AM
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FORTY-SIXTH PARLIAMENT
FIRST SESSION—FIRST PERIOD

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

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

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

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

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<thead>
<tr>
<th>Senator</th>
<th>State or Territory</th>
<th>Term expires</th>
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<tr>
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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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</table>

(1) Chosen by the Parliament of Tasmania to fill a casual vacancy (vice D Bushby), pursuant to section 15 of the Constitution.

(7) Chosen by the Parliament of Victoria to fill a casual vacancy (vice M Fifield), pursuant to section 15 of the Constitution.

(3) Chosen by the Parliament of New South Wales to fill a casual vacancy (vice S Dastyari), pursuant to section 15 of the Constitution.

(6) Chosen by the Parliament of Victoria to fill a casual vacancy (vice S Conroy), pursuant to section 15 of the Constitution.

(5) Chosen by the Parliament of South Australia to fill a casual vacancy (vice C Bernardi), pursuant to section 15 of the Constitution.

(8) Chosen by the Parliament of Queensland to fill a casual vacancy (vice G Brandis), pursuant to section 15 of the Constitution.
PARTY ABBREVIATIONS
AG—Australian Greens; ALP—Australian Labor Party;
CA—Centre Alliance; CLP—Country Liberal Party; IND—Independent;
JLN—Jacqui Lambie Network; LNP—Liberal National Party;
LP—Liberal Party of Australia; NATS—The Nationals;
PHON—Pauline Hanson's One Nation

Heads of Parliamentary Departments
Clerk of the Senate—R Pye
Clerk of the House of Representatives—C Surtees
Secretary, Department of Parliamentary Services—R Stefanic
Parliamentary Budget Officer—J Wilkinson
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<td>Prime Minister</td>
<td>The Hon Scott Morrison MP</td>
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<tr>
<td>Minister for the Public Service</td>
<td>The Hon Scott Morrison MP</td>
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<tr>
<td>Minister for Women</td>
<td>Senator the Hon Marise Payne</td>
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<tr>
<td>Minister Assisting the Prime Minister for the Public Service and</td>
<td>The Hon Greg Hunt MP</td>
</tr>
<tr>
<td>Cabinet</td>
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<tr>
<td>Minister for Indigenous Australians</td>
<td>The Hon Ken Wyatt AM MP</td>
</tr>
<tr>
<td>Assistant Minister to the Prime Minister and Cabinet</td>
<td>The Hon Ben Morton MP</td>
</tr>
<tr>
<td>Deputy Prime Minister and Minister for Infrastructure, Transport and</td>
<td>The Hon Michael McCormack MP</td>
</tr>
<tr>
<td>Regional Development</td>
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</tr>
<tr>
<td>Minister for Agriculture, Drought and Emergency Management</td>
<td>The Hon David Littleproud MP</td>
</tr>
<tr>
<td>Minister for Communications, Cyber Safety and the Arts</td>
<td>The Hon Paul Fletcher MP</td>
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<tr>
<td>Minister for Population, Cities and Urban Infrastructure</td>
<td>The Hon Alan Tudge MP</td>
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<tr>
<td>Minister for Regional Health, Regional Communications and Local</td>
<td>The Hon Mark Coulton MP</td>
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<td>Government</td>
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<tr>
<td>Minister for Decentralisation and Regional Education</td>
<td>The Hon Andrew Gee MP</td>
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<tr>
<td>Assistant Minister for Road Safety and Freight Transport</td>
<td>The Hon Scott Buchholz MP</td>
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<tr>
<td>Assistant Minister to the Deputy Prime Minister</td>
<td>The Hon Kevin Hogan MP</td>
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<tr>
<td>Assistant Minister for Regional Development and Territories</td>
<td>The Hon Nola Marino MP</td>
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<tr>
<td>Treasurer</td>
<td>The Hon Josh Frydenberg MP</td>
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<td>Minister for Population, Cities and Urban Infrastructure</td>
<td>The Hon Alan Tudge MP</td>
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<tr>
<td>Assistant Treasurer</td>
<td>The Hon Michael Sukkar MP</td>
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<tr>
<td>Minister for Housing</td>
<td>The Hon Michael Sukkar MP</td>
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<tr>
<td>Assistant Minister for Superannuation, Financial Services and</td>
<td>Senator the Hon Jane Hume</td>
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<td>Financial Technology</td>
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<td>Minister for Finance</td>
<td>Senator the Hon Mathias Cormann</td>
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<tr>
<td>(Vice-President of the Executive Council)</td>
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<tr>
<td>(Leader of the Government in the Senate)</td>
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<tr>
<td>Assistant Minister for Finance, Charities and Electoral Matters</td>
<td>Senator the Hon Zed Seselja</td>
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<td>The Hon David Littleproud MP</td>
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<td>Minister for the Environment</td>
<td>The Hon Sussan Ley MP</td>
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<td>Minister for Resources, Water and Northern Australia</td>
<td>The Hon Keith Pitt MP</td>
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<td>Assistant Minister for Waste Reduction and Environmental Management</td>
<td>The Hon Trevor Evans MP</td>
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<td>Assistant Minister for Forestry and Fisheries</td>
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<td>Minister for Foreign Affairs</td>
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<tr>
<td>Minister for Trade, Tourism and Investment</td>
<td>Senator the Hon Simon Birmingham</td>
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<tr>
<td>(Deputy Leader of the Government in the Senate)</td>
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<tr>
<td>Minister for International Development and the Pacific</td>
<td>The Hon Alex Hawke MP</td>
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<tr>
<td>Minister Assisting the Minister for Trade and Investment</td>
<td>The Hon Andrew Gee MP</td>
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<td>Assistant Minister for Regional Tourism</td>
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<tr>
<td>Attorney-General</td>
<td>The Hon Christian Porter MP</td>
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</table>
(Leader of the House)
Minister for Industrial Relations
The Hon Christian Porter MP

Minister for Health
Minister for Youth and Sport
Minister for Regional Health, Regional Communications and Local Government
The Hon Greg Hunt MP
Senator the Hon Richard Colbeck
The Hon Mark Coulton MP

Minister for Home Affairs
Minister for Agriculture, Drought and Emergency Management
Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs
Assistant Minister for Customs, Community Safety and Multicultural Affairs
The Hon Peter Dutton MP
The Hon David Littleproud MP
The Hon David Coleman MP
The Hon Jason Wood MP

Minister for Education
Minister for Employment, Skills, Small and Family Business
Minister for Decentralisation and Regional Education
Assistant Minister for Vocational Education, Training and Apprenticeships
The Hon Dan Tehan MP
Senator the Hon Michaelia Cash
The Hon Andrew Gee MP
The Hon Steve Irons MP

Minister for Industry, Science and Technology
Minister for Energy and Emissions Reduction
Minister for Resources, Water and Northern Australia
Assistant Minister for Northern Australia
The Hon Karen Andrews MP
The Hon Angus Taylor MP
The Hon Keith Pitt MP
The Hon Michelle Landry MP

Minister for Defence
Minister for Veterans' Affairs
Minister for Defence Personnel
(Deputy Leader of the House)
Assistant Defence Minister
Minister for Defence Industry
Senator the Hon Linda Reynolds CSC
The Hon Darren Chester MP
The Hon Darren Chester MP
The Hon Alex Hawke MP
The Hon Melissa Price MP

Minister for Families and Social Services
Minister for the National Disability Insurance Scheme
Minister for Government Services
Assistant Minister for Children and Families
Assistant Minister for Community Housing, Homelessness and Community Services
Senator the Hon Anne Ruston
The Hon Stuart Robert MP
The Hon Stuart Robert MP
The Hon Michelle Landry MP
The Hon Luke Howarth MP

Each box represents a portfolio. Cabinet Ministers are shown in bold type. As a general rule, there is one department in each portfolio. The title of a department does not necessarily reflect the title of a minister in all cases. Ministers are sworn to administer the portfolio in which they are listed under the ‘Minister’ column and may also be sworn to administer other portfolios in which they are not listed. Assistant Ministers in italics are designated as Parliamentary Secretaries under the Ministers of State Act 1952.
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Wednesday, 12 February 2020

The PRESIDENT (Senator the Hon. Scott Ryan) took the chair at 09:30, read prayers and made an acknowledgement of country.

DOCUMENTS

Tabling

The Clerk: I table documents pursuant to statute and returns to order as listed on the Dynamic Red.

Full details of the documents are recorded in the Journals of the Senate.

COMMITTEES

Meeting

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

Autism—Select Committee—private meetings otherwise than in accordance with standing order 33(1) on Tuesday, 25 February and 24 March 2020, from 1 pm.

Financial Technology and Regulatory Technology—Select Committee—private briefing today, from 11.30 am.

Financial Technology and Regulatory Technology—Select Committee—public meeting on Thursday, 27 February 2020, from 5 pm.

National Disability Insurance Scheme—Joint Standing Committee—public meeting on Thursday, 13 February 2020, from 3.30 pm.

The PRESIDENT (09:31): I remind senators that the question may be put on any proposal at the request of any senator.

DOCUMENTS

Community Sport Infrastructure Grants Program

Order for the Production of Documents

Senator COLBECK (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (09:31): As I advised the Senate in my letter dated 11 February 2020, I have indicated to Senators Farrell and Faruqi that the government needs more time to prepare a response to the relevant Senate order for the production of documents, and I intend to table these responses to the Senate by no later than 12 pm on Thursday 13 February 2020. It is not uncommon for governments of both persuasions to require additional time to conduct a thorough and exhaustive search of all relevant documents. I thank the Senate.

Community Sport Infrastructure Grants Program

Order for the Production of Documents

Senator PAYNE (New South Wales—Minister for Foreign Affairs and Minister for Women) (09:32): The Senate agreed to an order on 5 February 2020 which requires the Minister representing the Attorney-General to table advice provided to the Attorney-General, including by the Australian Government Solicitor, in relation to the legal authority of the Minister for Sport to undertake an approval role for funding decisions under the Community Sport Infrastructure Program. The Attorney-General wrote to me providing advice in relation to this order, which I have accordingly tabled.

It is a longstanding practice of successive Australian governments not to disclose privileged legal advice. Australian governments not disclosing privileged legal advice is a well-established convention and one that has been reiterated on a number of occasions. Notably, former Labor government Attorney-General the Hon. Gareth Evans AC QC, in 1995 said:

Nor is it the practice or has it been the practice over the years for any government to make available legal advice from its legal advisers made in the course of the normal decision making process of government, for good practical reasons associated with good government and also as a matter of fundamental principle.

More recently, in 2011, another former Labor minister, the Hon. Joe Ludwig, put the position as follows:

To the extent that we are now going to go to the content of the advice, can I say that it has been a longstanding practice of both this government and successive governments not to disclose the content of advice.

I also note that, in the correspondence provided to the Senate, the Attorney-General has reiterated the advice of former Attorneys as well as Gareth Evans AC, QC: the Hon. Daryl Williams QC and the Hon. Philip Ruddock MP. The government maintains that it is not in the public interest to depart from this established position which has been maintained over many years by successive governments. It is essential that privileged legal advice...
provided to the Commonwealth remains confidential. Access by government to such confidential advice is in practical terms critical to the development of sound Commonwealth policy and robust lawmaking.

Senator WONG (South Australia—Leader of the Opposition in the Senate) (09:34): I move:

That the Senate take note of the explanations, or lack thereof.

I'm unsurprised that they are leaving the chamber, just as they are trashing our democracy in the way they are dealing with this disgusting political cover-up. That they have refused to table the documents speaks to that cover-up and demonstrates yet again the disregard in which this government holds the Australian democracy. This is all about protection of the Prime Minister, who is up to his neck in the sports rorts scandal. Well, I've got some news for the government: it's too late. It's too late for a cover-up when you've already been caught. And, having been caught, Mr Morrison had only one chance to make good with the Australian people, and that was to fess up—just front up. But, as always with ScoMo, Mr Morrison is too clever by half, and, once again, he diminishes himself and his office by double-down on the crime as he tries to cover it up.

He has been caught red-handed but is pretending there's nothing to see. But we can all see it, and the Australian people can all see it, because no-one believes this was a solo effort by Senator McKenzie. If this Prime Minister has demonstrated anything, it's that he calls the shots in this government. He drives the politics. He doesn't have a plan, but he drives the politics. Remember last year, when Ms Leigh Sales asked him who would be in charge of his government and who would be making decisions. He said, 'I will.' And that applies to the sports rorts just as it applies to every other aspect of the political strategy in which he has been engaged. Senator Colbeck has not complied with the order to table the spreadsheet colour-coding over 2,000 grant applications under the CSIP by the party that held the electorate. But we know the spreadsheet already exists; it has existed for a very long time. Do you know how we know that? It has been reported on extensively and was referred to in the Auditor-General's report. There is this claim that he needs more time. Well, this government has had plenty of time. They have had weeks. All they had to do was to press 'send' on a document on the desktop. The reason they have not tabled the spreadsheet is not that they need more time. Does anybody believe that? It is that they want to hide it.

This spreadsheet is the means by which this government has misallocated millions of dollars of taxpayers' money against the recommendations of Sport Australia. The Auditor-General found that taxpayer funds were abused for party political purposes. It's that simple. No wonder the government wants to hide the evidence that demonstrates that. The Auditor-General's report states:

… the Minister's Office used the spreadsheets provided to it by Sport Australia to undertake a parallel assessment process as a basis for the Minister deciding which projects should be funded with additional analysis on 'marginal' electorates held by the Coalition as well as those electorates not held by the Coalition that were to be 'targeted' in the 2019 Election …

There was a 'parallel assessment process' to use taxpayer funds for political purposes to target coalition marginal seats and targeted seats.

Then we have the legal authority of the minister. I have to say that I sat here shaking my head as I listened to Senator Payne reading out the letter and going on about legal professional privilege. Let's remember what has occurred here: an independent statutory officer, the Auditor-General, has put into one of their reports that there is a question as to the legal authority of the minister to make decisions. That is the context of the demand for legal advice. It's not a request for legal advice about constitutional matters or a sensitive immigration matter or the powers of the Commonwealth to do certain things; it is a request for legal advice in circumstances where a statutory officer has said that there are serious doubts as to whether the minister even had authority to make these decisions. A government that actually cared about probity would ensure it at least provided sufficient advice to dispel that doubt.

What is happening is they are hiding legal advice in circumstances where an independent officer has said that there is a doubt as to whether or not the minister had any legal authority to approve funding decisions. I, for one, find it extraordinary—this is the government, the minister and the Attorney-General, who's supposed to be the first law officer of the Commonwealth. Mr Porter, shame on you that you can't even provide advice to the public to assure them that the doubts the Auditor-General raised can be dispelled. The best we got was the Prime Minister speed-reading bits of it in a press conference. 'Oh, yeah, he says she's fine.' That's essentially what the Australian people got: 'Trust us. Christian says it's fine, so it's fine.' Well I for one think the Australian people deserve a little bit more respect than that. Just another layer of cover up!

And then there's the communication between offices. Senator McKenzie resigned as minister for sport. It wasn't because she took the rap for the maladministration that occurred with this program; it was because of a breach of the Statement of Ministerial Standards. No-one in this government, no minister, has taken responsibility for what
the Auditor-General found was a blatant use of taxpayers' money for rank political purposes against the guidelines of a program designed to help needy and deserving clubs.

Does anyone believe this was a solo effort by Bridget McKenzie? Does anyone believe that Mr Morrison was not in it up to his neck, that his staff weren't making sure that they milked every cent of taxpayers' money for political purposes? In fact, the Prime Minister's involvement is at the heart of Senator Colbeck's refusal to answer the second order of production made by the Senate.

Let's remember that Mr Morrison initially denied his office had any involvement. He's very good at denial, isn't he? I think over time the Australian people are coming to understand that you just can't trust his word. So he first denied it. He tried to palm it off to Senator McKenzie: 'Oh, the minister was the one making decisions. Nothing to do with me!' But he couldn't stick to his story, because at the Press Club he shifted and admitted, 'Oh, well, actually all we did was provide information based on the representation made to us.' It was the blanket, 'We had nothing to do with it; it had to be moved, because there was a bit too much evidence.' He's an ad man tangled up in his own spin.

And then it was reported that senior staff in his own office—in Mr Morrison's office, the Prime Minister's office—were involved in the allocation of grants under this program. It has also been reported that Senator McKenzie's office told Sport Australia that it had been asked by the Prime Minister's office 'to make a slight adjustment'. A slight adjustment! I wonder what that was? 'We need it in this seat, not that one. We need a bit more for this seat, not those. Take a bit more from this project to give it to this one, because that'd be really good for us.' It was all taxpayers' money. The Prime Minister and his office were in it up to their necks. There's no plausible way the Prime Minister and the Deputy Prime Minister were not directly involved in what was a central part of their re-election strategy: misdirecting taxpayers' funds to serve the political interests of the Liberal and National parties.

Senator Colbeck said he will provide all communication between the current and former officers of the minister for sport and the office of the Prime Minister and office of the Deputy Prime Minister by midday tomorrow. Do we really think we can take him at his word, given their past performance? Of course the final document the government has refused to produce as part of this cover-up is the report provided by the Secretary of the Department of the PM&C, Mr Philip Gaetjens, the former chief of staff to Mr Morrison—to the Prime Minister.

Do you know what we're being asked to do—what the Senate, the media and the Australian public are being asked to do? We're being asked to accept that the findings of an independent statutory officer, the Auditor-General, should be overridden by a secret report authored by someone of dubious credibility, because Mr Gaetjens is Mr Morrison's mate, his former chief of staff, and that inquiry was commissioned by Mr Morrison to get exactly the advice he wanted so that he could do what he had already decided. The Gaetjens report is simply the way in which Mr Morrison gets sufficient paper to do what he'd already decided politically. It is not an exercise in accountability or transparency; it is an exercise in cover-up, a total sham.

I am unsurprised that Senator Cormann has refused to produce this report. He pretends somehow it would prevent Senator Cormann from representing the Prime Minister until he produces the Gaetjens report. It is an extraordinary step. It's not a step I have ever taken. I've led the Labor Party in this place for many years and I have never engaged in sponsoring such a motion. But we have taken this extraordinary step, with an extraordinary alliance of non-government senators, because of our deep concern at the trashing of democratic conventions by this government. I really hope that Senator Cormann acts to protect his legacy and reputation, rather than loyally trying to salvage the reputation—that is unsalvageable—of the ad man that leads this government.

The government's actions in refusing these four separate orders, and in their other conduct, are a wilful disregard of the conventions of accountable government. They act like this is their joint—that it's theirs to play...
with. So I want to conclude on this point. We can have an argument about the government's conduct in their administration of the Community Sport Infrastructure program. We can have a debate about spreadsheets. We can have a debate about legal advice. We can have a debate about correspondence and reports. But what should not be up for debate is the responsibility of the executive government to the parliament and, through it, to the Australian people. It's actually the core of our democratic system. As the National Party minister Mr Chester noted recently, we live in a time when there is a serious deficit of trust between people and their institutions of government. Trashing the convention of executive responsibility to the parliament trashes both these branches of government. That is what is at stake.

We stand here in this Senate and we, rightly, regard it as one of the most significant legislative chambers in the world. But its importance only comes through the responsibility it has in our constitutional system of government: to work for the people who elected us to serve in it. Each time a minister comes in here and refuses to give an answer or refuses to table any information when documents were ordered to be produced, the Senate is diminished.

I say to those opposite: don't diminish this place. Serve here, and act with the responsibility which comes from guarding against the misuse of power; act instead in the interests of honesty, transparency and accountability and, above all, in the interests of the Australian people.

Senator WATERS (Queensland—Leader of the Australian Greens in the Senate) (09:48): I rise to speak on the motion to take note of the explanations, extremely brief and dismissive as they were. Minister Colbeck effectively said: 'The dog ate my homework; can I have an extension, please?" I don't think anyone really thinks that tomorrow he will front up with those documents. So what's this extension for? It's to give them another 24 hours to find a different way of saying, 'Soz, we're not going to give you the documents you've asked for, because this government can't hack transparency.' That's what happened yesterday, when this place sought to have the Gaetjens report tabled. Historically, similar reports have, in fact, been tabled, even though they were politically inconvenient to the government at the time. This is a new and very, very scary precedent that this government is now setting in that it is defying the will of the Senate and not voluntarily disclosing documents of this nature.

Cabinet-in-confidence was claimed yesterday—perhaps they're going to say that again tomorrow—but it's very interesting when you look at what the cabinet-in-confidence convention actually states. You can't just wheel a document through the cabinet room and say that it's cabinet-in-confidence. We all know that happens, but it's not meant to work that way. You're meant to have actually deliberated it. I had a look at the ministerial standards, because they are called 'the Prime Minister's ministerial standards'—you can be forgiven for thinking that they have no standards, but there is technically a document called 'the Prime Minister's ministerial standards'. They don't mention the cabinet. There is no formal role for the cabinet to have anything to do with the enforcement of the Prime Minister's ministerial standards. So I say to the government: if you are genuinely claiming cabinet-in-confidence, why was the cabinet even discussing this matter? This is an immense politisation of what is a rort that goes all the way to the top. We know it goes all the way to the top, not because this government has disclosed the documents that will prove that but because someone leaked those documents to the media.

It's very telling that Minister Colbeck needs more time to find a document that the press gallery have already got. They've already got the spreadsheet. The ABC had that weeks ago. I think it was Network Ten that got the emails which show that, in fact, it was the Prime Minister's office telling then Minister McKenzie that we needed some changes—I think 'slight change' was the phrase that was used. So is it any wonder that the Prime Minister has made former minister Bridget McKenzie take the fall? He's protecting himself. It doesn't escape anybody's notice that there have been all sorts of corruption allegations made by other frontbenchers—none of them have had to pay the price, but we see a senior woman in the government ranks paying the price. She's been the fall girl for the Prime Minister's dodginess.

We'll all wait and see, and we'll hear the explanation tomorrow when Minister Colbeck and Minister Cormann rock up and say: 'We can't tell you, because, gee, it would actually implicate our top guy. We know he's not really popular right now, and we don't really want to make that any worse.' What an embarrassment. I don't think the Prime Minister can really continue to dismiss this lack of accountability as just 'the Canberra bubble'. I don't really think 'the Canberra bubble' ever held much sway with the public. I certainly don't think that dismissing the premise of the question is going to cut it much longer, because the public are dismissing the premise of this government. This is an illegitimate government. It scraped back in with a one-seat majority, and it scraped back in by misusing public funds to buy election outcomes. That was essentially what the Auditor-General found, and so of course the Prime Minister is scurrying to blame someone else to cover up his involvement in this whole fiasco. This is a deeply embarrassing moment for his government. He's had quite a few of those lately, but this is perhaps the most challenging.
We've all known that rorting goes on, but this time the Prime Minister's been caught out directing it. He's continuing to fail to take any responsibility for his own office's involvement in this debacle, and he's been happy to let heads roll in the National Party to try to distract from the deep lack of transparency and accountability that permeates this entire administration. It debases all of us in this place, and it's a massive insult to the public. I was no fan of John Howard, but at least they put the children overboard report in the public domain. They knew it would be inconvenient and politically damaging, but they still did it. The standards used to be pretty low, but it seems now that there are no standards.

This government is completely out of touch and will not ever, it seems, abide by any sort of transparency or accountability. It makes a mockery of this place, and it makes a mockery of this government. This is exactly why we need these so-called Prime Minister's ministerial standards to actually be independently enforced—to be enforced at all would be a good start, but to be independently enforced is clearly what's needed here, because the Prime Minister's just got his old mate, who was his chief of staff and now runs his department, to say: 'Oh, no, this other independent statutory body is wrong. Everything's fine and, no, we're not going to actually tell you why. We're just going to make this assertion.' This whole government is farcical. There's no independent enforcement of those standards. There's no accountability. And we saw insult added to injury yesterday when the Prime Minister would not even let his party members vote on a motion that would bring on a bill to establish a federal anticorruption watchdog. Not only can they not even enforce their own ministerial standards but they do not want a federal corruption watchdog. What are they afraid of—another scandal tomorrow and a scandal the day after that? They clearly love being in the headlines, but it's for all of the wrong reasons. What are they trying to hide by blocking the establishment of a strong independent corruption watchdog that could oversee these sorts of scandals?

It's very interesting that commentators have looked at the so-called design principles for the government's corruption watchdog—which are a year old and which haven't progressed beyond 'design principles', but be that as it may—and the view is that, on those design principles, the government's body wouldn't even have been able to look at the conduct of then Minister McKenzie, of the Prime Minister himself, of Minister Taylor, for that matter, or of former ministers Pyne and Bishop in taking pretty dodgy post-parliamentary employment. How convenient for this government to delay a federal corruption watchdog at all, and, secondly, to be designing one that will effectively facilitate cover-ups of their own government's dodginess. How convenient to have a corruption watchdog that is deliberately designed to have no teeth, and, frankly, to be asleep.

So we've had a 16-month delay on an independent body. The proposals that we know about are going to be weak. They would be tantamount to a protection racket for the corruption that is at the heart of this government. Then they didn't even have the guts to let their people vote on a motion to bring on a bill that would set up a strong corruption watchdog: one that had teeth; one that was properly resourced, that was independent, that could take tip-offs from the public, that could cover dodgy ministerial conduct, that could hold hearings in public—a corruption watchdog that could actually do the job of cleaning up politics and cleaning up the corruption that now so signifies this government. They didn't want that to come to a vote because they were a bit worried that some of their Nationals 'friends' might cross the floor. So they gag debate and they put it off into the long grass. We'll now probably never see a vote on that bill, which has passed this place with the support—or, at least, the abstention, in the case of One Nation—of all non-government senators. Once again, this government is totally out of step with everybody else in this building. It's trying to say, 'La, la, la, la, la. There's nothing to see.' Well, nobody buys it anymore. You can't just keep asking for an extension and then claiming cabinet-in-confidence.

Is it any wonder that trust in democracy is at an all-time low? This government needs to wake up and bear responsibility for that fact and then do something about it. I don't like this government. I think their policies stink. I think they've got no values and no ethics. But I do think that the institution of government deserves to be respected by the public. The government should act like it deserves respect. I am disturbed by that lack of confidence and trust in government as an institution. That is a recipe for civil unrest. It doesn't get any problems fixed. It enables this government to continue to act, frankly, with the air of fascism. And we're better than that. Australians deserve better than that. Bring on the next election. It can't come soon enough. We cannot wait to see this mob sitting on the other side of the chamber. We hope that the next mob will take integrity more seriously.

We're very pleased that there was support for the Greens' strong corruption watchdog proposal, which passed this Senate. But it should not just sit on the back of the Notice Paper in the House while this government continues to act with impunity and while rorts after rorts continue to plague this government and it continues to think that it can just get away with it by saying, 'It's the Canberra bubble,' and that it doesn't accept the premise of the question.

We've got a motion that's coming on later today, with some very serious consequences for the Leader of the Government in the Senate. Like I'm sure the other folk in this chamber all have, I have thought deeply about
whether it is appropriate to sanction the Leader of the Government in the Senate, because it's a pretty big step to say, 'You can't actually represent the Prime Minister anymore in this place.' I think that's probably the biggest step. It might seem insignificant to members of the public, but it's a pretty big deal in here to do that. The significance of this continued cover-up and this continued rotting of public money and the absolute arrogance and impunity the government continues to have over this situation means they're reaching new lows. We'll move today to potentially sheet that home to Minister Cormann in this place.

The Prime Minister needs to act like a Prime Minister and actually take some responsibility. The public likes it when people admit they have made a mistake and that they have learned from it and then get back on with the job. But this Prime Minister, if he's not going on holidays when the country is burning, if he's not then belatedly trying to send the forces out to help put the fires out, is simply saying, 'There's nothing to see here; this is the Canberra bubble.' The public deserve so much better. We can't take any more of this Prime Minister. Stop the spin, start acting with the dignity that your role is meant to bestow upon you, and just bring in a corruption watchdog that's going to clean up your mob. Nothing less will suffice. All of these claims of cabinet-in-confidence and, 'We're not going to tell you; it's not in the public interest to tell you,' just don't cut it any more. Continue on being the corrupt, self-interested, dodgy government if you like, but you're going to bear the consequences and they couldn't come soon enough.

Senator FARRELL (South Australia) (10:01): I rise on this issue relating to the order of production of documents. In so doing, I'd like to take up pretty much where Senator Wong left off on this issue and talk about the unprecedented nature of this application. As she said, in all of the time that she has been leader of our great party in the Senate, she's never seen it necessary to take this particular action against Senator Cormann in respect of his representational role in relation to the Prime Minister. But the fact of the matter is that things have got so bad with this government that the Labor Party, the Greens, I think Centre Alliance, One Nation and Senator Lambie are forced into taking action that they don't really want to. We'd prefer for the government to come forward, be transparent, be accountable and produce the documents that we are seeking from the government.

Can I just give one example of the madness of what the government is doing at the moment. The so-called colour-coded document, the key document, identified all of the seats that the government was trying to win at the last election—marginal Liberal seats, marginal National Party seats and Independent seats. All of these seats were colour-coded in the document that was bouncing back and forth between then Minister McKenzie—she's resigned now—and the Prime Minister's office. The ABC has a copy of that document. Good luck to them. I'd like to see it. They're hanging on to it—although they are drip-feeding it, and one suspects there will be more to come. But how crazy is it that we have a situation where the national broadcaster has a copy of this document but this parliament does not have a copy of that document? This government is seeking to deny the accountability and the transparency that's absolutely essential in any government.

I often sit here during question time, as I think you probably do, Mr Acting Deputy President Sterle, and listen to Senator Cormann. What are often the words that come out of his mouth? 'We are accountable,' and 'We are transparent.' Well, where is that accountability and that transparency on this occasion? This has been an unprecedented scandal in this country and this parliament. A quarter of a billion dollars has gone out the door from this government to its preferred sporting clubs. Let's be clear about this. We have no objection to money going to sporting clubs. We would have done the same ourselves in terms of helping those clubs. The clubs have not done anything wrong here. The group that have done the wrong thing here are the government but, more particularly, the Prime Minister. The Prime Minister has absolutely done the wrong thing here, and this quarter of a billion dollars has gone out.

There have been two events here really, and the media have succinctly described them as 'sports rorts 1' and 'sports rorts 2'. 'Sports rorts 1' involved $100 million, and it was as if the minister, Minister McKenzie, was using her own personal cheque account to hand out money to clubs in all of these marginal Liberal and National seats and the seats that the government wanted to win. We thought that was a big number. But of course this week we've found out that there was an even bigger number, and the Prime Minister was using the program as if it were his own chequebook, writing $150 million worth of grants.

Why are people so angry about this? It's because it's a breach of trust between the government and the people. It's not just about the lack of accountability. It's not just about the lack of transparency. It's about the breach of trust. Why is that? Minister McKenzie, when she first announced this program, said: 'This is an above-the-board process. Everything's dinky-di. Everything's transparent. We're going to have a set of guidelines that clubs around the country can access on a website, to look up and see what sorts of programs the government is looking at supporting. But then, when they've put in their application, an independent body will assess the value of those programs.' Sport Australia is the body that we have entrusted with looking after sport in this country, a very important body, pretty dear to the hearts of most Australians, because most Australians play sport. The
government said: 'Trust us. We're going to send your application to Sport Australia. They're going to make an assessment. You're going to have an independent assessment of what are the best projects that this government can support with that $100 million.' I might add that, when it first went out, it was only $30 million. That's right—laugh if you will! It was $30 million. Then it was $60 million. Then it was $100 million by a few weeks out from the election.

So the breach of trust here is that more than 2,000 clubs thought that the government was on the level, thought that they could believe what the government said in their guidelines as to what was going to be the determining factor in whether they would or would not get grants. Some of these grants were very large. In South Australia a rugby club, with no women players, got half a million dollars to build women's changing rooms. It's hard to believe.

**An opposition senator:** Are you serious?

**Senator FARRELL:** I am serious. Yet a club down the road, the South Adelaide Football Club, an AFL club with a great history, one of the oldest clubs in South Australia, has three women's teams, 45 women players and one toilet. In fact, they had more women's premierships than they had toilets for their women players. Yes, I know you're laughing, but it's a serious matter, Mr Acting Deputy President Sterle.

This is a scandal of unbelievable proportions. I described it as industrial pork-barrelling, but it's probably gone well and truly beyond that, and there was a breach of trust. These 2,000-plus clubs put in their applications, thinking that they were going to be assessed on the level. And, of course, they were assessed; those 2,000-plus applications were assessed. Some of them got 98. It's a very good score, 98 out of 100. You would think that would be a winning score. Well, no; it wasn't a winning score. Some clubs scored four—

**Senator McCarthy:** Four? Out of 100?

**Senator FARRELL:** Yes, four out of 100. I guess you would have got that for spelling your name correctly on the application. Unless there were other factors that came into it, you would mostly likely expect those clubs with the best results would be the most deserving of the $100 million. But, no, that wasn't what happened. The government kept saying, 'Look, we don't want women changing behind the sheds anymore; we want them changing in decent club rooms.' That's a very good objective, but 12 clubs who scored highly in this application process were denied the money. And where did it go? It went to the marginal seats that the government was looking to win at the last election.

Senator Waters talks about a federal ICAC. The fact of the matter is we have our very own Auditor-General. We didn't have an ICAC on this occasion, but the Auditor-General worked out that something dodgy—something really dodgy—went on here and he produced his report.

Now we come to sports rorts 2: $150 million, so another $50 million. Again, it's this breach of trust. The Prime Minister says to the Australian people: 'Look, more women are participating in sport than ever before. These sporting clubs, they often run on the smell of an oily rag'—and that's another point: volunteers spent hours and hours and hours preparing these applications, thinking it was on the level, thinking that they could trust the government. So what do we find with this $150 million, what's described as 'sports rorts on steroids'? The Prime Minister goes out a couple of weeks out from the election—it's a front-page splash in every newspaper in every town in the country—and says: 'We're going to put some money into women's sporting facilities. The number of women playing sport is increasing. They've got substandard facilities. We're going to improve those facilities with this $150 million.' Is that what happened? What the Prime Minister told us was going to happen, did that happen? No, it didn't. Forty per cent of the money went to two swimming pools. One was in a marginal seat in your home state, Mr Acting Deputy President Sterle, and guess what? It was in the marginal seat held by the Attorney-General. The other one was in the seat of Corangamite—another marginal seat.

**Opposition senators interjecting—**

**Senator FARRELL:** Yes, Corangamite! So all this money that the government said was going to go towards improving sporting conditions for women in Australia—it's a good thing that they want to play; it's a good thing there are more of them who want to go out there—didn't happen. They didn't get the money, and they were never going to get the money.

All of these clubs around the countryside thought: 'Okay, we've missed out on the $100 million in the first round. Ah, but here is another $150 million and we'll have a chance of getting that money.' They never had a chance. This government was never ever going to fairly distribute that money. They were especially never going to fairly distribute it to the women's clubs that really needed that money. How do I know that? Well, 12 clubs that scored highly in the first application and could have been the beneficiaries of a second round didn't win in the first round and they were nowhere to be seen in the second round. This government has no accountability and no transparency.
As I said when I started my address in respect of this, this is an unprecedented step. We shouldn't have to do this. The ABC's got the document. What did the minister do when he found out that the ABC had it? Did he come to the parliament and say, 'Here's the document. Everybody can see what we've done here'? No. What did he do? He started an inquiry, a witch-hunt, in his own department, the Sport Australia department; he started a witch-hunt in the Department of Health to find out who gave the document to the ABC. Instead of saying, 'Okay, the game's up. Somebody's got this document. The Australian people are entitled to know what's gone on here. I'm going to present this document to the parliament,' what did the minister do? He started a witch-hunt in his own department, which I suspect is still ongoing. We'll find out a bit more about that in estimates. One of these days we're going to get the full story. The government can't keep this under wraps.

Senator Polley: It always comes out.

Senator Farrell: Yes, it always comes out. The Auditor-General knows about it; we're going to find out about it. There's an inquiry starting tomorrow afternoon and, bit by bit, this will all come out, but the government could do the right thing today and release these documents.

Senator Patricks (South Australia) (10:16): I rise to take note of the minister's statements. I'd particularly like to go to the statement made by Minister Payne in respect of legal advice. Minister Payne made a statement that there is a long line of letters before this chamber that suggest that legal advice should not be tabled. Of course, everyone in this chamber has a view. They are informed in different ways and some are biased in particular ways. I put it that ministers shall not be judges in their own case. What we need to do is reflect on what the law is in relation to the disclosure of legal advice to a house of parliament.

I'm going to read from the case of Egan v Chadwick in the New South Wales Court of Appeal. Justices Spigelman and Meagher together say:

In performing its accountability function, the Legislative Council may require access to legal advice on the basis of which the Executive acted, or purported to act. ... access to such advice will be relevant in order to make an informed assessment of the justification for the Executive decision.

Accordingly——

access to legal advice is reasonably necessary for the exercise by the Legislative Council of its functions.

What, if any access should occur is a matter 'of the occasion and of the manner' of the exercise of a power, not of its existence ...

That is two justices in the New South Wales Court of Appeal making very clear what the legal position is.

There were three judges involved in that case. The third judge, Justice Priestly, said that the justification for legal professional privilege does not apply when a house of parliament seeks the production of executive documents. He said that 'it must have the power to call for information relevant' to the 'fundamentally important task of reviewing, changing and adding to the statute law of the state'. He said:

... there will from time to time be information in Executive documents either necessary or useful for carrying out its task.

That task includes, of course, oversight. So there was a unanimous decision of the highest court in New South Wales dealing with a matter relating to the release of privileged documents to a chamber of a house, and it is unquestionably law in this country that the Senate is entitled to call for and receive legal advice.

People need to understand what the purpose of legal professional privilege is. Legal professional privilege has the sole purpose of allowing a client and a lawyer to exchange their views, knowing that that information is protected from ever being adduced in a court. It's a principle that has been upheld by the High Court, on numerous occasions, as to its importance. Substantive law has been declared by the High Court. Of course, if legal advice were tabled in this parliament, the protection still applies, because privilege then protects the information that is in the document from being adduced in court. Nothing is lost by providing that advice; the government loses none of the benefit of legal professional privilege by doing so.

So I am deeply disturbed that the Attorney-General, the first law officer of this country, would not seek to have the law applied inside these chambers, both the House and the Senate. And, indeed, I'm disappointed that Minister Payne, who is herself a lawyer, is taking a position that is contrary to the law in this country. Just to make it very clear, the Senate has a power to compel the production of information that is covered by privilege.

I want to go also to the issue of cabinet-in-confidence documents. I have been having some discussions with a number of people around this place, and it is once again with reservations that I co-sponsor the motion today to sanction the Minister representing the Prime Minister—and, like Senator Wong, I do have a great deal of respect for Senator Cormann. However, he is the captain of the government ship, and the captain must take responsibility. The Senate has made a call for documents, and he says that they are cabinet-in-confidence because they are submissions to the cabinet.
As I talked about yesterday in this place, there are two requirements for a document to be lawfully considered a cabinet document. Firstly, it must at 'birth' have been prepared for the dominant purpose of being submitted to cabinet. That is a question of fact that requires the provision of some evidence, which has not been provided, to this chamber. Secondly, of course, it must have been submitted to cabinet. There is an interesting thing, however, even if it were cabinet-in-confidence. Again, from the New South Wales Court of Appeal, then Chief Justice Spigelman held that 'it is not reasonably necessary' for the performance of those functions 'to call for documents the production of which would conflict with the doctrine of ministerial responsibility, either in its individual or collective dimension', referring to the cabinet. He also held that the revelation of documents prepared outside cabinet for submission to cabinet 'may or may not, depending on their content, be inconsistent with that doctrine.'

In a sense he is suggesting that, if the document relates to perhaps some secret military operation, it's probably not appropriate to call for that cabinet document; but, if the cabinet document is a document which has been sprinkled with cabinet dust simply for the purpose of making sure that no-one else sees it because it's embarrassing, it is within the rights of the Senate to call for it.

In fact, I'm disturbed that this document has gone not to the full cabinet but to the Governance Committee of cabinet. We have a Governance Committee of cabinet that deals with indiscretions in a secretive manner. That in itself should be worrying to everyone. We have a Governance Committee of cabinet, on governance issues, that operates in secret. I find that really, really perverse.

To be fair, I will say that Justice Meagher had a different view. He said the immunity of cabinet documents from the New South Wales Legislative Council was 'complete'. We've got one judge in favour and one again, so we need to go to the third judge, Justice Priestley. He held that a court has 'the power to compel production to itself even of cabinet documents'. He said:

... equally there should be no objection in the different situation that arises between the Executive and a House of Parliament to the possession by another branch of government other than the Executive, of the same power ...

So again, in law, there is no legal justification for not providing to the Senate chamber documents that have been called for. And again, it's regrettable that the Labor opposition, the Greens, One Nation, Jacqui Lambie Network and Centre Alliance are standing up for the Senate. We don't want to weaken the Senate. We have a document which is being withheld from the Senate purely because it is embarrassing—that is the only reason it is being withheld—and that is not appropriate. So I would urge the government, and I give this offer to them: I would withdraw my support for the motion were the government to table the document—even, table it to a committee of the cabinet and ask for confidentiality so that senators can see the document but perhaps it doesn't go into the public domain. I've made that offer to the government. But there is no way we can allow the government to hide the content of this document from senators. That is not permissible. It is inappropriate, and the Senate needs to take a stand on this. I will be supporting the motion this afternoon.

**Senator KENEALLY** (New South Wales—Deputy Leader of the Opposition in the Senate) (10:26): 'Well, I'll leave that stuff in the bubble. I don't comment on gossip or other stories. I just reject the premise of the question. I'll put your editorial to one side and your commentary on it.' These aren't my words, of course; these are the words of the Prime Minister, Scott Morrison. It is ironic that he says at every media conference that he is happy to take questions and then spends the rest of the media conference providing answers like the ones I've just outlined here. But worse than that irony is that we have a Prime Minister and a government, a Liberal government now in its seventh year, that are proving a developed allergy to scrutiny. With that allergy comes dire consequences for our political system and for the parliament. It engenders in the community a distrust in politicians, it creates a sense of frustration and hopelessness from the very people who need government working for them and, ultimately, it is an erosion of our democracy.

With the answers from the Prime Minister like the ones I read out, the Morrison government shows that it is quite willing to treat the Australian people with contempt. This is a government willing to frustrate; this is a government willing to dismiss journalists whose job it is to keep elected representatives accountable. Now, as we have seen with this corrupt sports rorts scheme, it's clear that the Morrison government does not have respect for taxpayers' dollars. To call this corrupt sports rorts scheme a saga, which some have done, is an understatement when it comes to describing how willfully this Liberal National government has used, first $100 million and now, it's been revealed, another $150 million of taxpayers' money—our money, the Australian people's money—to win an election. This isn't just my assessment. This isn't just the Australian Labor Party's assessment. This just isn't a political attack. The independent Auditor-General in Australia—the person whose job it is to keep the government and its spending and decision-making under a magnifying glass—said more than 61 per cent of the projects awarded funding by sports rorts 1, as he is talking about here, or nearly two out of three, were not projects recommended by Sport Australia. Sixty-one per cent of the projects awarded funding were not recommended by Sport Australia. The Auditor-General goes on: there was a clear 'bias' towards 'marginal' seats and those that the
Morrison government wanted to win to maintain power. The minister at the time, Senator McKenzie, and her office were running a parallel process to Sports Australia to—and I quote the Auditor-General—‘identify which applications should be awarded funding’.

Senator Farrell made clear that some 2,000 groups—sports organisations, mums and dads, and volunteers—put in their applications to the Sport Australia funding program with the expectation that they would be assessed on their merits through a robust evidence based process, that they had a fighting and fair chance to compete against other sports groups for this funding. It's now well known, thanks to the reporting of ABC and Andrew Probyn, that this parallel process set up by Senator McKenzie in her office included a colour coded spreadsheet identifying—wait for it—the electorates and the parties that held the seats from which the applications had come. On what basis is that relevant?

Senator Polley interjecting—

Senator KENEALLY: One would hope that Senator McKenzie was not, as Senator Polley suggested, learning to improve her colouring technique. Maybe she'd just learnt to use Excel spreadsheets and she thought it would be a fun exercise! That's not what happened. We know—don't we, Senator Polley?—that's not what happened, because the Auditor-General's report tells us that what happened is they set up a parallel process alongside Sport Australia to make their own determinations so that they could award funding to projects—what was it?—61 per cent of which were not recommended by Sport Australia.

Going back to this colour coded spreadsheet, what is also interesting is that the metadata of the document shows that it had been edited by a Liberal Party operative, an employee of then Minister McKenzie. It would be really interesting if we actually had this information fully in the public domain so that the parliament and the people of Australia, particularly those groups that missed out, could make an assessment of what really happened in Senator McKenzie's office and who else was involved, but I'll come to that in a moment. There is no denying what is happening, and there is no amount of deflection from a Prime Minister who is allergic to scrutiny because—what did he do when asked about this? He said it had nothing to do with him. Let's just park that there for a moment. It had nothing to do with him even though the Community Sport Infrastructure Grant Program was used as a $100 million slush fund to keep the Liberal-National government alive. Senator Wong made the point: does the Prime Minister really expect us to believe that something that happened in his government that involved $100 million being allocated on a political basis was not of interest to the adman, the marketing guy, who serves as the Prime Minister? I know we're not meant to use names besides official titles, but I will just acknowledge there are some in the community who refer to him as Scotty from marketing.

What's important here is to understand that the Prime Minister and the Morrison government weren't playing by the rules. What is one thing we teach our children when we enrol them in sport?

Senator Sterle: Tell the truth.

Senator KENEALLY: They should definitely always tell the truth, Senator Sterle, but we tell our children to play fair, to play by the rules, to abide by the umpire's ruling. That's one of the many values of sport—that children and participants learn to abide by the rules. The government weren't playing by the rules; they were actually making up their own. I think this is an important point here. The government's actions in withholding from the Senate, from the parliament and from the public information about what was really going on in relation to this corrupt sports rorts scheme—the government's determination to ignore Sport Australia, to not play by the rules and to run their own parallel process that they kept hidden from the public when allocating the money—go to show one thing about this third-term Liberal-National government, now in its seventh year: they don't want the power just to make the rules; they want the power to determine who gets to break the rules. They don't want the power just to make the rules; they want the power to determine who gets to break the rules. And it's them.

Senator Bilyk: It's okay for them.

Senator KENEALLY: It's okay for them to break the rules. Woe betide a union that gets their paperwork in a day late, because this government will deregister them. But a government that wants to spend, as Senator Farrell pointed out, a quarter of a billion dollars—

Senator Polley: How much?

Senator KENEALLY: A quarter of a billion—$250 million. There was $100 million in sports rorts 1 and $150 million in sports rorts 2 to buy themselves an election, and then they try to keep the whole thing behind closed doors, secret from the parliament. Sadly, this is what is eroding trust in the community in our political process. Honestly—does this government not care about the quality of our democracy, the quality of public debate, the trust in politicians? Unfortunately, it isn't just the government that wears this opprobrium; it's everyone who wants to do the right thing in public service, because it is an erosion of trust in our political system.
The majority of this chamber agreed that the documents we requested today should be made public. So where are they? They're not here. Senator Colbeck spent a whole 40 seconds in the chamber today dismissing the idea that these documents could be made public. Senator Payne wasn't much better: two minutes and 10 seconds, in which she explained to us some dubious advice that she was relying on and which meant she didn't have to tell us what was really going on. I've got to say, when normal Australians—one might call them quiet Australians—have a job they're required to turn up. They're required to turn up and do their job. If you are a nurse and your shift starts at midnight, you've got to be there. If you have what might be called a usual business day job and it starts at 9 am, your boss expects you to be there. If your task that day is to produce a report, your boss expects you to do it. This is what normal—one might say quiet— Australians do every day in their jobs. But, again, the rules that apply to normal, quiet Australians—everyday Australians who get on every day and live their lives and raise their families and play by the rules when they put in sports grants applications and show up on time at work and do the work their bosses expect—don't apply to those opposite. They didn't show up today: in 40 seconds Senator Colbeck was out of here and in two minutes and 10 seconds Senator Payne was out of here. And they didn't produce the reports that they were required to by this chamber.

The thing is, our bosses here in this chamber are the Australian people. They are the Australian people, and the Australian people, when they participated in these sports applications, did expect that, 'Hey, my application's going to be taken on its merits.' For example, there was a sports club that has women's teams currently changing in a tent. The Prime Minister went to the Press Club and he said this program—this is the marketing spin the Prime Minister puts on it—was specifically designed to ensure that girls didn't have to change out the back and in cars. Well, there was a club that we know about in this program. They currently have a women's team. They're changing in a tent. They were highly rated by Sport Australia. Did they get funding? No.

**Senator Polley:** They were in the wrong electorate.

**Senator KENEALLY:** They were in the wrong electorate, as Senator Polley points out. They had the bad luck to be living in a seat that the government didn't think was worth their while to spend money on in an election campaign. So what did they do? They gave money to the seat of Sturt, which we all remember was contested as a seat at the last election. It was abandoned by the former member Christopher Pyne. He probably felt they were going to lose.

**Senator Sterle:** He's got his own rorts to worry about.

**Senator KENEALLY:** He's got his own jobs to worry about now. He has been the subject of a report. In fact, that's a good point you raise, Senator Sterle, because Mr Pyne has been the subject of a report tabled here in this chamber.

**Senator McAllister:** A lovely letter written by Dr Parkinson.

**Senator KENEALLY:** A lovely letter written by the former head of the Public Service, Dr Martin Parkinson. So it's okay for the government to table documents relating to members who have left this place, but apparently members who are currently here, which may or may not include the Prime Minister, by the way—

**Senator Sterle:** It's only legal when you leave, hey!

**Senator KENEALLY:** As Senator Sterle points out, apparently when you're gone you can do whatever you want, but if you're still here you have a protection racket to run.

**Senator Polley:** It's a cover-up!

**Senator KENEALLY:** It is a cover-up. I want to acknowledge and thank the crossbench, who have rightfully stood up and said, with the opposition, that the Senate is not going to be treated this way. At Senate estimates, what do we hear? 'I'll take that on notice.' But, when we get the answer on notice, there's no answer. One time I got an answer back—I think you did too, Senator Polley—that said, 'It would take too much time for us to answer that question.' This is the erosion of trust. This is the lack of transparency and accountability that we are getting from this third-term Liberal government, whether it is Senate estimates, the corrupt sports rorts scheme or the fact that this Senate voted for a production of documents and this government failed to produce them.

I want to acknowledge and extend my appreciation to the crossbench for its work not just in this debate today but in supporting the Senate inquiry into the sports rorts scheme, which kicks off tomorrow. Across the board the crossbench has supported a motion that will come before this Senate this afternoon that makes clear that we as a chamber are not going to let this government, unnoticed and without comment, erode the trust, transparency and accountability that a robust democratic system and the Australian people demand and expect in their parliament.

**Senator RICE** (Victoria—Deputy Australian Greens Whip) (10:41): Here we are again—another day, another corrupt coalition cover-up. It's becoming a bit run-of-the-mill; you just expect it. It is another day of an order for the production of documents, of information that is critical to having some transparency and accountability of how
our processes of government are working or not working, and another day of ministers fronting up, giving a very
terse, very short non-explanation of why they can't provide that information and then fleeing the chamber.

This is serious, and the Australian community know it is serious. This smells, and the Australian community
know it smells. It's not something confined to this chamber, this parliament or, indeed, the so-called Canberra
bubble. It's interesting, because this has permeated out to ordinary people all around the country. They know that
there is corruption going on here. They know that there is a complete lack of accountability. They know that there
is some serious, unfair, dodgy play going on.

The excuses that we've been given, that it's cabinet-in-confidence or that they just haven't quite had the time to
gather everything and put it together, the documents that the press gallery have had for three weeks, that they don't have. The Australian
community know that they don't have. The reason they think they don't have is that this is a huge amount of
money we're talking about. We've got sports rorts No. 1, of $100 million, and sports rorts No. 2, of $150 million.
That is $250 million in all—a quarter of a billion dollars of our precious taxpayer money. It is staggering that this
huge amount of money is basically just being used by this government as a slush fund to buy their way back into
power.

They think they can get away with it. You hear the excuses. In spite of the report of the Australian National
Audit Office, which lays it out chapter and verse—it is gobsmacking just how detailed it is and how much the
Auditor-General's report says that there are some extremely questionable practices going on here—they just
reckon they can tough it out. We've had Senator McKenzie being the scapegoat and taking the fall, but it wasn't
even on the basis of the issues raised in the Auditor-General's report. There is no accountability. They reckon they
can get away with it. But, I can tell you, you're not going to get away with it, because we have got $250 million
and it goes to the heart of something that Australians care an awful lot about. They care about their sport. When it
comes to sport, they particularly care about their community sporting clubs. People care about the basics of the
way that sport operates—that is, that you have a fair process, that you have a level playing field, that both teams
get the opportunity to compete on an equal basis. We can see that that is not what happened here with this
allocation of $250 million.

The information we haven't been given—the colour coded spreadsheet that the media have had for three weeks
but that Senator Colbeck says he hasn't quite had time to get together—lays out the Prime Minister's involvement;
it wasn't just Senator McKenzie and her office. It lays out that there were decisions being made as to where that
money would be spent, and it was going to favour the seats they wanted to win. We've asked for the legal advice
because it seems quite likely that the minister actually didn't even have legal authority to be able to approve these
grants. We've asked for the communications between the Minister for Sport and the offices of the Prime Minister
and the Deputy Prime Minister. Of course—surprise, surprise!—we haven't been given this information because
it's very clear that once this information comes out—and it will come out eventually—the trail will be there. It will be
very clear that this goes far beyond just Bridget McKenzie on her own, having the idea: 'Well, I might put a bit
of extra money and show a bit of favouritism to these few sports clubs.' No, this was a process that was cooked up
by the government as a whole to say, 'Let's use this $250 million as a fund to help buy us government.'

I say that this isn't going to go away, that they can't tough it out, because it is something that people care about.
It goes the heart of sport, which we all know is incredibly important to the Australian people. I live in Footscray,
in the electorate of Gellibrand, which up until now has been for pretty much the whole of its existence a safe
Labor seat. I can tell you that sports people and the community in the electorate of Gellibrand know that, being a
safe seat, they're sadly not going to get the same funding, the same largesse, as marginal seats. They've known it
all along. It leads to cynicism about politics. It leads to them wondering what's the point. It leads to the attitudes
leading to the record low levels of trust in our democracy. This revelation really just makes those people even
more cynical and even more tuned out of politics.

It is not the way it should be. Those sports clubs, whether they're in Footscray or Sunshine or Ardeer or St
Albans, should have the same chance as the sports clubs in the Prime Minister's electorate or the sports clubs in
the marginal seats the government is trying to win. You see this laid out, and they know that they haven't. It goes
to their sense that it's just not fair. It is just not sporting behaviour. They put in all the time supporting their clubs
which have dodgy sporting grounds, dodgy changing rooms and grounds that haven't seen an upgrade for 50
years. They put in all the time as volunteers, being there as umpires for the matches, taking the kids' uniforms
home and handing out the oranges at quarter time. Yet they are not treated the same. They know that they didn't
have a chance in these grant application rounds; the system was rigged against them from the start. They know
that that's not right.

Then there are other clubs in other safe electorates no-one is interested in, such as the electorate of Gippsland.
The Gippsland roller derby club has an incredible reputation in the community of supporting diversity in the
community, encouraging the lesbian, gay, bisexual and transgender community to be involved in sport, and they
are doing great work. They put in an application. Their application was judged by Sport Australia to get 97 out of 100, and yet they missed out on a grant. They were only asking for $40,000, yet we have half a million dollars given to sports clubs in order to buy those votes.

I can tell this government that it doesn't wash and that it has permeated outside the Canberra bubble. This is going to haunt them completely to the next election because the people who really care about our democracy, people who really care about whether they can trust that decisions are made in an accountable and transparent way, know that it is not acceptable. It really goes to the heart of what we want to see in government. When we ask questions about this, we hear the government say all the time that they reject the premise of the question. Well, I want to let this government know that, come the next election, we are going to reject the premise of this government.

The ACTING DEPUTY PRESIDENT (Senator Kitching): It being 10:50 am, the sitting of the Senate is suspended to enable senators to attend the Prime Minister's statement on Closing the Gap in the House of Representatives.

Sitting suspended from 10:50 to 12:05

Senator GREEN (Queensland) (12:05): Just to bring the parliament back after the suspension, we are talking today about the failure of the Morrison government to bring documents into the Senate following orders for the production of documents that were passed by the Senate. Minister Colbeck came in here and gave some lacklustre excuse, saying that he's refusing to release the colour coded spreadsheet. Does anyone really think that Minister Colbeck is going to turn up tomorrow and table this spreadsheet? I think it's very unlikely that that is going to happen. His excuse today was as wishy-washy and full of gobbledegook as some of the pathetic answers that we've heard in question time on this topic. Last week, when he was asked whether he'd seen the colour coded spreadsheet, he said he hadn't even seen it. Now he's refusing to bring it in. I really doubt that tomorrow, by 12 o'clock, the minister is going to bring the colour coded spreadsheet into the Senate. We'll give him the benefit of the doubt and that time. I will say it has been long enough. We know that this spreadsheet has been in existence. It is of crucial importance in the sports rorts saga to the public to know what information was held on that spreadsheet, who looked at it, who edited it, what clubs were rated with a certain score and how they were colour coded.

Let's not forget that when the minister found out that this spreadsheet did exist, when the ABC posted some of the information from the spreadsheet, the minister's first port of call—his first reaction to the existence of a spreadsheet such as this—was to issue a media release, essentially asking whether agencies had leaked the spreadsheet. He didn't seek to find the spreadsheet, to table it in parliament or to provide that information to the public so that we could really get to the bottom of the sports rorts saga. What he decided to do was attack the agencies, including the independent agency Sport Australia, who had given advice to the minister that this was a dodgy program to begin with. He started a witch-hunt. What a terrible response to finding out that there was a colour coded spreadsheet that showed that grants were decided not on merit but on whether they were in a marginal electorate.

Why has the Senate requested that this colour coded spreadsheet be presented? It's a very important document. I for one want to see all of the information that's contained in the document. But it's not just words that are contained in the document; it is the colour coding that is so important. Why is that? There's a reason the document wasn't in greyscale. It was colour coded for a reason. They were using this spreadsheet to decide how to give out grants based on whether the grant was for a marginal Liberal electorate or a marginal Nationals electorate. If it was colour coded red then they had to figure out a way to not make that grant. The spreadsheet, as I said, was colour coded for a reason. It was so colourful, so eye-catching, you could probably dress as this colour coded spreadsheet for Mardi Gras. I know it's coming up in a couple of weeks. I wouldn't be surprised if we saw a colour coded spreadsheet float walk down Oxford Street, because this thing was lit up. And we need to see the information that is in this spreadsheet, not walking down Oxford Street—although I would like to see that—but tabled in the Senate. The public deserves to know how the grants were assessed in the parallel process that the minister used to decide how grants would be given out. I know they won't release it—I wouldn't be surprised if they don't release it at all. I know Minister Colbeck has said that he is coming back to the Senate tomorrow to deal with this order for the production of documents, but we know that they're not going to release the document, because it is so damning. It shows the truth of how this process was conducted, and that is why they don't want to release it.

The other reason they don't want to release the document is that it would blow out of the water this notion that the sports rorts saga and the sports rorts saga 2 were all about helping women in sport. And, quite frankly, I want to see the spreadsheet because I am sick and tired of listening to the government coming in here and saying that
what they were doing was to help women in sport, that it was about getting women change rooms and making sure that more women can participate.

We know that this government is hiding behind supposed support for women's sport as a reason for political interference in this program and that it was meant to be merit based. We know that because not only have we seen sports rorts saga 2 come around—a program that you weren't even allowed to apply for that the Prime Minister called 'the female facilities and water safety stream of funding', which was $150 million, not $100 million, and Scott Morrison said that that funding would support the development of change room facilities for sporting grounds and community swimming facilities across Australia—but, when we looked at where that money actually went, less than 15 per cent of that funding went to female change rooms. At the same time, he pumped $120 million into pools not across Australia, as he promised to do, but in coalition-held electorates, including more than $100 million for marginal coalition-held electorates. So, pardon the pun, because there are a lot of pools involved, but this notion that they were out there to help women in sport doesn't hold water. It is actually insulting to women who play sport, who love sport, that senators from the other side are coming in here and using support for women in sport as a smokescreen and trying to hide behind this as a support mechanism. We know it's not true because we know that clubs that applied to have female change rooms missed out on funding. Clubs that were scored higher than other clubs should have received funding but didn't because they weren't in a targeted seat. When we go back to the colour-coded spreadsheet, we find out: 'Oh, they didn't have the right colour applied to their grant.'

It has been revealed that a specific club in regional Queensland, the Innisfail rugby league and netball club, actually had a grant knocked back by the colour-coded spreadsheet process. They submitted an application in 2018 for $295,000 to build female change rooms under the sports grants program. The application itself got a score of 76 out of 100—well within the recommendations that Sport Australia would have made to the minister. The vice president and chairman of the board of the Innisfail Brothers Leagues Club, Vince O'Brien, said he got really good feedback on the application and that it was extremely well done and rated highly—that's the feedback he got on the application to build these female change rooms in regional Queensland, in Innisfail, in a non-marginal seat. But then Mr O'Brien says: 'But then we got knocked back. Obviously, something happened that we are unaware of.' We know what happened: there was a parallel process conducted by the Minister for Sport at the time, Senator Bridget McKenzie, and other members of the government's campaign team. 'Obviously, something happened that we are unaware of.' Well, we would like to know how that happened to this club in regional Queensland and we would like to make sure that the documents that the Senate has asked for, which would provide some clarification for members of the community, like Mr O'Brien, are tabled in the Senate.

I will say this about women's sport: frankly, it is insulting to women who play sport that a government would try to hide behind them to get themselves out of this political scandal. Nobody has forgotten that this government cut funding to the ABC, which meant that coverage of both the W-League and the Women's National Basketball League ceased, ending 35 years of commitment to regular coverage of women's sports. I haven't forgotten about those cuts and the women who play sport haven't forgotten about those cuts. This week the Matildas, our national women's soccer team, the most-loved team in the country, are playing international qualifiers and we can't watch them on free-to-air TV.

To those opposite: don't come in here and decide that you're going to pin this political scandal on your supposed support for women's sport, because it doesn't hold water; it is splashing in the pools that you haven't even built in places like Corangamite. Nobody believes you. That's why you don't want to present these documents, because you know that, when they are tabled, they will make sure that people know that the reason you gave these grants out was to prop up your campaigns in marginal seats, and you'll have to go out to the women of Australia who play sport and explain to them why you used them as a scapegoat. I'm happy for you to go and have that conversation with them, because they already know your government's record on women in sport.

I want to go, finally, to the two other documents that the Senate has asked for: the Gaetjens report and the advice from the Attorney-General on legal authority. No-one can understand why the government won't release these reports, when they are seemingly so proud and so confident about what they say. They're so confident about the information in these reports yet they will not table them in parliament.

In the Prime Minister's press conference he said, in regard to the PM&C report:

While there may be differing views about the fairness of the process, the Minister used the discretion she was afforded accordingly. The Secretary concludes, 'I do not believe there is a basis for you to find that the Minister had breached standards in that respect.' He goes on to note that he did not find evidence that this process was unduly influenced by reference to marginal or targeted electorates.

That is an incredibly different statement from the Auditor-General's report, and, conveniently, one that gets the government out of a whole lot of trouble. To those opposite: if it's such an important report, if it clears the
government of unduly influencing the process by reference to marginal and targeted electorates, then why won't you table it? Why won't you bring it in here? Put the saga to bed. Tell the public what they want to know. Bring the information in here.

The other piece of advice that Minister Payne won't table is the legal advice from the Attorney-General. The Prime Minister said:

There was also a matter that was raised in relation to the legality of the action and decisions taken in the authority for the Minister. And I referred that matter to the Attorney-General … Having consulted with the AGS and in the preparation of this advice, he—

the Attorney-General—

considers that the Auditor-General's assumption arising out of his apparent interpretation of section 11 of the Australian Sports Commission Act is, as he notes with respect, not correct.

Again, it is very convenient that this advice is in complete contrast to the Auditor-General's report. It's very convenient and it's great for the government. It clears them again. But we can't see it; the public can't see it. They don't want to table it because they know that if we get our hands on that document we might get more information that we need to know about this sports rorts saga. We might finally find out why clubs in Innisfail missed out—clubs in regional Queensland that need jobs and depend on this government. We are going to find out why people in Innisfail missed out on female change rooms, and we're not going to like the answer. That's why they're not going to come and table the documents—because they have no transparency and no accountability to the Australian people.

Senator FARUQI (New South Wales) (12:20): I rise this morning to note this government's disturbing and frankly despicable attempts to avoid transparency and to shirk accountability. Trust amongst people in our democracy is at the lowest it has ever been. Democratic satisfaction has actually plummeted in the last decade from 86 per cent in 2007 to just 40 per cent in 2018. I can bet that if we asked the community right now how much they trust democracy in Australia, it would be in freefall thanks to this Liberal-National government. No amount of spin that Prime Minister Scott Morrison from marketing does will change that, because that is the reality. That is the truth, and that is absolutely shameful.

Rule No. 1 for the Liberals and Nationals in politics is that there are always more sports grants to rort. The community might be forgiven for thinking that $100 million in grants allocated to marginal seats with a colour-coded spreadsheet would be as bad as it would get. But of course it never is with this government; there's always worse to come. The next revelation was the rorting of the $150 million. That was money intended for women's sports programs that instead found its way to seats the government was desperate to hang onto.

In Port Macquarie, which used to be my home and is in my home state of New South Wales, the government were so desperate to pork barrel their way into an election win that they completely ignored the community and the local council and promised them $4.5 million for a pool that they did not want and which the government knew was never likely to be built. This is perfect material for shows like Utopia on ABC. It would be funny if it weren't this serious. Robbing communities of sports facilities and upgrades that they desperately need, and then using that public money to win elections frankly makes me cry rather than laugh.

All this government can do is this corruption of public money and covering up. They do not even have the guts to own up to what they have done and—maybe this is a very foreign concept to them—perhaps apologise for it and make up for it. Not this government. It should be an essential principle of our work here that communities and local councils should not be ignored in planning. It might sound like a cliche, but it is true that they are the voice of the community, they are the closest to the community. The fact that this government has done that shows that the Liberal-Nationals have an absolute contempt for the community.

This contempt doesn't just stop at sports rorts. There is a long history of rorting parliamentary entitlements, the rorting of grant announcement processes for political purposes, and the shameless rorting of public funds that subsidises the coal, gas and oil giants that are fuelling the climate crisis we are currently in. Even before the sports rorts scandal forced her resignation as minister, Senator McKenzie asked the Department of Health to fund a $165,000 study into her favourite hobby, shooting. She asked the Department of Health to divert funds from their important work in order to commission an entire report aimed at nothing other than making the case for recreational hunting and shooting. My order for the production of documents that this chamber passed last week requires the government to reveal her role in this waste of funds. It was due today, but obviously it's been delayed until tomorrow. We'll wait and to see if it ever comes to the table in this chamber.

Just as they're avoiding the release of the Gaetjens report, they are stalling over the handling of emails from Senator McKenzie that would show exactly her involvement in this report, and that is a complete disgrace. At the end of the day, though, it is not just Senator McKenzie who's involved in this. The buck really does stop with...
Prime Minister Scott Morrison. It is he who has to own up, front up and tell us all what he and his government have been up to, what he and his government are trying to cover up now. Nothing less will satisfy this chamber and nothing less will satisfy the community outside of this chamber.

The shameless Morrison government is rotten to its core. They are compromised right from the top down. That is why they run scared from a federal ICAC. That is why they hide behind secret reports. That is why they betray the public in rort after rort. We will keep holding Scott Morrison and his cronies to account. We will keep doing everything we can to kick the government out because that's what they deserve.

Senator STEELE-JOHN (Western Australia) (12:26): Let's be really clear about what is going on here. The Morrison government was caught red-handed engaging in nothing less than politically motivated robbery—robbery of community for political gain. They were caught by the independent processes which exist, thankfully, in some corners of our system. They were caught and exposed for the crooked, corrupt and irredeemably self-focused shambles that they are.

The Senate has requested that the government provide documentation in relation to this scandal, and the response of the government has been to treat this request with contempt. It is a contempt which is emblematic of an insidious culture which has infected our politics for decade after decade—a culture of entitlement, an idea that the major parties in this place are rightfully empowered to use public funds for their political purposes if the polls are getting a bit tight. Let's be really clear: this is not something that the Labor Party is free of. In the year before I was born, 1993, the Keating government was caught doing exactly the same thing. This sense of entitlement that the major parties have about using public funds for their own purposes is bipartisan.

Minister McKenzie may well have been forced to resign, but the resignation of one minister is not a cure-all for a deeply ingrained cultural problem. You cannot cure culture by scapegoating. The only cure for this type of misuse of public funds is the implementation of a federal anticorruption commission, the very policy proposal that the Greens here, on behalf of the community, have been advocating for more than a decade. For more than a decade, we have been in here arguing for it; and, for more than a decade, the major parties pushed back on that and did everything they could to protect their mates, to protect their donors, to protect the revolving door between this place and the private sector that guarantees so many that serve in here a job in one firm or another, in one consultancy or another, when their time in this place comes to an end. This closed shop of corruption, this mutually supportive pact that has existed in this place for so long, is exactly why the Australian people regard this parliament as a space in which their hopes, dreams and aspirations, the diversity of their communities, their desires for the future come to die, come to be ground into a million pieces by the political pacts of the major parties to put their own self-interest ahead of the needs of the Australian community, ahead of the needs of people and planet.

Many of us in here have been shocked by the naked disregard for accountability that has been shown by the Morrison government here today. But many of the community are not shocked; they didn't expect anything less. I mean, this is a government which has taken to colour-coding corruption. This is a government which has taken to investigating itself in the face of independent inquiry and proving itself to be innocent. This is a government led by a man whom the Australian people know to be devoid of any particular moral compass or sense of duty; these things were long ago sold off by the Morrison government to the highest corporate bidder. Sadly, people now also expect to see the Labor Party follow along meekly behind the government, piping up here and piping up there but never really rocking the boat, because they are still having 'a bit of a sad' about losing the election.

There is a feeling, unfortunately, of dark comedy about this particular spectacle. There's been a lot of hot air displayed in this chamber this afternoon; there'll be a lot of hot air displayed tomorrow. The red side of the chamber will accuse the blue side of the chamber of being absolutely unfit to govern the country—'Oh my God, we should have an election now!'—and on and on and on it will go. And we'll come back here in 10 years and the same thing will happen again—unless we change the culture, unless we put the fear of God into the major political parties in this place. There is one way to do that: threaten their ability to be re-elected. We need an anticorruption commission at the federal level, empowered to hold both sides to account and to leave no stone unturned. We need a federal anticorruption commission. We need reforms to donations. We need an ending of that revolving door, with penalties at such a severe level that you would be ejected from this place. And then watch how quickly this shit will stop happening!

Senator Payne: Madam Acting Deputy President, that's not appropriate language for the chamber. I suggest the senator should withdraw.

Senator STEELE-JOHN: I withdraw and substitute 'stuff'.

The ACTING DEPUTY PRESIDENT (Senator Carol Brown): The Senator has withdrawn. Senator Steele-John, Please proceed.
Senator STEELE-JOHN: Thank you, Madam Acting Deputy President. The reality is that this cycle of pageantry will continue until we end the culture.

Again I remind this place that no one of you—Liberal and Labor alike—is free of similar situations. We could have a very long conversation in this place about the New South Wales Labor Party. We could have a very long conversation in this place about the Tasmanian Liberal Party. We could have conversation after conversation about scandal after scandal that has pervaded both sides of politics for decades. That is not what the Australian people want. The Australian people want to see this circus end. They are sick to death of seeing their money misused in this way, and they are also sick to death of us using these moments to re-enact this pantomime.

As we talk about what it means for the National Party, what it means for Senator McKenzie and what the implications might be for the future of Barnaby Joyce in the other place, what is forgotten? What is forgotten is that the impact of this corruption on people ruins lives and harms communities. There are a number of projects that in the course of the past few weeks have come to light where disabled people applied to this government for modifications to their community, including their sporting clubs, to enable them to participate in community. Because they lived in safe National seats, seats that the coalition didn't think they needed to win at the next federal election, they were overlooked. There are communities now—I'm thinking particularly of Horsham—who were overlooked for desperately needed modifications and improvements to their community, because that seat was not in contention. That is a disgrace.

I know what it is like to not be able to access a local community pool. I know what it is like to look out at kids on sporting fields and know that you can't participate. It breaks your heart. To hear that situations like that have been continued because Morrison and his mates were getting together—the Prime Minister and the Nationals were getting together—and planning how to spend $250 million to win themselves an election to scrape back into power—is revolting. That is why the Australian people are revolted with this government, and that is why they are so urgently demanding an anticorruption commission to clean this up and make sure that it never happens again. I thank the chamber for its time.

Senator GALLAGHER (Australian Capital Territory—Manager of Opposition Business in the Senate) (12:37): I rise to make a few comments. I'm conscious that senators' statements start at a quarter to one, so I will keep my comments rather brief, but I want to lend support to my colleagues' contributions this morning in pushing back against the government's lack of transparency and accountability in this chamber. We've seen this week numerous attempts, through orders for the production of documents, where reasonable requests have been made for the government to table information that would assist the Senate to perform its job as the chamber of review, the chamber with powers to inquire into matters. To fulfill that obligation or that responsibility that we have to the Australian people, we have forms available to us in this chamber should we get a majority of votes, which we were able to do on, I think, more than six occasions this week, where motions were moved by different non-government senators to request information that would help the Senate perform its role as the chamber of review. In each one of those, we've had the minister come into this place and essentially provide no further information and hide behind some pretty spurious cabinet-in-confidence claims or public interest immunity claims to withhold documents from this place.

These documents are critical to the ability of the Senate and senators to perform their duties. We are not seeking deliberations of cabinet and we do not seek unreasonable access to any other information around the sports grants administration or thereof. What we want, in particular—apart from key documents that are raised in the Auditor-General's report, which have been refused and held back—is, importantly, a report from the head of the Public Service which essentially contradicts, or certainly undermines, the report that was provided by the Auditor-General.

And we don't actually know that the report said that. We know only what the Prime Minister has said in his public comments—that the head of PM&C, Mr Gaetjens, did not have similar findings to the Auditor-General and that he didn't see any inappropriateness in the allocation of grants. Well, that is a fundamental disagreement with the independent Auditor-General, who had undertaken, I think, probably a much more extensive inquiry and review into this matter. So we have two reports: one from the independent Auditor-General, saying one thing, and quotes from the Prime Minister about a report which disagrees with the Auditor-General.

There is a huge amount of public interest in this matter. It has been a story which has been covered widely for over two months now. To get to the bottom of it, that report needs to be released. There are no reasonable grounds to withhold that document from the Senate. The Senate needs to assert its role here, the role it plays within the federal parliament and also in our democracy, and that is in how this chamber was set up. It's not often a majority chamber. Often, the government of the day will have to work with non-government senators in order to progress its agenda. There is a range of negotiations, agreements and concessions that have to be part of the mix in this chamber.
But the Senate cannot be taken for granted. It is not a majority chamber and you cannot run it like the House of Representatives, where—apart from electing Deputy Speakers and other close votes, it seems—the government does have majority control and can act in a way that disregards the influence of other members of that chamber. Well, this chamber doesn't work like that. This chamber works in a different way. It was established to play a different role. Based on the way that this government is treating orders for production of documents, based on the way that it treats senators at estimates—taking things on notice, not providing documents and making public interest immunity claims—and based on the way it treats questions on notice in the same way, saying, 'It will take too many resources to actually answer that question,' it is showing a continuing pattern of a lack of accountability and transparency. And non-government senators are sick of it.

That's how we got ourselves into this position today. Again, it's another day where we're taking note of more ministers coming in and providing no answers to the orders for production of documents. And this is how we've got ourselves to a motion that we'll be dealing with later today. This is the Senate pushing back. It's a message to the Morrison government that it has to work with people, it shouldn't be arrogant and it needs to uphold proper conventions and past practice in this chamber, and that accountability, transparency and honesty matter. Honesty matters to the Australian people and it matters to us in this place, and we will pursue it. We will not just be disregarded in the way that government senators have been treating non-government senators in response to reasonable requests for information.

The Senate will be here for the long run, much beyond when all of us in this place are here. We must protect the power and ability of the Senate to stand up and at times curtail the excesses of executive government, because that is our job here. I wish we were on the government benches, and I know that when we are we will be charged with similar responsibilities in terms of respect for this chamber and working with non-government senators to progress our agenda. I get that. This is not overreach. This is us sending a message that what happens here matters, that the conventions in this place matter and that we need to stand up. Essentially, we have watched the arrogance of this Prime Minister grow over the last seven months or so, with him believing he is untouchable and unreachable and that what he says goes. Well, that might work at times over in the other place and it might work at times in the party room—although we've seen different accounts and reports of that in the last few days—but this place works differently.

I recognise that senators are waiting to make statements, so I will finish on that note.

Question agreed to.

STATEMENTS BY SENATORS

Australian Federation

Senator RENNICK (Queensland) (12:45): Accountability is the bedrock of democracy. Accountability only operates effectively, however, when government roles and responsibilities are clearly defined. Even Australians with little or no interest in the wider political debate are beginning to see that our federation is failing, with a complete lack of accountability due to an endless blame game between state and federal governments, especially when it comes to funding. Australians are not ideologically invested in a debate as to which level of government does what. They do not care who builds roads, teaches their children or defends the nation. They just expect it to be done and done well. In my maiden speech, I said:

Of all the issues faced by Australia, few are more damaging to our country than the fiscal imbalance and ambiguous responsibilities between state and federal governments.

Having been a senator now for more than six months and having witnessed the inability of well-meaning state governments to handle the national crisis in the recent bushfires has only strengthened my conviction on this matter. No-one wants any mistakes or management fails during a critical bushfire season. These issues are above politics, yet constitutional issues continue to place additional and unwanted pressure on our operational response and recovery. This is no doubt in part due to unresolved issues when coordinating agencies and services between different tiers of government. This dysfunction isn't confined only to how we deal with bushfires and other natural disasters; it impacts almost all government responsibilities—federal, state and local.

Acknowledging the problem and offering a solution are two different things. The issue must be brought to a head and action must be taken. I called for a constitutional convention on the matter in my maiden speech. While I am a realist in acknowledging this may not take place without sufficient consultation and build-up, reopening the federation white paper instigated by the Abbott government would be a good start. It outlines several fundamental dysfunctions in the Australian federation that need to be addressed, including insufficient state autonomy, Commonwealth incursion into state areas of responsibility, vertical fiscal imbalance and wastage at all levels. In my opinion, there are two key areas that must be addressed to fix our federation. These are: clearly delineating responsibilities for service delivery between state and federal governments and the imperative need to address
vertical fiscal imbalance. National partnership agreements, which help bandaid over the issue of the states’ financial woes, only serve to undermine accountability.

The federal government does not operate a single hospital in my home state of Queensland, yet it is attacked by the state government over hospital funding matters when it has very little control or oversight. This story is repeated across almost every portfolio. Whenever a state government fails to deliver, it points the finger at the federal government and asks for more money. The ability to divert responsibility to the federal government for many health and education outcomes is making state administrations rigid and unresponsive. Together with policing, these are core areas of clear constitutional responsibility for state governments, and they should rightly own both the successes and the failures. The fractured nature of the current federal system only makes Australians the losers, as it allows ever-cash-strapped state governments not to take responsibility for their failures.

Another perverse consequence is that revenue-starved state governments are forced to levy inefficient and destructive taxes simply to maintain adequate revenue. There is a broad consensus that payroll tax and other inefficient state taxes are punitive and economically destructive. Despite this, there is no genuine will or even fiscal ability to abolish them given how relatively impoverished state governments would be without them.

As a former accountant, tax reform is something I’m particularly passionate about and will continue to campaign for. I am not ideologically married to any approach to government; I am interested in efficient management and the delivery of essential services for all Australians. As a means of ending the duplication of responsibilities and service delivery, and also as a means of fiscal equalisation, I believe that the state and territory governments should take complete control of school education, with responsibility for health and tertiary education, including vocational training, to be transferred to the federal government. This is a clear delineation of responsibilities and represents the drawing of a line in the sand.

In order for a market to be competitive, it must have elasticity of choice. This is not the case with health. If I’m bitten by a snake in regional Queensland, I am not going to be calling hospitals interstate, waiting on the line, listening to 'Spanish Flea', looking for the cheapest price. I want to get to the nearest hospital as soon as possible. In the 2019 financial year, virtually all state government expenditure on education was on school based education. In the same financial year, the federal government provided approximately $20 billion in national partnership agreements to assist school funding for the states. To transfer responsibility for all school education to the state governments would be of substantial benefit for competition between states and for accountability. The federal government already administers Medicare, aged care, NDIS, private health insurance and the PBS, so why not directly administer all health services?

These changes in responsibility for the provision of health and education services would translate into an approximate net $45 billion in new liabilities for the federal government while at the same time delivering an equally large windfall to the states. This net windfall could be used to fund the abolition of payroll tax, an economically destructive tax which inhibits employment growth and business development. To help the federal government shortfall, it could make the sensible economic decision to reintroduce the small 1.5 per cent stamp duty on share trades. Even assuming a 20 per cent decrease in trade volume, this would raise around $20 billion a year. As a further bonus, this measure would act as a disincentive to high-frequency and short-term trading, which is for the most part highly speculative and little more than a manipulation of prices rather than investing in the traditional sense.

Australia must return to the principles of competitive federalism in areas where competition makes us stronger. Education is one area where our regional differences will make us stronger. States—more accurately, local communities—know more about their local school needs than an ideological bureaucrat sitting thousands of kilometres away in Canberra. Giving to the states complete responsibility for all school education will encourage greater accountability while ensuring that regional priorities are preserved.

Water and energy are two other areas in desperate need of reform. In particular, the responsibility for the provision of these services needs to be clarified. Originally, these were state government responsibilities, and it is my view that they should remain that way. The federal government can assist states in funding the critical infrastructure to provide these essential services via the creation of an infrastructure bank funded via infrastructure bonds. These reforms will see the federal government end up with an estimated $18 billion shortfall. A net windfall of approximately $18 billion will flow to the states and will, hopefully, provide the necessary incentive to get them on board.

Increased revenue from productivity gains and job growth boosted by the abolition of payroll tax, enhanced economies of scale in terms of medical inventory and greater public service efficiencies brought by removing eight state and territory health bureaucracies would give the government ample opportunity to recover its estimated $18 billion shortfall. Regardless of my personal views on where certain responsibilities should
ultimately fall, I will continue to push for greater accountability and the reform of our federation. Without meaningful reform, governments at all levels and Australia's high standard of living will suffer.

**Banking and Financial Services**

**Senator O'NEILL** (New South Wales) (12:55): The Parliamentary Joint Committee on Corporations and Financial Services is currently inquiring into the regulation of auditing. I thank the Senate for sanctioning this inquiry but I'm concerned that, despite the seriousness of matters it has uncovered, there is much more work that needs to be done in the interest of Australians who use the financial services of this nation or have superannuation invested in the outcomes of those entities. And I'm concerned that some senators and members are trying to shut down this inquiry.

Much of the material I will put on the record today is exclusively related to the auditor Ernst & Young. I do so because currently there is more public knowledge available about EY than other auditing entities. The evidence we received from EY during the inquiry centred on the approach and quality of a risk management review it performed for the National Australia Bank, an external audit client. They did this under APRA's Prudential Standard CPS 220. Notwithstanding how EY classified the CPS 220 review, EY asserted that it satisfied APRA's operationally independent criteria, regardless of the fact they have been NAB's auditor for 13 years, have a deep knowledge and understanding of NAB operations and are paid over $20 million a year to perform the external audit. We learned that EY adopted what they call a no-surprises approach involving extensive consultation on drafts with NAB executives over several weeks—and, by the way, we know now that EY didn't afford Westpac the same cozy arrangement. EY has denied that it watered down the final report despite the fact that a great proportion of the report failed to reflect serious shortcomings, risks and issues that were documented in EY's own record of interview with NAB executives as well as in its own issues and observations log.

When EY was confronted about the matter during a hearing in Melbourne in December last year, EY provided a perfectly curated and nuanced response in its defence by effectively underlining the probity value of its own working papers used to inform the final report. EY also attempted to downplay the probity value of its own issues and observations log. EY's refusal to respond to and comply with information requests in the form of questions on notice from the committee on the basis they are not related to a statutory audit and are not relevant to the terms of reference highlight that EY and government members and senators continue to assert a misrepresentation that the inquiry exclusively focuses on statutory audit. In fact, the terms of reference are clearly much broader and include 'the relationship between auditing and consulting services and potential conflicts of interests', 'other potential conflicts of interests' and 'any related matter'.

As an example on the matter of conflicts of interest, it's been reported that EY pursued the renewal of its role on ANZ's internal audit panel for a further three years. It's also reported that EY's proposal to ANZ acknowledged the significant amount of work that it performs across ANZ—in particular in the area of cybersecurity. It acknowledges the conflicts associated with EY sitting on the panel, given the real risk of EY revealing its own work, but it still advanced the proposal to do the work.

In addition, I've recently been made aware that EY officers on the internal audit team may not realise that they're reviewing EY's own work which has been implemented across ANZ. Much of the work being done by EY is not branded as EY work. For example, where documents or templates are branded 'ANZ' or not branded at all, it follows then that the layers of EY officers have no idea where they performed work across ANZ previously. This entirely compromises professional standards and the core requirement of independence that is so vital to performing a quality internal audit that supports ANZ's own three lines of risk defence model and the mandate of its own board audit committee.

Furthermore, when they are not embedded in ANZ premises, inadvertently and unknowingly using and internally auditing a colleague's work, it's foolhardy to believe that so-called Chinese walls at the offices of EY are effective. It has come to my knowledge from a range of sources that there are significant risks associated with EY's own workplace arrangements, including the fact that the assurance team—including external audit—and the advisory team occupy the same floor in EY's Melbourne office. It's not known to any external body if that situation is replicated across the entire company or indeed the sector. There is no regulation about this; there is only the articulation of policies which are not subject to inspection, report or disciplinary action.

EY has a hot-desking arrangement with no physical or logical segregation of duties, allowing officers and partners to roam freely between and across floors, thus increasing the risk of insider trading through interactions with the transaction services team. There are meeting rooms that are not soundproof and conversations that can clearly be overheard. Partners move between audit and assurance engagements freely, in and out of work environments. Failures of this type, culturally, make a mockery of the consultancy businesses of EY and activities where it gets paid to advise clients on the risk controls that they should take.
I also have serious concerns about the lack of understanding the public has and the lack of access to information about the nature and risks associated with the use of managed services by major corporate entities. Going back to our EY case study: large-scale managed services such as the cybersecurity management services that EY provides to ANZ, CBA and IAG are worth tens of millions of dollars a year in fees. I understand that this is a growing part of the EY business. The more banks and other large corporate entities embed audit company consultants on a managed service basis, the more boards are at risk of being unable to have oversight of the activities for which they are accountable by virtue of their sheer size. Do the corporate boards who materially rely on audit company consultants to deliver outsourced work vital to the bank and its customers, let alone its own shareholders, know the answer to the following questions—this is for ANZ, CBA and IAG board members and the CEOs? Do they know to what extent EY relies on external third parties, whether onshore or offshore, and the cross-border issues associated with access, transmittal and storage of client data, and whether EY is classified as a material outsourced provider within the APRA Prudential Standard CPS 231? If so, do they comply with the standards for outsourcing, which would require ongoing performance reviews, and surveillance and monitoring of EY performance, given the serious risk to the stability and integrity of Australia’s financial system and the supply chain if it fails, or does it escape these requirements by flying under the radar? Does the board know what controls EY has implemented to ensure it doesn’t fail, bearing in mind the attrition rate for its advisory practices has reportedly been as high as 30 per cent? Does the board know how EY and other service providers would exit from a managed service without it causing disruption, given the material reliance the client—ANZ, CBA and IAG—would have on EY providing the services?

I’m advised that clients who subscribe to cybersecurity management services typically do so in place of developing their own internal capability. This allows them to hide resource numbers from the annual reports, potentially appeasing analysts and buoying the share price. This lack of transparency prevents investors from being fully informed of the true effort and investment required to sustain vital back-of-house services, and of course outsourcing does not allow the shareholders adequate detailed access to data about the risk profile of the operations. To the best of my knowledge, there is no register to enable interested investors or superannuation companies investing for millions of Australians to see who EY have acquired, or plan to acquire, and whether this has led or will lead to a substantial lessening of competition.

There is so much more that needs to be said. I’ve cut short my remarks today to comply with the time constraints, but, in doing so, I remind those listening and the Senate that EY is just one of the four major companies that are vital in providing auditing services and a range of other services to entities in our corporate structure across the country.

There is plenty more to be said, much of it, sadly, coming from people who are despairing at the collapse in standards around auditing, people who are too frightened to go to ASIC even to blow the whistle, for fear of retribution. I will not let this rest. I urge the Senate to give serious consideration to my motion this afternoon for an extension of the date for this inquiry to continue its important work.

**Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability**

*Senator STEELE-JOHN (Western Australia) (13:05):* Disabled people should be able to live free from violence, free from abuse and free from exploitation and neglect, with the access and supports that we need to live a good life. This is not a radical proposition. However, there is a radical gap between this aspiration and the day-to-day experiences of disabled people across the country. For decades it has been the case that the reality of the lived experience of disability has been shut out of this place or pushed to the bottom of the pile of its agenda, perhaps—sadly, often—in favour of the agenda of corporate donors to both sides of this place.

In this country a disabled person is two times as likely to experience violence and four times as likely to experience psychological distress. We have significantly poorer health outcomes and we die much younger, often from preventable causes. For decades we have been hidden away in institutions and in group homes out of sight and out of mind. Token gestures of access and inclusion have been introduced throughout community spaces both in this parliament and far, far beyond. We have seen more significant reforms, reforms like the NDIS, thanks to the continual tireless advocacy of disabled people and our families. But the reality—the hard, indisputable, often disturbing truth—is that disabled people still face many barriers in our community today and often struggle against horrendous forms of discrimination. This discrimination bleeds throughout our entire community. This corrosive ableist thought that a disabled person is lesser, that a disabled person is to be ignored, that a disabled person’s voice is to be disregarded and that their rights are considered to be optional—these thought processes and the policies that they have supported, empowered and seen put into place—have shaped our lives. They have often been the shadows in which we have struggled.

Against this backdrop, there grew a deep desire for justice, for freedom from oppression, persecution and discrimination, and that desire for justice, that need to be heard, culminated in the campaign for a royal
commission into the violence, abuse, neglect and exploitation of disabled people in this country, a campaign that lasted for the best part of 10 years. I'm very proud to say that the Greens were intimately involved with that campaign. I'm very proud to say that its terms of reference were a direct result of the Senate inquiry work done by Senator Rachel Siewert. I am extraordinarily proud to say that our role in this place enabled disabled people to enter this place; to sit in the galleries; to sit on the chamber floor; to demand the justice, the process and the space; to talk of our experiences; to share our stories; and to be supported to call out and to name those individuals and institutions that have been so intimately involved in our oppression, and who have profited so egregiously from the harms we have come to.

Next week, this royal commission will hold the first hearings of 2020 in New South Wales. For a two-week period it will focus upon the experience of disabled people within the healthcare system, with a particular focus on disabled folks with intellectual and cognitive disability. We disabled people know that this particular intersection in this setting is the scene of horrendous abuses and failures in our system. I want to put to the chamber really clearly, and upon the record, some of the statistics that form the context of our experience with the healthcare system—particularly the experience of folks with intellectual and cognitive disability.

Two and a half times is the level of health problems that are experienced by this part of our community—$2.5$ times the proportion of the general community. As many as half of all the deaths of people with intellectual disability are avoidable, compared with only $17$ per cent of the general population. People with intellectual disability die at $27$ years younger than the rest of the population—$27$ years! That's in modern-day Australia. Significantly, they journey with higher rates of psychiatric disorder, are underdiagnosed for acute and chronic health conditions and are regarded as being highly underrepresented in relation to effective consultations with general practitioners over preventable health issues. And on and on it goes.

The reality is that intellectually disabled folks are disregarded when it comes to their health care. Their voices are often found to be put aside when they enter an emergency department room. Their symptoms, if they express them, are often put down to something in relation to their disability and so they go unaddressed. Therefore, they develop into something more serious and therefore lives are lost.

Over this two-week period, the commission will delve deeply. I hope, into these issues and look hard truths in the face. It will confront without flinching the reality that we do not train our medical professionals adequately to work with intellectually disabled folk or disabled people generally in terms of our health care. It will confront, I hope, without flinching the systemic discrimination that does exist within some elements of the medical community. And it will confront without flinching the reality that we are failing people, that folk are dying and they should not. There are families, partners, mums, dads, brothers and sisters who are currently grieving and who would not bear that heavy burden or be looking for a way to fill that ever-present hole in the day had the medical community and the community at large listened to the voices of disabled people and found ways to make sure that we are heard when we interact with the health system.

I hope that they will do these things in the name of all who have been lost and of all the grief that has been caused; that out of this process of hearing we come to a new understanding of the challenges that intellectually and cognitively disabled folks experience, and that we recommit to listening with authenticity and acting when we are called to do so. I thank the chamber for its time.

**Australian Broadcasting Corporation**

**Senator McGrath (Queensland—Deputy Government Whip in the Senate) (13:14):** What do you call a quiet Australian at the ABC? Lonely—very lonely. I wanted to open with a joke, because I read one on Monday. The joke went like this: the ABC, funded by taxpayers, runs out of money this year and every year—no matter how much and no matter how little—so they keep asking for more. It isn't particularly funny, is it? That's because it is no laughing matter. The ABC has a spending problem, not a revenue one. Actually, perhaps it has both. After all, it is funded by the taxpayers.

But, before I turn to ways the ABC could reduce spending and increase revenue, I want to briefly reflect on its role during the recent weather events. I acknowledge the role of the ABC over this period. This is what the ABC should do: report and provide factual information about events such as national disasters, with journalistic independence. The ABC exists to broadcast across the nation, including—probably especially—in rural and regional areas. That's why it's called the national broadcaster. But too many people I know no longer see the ABC as the national broadcaster. They see it as the un-Australian broadcaster.

Instead of the ABC continuing its good work, the ABC has already changed its focus from journalism to lobbying. It's a joke, and no-one is laughing. So I have some free advice for the Chair of the ABC, Ms Buttrose, and I won't even charge Ms Buttrose and the ABC for it. I won't even charge them and then try to charge them some more because I didn't think I'd charged them enough already. Ms Buttrose, it's been briefed out that you're
going to meet the Prime Minister. Before you meet with the Prime Minister, before you put the cart before the horse, you should look at ways to reduce spending and increase revenue. You could look at the ways the ABC could live within its means and perhaps adopt my three-point plan to save the ABC—to save the ABC from itself.

First, you could tell the Prime Minister you would like a wide-ranging independent review of the ABC, including of its charter and act. The last time there was a serious review of the charter and the act was before the fall of the Berlin Wall. So, like President Reagan standing in front of the Brandenburg Gate saying to the East Germans and the Soviets, 'Tear down this wall,' Ms Buttrose, I would like you to say to the Prime Minister: 'Review this charter. Please have this charter reviewed.' You should tell the Prime Minister you would like to look at new ways of funding the ABC to lessen the burden on taxpayers, because you are funded by the taxpayers of Australia. You already have ABC ads on the ABC. Why can't you have commercial ads on the ABC as a way of funding the national broadcaster?

Secondly, you could look at reducing the ABC’s property portfolio, something I have previously spoken about in this chamber. The ABC's headquarters in Brisbane, Sydney and Melbourne are valued at around half a billion dollars. It's half a billion dollars for three offices in Sydney, Melbourne and Brisbane. They account for 81 per cent of the entire ABC property portfolio. Sell them off. Move the ABC to the suburbs or the regions. Get it out of the inner city. The BBC shifted a lot of its operations from London to Salford, near Manchester, so there is a precedent that has been set. Answers to questions asked by me in estimates confirmed that, funny enough, the ABC property portfolio is already under review and staff at the ABC were notified of this review back in October 2019. There hasn't been a word or a whisper since. Perhaps the ABC are still coming to terms with the fact that they're a national broadcaster and not a property developer.

Ms Buttrose, the third point of my plan to reform the ABC is that you could advise the Prime Minister that all appointments at the ABC should be open and transparent. If you have time, perhaps you could discuss with the Prime Minister how the ABC might be able to reduce its $20 million travel budget.

These are just a few ideas. They aren't radical, they aren't unachievable; they're actually very reasonable and very achievable. The ABC must show how it can manage its existing budget before asking for a bigger one. Remember: its existing budget is over $1.1 billion—$1.1 billion of taxpayers’ money. The ABC needs to be better, must be better, because if it isn't it will no longer be taken seriously; it will become nothing more than a joke, and Australians won't be amused.

Child Safety

Senator MARIELLE SMITH (South Australia) (13:20): I rise today to speak about an issue which keeps me up at night: the safety of our kids. Any parent knows the anxiety of keeping their child safe from harm. In the early years it often centres on safe sleeping, the risk of terrible tragedies like SIDS. In the toddler years, new risks emerge for our children. Kids are running around; they're at risk of falls and tumbles. They're grabbing things, exploring things and experimenting with the world around them. Most toddlers, if they're anything like mine, are putting anything and everything into their little mouths. One of my biggest fears as a parent is that one day one of the things my toddler will put into his mouth is a button battery, because these batteries are absolutely everywhere—in television remotes, watches, kitchen scales, hearing aids, pocket computers and security tokens. They're in many torches and in laser pointers. Increasingly, many toys also use button batteries to power the lights and sounds that make them interactive and attention-grabbing for little children. Books which sing nursery rhymes are just one example currently in my own home, and novelty birthday cards are another.

These batteries are everywhere, and they seem, almost by design, to appeal to curious little minds and grabby little fingers. They are small, round, shiny, silver. They look like a toy. They look edible; they look like something a child would want to put into their mouth. And every week in Australia 20 children are picking up these shiny little batteries and ingesting them. We know that statistic because 20 children are admitted to emergency departments across Australia every week for that very reason. That's because when a button battery is swallowed it can do serious, potentially deadly damage to the child who swallowed it.

There are broadly two types of button batteries on the market: coin cells, which typically use lithium chemistry; and button cells, which typically use alkaline chemistry. While the chemistry of each of these processes is slightly different, risks exist with both. The way button batteries work means that saliva or other internal fluids generate a chemical reaction, known as hydrolysis, that releases a strong alkaline and is highly corrosive. It can burn through tissue. Any battery with over 1.23 volts can cause hydrolysis. This means that even flat batteries have the potential to pose a serious risk to children who ingest them. For instance, a flat three-volt battery would generally still have greater than 1.23 volts of residual charge when it has ceased operating effectively. So it's not just operational batteries or full batteries that present a risk to children; even flat batteries should be handled with the greatest of care.
Swallowed batteries damage a child's oesophagus and can also damage the trachea. Even after the battery has passed through part of the body, the chemicals from the circuit can remain and continue to cause damage. Symptoms are not always immediately obvious. There may be difficulty breathing for the child, they may seem generally unwell, but they might also start coughing up or vomiting blood. These symptoms can be treated and the battery removed, but often young children are unable to communicate to their parents or carers what is wrong or even to make the connection between feeling unwell, being unwell and the fact that they've swallowed a battery.

In worst-case scenarios, swallowing button batteries can lead to death, and in recent years it has in Australia. Two Australian children have died from swallowing these batteries, and we know that at least 64 children worldwide have too. That is why the only sure way to keep children safe from button batteries is to stop them being exposed to them. The only way is to stop these batteries getting into little hands and little mouths.

At present in Australia, our laws are failing to keep children safe from button batteries. That's because our laws only require that toys specifically designed for children under the age of three be safe. They say nothing about the endless array of products that contain button batteries and often fall into children's hands. That is where the problem lies. Instead, the safety of these products, these household items that I listed earlier, is covered by a voluntary industry code. Let us be absolutely clear: this voluntary code is not working. The ACCC has found that the code has yet to deliver a meaningful decrease in the rate of button battery exposures, and a high level of unsafe button battery products remain on the Australian market. Kids are still being admitted to hospital. Kids are still not safe.

The time for delay on this issue is beyond over. The government has known for years and years the risks that these batteries and the products containing them present to children. They have known the risks associated with button batteries because they have been told over and over again by industry, by NGOs and, sadly, dreadfully, by coroners. But nothing real, nothing meaningful, nothing quick is happening. They have sat on their hands while the safety of our children remains at risk. That is why I moved a motion yesterday in the Senate, calling on the government to implement a mandatory code to protect children from being exposed to potentially deadly button batteries. What I got in response were excuses for further delay—excuse and delay, excuses as to why action which could and should be taken immediately has been put off until who knows when. The time for excuses is over, the time for delay is over and the time for action is now. I am calling on the government to immediately move to make sure that button battery products in the Australian market are safe, to mandate the voluntary code and to do everything in their legislative and regulatory power to protect children from button battery harm. This issue keeps me, as a parent and as a senator, awake at night because the government can actually do something about it. It is within their regulatory powers. If we regulate this issue, we could keep children safer. Regulating this issue would keep kids out of hospital and out of harm's way.

Every single parent knows that their most important job in life is keeping their child safe. They know this because thinking about safety consumes an enormous amount of parents' mental load. When there is something we can do in this place to make the job of keeping kids safer that bit easier, surely we all have a responsibility to act. We know button batteries are a serious danger to young children. We all know this because coronial inquests have told us this and the ACCC has told us this. Parents across the nation who have watched their children be admitted to hospital and who have watched their children die because of ingesting button batteries have told us this.

If the government can't act immediately on this basic issue of child safety—this issue which I stress is within their control to regulate, to act on and to move on immediately—then what is the point of them? If they can't do this one thing which would keep our kids safe from this serious, serious harm, and if they can't see how urgent and critical it is that we see action immediately, without further delay, without kicking it down the road, then they must be so out of touch with the parents of young children who live this fear and are concerned about it. These parents are telling me every single day that they're worried about these products. The experts are telling us they're worried about these products.

Every single parent just wants to see their child safe. With regulatory change, we can keep them safe. So I implore the government, I urge the government: take action now, don't delay this. We don't need to delay this. We know what we can do. We know what is within the regulatory and legislative power of this government to get these unsafe products fixed, to make them safer, to keep these batteries contained, to keep them out of little hands and little mouths, to keep them away from children. They are not only at risk of being hospitalised. They are not only at risk of dreadful, serious industry. They are at risk of death. We can change this. It's a regulation. It's a legislation change within our grasp. I urge you to do it now.
Education

Gender and Sexual Orientation

Senator HANSON (Queensland) (13:30): The government is well aware that children are being indoctrinated through the curriculum and by teachers, yet it chooses to do nothing. This leads One Nation to draw attention to the problem and to offer a solution. It's the reason I introduced the Australian Education Legislation Amendment (Prohibiting the Indoctrination of Children) Bill 2020 earlier this week. In some areas, our children are being taught to accept ideas that are either unproven, such as gender fluidity, or debatable, such as catastrophic man-made climate change. Australian 15-year-olds are falling behind their counterparts in global tests of literacy and numeracy. The curriculum is overcrowded. I want our schools to focus on the basics so our children don't leave school with skill levels three years behind their global counterparts.

The authority responsible for developing the curriculum needs a shake-up. Under my proposal, they will be obliged to be balanced in their presentation of political, historical and scientific teaching material. Under my proposal, parents will have legal rights to challenge inaccurate and biased teachings in the courts and to have their views taken into account at school. The education system is in desperate need of accountability.

Every day, Australian children are indoctrinated to believe catastrophic human-made climate change alarmism. They are taught that near-surface temperatures have increased in recent decades; but there is no examination of colonial state records between 1855 and 1910, which show it was hotter back then than it is today. How many senators in this chamber know that charter of the United Nations Intergovernmental Panel on Climate Change requires it to limit its scientific assessment to human induced climate change? Research related to natural climate change is automatically eliminated from their reports. In short, they only collect information to support one side of the climate change debate. How many in this chamber know that HadCRUT4, created in 1994, the primary global temperature dataset used by the IPCC, was independently audited for the first time in 2017 and found to be unreliable?

The IPCC only presents one side of the climate change debate. But Australian students need to know both sides, which is why I want Australia to adopt a policy similar to the United Kingdom under its Education Act 1996. The UK's Education Act 1996 allowed a parent named Stuart Dimmock to challenge the use of Al Gore's climate alarmism propaganda film in his child's school curriculum. The judge in the case found that a large number of claims made in the film could not be substantiated by science, including the claim made by Al Gore that increasing carbon dioxide levels were causing increases in temperature. Secondary schools in England could have shown The Great Global Warming Swindle, a film that suggests scientific opinion on climate change is influenced by funding and political factors, but they did not—because they only wanted to put one side, their side, to students.

Three years after the judgement in the An Inconvenient Truth case was published, the IPCC admitted to a shocking scientific fraud concerning the melting of the Himalayan glaciers. Just imagine what the judge would have thought of a media release from an activist group being passed off as science in the fourth IPCC assessment report!

Sadly, Australian teachers and schools are still teaching climate science in a way which prevents students meaningfully testing the veracity of material and forming an independent understanding as to how reliable it is.

I now want to turn to gender theory indoctrination in schools. It involves some teachers in schools pushing the idea that a child's biological sex does not determine whether they are male or female. How many transgender children are there in schools in Australia? According to the 2016 census, just 57 children—students under the age of 15—identified as transgender. How many transgender students do you think there are in a single school? Well, I'll let you do the maths: 57 transgender students divided by 9,400 schools. Despite the small numbers, every other student in Australia is subjected to transgender policies which are being taken to extremes.

In a decision by the Queensland Department of Education, bureaucrats decided to provide unisex toilets at the Fortitude Valley State Secondary College. I understand that the school, which opened in 2020, has now changed its unisex toilet policy and returned to segregated toilets following parent and student protests. This time the education system backed down, but I have no doubt they will wait and try again later. Legislation needs to be in place to give parents a voice because, as it stands, teachers and schools are not accountable to their students or parents. The decision to force children to use unisex toilets is just part of a larger plan to get children preoccupied with gender issues. Other policies which aid gender preoccupation include gender-neutral uniforms, library policies to buy gender-theory-affirming books and teachers putting gender theory stories on reading lists.

The preoccupation with gender identity by some teachers in schools is correlated with an increase in children identifying as transgender—which is why I say teachers are ‘transgendering’ our children. In Queensland some teachers are reading stories like The Gender Fairy to four- and five-year-old children. The Gender Fairy shows

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young children that they can choose their gender because their body parts don't make them a boy or a girl. In Western Australia, some eight-year-olds are spending learning time dressing up as the opposite sex, using a government-supplied box of dress-up clothes. By the time these students are in year 9, they will have a new vocabulary based on gender diversity theory, and they will have been taught the art of sex texting and advanced sexual techniques.

In Queensland, the government has decided that parents cannot be allowed to know whether the Safe Schools program is being taught in the school that their child attends. The Safe Schools Coalition has labelled Queensland's parents homophbic and transphobic and says the government's decision to keep the program secret from parents is justified. I don't agree. Advocates for the Safe Schools program say this program and others like it promote equality of opportunity and combat bullying at school. In practice, nothing could be further from the truth, because girls are being bullied into losing their rights. Students who do not show the required level of enthusiasm for the LGBTIQ+ agenda—including materials like The Genderbread Person—are humiliated and embarrassed by teachers, according to reports by parents. School policies in every state and territory are based on the belief that it would be discriminatory to separate biological males from girls with whom they share the same gender identity.

Transgender policies in the education system mirror policies underpinning the laws in Australia, where biological sex has been redefined to include chosen gender identity. These policies provide a small number of transgender people with rights at the expense of the majority, particularly girls and women. Policy makers say they want to protect minorities. There is nothing wrong with that, but when educators protect the rights of a minority by stripping young girls and boys of their rights then something is horribly wrong.

How did we get to this situation where schools are preoccupied with gender theory issues? It begins with the belief that our experience is rooted in our membership of a gender group and that membership of a gender group makes it more likely we will suffer discrimination and oppression. These left-leaning elites see life as one long battle of identity groups for social justice. Identity politics causes division and undermines democracy. We don't want artificial divisions in society—we want social cohesion based on common interest. We need to be proud of our history. Our children deserve an education that will allow them to reach their potential and will provide society with a store of knowledge to be passed from one generation to another. We want our children educated for life and not indoctrinated so they can be controlled by others. And we need laws to guarantee parents' rights to challenge indoctrination. Parents should give their assent to the teaching of LGBTIQ+ theory. Parents should not be forced to move their child from school or to home school them to avoid indoctrination at school.

Canberra Royals Rugby Club
Australian Capital Territory Government

Senator SESELJA (Australian Capital Territory—Assistant Minister for Finance, Charities and Electoral Matters) (13:40): It's great to be able to rise to pay tribute to a local organisation in Canberra. We have seen so many great responses to the bushfires. We have seen bushfires here in the ACT well beyond this summer. Last week, I had the opportunity to meet with Bill Stefaniak, a former Liberal leader, when he was representing the Canberra Royals Rugby Club. I heard about the amazing work that Canberra Royals Rugby Football Club are doing and have done to help the Bellchambers family, one of their families in need affected by the bushfires.

The Bellchambers are stalwarts of the Canberra Royals. Of Steve and Vicky's children, three are already heavily involved in the club and the other three are shortly to follow. The family makes two six-hour round trips a week from the area around Batlow so that their children can attend training plus games on weekends. The Bellchambers family live near Batlow and they lost just about everything when the fires roared through—the house, sheds, equipment, vehicles and the farm. They managed to get their stock to safety and escape with just the clothes on their backs.

The message went out far and wide. The Royals club set an initial target of $10,000. This was raised to $25,000. I'm told that the club has so far raised more than $28,000 and the money is continuing to come in. There have been over 200 individual contributions from the Royals community here in Canberra, interstate and indeed overseas. Because of the extreme generosity of the Royals community and the immediate provision of this money to the Bellchambers, they have, despite everything, been able to maintain some sort of normality in the face of the very trying circumstances they find themselves in.

The Canberra Royals will be holding a golf day and auction to support their fundraising drive for the Bellchambers, and information regarding this can be found on the Canberra Royals Facebook page. I would encourage people to go and visit it. I commend the work that the Royals have done to support the Bellchambers, particularly my old friend Bill Stefaniak, but also Dougal Whitton, Mike Houston, Bill Salter, Christine Murray
and all the other organisers who have done so much to support members of our community and our region at this very, very difficult time.

On another issue, I wanted to draw the Senate's attention, the community's attention, to the ACT Labor-Greens government's complete neglect of its responsibilities to the people of the ACT. The ACT Labor-Greens government is more focused on political grandstanding than getting the basics right. That's true in a number of areas, but the most egregious example of this is the state of the public hospital system here in the ACT. Just last week we saw another announcement from the ACT health minister, Rachel Stephen-Smith, saying the government will be investing more into health. That's a good thing, but it does not take away from the disastrous performance of the ACT health system under the watch of this ACT Labor-Greens government.

We have heard this many, many times before. They say they will fix it, they say they will put more money in when, in fact, they are underfunding it. Indeed, when it comes to growth in spending, when it comes to health, the Commonwealth has more than doubled its contribution to hospitals here in the ACT since the coalition came to government. It was around $200 million when we came to government and is over $400 million a year now. At the same time, the ACT government hasn't been pulling its weight. It has not been delivering and has been, in real terms, delivering cuts. As a result of this egregious mismanagement, the ACT health system is amongst the worst-performing health systems in the country. We have the highest emergency department median wait time in the country and the lowest proportion of presentations that are seen to within recommended time. Recent figures show that only one in five patients classed as urgent are seen within the recommended 30 minutes of presenting themselves. More concerning than that is the fact that not even those requiring resuscitation within the recommended two-minute time frame are always seen on time.

These figures should be terrifying to all Canberrans and of great concern to the rest of the country. What sort of society do we have in our nation's capital that a public health system has been so badly mismanaged? Let me be clear: this is not a criticism of the hardworking doctors, nurses and other workers in our health system, many of whom of course have been subjected to well-documented bullying in their workplaces. They are being let down by this ACT Labor government.

The ACT Labor government always tries to blame other factors. They say: 'There are lots of presentations and it's complex, and we're a regional hospital.' But all of that has been comprehensively debunked. It's not a demographic problem. We have the lowest rates of daily smoking, the lowest rates of adults who are overweight or obese, and we have a higher proportion of adults meeting physical activity guidelines when compared to other states and territories. We have a median weekly income above the national average and a higher proportion of university graduates than the rest of the country. Data suggests that the ACT's hospital system does not experience higher levels of complexity of cases than the rest of the country and nor has the ACT had a population explosion. In fact, in the six years to 2018, population growth in the ACT was lower than the preceding four years. There's no evidence to suggest that the poor performance of the ACT health system under this ACT Labor-Greens government is related to a demographic problem. We have the lowest rate of obesity of the ACT health system does not experience any higher level of complexity than the states.

Our analysis, of the government's own data, reveals that a high level comparison of relative stay and average cost weight indicate that, as a whole, the ACT’s hospital system does not experience any higher level of complexity than the states.

As I said, this is despite the Commonwealth doubling its funding to hospitals here in the ACT. We are doing our bit. It goes on.

The critique from Jon Stanhope needs to be on the record. You've got the longest-serving Labor Chief Minister in the history of the ACT highlighting these problems that it's not just the usual suspects, not just the opposition, not just organisations within the community. You have a Labor man saying that this government is just getting it wrong. I'll quote the former Chief Minister further. He says:

If you are one of the 40 per cent or so of Canberrans who don't have private health insurance and given the government's clear disdain for you and your healthcare needs, do you wonder why you would ever vote for the Labor or Greens parties ever again?

That's Jon Stanhope putting it out there clearly that he, as a former Labor Chief Minister, has completely lost confidence in this Labor-Greens government because they are simply not getting the job done. It's an extraordinary attack. He goes on to say:

It is the 'silent' Canberrans, those who have been locked out of either home ownership or from housing of their choice who are feeling the pain; the working poor, pensioners or people in lower-income households—those in Canberra who don't have a voice or it seems a champion.

They have been abandoned by the Labor Party, ignored by the unions and are invisible to the Greens.

Ironically, they now have nowhere left to turn but to Alistair Coe and the Liberals—and who could blame them.
Let's just reflect on that for moment: the longest-serving Chief Minister in the territory's history, the longest-serving Labor minister, has said thatCanberrans, because of the disgraceful performance of their Labor-Greens government when it comes to health—and his critique has particularly been around areas like health and budgetary management, land supply and affordable housing, where they have absolutely let the community down. I would add to that the outrageous levels of taxation that this government has imposed on the community, the massive increase in rates. They promised they'd get rid of stamp duty to compensate for that. Well, they haven't got rid of stamp duty. Stamp duty revenue's gone up whilst rates revenue has tripled since they started these so-called reforms.

You've got a government that is completely failing on health, that is completely failing on affordable housing and that is taxing low- and middle-income Canberrans through the roof. We've got the former Labor Chief Minister saying, 'Don't vote for this mob'. I would say to many in our community—and we know that there are, of course, many in the ACT community who traditionally vote Labor; that is why we have had so many terms of this Labor government—that John Stanhope is putting it on the line, saying, 'You should be looking elsewhere.' If the former Labor Chief Minister doesn't think that this Labor-Greens government is worth supporting, then I would say to those voters: 'It is time to look elsewhere. You have been neglected for too long. The health system has been neglected. Our service delivery has been neglected. You are being taxed far too much, and it is time to change this rotten Labor-Greens government.'

**National Party of Australia**

**Senator McALLISTER** (New South Wales) (13:50): This has been, self-evidently, a very difficult summer for rural and regional communities. In New South Wales we faced down fires, floods and drought all in the space of just a couple of months. I think, as everyone in this chamber acknowledges, the stories that are emerging in my state on the North Coast and the South Coast of New South Wales are genuinely heartbreaking. If you live in country New South Wales, you might reasonably, at a time of great uncertainty, look to the national parliament for reassurance and for leadership, not just about the immense damage to property and the loss of life but also about the economic direction at a time when many businesses are facing very, very significant challenges. Well, pity those people in those seats who've looked to this parliament over the last two weeks and seen what's happening in the National Party, the party that claims to represent rural and regional people. If country Australians looked here and saw what was happening in the National Party, they would be appalled.

The National Party were once proud representatives of regional Australia. In fact, I grew up in a seat that had basically been represented by the National Party since federation, with just one or two interruptions. The seat was pretty much represented by the same family in the National Party for generations. That's no longer, I can inform you. But that was the seat I grew up in. So they were a proud party, but over the last sitting fortnight, even while people in country New South Wales continue to face very difficult situations in terms of natural disasters, they have been completely self-obsessed, more focused on themselves and their jobs than on the people they claim to represent.

Last week, at the request of the Labor leader, Anthony Albanese, the parliament scheduled a day to offer our condolences to communities affected by bushfire and to express our gratitude to those people who served to protect them. It was an opportunity for unity, for leadership. Instead, it was overshadowed by the National Party's internal fighting over leadership. It's all about who gets to sit in the big chair; it's all about who gets to sit in the front row. As an aside, I'd observe that, at the end of all that, nobody in the Senate gets to sit in the front row; we have no National Party representation on the front bench in this chamber, no-one to whom we can ask questions about their participation in this government.

This week, an important and historic state visit by Indonesia's president was, again, overshadowed by the party's chaos, with Mr O'Brien quitting the Nationals' party room—reportedly after a shouting match with their leader, Michael McCormack. Indonesia has a very significant relationship with Australia; a very significant trading relationship which the National Party claim to care about but which they have no interest in. Instead they are completely preoccupied with their own jobs.

Today is another significant day: the delivering of the *Closing the gap report 2019*. It is of enormous significance, of course, to First Nation people, many of whom have the misfortune to live in National Party seats. But if you pick up the paper you don't see the National Party talking about the shocking statistics recorded in that report. You don't see the National Party advancing a vision about a future for Aboriginal people. Instead, the pages, again, are full of National Party members undermining one another and bickering amongst themselves. A day of great national importance is overshadowed by division and drama within the National Party.

It's very obvious that Mr Morrison has completely lost control of this debate and the government has lost focus on the things that matter. Instead of listening to the concerns of regional communities, the government has just
appointed the Nationals member for Hinkler, Mr Pitt, as the minister for resources and water. You might remember Mr Pitt. He quit the front bench in 2018 because he opposed the government's commitment to reducing emissions under the Paris accord. He has been a very strong advocate for nuclear power, something many regional communities have been opposed to for decades. Those who advocate for nuclear power, who applaud enthusiastically these ideas, should go into the country communities that I speak to and explain to them the place that they wish to place a nuclear reactor. I can tell you what their reaction will be, and it will not be enthusiastic.

In any case, Mr Pitt, so enthusiastic about this matter, now holds two portfolios that shape the future of rural and regional Australia—what a champion. And this is just the start. The National Party, as far as I can tell, still continue to oppose a farmgate milk price. In the region around Lismore, where dairy farming is a large industry, one farmer reported working for $2.46 an hour, based on how much he received from the supermarkets for the milk he produces. Yet the minister for agriculture refuses to even acknowledge that there is a problem. The Nationals member for Page, Mr Kevin Hogan, has failed to stand up for the farmers in his community, failed to stand up for those farmers who work tirelessly for an unfair and inadequate reward.

In the other place, my friends Ms Clare O'Neil and Dr Daniel Mulino have been doing terrific work going over stats looking at underemployment. What they find is that the crisis, the scourge, of underemployment is most pronounced in rural and regional areas. That's where the burden is falling. In the home base of the new deputy leader of the National Party, Maranoa, in the Darling Downs, the number of people who cannot get a job or enough hours is at 15 per cent. That is an eight per cent increase since the coalition assumed office. Combined unemployment and underemployment in regional Queensland is now at 17 per cent, and that is up nine per cent since 2013.

Across New South Wales and Queensland there is a dire lack of jobs and work available for people in regional communities. Do we hear National Party MPs speaking up about underemployment in their electorates? Do we hear that? No, we don't. All we see is page after page after page on the front pages of the newspapers talking about one another and the jobs that they would like to have. It's not as though there is any shortage of material. There is no shortage of material whatsoever. I picked one article, one article from the journalist—I've lost the name of the journalist. It doesn't matter, because there are stories and stories.

Government senators interjecting—

The PRESIDENT: Order on my right!

Senator McALLISTER: Let me tell you, every paper has these stories printed, because what has been happening—

Senator Seselja: There are too many!

Senator McALLISTER: There are too many stories, Senator Seselja, you are correct. There are too many stories about the National Party and their infighting. What happened last week? There was a spill, an attempt to remove Mr McCormack by Mr Joyce. By all accounts, the margin of that dispute was very, very close. After that there had to be a reshuffle, didn't there, and a lot of people missed out—Senator Canavan missed out, Senator McKenzie missed out. Mr McCormack said that these portfolios represent experience. Apparently not everyone agrees, because Mr Joyce then engaged in some kind of text exchange, making threats, it seems, to Mr Morrison about what was going to happen in this new, precarious arrangement, the precarious leadership arrangement established by the National Party and their leadership.

How can Australians have any confidence whatsoever that this rabble is able to govern? From resignations to leadership spills, the National Party has started the year doing what they do best: undermining one another instead of representing the regional communities that they claim to care about so much. Is it any wonder that Australians are losing trust in their government when every time they turn on the news they find the people they've elected to represent them fighting amongst themselves.

The PRESIDENT: It being 2 pm, we'll move to questions without notice.

QUESTIONS WITHOUT NOTICE

Closing the Gap

Senator Dodson (Western Australia) (13:59): My question is to the Minister representing the Minister for Indigenous Australians, Senator Ruston. I refer to the fact that five out of the seven Closing the Gap targets have not been met or are not on track. Will one of the 14 new targets to be set in April be a justice target?

Senator Ruston (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (14:00): Thank you very much, Senator Dodson, for your question—all the more pertinent because it is today. In relation to the new targets that will be set following consultation with the peaks
and through the COAG process, obviously that is something that I'm more than happy to take on notice and ask the Minister for Indigenous Australians to respond to the specifics of the last part of your question.

More broadly in relation to closing the gap, I think everybody in this place—on this side, on that side, on the crossbenches and in the other place—accepts the fact that today the update on the Closing the Gap targets was not what we would have liked to have seen. However, I can assure this place and I can assure all Australians—Indigenous Australians and non-Indigenous Australians—that this government is absolutely committed to working with Indigenous Australians on closing the gap, to make sure every Aboriginal and Torres Strait Islander in this country grows up with the same opportunities as every other Australian.

We also understand the progress that we've made over the previous decade has not been successful, and I think today everybody has acknowledged the reason it hasn't been successful is because it has been a top-down approach used by governments of different persuasions and in different places, both here in Canberra and around Australia. But today probably heralds one of the most important changes, and that is changing how we intend to approach addressing the Closing the Gap targets and initiatives. That will be by greater consultation with Indigenous Australians and starting to build on the way that we approach this by being informed and consulted and designed by Indigenous Australians. So whilst today has not been the day that we would have liked to have seen—we would like to have seen significant improvement in the Closing the Gap indicators—I think we can celebrate the fact that we have acknowledged we haven't done well in the past and must do better in the future.

The PRESIDENT: Senator Dodson, a supplementary question.

Senator DODSON (Western Australia) (14:02): Two years ago the First Nations peoples delivered the Uluru Statement from the Heart and offered a clear pathway forward. Will the Morrison government hold a referendum in this term to enshrine a First Nations voice to parliament in the Constitution?

Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (14:02): Thank you very much, Senator Dodson, for your question. The one thing that the government has absolutely given a categorical commitment on is to work with First Australians to make sure that whatever is designed and whatever is developed, as we move forward in ongoing recognition of Indigenous Australians, will be informed by a co-design process where Indigenous Australians and Indigenous communities are absolutely at the forefront of that design process.

In fact, I just met with the head of the peaks to talk to them about specific initiatives that sit within my portfolio area so that we can make sure what we're doing is being far better informed about what Indigenous Australians want. The only way we are going to get a successful outcome in closing the gap going forward is making sure the design of the methods by which we go about closing that gap are being designed by our Indigenous Australians.

The PRESIDENT: Senator Dodson, a final supplementary question.

Senator DODSON (Western Australia) (14:04): If the government has ruled out enshrining a voice to parliament in the Constitution, what form of constitutional change is the government proposing?

Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (14:04): Thank you very much, Senator Dodson. What I'd like to really reiterate is the fact that this is an iterative process. It's a process of co-design. The Minister for Indigenous Australians, Ken Wyatt, has made it very, very clear that he intends to continue to work in a collaborative way with all Australians, but particularly with Indigenous Australians, about our pathway forward on constitutional recognition and how the voices of Indigenous Australians are going to be heard into the future.

Today, as we celebrate the new way forward and acknowledge the bad outcomes of the past, we are talking about moving forward in a new way with Indigenous Australians to make sure that the process of closing the gap is informed by Indigenous Australians. We can't shy away from the fact that the results today have not been what we would have wanted. I am not shying away from that, the Prime Minister doesn't shy away from that and the Minister for Indigenous Australians doesn't shy away from that. The results today were not good. (Time expired)

Trade with Peru

Senator BROCKMAN (Western Australia—Deputy Government Whip in the Senate) (14:05): My question is to the Minister for Trade, Tourism and Investment, Senator Birmingham. Can the minister update the Senate on the Peru-Australia Free Trade Agreement and how it will benefit Australian exporters, manufacturers, farmers and businesses?

Senator BIRMINGHAM (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (14:05): I thank Senator Brockman for his question and his advocacy for regional Australians and Australian farming businesses in terms of access under our network of free trade agreements. Overnight the Peru-Australia Free Trade Agreement entered into force. This is a very strongly
negotiated positive agreement for Australia, with over 99 per cent of all tariffs on Australian goods to Peru ultimately being eliminated, expanding on the outcomes negotiated as part of the Trans-Pacific Partnership.

Peru has been one of the fastest-growing economies in Latin America, and at times in the world, over the last decade. Whilst Peru is relatively unknown to many Australian exporters in terms of details, it has a growth domestic product comparable to that of Vietnam. It has high rates of GDP growth and a population in excess of 31 million people. Peru provides a similar consumer base to that of Malaysia, a longstanding trade partner of Australia. This FTA places Australia in a strong position to share in Peru’s continued economic growth, providing opportunities to expand our engagement into the future.

PAFTA provides new opportunities to Australian farmers, with zero tariffs on beef within five years, giving the same access into Peru that US farmers already have. PAFTA provides our sugar farmers with better access to sell sugar than Peru has provided to any other sugar-exporting country in the last 20 years. Australian dairy farmers have historic new access to Peru, with zero tariffs from day one under PAFTA for 7,000 tonnes initially, increasing to 10,000 tonnes, of product. There is immediate duty-free access for Australian wine, sheep meat, most horticultural products, kangaroo meat and wheat under PAFTA. Manufacturers benefit, as do our services in the education sector—all with improved access outcomes, thanks to the entry into force of PAFTA overnight.

The PRESIDENT: Senator Brockman, a supplementary question?

Senator BROCKMAN (Western Australia—Deputy Government Whip in the Senate) (14:07): Thank you, Minister, for that answer. How has industry reacted to the Peru-Australia Free Trade Agreement?

Senator Whish-Wilson: It's very excited!

Senator BIRMINGHAM (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (14:07): Yes, it is indeed very excited; thanks, Senator Whish-Wilson. The Queensland sugar industry have said they expect Australia to be able to fill 30,000 tonnes of duty-free sugar access to Peru—that's the initial quota that is provided for, and it will grow over time. CANEGROWERS Australia have said that they expect the deal will deliver an extra $13½ million to cane farmers alone. The Red Meat Advisory Council have described PAFTA as an exciting new opportunity in the Latin American meat market and have noted that the forecast is for Peruvian beef consumption to triple by 2025 and for sheep meat consumption to increase by 20 per cent by 2025. The new market access there provides opportunities for Australian producers to seize large parts of that forecast growth. Energy markets, the Australia-Latin America Business Council and others have all welcomed the opportunities this provides for deeper business integration and growth in exports.

The PRESIDENT: Order, Senator Birmingham! Senator Brockman, a final supplementary question?

Senator BROCKMAN (Western Australia—Deputy Government Whip in the Senate) (14:08): Can the minister advise the Senate how the government is supporting Australian exporters and creating more opportunities for them? How does improved trade help build a stronger economy and create more Australian jobs?

Senator BIRMINGHAM (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (14:09): We are able to deliver these trade agreements thanks to continued effort, negotiation and outcomes by our government and, I note, bipartisan support for the passage of these agreements through the chamber. It is critically important that we maintain that and recognise the growth and the dividend it is delivering to Australia.

More Australian businesses are exporting today as a result of the trade agreements we have negotiated. More than 53,000 small and medium-sized enterprises are exporting today, a number which in terms of businesses exporting has grown some 18½ per cent in our time in government. More Australians are employed in trade related businesses. Trade and exports are generating more jobs for Australians. Some 240,000 trade related jobs, it has been estimated, have been created over the last five years. Australian household incomes are estimated to be higher—an average of $8½ thousand higher—as a result of trade access around the world. There are more jobs, more businesses and higher incomes thanks to our export markets.

Energy

Senator WALSH (Victoria) (14:10): My question is to the Minister representing the Minister for Energy and Emissions Reduction, Senator Birmingham. Yesterday in Senate question time the minister said, 'The government is not funding a new coal-fired power station.' Former resources minister Senator Canavan has been reported as interjecting: 'Not yet'. Will the minister rule out appeasing the latest tantrum from Nationals like Senator Canavan by providing taxpayer's money for new coal-fired power generation?

Honourable senators interjecting—

Senator Wong: Can I just say that the word 'tantrum' came from the Liberal Party.
The PRESIDENT: Order! I'm not going to ask for any withdrawal about any language. I'm just going to urge senators to be careful about reflecting on the behaviour of other senators with terms. Senator Wong?

Senator Wong: Just to clarify, the tantrum quote was from an unnamed Liberal Party source that was in a question yesterday.

The PRESIDENT: That's not a point of order. I'm just urging senators to not get into the zone that potentially calls upon me to ask for withdrawals upon reflection.

Senator BIRMINGHAM (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (14:11): I think I've seen one or two tantrums in this chamber, usually looking straight opposite—stop smiling, Senator Wong; you shouldn't let yourself be caught out like that—but certainly not from any distinguished colleagues in the National Party.

In relation to the senator's question, I reiterate what I said yesterday: what the government is doing is precisely what the government took to the last election. We promised $10 million of funding for feasibility studies. The feasibility studies are looking at two different projects in relation to the Queensland energy markets. That's what we're funding and that's what we're doing—nothing more, nothing less. There are no further policy decisions that have been taken to take that any further at this stage. Those matters, of course, all depend upon seeing whether or not cases stack up. If cases stack up, then, in large part, it will be a matter of seeing what private sector reaction there is to funding cases that stack in relation to energy markets.

In terms of energy markets in Australia, and the question about the former minister for resources, who I know has played a big role in energy policy as well, I note that Australia is a country where at present not only our emissions are going down but also, importantly, prices are going down. A critical part for Australia in terms of this government's policy focus is to make sure we have lower emissions and higher reliability but lower prices for Australians as well. Wholesale energy prices have dropped in recent times, in some cases with reductions of up to 35 per cent. The wholesale energy prices for the National Electricity Market for the last quarter of last year were at the lowest level in years. That's what it's about: getting lower prices while making sure we have reliability and emissions reductions, as we promised. (Time expired)

The PRESIDENT: Senator Walsh, a supplementary question.

Senator WALSH (Victoria) (14:13): Proponents of the Collinsville coal-fired power station are seeking a taxpayer funded indemnity. Will the minister rule out providing a taxpayer funded indemnity?

Senator BIRMINGHAM (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (14:13): As I just said in the answer to the first question, and as I said yesterday: the government is very clear about what it is we are doing. They are feasibility studies—feasibility studies and business cases that will look into these projects. And, of course, for business cases and feasibility studies, if they stack up, then you would expect to see investment that will flow to projects that stack up. That is how the commercial market works. We identified in the last election that, in relation to those regions of Queensland, there are questions about the reliability of energy. There are pressures in terms of the affordability of energy. These are issues it seems that the Queensland state Labor government has happily overlooked over a period of time.

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

Senator Watt: On relevance: the question was clearly about a taxpayer funded indemnity, and we haven't heard anything about that point from the minister.

The PRESIDENT: On the point of order, I cannot instruct a minister how to answer a question nor to use a particular word. I believe the minister is being directly relevant if he is talking about funding arrangements for this. He doesn't have to use a word that is used in the question. It is not appropriate, however, to talk about state government policies in this place and be directly relevant.

Senator Wong: On the point of order, I'm not clear what you've ruled, Mr President, but I would just draw to your attention: the only aspect of funding that was asked about was a taxpayer funded indemnity.

The PRESIDENT: I appreciate that, Senator Wong. And I've ruled that discussion of matters of state government policy in this regard that aren't directly related to funding of this particular issue that's been raised in the question are not directly relevant. I have been listening carefully to the minister's answer and I do believe he was being directly relevant talking about funding arrangements for this particular project. I can't instruct him how to answer a question or to use a particular word in the answer, but it was a specific question so the answer must relate to funding.
Senator BIRMINGHAM: I know those opposite seem to want us to pre-empt the outcome of feasibility studies or business cases and, of course, their mates in the Queensland state government didn't even support such work happening. We are, standing on what we took to the election—

The PRESIDENT: Order! Senator Birmingham, time for the answer has expired. Senator Walsh, a final supplementary question.

Senator WALSH (Victoria) (14:16): Yesterday, the minister ruled out government funding for a new coal-fired power station. Why did the Prime Minister yesterday fail to rule out providing an indemnity which the Australian Industry Group says could cost taxpayers $17 billion?

Senator BIRMINGHAM (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (14:16): I won't accept the words that the senator tries to put in my mouth about what I said yesterday. What I said yesterday is on the Hansard record, and it should all be read entirely in context. What I said yesterday very clearly was that the government is funding a feasibility study, business cases, into two projects—$10 million, as we promised at the election, nothing more, nothing less. Are we currently funding a coal-fired power station? No, we're not. That's a statement of fact. We are funding precisely what we promised. This is about making sure that, when it comes to reliability and affordability of energy to be able to support industry in areas of Queensland, our government is willing to make sure that industry has the energy that it needs—and is working through the process to make sure that investors have the information they need—to make informed decisions to support those jobs in Queensland. I'm surprised that a Queensland senator would be raising such concerns about jobs in Queensland.

Gas Industry

Senator WATERS (Queensland—Leader of the Australian Greens in the Senate) (14:17): My question is to the Minister for Trade, Tourism and Investment, representing the minister for energy and emissions increases. Please don't do that again.

Senator WATERS: So noted. RepuTex have reported today that emissions from gas production are a mind-boggling 621 per cent above 2005 levels. Industrial emissions are also up 60 per cent driven by the huge amounts of energy required to liquefy gas for LNG export. Gas is wiping out all of the gains of renewable energy. Why are you pretending that gas is our saviour?

Senator BIRMINGHAM (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (14:18): I thank the senator for her question about the role of gas exports in terms of Australia's emissions profile. It is correct, as Senator Waters indicates, that exports of gas and liquefaction of gas for export have contributed in that sector to an increase in Australia's emissions profile, while other areas—that I note Senator Waters doesn't talk about in terms of a reduction in our emissions across our own domestic energy consumption—lead ultimately to a net reduction. But let's deal particularly with the question Senator Waters raises about Australian export of gas to the rest of the world. Senator Cormann has outlined in answers recently the role that Australian coal can play relative to coal from other countries that is less efficient than Australian coal and creates more emissions when it is burned.

Gas of course plays an even bigger role in emissions reduction as a transition fuel in other countries. So the important role the LNG sector plays is not just as a contributor to Australia's exports but also as a fuel source for other nations, helping them to not only get the reliable energy and power that they need but also often as a substitute fuel source as their economies transition, sometimes transitioning away from coal, sometimes transitioning away from nuclear energy due to other factors, which I know the Greens also oppose.

The Greens are coming in here now criticising Australian gas exports as contributing to Australia's emissions but ignoring the fact that those same gas exports may well be reducing by a far greater sum the emissions profile of the countries that they're going to. This is the whole failure of the argument put by some others in this place.

Emissions are a global challenge. Australia plays its role but we also have to look at the global picture and, in this case, where we can provide more efficient sources of energy to other countries—(Time expired)

The PRESIDENT: Senator Waters, a supplementary question.

Senator WATERS (Queensland—Leader of the Australian Greens in the Senate) (14:20): Minister, you are essentially saying our gas is being substituted for coal. Can you tell me which countries are now burning gas instead of coal, how much each country substituted and how many tonnes of emissions have been reduced? Or is it the case that, in fact, these countries are now burning gas as well as coal, and you're just spouting fossil fuel industry talking points?
Senator BIRMINGHAM (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (14:21): I don't know whether Senator Waters wants a policy that basically limits the energy consumption of other countries but the truth is many countries within our region have increasing energy needs. That is a subset of increasing populations, higher living standards, fewer people living in poverty, a whole range of factors that are driving the growth of living standards.

Senator McGrath interjecting—

Senator BIRMINGHAM: Thank you, Senator McGrath. Yes, indeed, fewer people living in poverty is a good thing and more people enjoying higher living standards is a good thing. Increased energy consumption is part of that. They could have chosen to use more domestic coal sources in some of those cases.

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

Senator Waters: My question was a specific one about the substitution claim that the minister made, asking him to provide evidence of that. I haven't heard that being addressed yet. It is obviously central to the government's argument and the minister should substantiate those claims, even though he won't be able—

The PRESIDENT: Senator Waters, you have made your point of order; it is not a time for argument. You did at the conclusion ask for specifics but you made an assertion at the start as well. The minister is allowed to expand on the assertion and be directly relevant.

Senator BIRMINGHAM: The point I was making was that these countries have growing energy needs, so they may be pursuing in many cases gas as an alternative to where they might have used domestic coal reserves if they had them, alternate coal reserves if they could access them, even Australian coal potentially but they have chosen to use LNG—(Time expired)

The PRESIDENT: Senator Waters, a final supplementary question.

Senator WATERS (Queensland—Leader of the Australian Greens in the Senate) (14:23): The government has signalled it will take a 2050 target to the UN meeting in Glasgow but the UN's climate scientists say that catastrophic tipping points will be reached if we don't halve pollution in the next decade. Will the government's pledge for a tiny 3.9 per cent reduction over 10 years be lifted so that our national aspirations are in line with the science?

Senator BIRMINGHAM (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (14:23): Our commitment to a 26 to 28 per cent reduction by 2030 is, in capita terms, one of the most significant commitments made in the world. By GDP terms, it is a significant reduction of Australia's emissions intensity, again, far greater than commitments made by most other nations around the world. Australia goes forward determined to meet those targets and, as the Prime Minister and I and others have repeatedly said, to beat those commitments we made for the 2030 horizon. Our ambition ought to be to beat them by as comfortable a margin if not more than the way we are already beating and forecast to beat our 2020 targets, which is a substantial excess that Australia has managed to achieve in relation to the 2020 targets. And the ambitions we take forward by backing technology and technological change in Australia that can help to drive technological change overseas are about making sure we do successfully beat those targets.

Economy

Senator CHANDLER (Tasmania) (14:24): My question is to the Minister for Youth and Sport, Senator Colbeck. Can the minister outline how the Morrison government's plan to build a stronger economy is ensuring young Australians are given the best opportunity to succeed?

Senator COLBECK (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (14:24): Thank you to Senator Chandler for her question. The coalition strives to ensure maximum opportunity for younger Australians, with the best available opportunities in education and employment, and the most appropriate assistance for those who require some help or are in a crisis. The government's focus is for young people, to support them to be healthy, active and engaged participants in society and the economy.

As our first step, we've established a youth task force, and as minister one of the most enjoyable things as part of my portfolio has actually been engaging with young people and the organisations that represent them—organisations such as Youth Activating Youth, an organisation based out of Victoria that is assisting disadvantaged multicultural young Australians to re-engineer their lives and their commitments. Year13 is a socially driven organisation connecting young Australians with all of the options available after high school and beyond. Today we welcome the winners of the Heywire regional youth program, which is being conducted by the ABC, to the parliament. One of the real pleasures has been to hear their ideas, their stories and how we can work with them to improve Australia and their activities.
At the end of last year I announced that we would fund the 2020 Australian Youth Development Index. The Australian Youth Affairs Coalition will undertake this work, and it is essential to provide key information to inform the evidence on the status of youth development in Australia.

The PRESIDENT: Senator Chandler, a supplementary question?

Senator CHANDLER (Tasmania) (14:26): As the youngest woman in this place, I found the minister's response quite enlightening. Can the minister please update the Senate on how the government is creating more jobs for young Australians?

Senator COLBECK (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (14:27): Again I thank Senator Chandler for her question. The Australian government is focused on getting more young Australians off welfare and into work. We recognise that the best way to do that is to build a strong economy that enables employers to be more productive, more competitive and more innovative, and to create more job opportunities. As Senator Birmingham has just said, the bringing into force of the Peru free trade agreement overnight is just one of those initiatives.

We funded the Youth Jobs PaTH program, which Labor fought tooth and nail. They opposed it. More than 88½ thousand young people have participated, with 56,000 of them getting a job. Five hundred and eighty million dollars through the Transition to Work program helped disadvantaged young people to transition from education—(Time expired)

The PRESIDENT: Senator Chandler, a final supplementary question?

Senator CHANDLER (Tasmania) (14:28): Minister, what action has the government taken to address youth mental health?

Senator COLBECK (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (14:28): Thank you, Senator Chandler. This is one of the signature initiatives of the coalition government: a $509 million youth mental health and suicide prevention plan, the largest suicide prevention strategy in Australia's history. We all talk about our aspiration to get suicide to zero, and this government is actually investing in that. And we've also done that off the bat of the bushfire tragedy that has been occurring in south–east Australia recently. We've put $8 million to extend Beyond Blue's 'Be You' mental health and education program for schools to those who are involved in recovery from the bushfires. We've put an extra $4.4 million to fast tracking the establishment of a new headspace in Batemans Bay. Our government is ensuring Australians and their families get access to the best care and support when they need it.

Liberal Party of Australia

Senator KITCHING (Victoria) (14:29): My question is to the Minister for Defence, Senator Reynolds. Yesterday, the minister suggested that footage contained in a Liberal Party advertisement had been obtained from:

… a gallery of photos available on the website for people to download and use.

The Department of Defence's website clearly states that materials provided can only be reproduced in an 'unaltered' form. Why did the Liberal Party's advertisement contain footage in breach of the Department of Defence's policy?

Senator REYNOLDS (Western Australia—Minister for Defence) (14:30): I sincerely thank Senator Kitching for that question. That is for two reasons: one is because it allows me to answer your question that I took on notice yesterday and the other is also to add some more information in terms of your question today.

Coming to the question from yesterday: as you know, an authorisation line is required on material produced by a member or senator under Australian law. Any multimedia material created with reference to ADF assistance to the bushfire response was designed to inform the community about what the Commonwealth government was doing. The purpose of the material was also to communicate as simply and as helpfully as we possibly could—

The PRESIDENT: Order? Senator Watt on a point of order.

Senator Watt: It's on relevance. I don't know if we're in a time machine, but this was yesterday's question.

Honourable senators interjecting—

The PRESIDENT: I am happy to rule on the point of order, if there is silence. Senator Cormann, on that ruling?

Senator Cormann: On the point of order, Mr President. The senator actually directly referenced the question that was asked yesterday in her question today. I would have thought that the way the minister is answering is absolutely directly relevant to the question as asked.

The PRESIDENT: Senator Wong on the point of order.

CHAMBER
Senator Polley interjecting—

The PRESIDENT: I will take Senator Wong's point of order and then I'll rule on it.

Senator Wong: Mr President, if the minister wishes to add to an answer from yesterday because her answer was incomplete then the usual convention is to do so after question time.

The PRESIDENT: So, on the point of order: the question did reference yesterday's question. The minister is about to be directly relevant by referencing yesterday's question. However, there is a more appropriate time to explicitly add to answers in yesterday's question time, which is usually at the conclusion of question time. I am listening carefully to the minister's answer and I call upon her to continue. She has 1½ minutes remaining.

Senator REYNOLDS: Further to your question yesterday, as we've just discussed, and also directly relevant to this question today, Defence was not tasked to provide any imagery or footage for the material. There is a significant amount of footage of ADF activity in the public domain.

Conveniently, when I was researching this issue yesterday I found some social media from the Australian Labor Party, authorised by Mr Wright. And, guess what? It shows ADF troops. So answer me the question about where you got this material from?

The PRESIDENT: Order! Senator Wong on a point of order. I'm going to allow—

Honourable senators interjecting—

The PRESIDENT: Order! Senator Wong: That's the best you can do; you're a minister of the Crown and that's the best you can do?

Honourable senators interjecting—

The PRESIDENT: Order! Order, everywhere! I don't spontaneously draw ministers to the standing orders, so I call upon a point of order rather than assuming—yes. On this question, it is relevant for the minister to talk about footage and the footage used in the advertisement referred to. I don't believe it is directly relevant to refer to something of another party that may or may not have been at a very different time. There are opportunities to debate the merits of questions and answers after question time, and there are other opportunities to bring such matters to the attention of the Senate. Senator Reynolds.

Senator REYNOLDS: Mr President, I've answered the question. Defence was not tasked to provide any imagery or footage of that material that she referenced.

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

Senator Wong: It's on direct relevance. Senator Kitching's question went to the question of why the Liberal Party's footage breached the defence department's policy. It was not a question about whether the defence department tasked the footage, which is the way the minister construed the question.

The PRESIDENT: I think—I will let Senator Cormann speak.

Senator Cormann: Minister Reynolds is able to answer questions in relation to her portfolio. Minister Reynolds is not in a position to answer questions on behalf of the Liberal Party.

Opposition senators interjecting—

The PRESIDENT: Order! I will rule on the point of order. With respect, Senator Wong, for that last part of the question, you did accurately reflect what Senator Kitching said. However, I do believe that if the minister is directly addressing issues around the footage or how it was obtained, I do, with respect, think that is a matter that is directly relevant. I can't instruct her how to answer the question. I remind senators that there is an opportunity to debate the merit of answers afterwards.

Senator REYNOLDS: Just for total clarity, Mr President, I did directly answer the question when I said that Defence was not tasked to provide any imagery or footage of the material, and there is a significant amount of footage of ADF activity in the public domain, which I pointed out that the Labor Party has also accessed over the years. So I could not be clearer.

The PRESIDENT: Senator Kitching, a supplementary question?

Senator KITCHING (Victoria) (14:35): Firstly, Mr President, a point of order on relevance to the question I asked. Am I getting today's answer tomorrow? Is that what's going to happen?

The PRESIDENT: Senator Kitching, Senator Reynolds has concluded her answer. It is not appropriate to raise a point of order about direct relevance once a minister has concluded their answer. Do you have a supplementary question?
Senator KITCHING: The department's website also clearly states that material cannot be used 'without specific written authorisation from the Department of Defence'. When and from whom was permission obtained by the Liberal Party?

Senator REYNOLDS (Western Australia—Minister for Defence) (14:35): As Senator Cormann has pointed out, I am the Minister for Defence, and I answered the Defence aspect of that question—

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

Senator Wong: Direct relevance. We are asking the Minister for Defence about the application of Defence policy—that is, the written authorisation.

The PRESIDENT: Senator Cormann, on the point of order.

Senator Cormann: On the point of order: the minister was being directly relevant to her portfolio responsibilities. She made very clear what the matters relevant to Defence were. The minister does not represent the Liberal Party in this chamber; she represents the Defence portfolio.

The PRESIDENT: On the point of order, two matters. Firstly, the minister had been speaking for eight seconds. I find it hard to believe that, unless there is an egregious breach, I can call the minister to a point of direct relevance after eight seconds. I need to allow the minister to complete a sentence or two. With respect, to my memory, in the statement immediately prior to the point of order being raised, the minister made an observation referencing a comment earlier by the Leader of the Government in the Senate. I believe that making that observation can still be directly relevant. The point of order goes to the merits of an answer, which is not in the capacity of the chair, nor is it the capacity of the chair to direct the minister how to answer a question as long as they're directly relevant. I'll call the minister to continue, noting she has 52 seconds remaining.

Senator REYNOLDS: Just to be extremely clear, I will say it again: I am the Minister for Defence and I'm answering the Defence aspects of this. Yes, there is a policy on the website. Defence was asked not to provide any imagery or footage of the material. There is a significant amount of footage in the public domain which is regularly accessed by many. I will also point out that the question yesterday related to the social media of the Prime Minister—the question would be best directed to the Prime Minister's representative. You're talking about the Liberal Party, and I have answered the question fully in relation to—

Senator Watt: Point of order: the question is about the application of a policy of the Department of Defence. The only person who can answer that question is the Minister for Defence. She should be able to answer this.

The PRESIDENT: Senator Watt, you make an observation, but it is not in the capacity of the chair to direct the minister how to answer a question as long as the minister is being directly relevant, and I believe she was being directly relevant. Even if some people don't like the answer, there are opportunities to debate that, but it is not for me to judge. Senator Reynolds, have you concluded your answer?

Senator REYNOLDS: I can repeat the answer as Minister for Defence again, but I think I covered it adequately the last three or four times.

The PRESIDENT: Senator Kitching, a final supplementary question?

Senator KITCHING (Victoria) (14:39): Lucky we have estimates coming up! The department's website unambiguously states:

This material cannot be used for political purposes or in a way contrary to Defence's apolitical standing.

As Minister for Defence, what action are you taking as a result of the breach of Department of Defence policy by the Liberal Party?

Senator REYNOLDS (Western Australia—Minister for Defence) (14:39): I totally and utterly reject the premise of your question. You are saying there has been a breach. I have seen no evidence of a breach. You have demonstrated no evidence of a breach. I have told you what the Defence policy—

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

Senator Watt: On relevance: this whole series of questions is predicated on an answer that the minister gave yesterday, in which she said that this footage was obtained from the defence department's website, to which policies apply. That's the breach.

The PRESIDENT: Senator Watt, you are attempting to make a point about the content of an answer. The minister was directly addressing an assertion contained in the question. She is directly relevant if she is doing that. In this case, the minister was entirely directly relevant using, in fact, the same words contained in the question. I remind senators that there's an opportunity to debate the merits of answers at another time.
Senator REYNOLDS: As I said at the beginning of my first answer, the question I took on notice yesterday was relevant and I took it on notice to get further information. I have provided further information as the Minister for Defence, and as the Minister for Defence it is very clear what the answer is.

Small Business

Senator RENNICK (Queensland) (14:41): My question is to the Minister for Employment, Skills, Small and Family Business, Senator Cash. What steps is the Morrison government taking to support Australian jobs and build a stronger economy by ensuring small businesses get paid on time?

Senator CASH (Western Australia—Minister for Employment, Skills, Small and Family Business) (14:41): I thank Senator Rennick for his question. Cash flow is king for small business in so many ways. We in the Morrison government are committed to backing our 3.4 million small and family businesses every step of the way. They employ almost seven million Australians. As we know, they are the lifeblood of the local communities in which they are located. They also, though, play a very important role as suppliers and service providers to big businesses. In fact, the trade between SMEs and big businesses is worth more than $550 billion per year.

We're all aware of the saying, 'Cash flow is king.' If we accept that saying, that cash flow is indeed king, then late payments to small businesses are a potential usurper of every small business in Australia. The damage that late payments can inflict on small businesses in Australia cannot be understated. That is why the government has put policies in place and is leading by example when it comes to ensuring that small businesses are paid promptly and on time. Senators will be aware that the government has introduced 20-day payment times for small businesses that have contracts with the government up to $1 million. We believe that all governments should put these policies in place, and I'm very pleased that the states have agreed through the COAG process that cash flow is crucial to any small business and that all governments should lead the way in paying small businesses on time.

We're also taking action to ensure that large businesses who want to do business with government match our 20-day payment policy. Small and family businesses need to be paid on time— (Time expired)

The PRESIDENT: Senator Rennick, a supplementary question?

Senator RENNICK (Queensland) (14:43): What further action is the government planning to take to support small businesses to get paid on time?

Senator CASH (Western Australia—Minister for Employment, Skills, Small and Family Business) (14:43): We are introducing a new framework for reporting of large-business payment times to small-business suppliers. The government will shortly introduce legislation into the parliament that will require businesses with an annual turnover of over $100 million to publicly report how and when they pay their small-business suppliers. This is all about improving payment outcomes for small businesses. We will release the exposure draft next week and introduce the legislation at the end of March. The payment times reporting framework will create transparency and enable small businesses and, indeed, the Australian public to know how and when they will be paid by big business. I look forward to widespread support for these measures.

The PRESIDENT: Senator Rennick, a final supplementary question?

Senator RENNICK (Queensland) (14:44): Is the minister aware of any alternative approaches?

Senator CASH (Western Australia—Minister for Employment, Skills, Small and Family Business) (14:44): Unfortunately we are, because we know the policies that the Labor Party took to the election in relation to small business. Had those policies been implemented they would have quite literally decimated small and family business in Australia. On this side of the chamber, though, we are committed to putting in place policies that will see our small and family businesses prosper, grow and create more jobs for Australians; in particular, providing them with much-needed tax relief, something the Labor Party themselves don't believe in. We on this side of the chamber understand that the more money that small business have in their own back pockets, the more they are able to invest back into their own business. We are improving their access to finance, supporting small businesses with tax disputes, increasing their digital capability, but also—an incredibly important measure—investing in the mental health of small-business owners. They are the backbone of the Australian economy and we on this side of the chamber— (Time expired)

Australian Bushfires

Senator HANSON-YOUNG (South Australia) (14:45): My question is to the Minister for Trade, Tourism and Investment, Senator Birmingham. Tourism, of course, brings millions of dollars into the Australian economy each year, with over 9.3 million tourists visiting each year alone, bringing an investment of $12.3 billion; yet, because of these extreme fires, tourists have been leaving many of our favourite spots in droves, while businesses have had to lay off staff, businesses have had loss of income and communities continue to suffer. Isn't it true that the only
assistance that your government has offered to these businesses in bushfire affected regions who are suffering because of this huge downturn in tourism is a concessional loan, which puts business into more debt, or recovery grants, which are only available to those who have been directly affected? Minister, does it take a burnt shopfront before your government will step in and help?

Senator BIRMINGHAM (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (14:46): I thank Senator Hanson-Young for her question. Indeed, the government shares her concern for many businesses across Australia who are doing it tough at present in the tourism sector, not just because of the bushfire impact. If Senator Hanson-Young consulted out across the tourism industry right around Australia she would find there are tourism businesses well outside of bushfire affected areas who faced consequences from the bushfires as a result of much of the misinformation and lies that were spreading on the internet or reported internationally about where the fire impacts were had. Equally, the coronavirus has had an impact, and is having an impact now, not just on travel in Australia but on global travel. So we have a circumstance where tourism businesses right around the country are doing it tough: those who are internationally facing and rely more upon global tourism markets, who are feeling particular pressures, and those directly in fire affected regions, such as Kangaroo Island in our home state, Senator Hanson-Young, New South Wales and Victoria—particularly those coastal communities, some of which I've visited, who rely upon the period of six weeks or so over Christmas for the bulk of their cash flow.

The government has provided for up to $500,000 in concessional loans, which you referenced in part, Senator Hanson-Young. Those concessional loans can assist businesses in a range of different ways in terms of how they structure themselves, including accessing capital during these tough times. Those concessional loans come at zero interest for the first two years and apply at half of the bond rate thereafter. So these are highly concessional loans to help businesses who may not have the types of insurance products that some others do have to be able to see themselves through these tough times. Importantly, they also complement the efforts we're making to try to lift tourism, again notwithstanding— (Time expired)

The PRESIDENT: Senator Hanson-Young, a supplementary question?

Senator HANSON-YOUNG (South Australia) (14:49): My supplementary question hopefully can get a bit more of a direct answer from the minister. Will the government reconsider the consequence of pushing small business in fire affected communities into more debt, review the eligibility of the recovery grants and put more money on the table this year?

Senator BIRMINGHAM (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (14:49): The government has announced a $76 million package of support for the tourism industry, which is the largest single injection into the tourism industry, on top of a record budget for Tourism Australia. I acknowledge the work of state and territory governments of all political persuasions who are pursuing additional policies, programs and campaigns in terms of promoting their tourism industries.

The government has been very clear all along that the $2 billion we have committed to support bushfire recovery is an initial investment and we will look at other ways in which we can provide for recovery and other support across communities. But I would caution Senator Hanson-Young and the Greens in terms of thinking that cash payments need be the ultimate answer to everything. In addition to the plans we spoke of before, the government has made decisions for those businesses in fire affected regions about the lodgement of business activity statements which will provide for deferred payment around tax matters— (Time expired)

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

Senator HANSON-YOUNG (South Australia) (14:50): Thank you, Mr President. Who does the government believe deserves more taxpayer support: fire ravaged communities, small businesses or your mates in the coal industry with an indemnity payment for a new coal-fired power plant?

Senator BIRMINGHAM (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (14:50): I am happy to be able to bring together a couple of questions I have faced. I have already addressed in this chamber the $10 million for feasibility and business case studies into, yes, a coal-fired generation facility—potentially a high-efficiency one, in Queensland. And I would note that a pumped hydro facility is also being funded out of that same $10 million. It does stand somewhat in contrast, though, to the $2 billion that we have committed towards the fire affected communities and recovery and support for them.

I think it is very clear that this government's work in terms of supporting fire affected communities—whether it is the deployment of the defence forces or the financial support and programs being supplied—not just in tourism but in mental health, wildlife recovery and a range of areas, is firmly delivering all they need. And we have been very clear that there is more and there will be more. (Time expired)
Community Sport Infrastructure Grant Program

Senator GREEN (Queensland) (14:51): My question is to the minister currently representing the Prime Minister, Senator Cormann. Sky News has reported that Liberal members of parliament were concerned they wouldn't get all the money they wanted from the government's corrupt sports rorts program, and the federal Liberal Party director assured him he would get onto it. What role did the federal Liberal Party play in the awarding of grants under the corrupt sports rorts program?

Senator CORMANN (Western Australia—Minister for Finance and Vice-President of the Executive Council) (14:52): I thank Senator Green for that question. I completely reject the premise of the question. The sports grants program is a very popular and highly successful program where there was more demand than available resources. Minister McKenzie, in reviewing the recommendations made by Sport Australia, made sure that electorates represented by the Labor Party received a fair share of the grants that were available. If Minister McKenzie had not employed her discretion and made judgements, the allocation of funding would have been more inappropriate. I think that is a matter of public record; I have said that on a number of occasions now. I have not personally been involved in the decisions in relation to those projects. Obviously, and appropriately, that was a matter for the minister for sports. That is really all there is to it.

The PRESIDENT: Senator Green, a supplementary question?

Senator GREEN (Queensland) (14:53): Thank you, Mr President. In relation to the Prime Minister's Office and the sports grants program, one government MP said: 'Quite obviously his office and the party directors like Hirsty would have been across trying to work out who gets what.' Why was Mr Hirst involved?

Senator CORMANN (Western Australia—Minister for Finance and Vice-President of the Executive Council) (14:54): I am not aware that Mr Hirst was involved. I am not in the habit of commenting on anonymous quotes—if indeed it is an accurate quote. Furthermore, the Prime Minister has been very clear on the public record in relation to his involvement and the involvement of his office. I have also made clear statements in relation to these matters, and I refer you to those previous statements.

The PRESIDENT: Senator Green, a final supplementary question?

Senator GREEN (Queensland) (14:54): Which member of the Prime Minister's office discussed the awarding of grants under the Community Sport Infrastructure program with the federal director of the Liberal Party?

Senator CORMANN (Western Australia—Minister for Finance and Vice-President of the Executive Council) (14:54): I don't accept the premise of the question. The Prime Minister has been very clear on the involvement that his office has had in relation to these matters, and that was one of advocacy on behalf of members that approached—

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

Senator Wong: Direct relevance: the question is which member of the staff?

The PRESIDENT: With respect, the minister was being directly relevant. He's allowed to challenge an assumption or assertion in the question.

Senator CORMANN: The involvement of the Prime Minister's office has been well documented. The Prime Minister's office, consistent with prime ministers' offices time immemorial, made representations on behalf of members of parliament, and that is entirely appropriate.

Defence Industry

Senator SCARR (Queensland) (14:55): My question is to the Minister for Defence, Senator Reynolds. Can the minister update the Senate on how the Morrison government is continuing to strengthen the Australian defence industry?

Senator REYNOLDS (Western Australia—Minister for Defence) (14:55): I thank Senator Scarr for that question, and I'd also like to acknowledge your engagement and support for Queensland industry—thank you. Australia's burgeoning defence industry is essential to ADF operations and it's also critical to generating the capability we need here to protect Australia and our nation's interests. Because of the Morrison government's strong economy, we are able to invest a record $200 billion in completely transforming the ADF and to take our defence expenditure up to two per cent of GDP—something that those opposite completely failed to do. Not only are we completely re-equipping the ADF; we are also the first government to fully engage and support Australian industrial capability through programs such as the $90 billion Naval Shipbuilding Plan, the $20 billion to modernise the Australian Army's fighting vehicles and the $18 billion to deliver the next generation of strike and air combat aircraft systems.
This is an opportunity not only for primes but also for small to medium business, which are the engine room of the Australian economy. In fact, in the last financial year alone, over $8 billion of defence contracts were awarded to Australian SMEs, which equates to thousands and thousands of new high-tech jobs right here in Australia. A great example of this growth is that, since the inclusion of the Local Industry Capability Plans in major construction contracts, 80 per cent of all subcontracts are going to local companies right across this nation, which directly benefits local businesses and injects over $3 billion into local economies right across our nation. In addition, the government is investing about $1.5 billion across the Next Generation Technologies Fund and also the Defence Innovation Hub. We are supporting defence industry and we are backing them in and we're backing—

(Time expired)

The PRESIDENT: Senator Scarr, a supplementary question?

Senator SCARR (Queensland) (14:57): Can the minister outline to the Senate how Army's vehicle programs will create jobs for Australians and support Australian defence industry, particularly in my home state of Queensland?

Senator REYNOLDS (Western Australia—Minister for Defence) (14:58): I thank Senator Scarr again for that question. This government is investing over $20 billion in modernising Army's fighting vehicles and a further $5 billion in Land 121 for logistics vehicles, which are now ready to commence exercises and training. But, under the $5 billion Boxer combat reconnaissance program, 211 vehicles will be delivered to create an estimated 1,450 jobs across the country—in particular, nearly 350 jobs in Queensland. Over the 30-year life of the Boxer, Australian industry is expected to secure $10.2 billion of work to build and to maintain the fleet. That, again, is thousands of jobs throughout the supply chain over that time. The majority of these vehicles will be built in Australia by Australians using Australian steel at Queensland's Rheinmetall Australian facility in Redbank. Local businesses, including Frontline Manufacturing and Rockpress—

(Time expired)

The PRESIDENT: Senator Scarr, a final supplementary question?

Senator SCARR (Queensland) (14:59): Can the minister outline to the Senate how our air combat programs will create jobs for Australians and also support our Australian defence industry, particularly in my home state of Queensland?

Senator REYNOLDS (Western Australia—Minister for Defence) (14:59): As I've said, this government has an incredibly proud record of delivering defence capability by Australians for Australians using Australian equipment and metal. The next generation of the Air Force strike and air combat capabilities is part of our record investment in the ADF. For the Joint Strike Fighter global supply chain program, over 50 Australian companies have already shared in $1.7 billion worth of contracts under this acquisition, and we are on track to deliver more than 5,000 Australian jobs for this project alone. Queensland based companies—Ferra Engineering in Brisbane, TAE Aerospace at Amberley and Heat Treatment Australia in Brisbane—have been successful in winning JSF work not only for the ones that we are acquiring but for the global supply chain for the Joint Strike Fighter. In addition, more than 90 per cent of Boeing Australia's new $280 million contract to sustain and upgrade our Super Hornets and Growlers will be delivered by Australian industry. (Time expired)

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

QUESTIONS WITHOUT NOTICE: TAKE NOTE OF ANSWERS

Liberal Party of Australia

Community Sport Infrastructure Grant Program

Senator KITCHING (Victoria) (15:00): I move:

That the Senate take note of the answers given by the Minister for Defence (Senator Reynolds) and the Minister for Finance (Senator Cormann) to questions without notice asked by Senators Green and Kitching today relating to the use of defence imagery and the Community Sport Infrastructure Program.

I was going to start it in another way, but I'm just going to take the chamber through what has happened with the Defence imagery, which Senator Reynolds seems incapable of knowing.

Senator Watt: Is she the Minister for Defence?

Senator KITCHING: Apparently, Senator Watt—I'll take that interjection—she is the Minister for Defence, but I'm going to take her through what's happened with the Defence image gallery. I'm happy to give Senator Reynolds all of the web addresses so that she can check these for herself. On the issue of Defence imagery, Senator Reynolds referred to the Defence image gallery yesterday. There it is also a Defence video library, which is currently being revamped, and that's being hosted on YouTube in the interim while the revamp is occurring. I don't want to spend hours going through all of the video, but it's clear that the footage from Defence's YouTube channel was used in the Prime Minister's Twitter video.
Here are a few examples. At about 00:02 through to 00:04 in the Prime Minister's video, there is footage of Defence personnel clearing trees. That footage is from a Defence video, and again I have the web address for that. At about 00:05 through 00:09 in the Prime Minister's video, there is footage of the MV Sycamore. That footage is also from a Defence video. At about 00:10 to 00:14 in the Prime Minister's video, there is footage of personnel in helicopters. That footage is, in part, from a Defence video—it's the one of the ADF member giving the thumbs-up.

I want to go to the copyright section of Defence's website, and again I have the address for the minister if she would like to check. I don't plan to read all of it; it's quite lengthy. It starts with the copyright symbol, followed by 'Commonwealth of Australia 2020'. I'm only going to read parts of it:

This material can not be used for political purposes or in a way contrary to Defence's apolitical standing.

To obtain a Commercial, Reproduce and Share video and imagery licence, please contact Defence Digital Media. Provide links to the specific video and imagery and a detailed explanation of the intended use of the product.

If the minister is incapable of answering these questions, I've got another solution for her. If you go to the financial report 2018-19 and also go to the ANAO's recent report into Defence's media and communications activity—again, I'm sure that the minister will be able to find these, but if she can't I will be able to give her those references, and I'm going to give her the table numbers so that they are very clear and very easy to find—there are 129.6 employees in the Defence communications and media team. Let's round that up to 130 people in there. Did Minister Reynolds not go to visit any of those people, or did someone in her office not phone up and say, 'Hey, I got asked these questions about a video'? There are 130 people in that team. Surely one of them could have answered a question. That's referring to table 1.3 in the ANAO report, for the minister's benefit.

But wait. There's more. If you go to the financial year report for 2018-19, you'll see that that department cost the Australian taxpayer $21 million. Surely the minister, or the department, is able to answer the questions I asked yesterday? This is the Ministerial and Executive Coordination and Communication Division. I just want to be very clear so that people are able to follow this, including the minister and the department. But of course we've seen that, as the defence minister, she is not a lone ranger in this government in impinging upon the impartiality of the ADF. Remember that last March, before the federal election, we had then Minister Pyne, the predecessor of Minister Reynolds, doing a press conference with senior military personnel. He was asked some questions about preference deals that the government was going to enter into in the election. The Chief of Defence Force went up to him and said that it wasn't appropriate for them to be in that media conference, appearing, like some coalition members do, and sort of nodding in the background. That is not the role of the Defence Force. (Time expired)

Senator PATERSON (Victoria) (15:06): I want to take the opportunity, at the outset in taking note of answers today, to place on the record my genuine and sincere disappointment at the choice opposition senators have made about the questions that they focused on today and about the ones they have chosen to take note of following question time today. I preface this by saying to Senator Kitching that this is not intended to damage your political career or mine, but I do have some respect and admiration for you and there are occasionally areas where we do have agreement. But instead of choosing to focus today on the very fair and reasonable questions, and very important questions, that Senator Dodson asked about closing the gap; instead of choosing to focus on the other big policy issues we've been debating in this chamber and in this building this week on emissions reduction or energy prices; and instead of choosing to ask questions about the very serious and real challenges that our regional communities are facing in recovering from bushfires, drought and now, in some areas, even from flood, the opposition has chosen to focus their take note and one of their questions today on a social media video posted during January by the Liberal Party of Australia.

This, very sadly in my view, sums up the priorities of the opposition. What they could have instead chosen to talk about or reflect upon were what I thought were two excellent speeches in the House of Representatives today by both the Prime Minister and the opposition leader on the Closing the gap report. I thought they set out very clearly and articulately the different approaches that the government and the opposition take on these matters, but also some important areas of agreement. For example, I thought that there were three positive things about the Prime Minister's speech today. On the one hand, he was very direct and very honest about the areas in which we have made progress and about the areas where, unfortunately, we have not made progress towards the Closing the Gap goals. I thought it was good, though, that it remained largely positive and optimistic throughout because, particularly in the space of Indigenous affairs, we cannot allow ourselves to become despondent and negative all the time. We should be sober and realistic about the challenges that we have, but we should celebrate the progress that we have made.

It was also deeply philosophical; it talked about a thoroughly liberal approach to assisting Indigenous Australians to empower themselves to help improve their own situation. I thought the Prime Minister framed those issues very well. Equally, although I didn't catch all of the opposition leader's speech, I thought that the parts
that I heard very clearly set out their commitment to constitutional change as the pathway which they thought was the best way of fixing the problems that Indigenous communities face that we all accept and are concerned about. Instead, we have heard a five-minute speech from Senator Kitching and a question today about a video that was posted on social media—not an advertisement, which it has sometimes been inaccurately characterised as—and which featured some freely and publicly available, or not, footage from the defence department.

I represent the state of Victoria, as does Senator Kitching. The community of Gippsland in the far-eastern Victoria has been particularly badly hit. I think they will be harshly judgemental in thinking the senators representing them in this place are having an argument about a social media video and its authorisation and not the homes that they lost, the lives that they lost or the lessons that we need to learn from this bushfire season to make sure that it doesn't happen again or, if it does happen again, that we are better placed to respond to it and manage it. I think that's the focus that they would want us to have.

I am pleased to serve as the deputy chair of the Finance and Public Administration References Committee. This chamber has referred to it an inquiry into the bushfires, and I am looking forward to working in a bipartisan way with Labor senators and the new chair of the references committee, Senator Ayres, from New South Wales, to get around to affected communities to hear their stories, to understand their experience and to make tangible and useful recommendations to government ahead of the next fire season about how they can respond. I really hope that that committee is not at all or in any way detained by silly, partisan, Canberra, inside-the-bubble arguments about social media videos and authorisations. I hope it is wholly and solely focused on substantive matters and things our constituents actually send us here to do.

**Senator POLLEY (Tasmania) (15:11):** What an extraordinary contribution from Senator Paterson, coming in here and trying to lecture us about how we should behave when the nation is in a fire crisis. It is the government who has politicised the Defence Force in this country, and to have the minister in question time today not being able to answer the questions, trying to twist the words—you tried to do the same thing, saying it's all about authorisation. The reality is the Australian people know how you, the government, have tried to politicise the Defence Force. You're getting a reputation for it. You come in here and try to say we should be talking about closing the gap. Well, we will be talking about that this afternoon. But it's your government that has been in power for the last seven years, so to try to lecture us about closing the gap and what we should be focusing on is just a little bit rich.

To use the Australian fire crisis that we Australians face and to politicise it by the Liberal Party wanting to make sure that they could raise money off the bushfire tragedy is low. That is really low even for this government. So the bar is not very high at all. But we know that, as people referred to the Prime Minister as 'Scotty from marketing', you have come in here trying to spin it. We saw a pathetic attempt by the Minister for Defence to do the same thing. Just own it. Own that you have politicised the Defence Force. You have tried to politicise and get some traction and financial gains out of the tragedy that has beset so many Australians right across this country.

And it's not just what's happening in Victoria. It's in my home state of Tasmania as well. We have seen a Prime Minister who is shonky. He is absolutely shonky. He will say and do anything. This is not just what we are saying; this is, in fact, coming from people within your own party. They're asking questions when we want to turn to the shonky sports rort under Minister McKenzie. We had a question today referred to one of your parliamentary colleagues: 'Quite obviously he is referring to the Prime Minister's office and the party directors like Hirsty'—

**The DEPUTY PRESIDENT:** Please resume your seat, Senator Polley. Senator Henderson?

**Senator Henderson:** I would just ask the senator to make her remarks through the chair.

**The DEPUTY PRESIDENT:** I'll listen carefully. I did think she was, but, Senator Polley, please continue.

**Senator POLLEY:** It referred to how some people may call the Prime Minister 'Scotty from marketing'. I didn't say that—I'm quoting other people—but, quite frankly, when your own colleagues from within the government are asking the questions about what role and identifying the fact that, obviously, the Prime Minister and the director of the Liberal Party were actively involved in communicating with Senator McKenzie, that just reinforces a concern that the Australian people have about this government: that the Prime Minister is all spin. There is no substance there at all, and he will do and say whatever it takes to get elected.

That's what the Australian people are seeing from this Prime Minister—that he can't be trusted. The Australian Defence Force is highly respected on both sides of the parliament. To use the ADF in a political way, which is becoming the norm for this government, is unacceptable—and Australians will find that very offensive. I have a daughter who was in the Defence Force. I have two nephews, one of whom is still serving in the Royal Australian Navy. I find it quite offensive that this government would stoop to politicising our Defence Force. It undermines the respect we have had for our Defence Force in this country for centuries. What I think the Australian people want from this government is some leadership, some transparency. They don't want them to use institutions like
the Defence Force for their own political gain—because that will be short-lived; the Australian people will respond at the next election in a way that you won't like. A word of advice: stop trying to cover up for Senator McKenzie— (Time expired)

Senator McMAHON (Northern Territory) (15:16): I have the utmost respect for Senator Kitching and Senator Polley. They are fine people. They are fine senators. I enjoy conversation with them. But obviously you have been set up to absolutely fail today and make a mockery of the system. There were two seconds of video—and that's the most important thing you can talk about today! It's absolutely disgraceful. I echo the sentiments of my colleague Senator Paterson. We've had some really important topics brought up today. We've had some important questions. We've addressed issues of national importance. And the very best thing Labor can come up with is two seconds of video! It's absolutely disgraceful and shameful. Have you got nothing else to think about? Have you got nothing else you can discuss? Is there nothing more important today than two seconds of video?

Under Australian law, an authorisation line is required on any material produced by a member or senator. The two seconds of video that those opposite referred to included the following information: 'Authorised by S Morrison, Liberal Party Canberra.' Senators on the other side: that is the Prime Minister of Australia, not 'Scotty from marketing'. Show a little bit of respect. Any multimedia material created that referred to ADF assistance to the bushfire response was designed to inform the community about what the Commonwealth government was doing. Many members of the community were concerned about what the ADF was or was not doing and what they should or should not be doing. This created concern and confusion in the community.

It was absolutely the correct thing to do—the government informing the community of how the ADF was being used, what they were contributing and what they were doing. It was simply to be as helpful as we could possibly be in the state of panic, fear, confusion and anxiety, with people wanting to know how and what the ADF was contributing. We needed to show people what resources we were getting, and the support, and how that was being used. Yet those opposite pick two seconds out of that reassurance from the government to people in affected areas—and that is your contribution to allaying the fears of people in bushfire affected areas!

I have the greatest respect for the ADF and what they do. They do many fine things in my territory, the Northern Territory. We have a large military presence. I have large numbers of constituents in the ADF in the Northern Territory, and I'm quite close friends with many of them. They're very proud of what they do, they're very proud of what the ADF does, and they're very proud of what their fellow members of the ADF did during the height of the bushfire crisis. Their concern is what contribution they and their fellow members can make, and their concern is for their fellow members that are affected by the bushfires. Not one of them has contacted me and said that they are concerned about two seconds of video. Not one of them.

Again, I am horrified that all of this good work done by the ADF and their families, the sacrifices that they have made and the pride with which they have conducted themselves throughout this crisis, is being absolutely belittled by those on the other side of the chamber. Have some respect for what our defence forces do. Back them up. And, if you can't show them support, at least don't try and criticise and tear down what the government are doing. (Time expired)

Senator GREEN (Queensland) (15:21): I rise to take note of the answer that we received in response to my question to Senator Cormann. This question related to the corrupt sports rorts scandal, but I just want to take note of some responses that we've received here after question time today. If the government don't think that this matters they have another thing coming, because it matters to the community. It matters to the communities that I speak to, the communities that missed out on this funding. It matters to the volunteers, the mums and dads who took the time to write grant applications and who are today still trying to figure out how they're going to find a shortfall in funding for female change rooms because their grant application was overlooked even though they scored 76 out of 100, which would have been over the threshold needed to get a grant. So it does matter to the community. It does matter to those mums and dads and those volunteers whether you use a merit based grant fund system to prop up your own election campaign. And if the government would like the opposition to stop asking questions about the sports grants—the corrupt sports rorts scheme—then they're very welcome to table the documents in the Senate that the Senate has required them to do. They are very welcome to come in here and provide that information we need to find out what happened to those grant applications.

But I know that that order for production of documents will be spoken about shortly, so I would like to talk again about the Auditor-General's report, and the process by which the minister's office used a colour-coded spreadsheet to decide who to give these grants to. The Auditor-General's report is very clear. The Auditor-General's report said the spreadsheet provided to the minister's office by Sport Australia included an assessment of scores that could have been used to rank the competing applications, but that was not done. Rather, it was initially proposed by the minister's office that applications located in a marginal and targeted electorate be successful at a significantly higher rate than the remaining applications. That's what the Auditor-General found. The applications
that the minister's office was proposing be successful were not those assessed as having demonstrated the greatest
merit in terms of the published program guidelines. This was particularly the case for projects located in marginal
and targeted electorates. I include that because we've had a series of different reports created and we've had the
minister resign. I think the government thinks that everybody has moved on from the Auditor-General's report.
The Auditor-General's report is very clear about what happened.

The question that remains after the Auditor-General's report is: who else was involved in this parallel process?
We have some clues as to who was involved. We know that the member for Longman, Terry Young, who was at
the time the LNP candidate for Longman, praised Mr Hirst and the Prime Minister for visiting a Caboolture sports
club on the eve of the election where he announced a half-a-million dollar grant to that sports club—impeccable
timing on the eve of the election. Obviously former Minister McKenzie was busy at the time and was unable to
come and present that cheque, so the Prime Minister went himself. We know that the Prime Minister's office was
involved, because an email from the minister's office to Sport Australia asked for a slight adjustment to be made
to the grants that were proceeding. When it came to sports rorts 2, even the current Senator Henderson, who was
at the time the Liberal MP for a marginal seat, said, 'If it was not for the Prime Minister including this money in
the budget it would not have happened.'

They were very proud at the time to stand there and take the credit. They are very proud now to come in here
and say that, actually, former Minister McKenzie did the right thing in granting those applications. But they are
not so proud as to table the documents and provide Australians with the information that they need or even to
answer the questions that we put to them in question time. (Time expired)

Question agreed to.

Gas Industry

Senator WATERS (Queensland—Leader of the Australian Greens in the Senate) (15:26): I move:

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

I asked why there is an obsession with gas when the greenhouse gas figures actually show that gas is driving
an increase in our emissions—in fact, emissions from the gas sector have gone up 600-plus per cent since 2005. I
put to the minister: why are they proposing that gas is somehow some solution to the climate crisis—gas being yet
another fossil fuel, not to mention the impacts that fracking for unconventional gas has on land and on water.
Farmers are up in arms about that and the National Party seems to have forgotten to be on the side of farmers. I
asked why there is this fascination with gas. Is it just because they're trying to throw former Minister Canavan
under the bus because he is now spruiking even more for coal? We've seen the new resources minister, Senator
Canavan's replacement, on the nuclear bandwagon. These guys are a complete rabble.

We all know the answer is renewables, but this government keeps saying gas is the way to go. Where is their
evidence when the proof shows that gas is increasing our emissions? The minister representing went to that tired
old argument: 'Well, you know, countries might substitute coal for gas, and it's all going to be okay.' I asked him
which are these countries? How much coal is being replaced by gas? Where is your actual evidence for this
contention? The minister did his level best but he couldn't answer the question, because it's not happening. In fact,
countries are now using gas and coal. There is no substitution effect happening. That's just fossil fuel talking
points that are being parroted by this government. Is it any wonder? I'm looking at the donations figures that were
just disclosed, and boy is big gas a big contributor to this government. Maybe that's why they're supporting gas as,
somehow, the new solution along with coal and, it seems, nuclear.

They're squabbling amongst themselves yet again ever energy policy. Meanwhile, the country has first cooked
and is now flooded. When is this government going to get its act together and develop a climate policy based on
science that can create jobs, look after workers and fix the climate crisis? They've got a renewable energy target
that runs out this year. It's flat for the next 10 years. They've got ARENA, the renewable energy agency, a
fantastic body, which they frequently commend but is due to run out of money. This government has never met
anything other than hypocrisy.

Of course, I asked them about the 2050 target. They've made some positive noises. Even the Business Council
now wants a zero-emissions target for 2050. The government are kind of putting their toe in the water. They
haven't committed to it yet, but maybe they're thinking about it. What's really clear, and what the scientists have
said, is that if we don't make swift reductions in this next decade on the pathway to a 2050 date—if we don't do
the heavy lifting in the next 10 years—we will reach those catastrophic climate tipping points. We're already
seeing the impact of a one-degree rise, and this government's pathetic policies, if you can even call them that, have
us on track for a rise of more than three degrees in global temperatures. That means more than three times the
severity of the impacts that we're seeing. Instead, the government are wedded to the coal industry and the gas industry, and they're continuing to dance to the tune of their donors.

They will, of course, say that they're going to meet and beat their targets. We've all heard those phrases—'meet and beat the targets' and 'don't accept the premise of the question'. It's all on autopilot these days. We can, sadly, predict what they're going to say. But the carryover credits that they're claiming from the Kyoto Agreement period are most of that so-called reduction. It was so beautifully put on Q+A the other night: it's like telling your second wife that you did all your dishes in your first marriage, so you don't have to do any dishes in this marriage. It was a fantastic analogy about relying on something that the rest of the world have said they're going to forgo: using those carryover credits. So no-one buys the lies, the spin or the dodgy accounting. People can see that Australia is at the back of the pack.

I want to just challenge one further contention that we frequently hear. The government say we've got the biggest per capita cut under their pathetic targets. That's actually true, but you know what the sad bit is? Even if we did do that cut, we would still be the largest per capita greenhouse gas emitters in the world. That's how far behind the pack this nation is. It's about time fossil fuels got their hands off this government and we got a decent climate policy that can look after workers and protect us all going forward.

Question agreed to.

PETITIONS

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

Live Animal Exports

To the Honourable President and Members of the Senate in Parliament assembled: The petition of the undersigned Townsville residents and visitors shows:

We support Townsville Against Live Export Inc. in their concerns about the cruelty inherent in the live animal export trade as animals transported overseas suffer during long distance transport by road and on ships, multiple loading and unloading, poor handling and cruel slaughtering methods.

Your petitioners ask that the Senate:

Take action to end the live animal export trade from Townsville and elsewhere and support producers to transition away from live export.

by Senator Faruqi (from 622 citizens)

Petition received.

NOTICES

Presentation

Senator FIERRAVANTI-WELLS (New South Wales) (15:32): On behalf of the Standing Committee for the Scrutiny of Delegated Legislation, I give notice of my intention, at the giving of notices on the next day of sitting, to withdraw business of the Senate notice of motion No. 1 standing in my name for tomorrow, proposing the disallowance of the Helicopter Aerial Application Endorsements Exemption 2019, and business of the Senate notice of motion No. 2 standing in my name for nine sitting days after today, proposing the disallowance of the Broadcasting Services (Transmitter Access) Regulations 2019.

Senator SIEWERT (Western Australia—Australian Greens Whip) (15:32): I give notice that within minutes I will be handing the Clerk a notice of motion on closing the gap.

Presentation

Senators Polley, Marielle Smith, Ciccone, O'Neill and Farrell to move on the next day of sitting:

That the Senate—

(a) notes that:

(i) some Australians with type 1 diabetes will benefit from the addition of flash glucose monitoring which has finally been added to the National Diabetes Services Scheme (NDSS),

(ii) the addition the scheme occurs only after a massive year-long community campaign by Australians with type 1 diabetes and the Opposition, including the tabling of a petition of 214,000 signatures to Parliament,

(iii) instead of claiming credit for a diabetes subsidy that comes a year late, and will cover fewer people than promised, the Minister for Health, Mr Greg Hunt, should apologise to Australians with type 1 diabetes for the delay,

(iv) Minister Hunt compounded his insult to Australians with type 1 diabetes by when he would allow its addition; he claimed to have never made the promise, but people with diabetes know his promise was clear,

(v) thousands of Australians have been forced to continue a painful regimen of finger-prick testing for 12 months because of the Minister's broken promise,
the recent announcement also falls short of expectations that all Australians with type 1 diabetes would be eligible for this NDSS subsidy, and

while very welcome for these groups, thousands of Australians will still miss out on affordable access to the flash monitor;
(b) calls on Minister Hunt to apologise for the delay; and
(c) thanks all those who worked so hard for this outcome, including the petition organiser Mr Chris Slingsby-Smith.

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

That the Senate—

(a) notes that:

(i) on 5 November 2019, Sunsuper confirmed it was in merger talks with QSuper – Queensland's largest superannuation fund, which would create the nation's largest superannuation fund,

(ii) the Chairman of the Sunsuper Board is the Honourable Andrew Fraser, former Queensland Treasurer and State Labor Member for Mount Coot-tha,

(iii) Ms Anne Fuchs, Sunsuper Head of Advice and Retirement, is the Treasurer of the Queensland Labor Party and a Director of Labor Holdings Pty Ltd – the Queensland Labor Party's investment arm;

(b) expresses its concern at the $11,000 political donation made by Sunsuper to the Queensland Labor Party on 5 September 2019;

(c) calls on Sunsuper to ensure that the interests of its hardworking members are the primary consideration in all business decisions; and

(d) calls on the Queensland Government to ensure that due process is followed in all decisions regarding the proposed Sunsuper and QSuper merger and reflect on whether it is appropriate for its party organisation to accept an $11,000 political donation from Sunsuper.

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

(1) That so much of the standing orders be suspended as would prevent this resolution having effect.

(2) That the Galilee Basin (Coal Prohibition) Bill 2018 be restored to the Notice Paper and consideration of the bill resume at the stage reached in the 45th Parliament.

**Senator Whish-Wilson** to move on the next day of sitting:

That the Senate—

(a) notes that:

(i) the Governor of the Reserve Bank of Australia (RBA), Mr Philip Lowe, has consistently urged government to use the cheapest money in history to invest in productivity – enhancing infrastructure, new data technologies, human capital, clean energy production and distribution, and measures to protect Australia from climate change, and

(ii) the Government's neglect of fiscal policy and its over-reliance on monetary policy is encouraging the inflation of asset prices and is helping push home ownership further beyond the reach of young Australians; and

(b) urges the Government to adopt the advice of the RBA and drive a government-led plan of investment to create new jobs and new industries in order to create a more sustainable economy and a more equitable future for Australians.

**Senator O'Neill** to move on the next day of sitting:

That the Senate—

(a) recognises that:

(i) the recent storms in NSW have capped off a brutal summer of natural disasters for Australia,

(ii) tens of thousands of people have been left without electricity, and residents have been forced to evacuate in areas across Sydney and the Central Coast,

(iii) hardworking members of the United Services Union and Electrical Trades Union (ETU) are out across the State of NSW in risky conditions working hard to restore power and clean up following this catastrophic weather event, and

(iv) residents in Mooney Mooney and Cheero Point of NSW have been without power for over 120 hours in the last 5 months, and recognises the hard work done by the members of the Mooney Cheero Progress Association;

(b) calls on the NSW Government to:

(i) explicitly recognise the significant role that union members make in clean-up efforts,

(ii) ensure that recovery efforts in future years are not hampered by shortages of workers,

(iii) acknowledge that privatisation of electricity infrastructure has failed to deliver better, cheaper and more reliable services for Australians,

(iv) invest in better publicly run and publicly funded services as promised by the NSW Government, and

(c) condemns the cuts to 5000 jobs since 2015 at electrical distribution businesses in NSW; and
calls on the Federal Government to:

(i) acknowledge that privatisation of electricity infrastructure has failed to deliver better, cheaper and more reliable services for Australians as promised by the Federal Liberal Government,

(ii) urgently undertake the necessary reforms at the National Energy Market level to address the deficiencies in the regulatory framework which compromises adequate resourcing and staffing by distribution companies to reliably deliver power to residents and recover from the damage caused by storms of increasing severity on the electricity network, and

(iii) invoke the ETU to the upcoming COAG Energy Council to brief the Council on the lack of capacity of electricity network and distribution businesses to adequately address and recover from events like the recent NSW storms.

Senator Farrell to move on the next day of sitting:

That the Senate—

(a) notes that:

(i) extended payment times are an ongoing issue for small businesses around Australia,

(ii) small businesses require prompt payments to help manage cash flow and to grow, particularly when access to finance is tight,

(iii) almost a year and a half ago, the Prime Minister promised to create a register of the payment times of Australia's 3,000 largest companies,

(iv) big businesses are frequently extending payment terms to small and medium sized suppliers,

(v) big businesses are increasingly extending payment terms while also offering third party 'reverse factoring' financing arrangements to small and medium suppliers,

(vi) small and medium businesses are forced to accept fees in such arrangements in order to be paid in reasonable timeframes,

(vii) the Australian Competition and Consumer Commission is reviewing 'reverse factoring' arrangements for potential breaches of Australian Consumer Law,

(viii) the Australian Small Business and Family Enterprise Ombudsman, Ms Kate Carnell, said in the Review of payment terms, times and practices report, dated March 2019, that such arrangements "must not replace reasonable payment terms being offered, 30 days or less from invoice, and paying to those terms. It is not acceptable for large business to use small suppliers to optimise their cash flow", and

(ix) following pressure from Labor, members of the crossbench, the Ombudsman, and the media, Rio Tinto and Telstra, have committed to 20-day payment terms; and

(b) calls on the Federal Government to:

(i) release details on its register of the payment times of Australia's 3,000 largest companies,

(ii) make a commitment that big businesses that extend payment times beyond 30 days and offer 'reverse factoring' arrangements cannot use such arrangements to hide their true payment times on the register, and

(iii) clampdown on conditions that allow big businesses to treat small businesses like piggy banks.

Senator Ruston to move on the next day of sitting:

(1) That departments and agencies be allocated to legislative and general purpose standing committees as follows:

Community Affairs
Health
Social Services
Economics
Industry, Science, Energy and Resources excluding Energy and Small Business
Treasury
Education and Employment
Education, Skills and Employment, including Industrial Relations
Industry, Science, Energy and Resources, excluding Industry, Science, and Energy and Resources but including Small Business
Environment and Communications
Infrastructure, Transport, Regional Development and Communications,
excluding Infrastructure, Transport and Regional Development
Agriculture, Water and the Environment, excluding Agriculture and Water
Industry, Science, Energy and Resources, excluding Industry, Science, and Resources
Finance and Public Administration
Finance
Parliament
Prime Minister and Cabinet
Foreign Affairs, Defence and Trade
Defence, including Veterans’ Affairs
Foreign Affairs and Trade
Legal and Constitutional Affairs
Attorney-General, excluding Industrial Relations
Home Affairs
Rural and Regional Affairs and Transport
Agriculture, Water and the Environment, excluding the Environment
Infrastructure, Transport, Regional Development and Communications
excluding Communications

Senator Keneally to move on the next day of sitting:
That the Senate—
(a) notes that the Migration Amendment (New Skilled Regional Visas) Regulations 2019 created new skilled regional provisional visas that began accepting applicants in November 2019;
(b) recognises that the Government has:
(i) appointed Regional Certifying Bodies (RCB) in each state and territory to provide advice and information to the Department of Home Affairs about local labour market conditions and other relevant regional matters,
(ii) nominated local Chambers of Commerce and Industry across Queensland to act as RCB,
(iii) failed to explain how actual or perceived conflicts of interest can be resolved when Queensland Chambers of Commerce and Industry are assessing and certifying applications for new regional provisional visas from their own members, and
(iv) failed to allow consideration of the New Skilled Regional Visas (Consequential Amendments) Bill 2019, despite it being on the Notice Paper since October 2019; and
(c) condemns the Federal Government for its failure to consult with unions and other employee groups prior to the appointment of RCB in Queensland.

Senator Faruqi to move on the next day of sitting:
That the Senate—
(a) notes that:
(i) Prime Minister Scott Morrison has signed off on a $2 billion deal with the New South Wales Government that would fast track the Narrabri Gas Project (NGP), which will extract gas from coal seams lying deep beneath the mighty Pilliga Forest,
(ii) the NGP is fiercely opposed by local communities, farmers, and ecologists because it threatens the Pilliga Forest, the Great Artesian Basin, farmers’ livelihoods, and food and water security, and
(iii) the NGP will further delay the shift to renewables and exacerbate the climate crisis; and
(b) calls on the Federal Government to protect the Pilliga Forest and the Great Artesian Basin from any new fossil fuel projects including the NGP.

Senator Rice to move on the next day of sitting:
That the Senate—
(a) notes:
(i) the growth in farmer-led action across Australia to adopt regenerative agricultural practices which are increasing soil health and carbon, and improving biodiversity and water systems,
(ii) that regenerative agriculture practices have the potential to address drought, flood and desertification issues currently faced by Australian farmers and land managers, and which are exacerbated by global heating and the climate crisis, and
(iii) that the second annual National Regenerative Agriculture Day is being held in Australia on 14 February 2020, sharing practices and information amongst primary producers nationally; and
(b) calls on the Federal Government to support agricultural practices that contribute to improving soil carbon, water systems and biodiversity, and which increase the resilience and health of our food and fibre production in Australia.

Senator Siewert to move on the next day of sitting:
That the Senate—
(a) notes that the low rate of Newstart and the insufficient rate of disaster payments do not adequately meet people’s needs and can exacerbate the difficult circumstances people are experiencing in the face of bushfires and drought; and

(b) calls on the Federal Government to immediately raise the rate of Newstart by at least $95 a week and raise the Australian Government Disaster Recovery Payment to $3000 per adult and $1000 per child.

Senator Faruqi to move on the next day of sitting:

That the Senate—

(a) notes that:

(i) everyone has a right to education, whether you are leaving school, changing careers, retraining later in life or looking to gain new skills and knowledge,

(ii) more than a million students will commence at, or return to, public universities and TAFEs around Australia this month,

(iii) access to a world-class education shouldn’t require going into large debts, but the average graduate today is saddled with more than $22,000 in study debt, and

(iv) a student graduating in 2020 will take a decade on average to repay their study loans just as they are starting out in life; and

(b) calls on the Federal Government to make TAFE and university free.

Senators Di Natale and Faruqi to move on the next day of sitting:

That the Senate—

(a) notes the passage of the Citizenship Amendment Act in India on 10 December 2019, which legalised the granting of Indian citizenship based on religion but specifically excluded Muslims;

(b) expresses deep concern that the Indian Government has created the legal grounds to strip millions of Muslims of the fundamental right of equal access to citizenship;

(c) is further concerned that the Citizenship Amendment Act could be used, along with India’s National Register of Citizens, to render many Muslim citizens of India stateless;

(d) further notes that there have been widespread protests in India against the Citizenship Amendment Act, and that the Indian Government’s response has been to impose curfews, shutdown internet services, use violence and force and detain and allegedly torture human rights activists;

(e) expresses solidarity with the community, students, academics, authors, artists, lawyers and many others who have been at the forefront of the movement against the Citizenship Amendment Act in India and across the world; and

(f) urges the Australian Government to call on the Indian Government to:

(i) revoke the Citizenship Amendment Act,

(ii) stop the criminalisation of protests, and

(iii) treat all of its citizens equally.

Senator McAllister to move on the next day of sitting:

That the Senate—

(a) acknowledges Prime Minister Scott Morrison’s extraordinary rebuke of New South Wales Minister for Energy and Environment and fellow Liberal, Mr Matt Kean MP, for suggesting federal Liberals are pushing the Morrison Government to increase its ambition on emissions reduction;

(b) notes that Prime Minister Morrison told ABC’s AM program in response to Minister Kean’s comments: “Matt Kean doesn’t know what he’s talking about, he doesn’t know what’s going on in the federal cabinet [and] most of the federal cabinet wouldn’t even know who Matt Kean was”; 

(c) acknowledges the support of federal Liberals, including North Sydney MP Mr Trent Zimmerman, for increased emissions reduction;

(d) further notes:

(i) Mr Zimmerman’s quote in the Fairfax-Nine newspapers that: "Australians want us to get on with the job of meeting our Paris emissions but looking at what more we can do to reduce our emissions further”,

(ii) that despite Prime Minister Morrison repeatedly declaring Australia will "meet and beat" its international emission reductions obligations that:

(A) the Government's own emissions data confirms Australia will not meet our Kyoto commitment to cut emissions by 5% next year on 2000 levels by 2020,

(B) the Government's own data suggests our emissions will come down by less than 5% over the next 10 years, and

(C) at the Government's current rate of emissions reduction it will take Australia 230 years to reach net zero emissions, rather than the 30 years scientists tell us is necessary; and
(e) calls on the Prime Minister to stop fudging the numbers and show some leadership, control the civil war within the Coalition over climate action, and finally put in place a policy that will reduce Australia’s emissions.

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

(a) notes that the Closing the Gap Report 2020 shows that we are on track to meet just 2 of the 7 targets to reduce the disparity in health, education and employment outcomes between First Nations peoples and non-Indigenous peoples;

(b) acknowledges:

(i) the important work being done between the Council of Australian Governments and the Coalition of Peaks to develop a new National Agreement on Closing the Gap, and

(ii) that punitive measures like compulsory income management, the Cashless Debit Card, the Northern Territory Intervention, and the Community Development Program are inconsistent with this new approach;

(c) further notes the failure to implement recommendations from significant reports, such as:

(i) The Royal Commission into Aboriginal Deaths in Custody,

(ii) Bringing Them Home: Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families; and

(iii) Royal Commission into the Detention and Protection of Children in the Northern Territory; and

(d) calls on the Federal Government to abandon punitive measures and to commit to a genuine process of self-determination to close the gap.

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

(a) notes that:

(i) the Government legislated in 2014 to increase the superannuation guarantee to 12% by 2025, and

(ii) the Minister for Finance, Senator Cormann, said in the Senate that the increase to the superannuation guarantee would be "specified and locked into the legislation"; and

(b) reaffirms its commitment to the legislated superannuation guarantee rise to 12% by 2025.

Postponement
The Clerk: A postponement notification has been lodged in respect of the following:

General business notice of motion no. 437 standing in the name of Senator Hanson-Young for today 12 February 2020, proposing the introduction of the Environment Protection and Biodiversity Conservation Amendment (Climate Trigger) Bill 2020, postponed till 13 February 2020.

COMMITTEES

Economics References Committee

Reporting Date
The Clerk: A notification of extension of time for a committee to report has been lodged in respect of the following:

Economics References Committee—Unlawful underpayment of employees' remuneration—from last sitting day in June 2020 to 3 December 2020.

The PRESIDENT (15:33): I remind senators that the question may be put on any proposal at the request of any senator.

MOTIONS

Leader of the Government in the Senate

Senator Wong (South Australia)—Leader of the Opposition in the Senate) (15:33): I, and also on behalf of Senators Waters, Lambie, Patrick and Hanson, move:

That—

(1) The Senate notes that:

(a) on 5 February 2020, the Senate ordered the Minister representing the Prime Minister, Senator Cormann, to table the final report provided by the Secretary of the Department of the Prime Minister and Cabinet, Mr Phillip Gaetjens, to the Prime Minister in relation to the application of the Statement of Ministerial Standards to the former Minister for Sport, the Honourable Senator McKenzie's, award of funding under the Community Sport Infrastructure Program;

(b) on 6 February 2020, the Minister representing the Prime Minister tabled a letter making a public interest immunity claim grounded in the preservation of the confidentiality of cabinet deliberations,
(c) the document is a final report prepared outside of the Cabinet Room and has no capacity to reveal deliberations inside the Cabinet Room; and

(d) the Senate does not accept the public interest immunity claim made by the Minister representing the Prime Minister.

(2) Until the final report provided by the Secretary of the Department of the Prime Minister and Cabinet, Mr Phillip Gaetjens, to the Prime Minister in relation to the application of the Statement of Ministerial Standards to the former Minister for Sport, the Honourable Senator McKenzie's, award of funding under the Community Sport Infrastructure Program, is tabled, or 6 March 2020, whichever is the earlier, Senator Cormann be prevented from:

(a) being asked or answering questions which may be put to ministers under standing order 72(1) where such questions are directed to the Minister representing the Prime Minister;

(b) representing the Prime Minister before a legislative and general purpose standing committee, including during consideration of estimates; and

(c) sitting at the seat at the table in the Senate chamber that is ordinarily reserved for the Leader of the Government in Senate.

Senator CORMANN (Western Australia—Minister for Finance and Vice-President of the Executive Council) (15:33): I seek leave to make a statement of no more than seven minutes.

Leave granted.

Senator CORMANN: The government will oppose this motion, and I call on the Senate to oppose this motion in full. As Justice Meagher observed in the New South Wales case of Egan v Chadwick and Others as part of the majority decision:
The Cabinet is the cornerstone of responsible government … and its documents are essential for its operation. That means their immunity from production is complete.

Even Chief Justice Spigelman, who took a slightly softer position, also made clear as part of the same majority decision, at paragraph 70, that the power to require the production of documents should 'be restricted to documents which do not, directly or indirectly, reveal the deliberations of cabinet'. It has been well recognised in the Westminster system for hundreds of years that it is in the public interest to preserve the confidentiality of cabinet deliberations to ensure the best possible decisions are made following thorough consideration and discussion, including of relevant advice to cabinet or its committees. Under our system of responsible government, the principle of cabinet confidentiality is central to ensuring the provision of good government.

The report that the movers of this motion are attempting to force me to table on behalf of the government is a cabinet-in-confidence document. It is advice prepared by the Secretary of the Department of the Prime Minister and Cabinet for the purpose of informing the deliberations of the cabinet committee, and it is advice which was formally considered by that cabinet subcommittee as part of its deliberations. The Governance Committee of cabinet did not just use this report as some background material; it deliberated upon its very contents and made decisions directly in relation to those contents. Its release would therefore reveal deliberations of a cabinet committee. It would do so directly or, at the very least, indirectly.

Labor Senate cabinet ministers in the past—and, I would put it to the Senate, any Labor Senate cabinet minister in the future—being asked to release cabinet documents of formal advice prepared for the consideration of and informing the deliberate processes of cabinet or a cabinet committee would have refused, and will refuse in the future, to comply with any such request, claiming, as I have, public interest immunity. I continue to claim public interest immunity on behalf of our government, in the same way governments of both persuasions have done since Federation.

Turning to the sanctions proposed in part (2) of the motion. In the 119-year history of the Australian Senate, those proposed sanctions are completely unprecedented—completely unprecedented—and they are completely inconsistent with the ordinary application of the standing and sessional orders and longstanding Senate practice. It is our view that part (2) of the motion is asking the Senate to exceed its powers. There are limits on the Senate's powers, and it's our view that this motion is asking the Senate to exceed its powers.

The selection of the Leader of the Government in the Senate is a matter exclusively for the government, and such a decision should not be undermined by the Senate denying him or her the rights and privileges which accrue to the person holding that position from time to time under the practices and procedures of the parliament. Furthermore, the government allocates ministerial responsibilities. This motion would remove the capacity of senators—all senators, including Labor senators—to ask questions of the Minister representing the Prime Minister in the Senate, which surely is counterproductive and entirely undesirable. It would also deny a minister the right to attend legislative and general purpose standing committees, including during the consideration of estimates, which denies the government the capacity to fulfil its responsibility to outline and explain its actions to the Senate.
In any event, even if the Senate had this power, it would be an abuse of power to use it. Consider this: if the Senate had this power, where a majority of senators could remove a senator from his or her chair and prevent him or her from performing the functions to which he or she has been duly appointed, then a majority of members in the House of Representatives could conceivably do the same. A government majority in the House of Representatives could remove the Leader of the Opposition from his chair at the table for three weeks and prevent him from asking questions, similar to what this motion is seeking to do to me as the Leader of the Government in the Senate. It would be completely inappropriate and we would never do it because, unlike those opposite, we respect the institution of the parliament.

We all understand that this is a political stunt. The fact that Labor is proposing and supporting this motion reflects very badly on all of you. Let me say to those Labor senators who have not yet been ministers but who aspire to be Senate ministers in the future: be very, very wary of letting those who came before you box you into precedents that you, not they, will have to live with in the future. I urge the Senate to reject this motion.

Senator WONG (South Australia—Leader of the Opposition in the Senate) (15:39): Senator Cormann defends himself and argues against this motion on the basis it is unprecedented. He makes that argument as if it is in his favour. It is not. He's right; the sanctions that are proposed against him as Leader of the Government in the Senate are unprecedented. But they are necessary because of the unprecedented behaviour of this government. That senators from across this chamber with a wide range of perspectives agree that such unprecedented action is necessary should be cause for reflection. When your behaviour—

Senator Cormann interjecting—

Senator WONG: I listened to you in silence for the most part; give me at least a couple of minutes. When your behaviour provokes an unprecedented response, it might be cause to consider your own behaviour. Instead of pointing the finger, have a look in the mirror.

Senator Cormann argues that cabinet is the cornerstone of our democracy. He's right. That is why it ought not be used to perpetrate a political rort. That is why cabinet confidentiality ought not be used to perpetrate a political rort and a cover-up. Who are the ones trash ing our democracy these days? There is a principle of cabinet confidentiality. There is also a principle of ministerial accountability to the parliament. Every day in this place we see the ways in which those opposite disregard that. We saw that today with Minister Reynolds.

It is entirely explicable why the government have such an attitude, though. Frankly, they're arrogant. They've been on a victory lap. They think they own the joint. They think that the last election was the last word on accountability. They think they're unbeatable and that, no matter how badly they govern or abuse their office, they can get away with it. That's what they think, and it is reflected in their behaviour.

I would remind government ministers that unchecked power never ends well. When Mr Howard won control of the Senate in 2004, it was the beginning of the end of the Howard era. Just as the Howard government did then, Mr Morrison and most of his ministers think they're above it all. They think they don't have to answer questions. They think they don't have to be accountable. We're seeing it in so much that they do. We see it in Mr Morrison's interviews, where he consistently refuses to answer questions that he doesn't like from the media: 'That's just in the bubble.' We see it in question time—refusal to answer, obfuscation and disregard for the parliament. We see it in Senate estimates, with complete contempt in taking unprecedented numbers of questions on notice—over 100 questions in one hearing alone. We see it in the government's misuse of the Public Service. They treat it as an extension of their ministerial offices, encouraging officers to take questions on notice and ensuring that public servants are not expected to come prepared or with material. We see it in their refusal to provide legal advice that confirms the government acted within the law. We see it in their complete contempt for the independent Auditor-General's report into the sports rorts scandal. We see it in their appointment of the Prime Minister's mate Mr Gaetjens to run PM&C. We see it in that mate being asked to write a report that whitewashes the government's wrongdoing in the sports rorts scandal, and we see it in the government refusing to make that report public.

Senator Cormann pretends that, somehow, the delivery of this report to the Senate would reveal cabinet deliberations. He knows this is an abysmal failure of accountability and a complete distortion of the principles of cabinet confidentiality. Odgers' Australian Senate Practice makes it clear that it has to be established that disclosure of the document would reveal cabinet deliberations. The government can't simply make that claim, because the document was walked through a cabinet room or has the word 'cabinet' on it. The fact is that the Gaetjens report, like the use of cabinet confidentiality, is simply another step in this cover-up.

Let us remember this: all of these contortions are necessary. Putting into cabinet a document that they have to keep secret, legal advice from Mr Porter that they have to keep secret—they're all necessary because they have to refute the report of an independent statutory officer. That's what all this contortion is about. It's refuting a report of an independent parliamentary officer who both has said that the money ought not have been allocated in the way...
that it was misadministered and also questioned the legal basis of the power of the minister to do these things. So, in order to dismiss the independent statutory officer's report—the independent authority—they go through this contortion of putting documents into a cabinet process so they can then hide them. But, regardless of whether this motion gets up, there's a bigger question here for Senator Cormann, and I say this to him: is this really the hill you want your credibility to die on—all your years in this place, all your efforts to bring integrity to this place, going up in smoke to protect a man who would never do the same? I hope Senator Cormann acts in this place to protect his legacy and reputation rather than the unsalvageable reputation of the ad man that purports to lead this country. I say to Senator Cormann: I hope he uses his leadership in this place to ensure a change of behaviour, a change that ensures the Senate is not forced to try and take this unprecedented step again.

The PRESIDENT: I can't ask anyone to withdraw, but there are officers in the other place that I think need to be referred to by their formal title.

Senator WONG: I withdraw—Mr Morrison.

The PRESIDENT: Thank you, Senator Wong. Senator Patrick.

Senator PATRICK (South Australia) (15:46): I seek leave to make a statement for fewer than seven minutes.

The PRESIDENT: Leave is granted for five minutes.

Senator PATRICK: In speaking in support of this motion, I really just want to read some statements from my first speech. In my first speech I said:

In this I refer to the Senate's role of probing and checking the administration of laws, of keeping itself and the public informed and its requirement to insist on ministerial accountability for the government's administration. With words so relevant to us, that they are quoted in Oudgers, US President Woodrow Wilson described the informing role of the congress, stating: "It is the proper duty of a representative body to look diligently into every affair of government and to talk much about what it sees. It is meant to be the eyes and the voice, and to embody the wisdom and will of its constituents. Unless Congress have and use every means of acquainting itself with the acts and disposition of the administrative agents of government, the country must be helpless to learn how it is being served." The philosopher John Stuart Mill, quoted with approval in the High Court case of Egan and Willis, summarised the task as: "… to watch and control the government: to throw the light of publicity on its acts".

Most relevantly, I also said:

All too often orders for production of documents have been met with contempt. An order for production gets made, the government advances an argument for public interest immunity, however tenuous that argument might be. Invariably the Senate does not accept the public interest immunity claim and the government insists on its refusal to provide the document and the Senate does nothing except weaken itself.

Now, of the sanctions that are being talked about by Senator Cormann—the illegality or the inappropriateness of having a minister not able to do certain tasks within the chamber, or, indeed, to be expelled from the chamber—let me dispel any doubt: Mr Egan, the Treasurer of New South Wales, was expelled from the New South Wales parliament. It went to the High Court. The High Court affirmed that the House had the right to do so in managing its own affairs. There is no question, and Senator Cormann, who is a lawyer, knows that. It also happened in the Victorian parliament within the last couple of years. So I refer senators to Egan and Willis and what the High Court said in that case.

The government has been pulling down the steel shutters on transparency and accountability. In this case, there's been a sports rorts affair and the government has gone running to a bunker, and on the front door of that bunker is a label that says 'cabinet'. It is hiding behind cabinet for a matter which most Australians really do want exposed. Most Australians want to look into what actually happened, and there should be no fear in the government releasing a report that exonerates the actions of its ministers—indeed, the Prime Minister, if he was involved. So it is my strong view that the Senate must push back in circumstances where the cabinet bunker is being employed. We should not exercise our power irresponsibly, but there are times where you don't exercise power that results in an irresponsible action.

Senator WATERS (Queensland—Leader of the Australian Greens in the Senate) (15:50): I seek leave to make a statement of no more than five minutes.

Leave granted.

Senator WATERS: The government could have avoided this whole situation by simply voluntarily releasing the Gaetjens report. Reports of this nature have been voluntarily released before. Reports by secretaries of departments, including PM&C, have been put in the public domain voluntarily by governments before, even when they've been politically inconvenient. When did it become okay for that convention to not apply anymore? We are here because this government has completely pulled down the shutters and is in fact now the most secretive government that this nation has ever experienced.
We are in this predicament because the government are refusing to put into the public domain a report which you claim exonerates a minister who was then turfed out anyway. We get that this is politically inconvenient and very damaging for the government, but what is more damaging is for the Prime Minister to continue to insist that every single matter that he is questioned on is simply the Canberra bubble. This absolute lack of transparency and accountability is fundamentally behind the erosion of public trust in this government in particular and in our parliamentary system more broadly. Release the report. Do the right thing; don't make the Senate force you to do it.

On this claim of cabinet in confidence, the ministerial standards are very clear that they are the Prime Minister's ministerial standards. So the issue of why the governance committee of the cabinet was even discussing this, frankly, is also very fishy. It sounds to me like a politicisation of the Prime Minister's ministerial standards—discussing whose head is going to roll to protect the Prime Minister, who was clearly implicated in this whole sports rorts saga.

The other point is *Odgers* makes it perfectly clear that in fact you can assert a claim for either public interest immunity or cabinet in confidence but that the Senate can insist that the document nonetheless be produced. That is what we are doing and it is still within your purview to simply release the document and avoid the need for these sanctions to then apply to your ability to sit in that chair.

I think the public now knows that support for this motion has now been withdrawn by one of the signatories to the motion. One Nation have now said they won't be co-signing this motion anymore. I'm very interested in what changed their minds, very interested in what was provided to them by the government to make sure this motion doesn't pass today. It is yet another matter that no doubt we will never know about because you won't disclose it, because, once again, it's not in your interest to have any sense of accountability or transparency.

This whole saga just once again demonstrates that we need independent enforcement of these ministerial standards and we need an independent, properly enforced, strong, broad federal corruption watchdog—a body which your government got in the way of yesterday in the House by blocking a Greens bill coming on that would set up such a body. We are fed up with the constant lack of transparency and accountability. This government has reached new lows in that regard. It is damaging the institution of democracy, it is undermining the public's confidence in this very system and it won't end well for you, but nor will it end well for our polity. Please release the documents and avoid the need for the Senate to force you to do so.

**Senator HANSON** (Queensland) (15:54): I seek leave to make a very short statement.

**The PRESIDENT:** Leave is granted for up to five minutes.

**Senator HANSON:** One Nation has withdrawn our support for this motion. Yesterday, when it was presented to me, it was a lot stronger than this. It's actually to stop Senator Cormann from attending the chamber for the entire Autumn sittings. I totally refused to agree to that. That came back. With the way it was set out, he couldn't represent the Prime Minister in answering or asking questions. I did sign that, although it did disturb me.

This morning, after having further advice and consultation with Rebekha Sharkie, who came to my office wanting to speak to me with regards to this, and also having a phone call made to me early this morning by Stirling Griff, who is also very concerned about the motion—about the fact that it sets a precedent in this chamber—upon reflection, I don't believe we should continue with this. For that reason, I have withdrawn my support. I did inform the Labor Party about this. I have sent a message to Senator Rex Patrick about it, and I have also spoken to Senator Jacqui Lambie, and explained to them why I have withdrawn my support.

In this chamber, I hear both sides of the arguments that go on. Whoever is in government, you will do whatever you can for your own survival, regardless of what the public think. You will keep documents. You don't present documents. And the Labor Party have done it when they have been in government. What I'm concerned about is setting a precedent here in this chamber where a senator can be thrown out of the chamber by the majority. What's going to happen is this: it's not going to be the Labor Party or anyone else that's going to be accused of stopping democracy happening in this parliament. It will be One Nation or the minor parties, the crossbenchers, that will have to wear it. We will be blamed for overstepping our power in here for the wrong reasons. That is why I'm not going to wear this. The fact is that if you want your documents then you apply for them in the right way, and it's up to the government. I'm not going to defend them about this at all. I'm not going to be a signatory to the fact of having us make this decision. Senator Cormann is an elected member of this chamber. He has a right to his place in this chamber. It is not up to us to take away that right that was given to him by the Australian people when they voted for him. Therefore I stand by the fact that we are not supporting this motion.

**The PRESIDENT:** The question is that motion No. 445 be agreed to.

The Senate divided. [16:01]
Question negatived.

Senator CORMANN (Western Australia—Minister for Finance and Vice-President of the Executive Council) (16:04): I thank the Senate.

BUSINESS

Rearrangement

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (16:05): I move:

That—

(a) if the notice of motion proposing the disallowance of the Helicopter Aerial Application Endorsements Exemption 2019 standing in the name of the Chair of the Standing Committee on the Scrutiny of Delegated Legislation (Senator Fierravanti-Wells) for two sitting days after today (13 February 2020) has not been resolved by 12.45 pm on 13 February 2020, the notice of motion shall be called on and considered at 3.30 pm that day; and

(b) if consideration of the motion is not concluded by 4 pm, the question on the unresolved motion shall then be put.
Question agreed to.

BUDGET

Consideration by Estimates Committees

Senator URQUHART (Tasmania—Opposition Whip in the Senate) (16:05): At the request of Senator Kitching, I move:

That the Senate—

(a) notes that members of the Naval Shipbuilding Advisory Board are officers for the purposes of standing order 26(5); and
(b) requires members of the Naval Shipbuilding Advisory Board including, but not limited to, the Chair of the Board to appear before the Foreign Affairs, Defence and Trade Legislation Committee when it meets to consider the 2019-20 additional estimates, at 9 am on 4 March 2020.

Question agreed to.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (16:05): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator DUNIAM: The government has not yet formally responded to the opposition's request for members of the Naval Shipbuilding Advisory Board to appear before the Foreign Affairs, Defence and Trade Legislation Committee when it meets to consider the 2019-20 additional estimates, but it will do so. The request put to the chair of that committee is being discussed with the committee chair and considered in light of the government's prior agreement to have members of the NSAB appear before the Senate Economics References Committee.

Question agreed to.

DOCUMENTS

Defence Facilities: Chemical Contamination

Order for the Production of Documents

Senator ROBERTS (Queensland) (16:06): I move:

(1) That the Senate notes that:

(a) on 5 February 2020, the Minister for Defence tabled a response to an order for the production of documents relating to PFAS contamination at RAAF Base Williamtown and RAAF Base Richmond, agreed to on 4 December 2019;
(b) the response to the order did not include information in relation to RAAF Base Richmond and included incomplete information in relation to RAAF Base Williamstown; and
(c) despite the response stating that no livestock have been tested, reports have been made that cattle have been tested within the contamination zones of RAAF Base Williamtown and RAAF Base Richmond.

(2) That there be laid on the table by the Minister for Defence, by 10 am on 26 February 2020, the following documents:

(a) details of all blood testing on defence personnel and livestock which were taken from within the contamination zone of RAAF Base Richmond (including private land) within the last 24 months, including:
   (i) the level of per- and poly-fluoroalkyl substances (PFAS), and
   (ii) a copy of the test result for each test taken with all personal information redacted; and
(b) details of all blood testing on livestock which were taken from within the contamination zone of RAAF Base Williamstown and Williamstown Airport (including private land) within the last 24 months, including:
   (i) the level of per- and poly-fluoroalkyl substances (PFAS), and
   (ii) a copy of the test result for each test taken.

Question agreed to.

Banking Code of Practice

Order for the Production of Documents

Senator ROBERTS (Queensland) (16:06): I move:

(1) That the Senate notes that the Royal Commission into Financial Services made recommendations regarding voluntary codes of practice, including:

(a) recommendation 1— that the Australian Securities and Investment Commission's (ASIC) power to approve codes of conduct extends to codes relating to all Australian Prudential Regulation Authority (APRA) regulated institutions and Australian credit licence holders; that industry codes of conduct approved by ASIC may include 'enforceable code provisions', which are provisions in respect of which a contravention will constitute a breach of the law;
(b) recommendation 1–2019 Banking Code, the Australian Banking Association and ASIC should take all necessary steps to have the provisions that govern the terms of the contract made or to be made between the bank and the customer or guarantor designated as ‘enforceable code provisions’; and

(c) recommendation 4— as referred to in recommendation 1.15, the law should be amended to provide for enforceable provisions of industry codes and for the establishment and imposition of mandatory industry codes.

(2) The Senate further notes that ASIC stated in their publication “ASIC update on implementation of Royal Commission recommendations” as follows:

(a) ASIC will commence work immediately with the banking industry on appropriate amendments to the Banking Code in relation to each of these recommendations; and

(b) ASIC will work with industry in anticipation of the Parliament legislating reforms in relation to codes and ASIC’s powers to provide for ‘enforceable code provisions’.

(3) The response by the Minister for Finance (Senator Cormann) to a previous order for the production of documents (no. 332), agreed to by the Senate on 4 December 2019, included no suitable documents.

(4) That there be laid on the table by the Minister representing the Treasurer by 5pm on 24 February 2020 the following documents that relate to enforceable provisions of the Banking Code of Practice:

(a) all emails between the Treasury and any other party; and

(b) all draft or final documents, including but not limited to, internal memos, briefing documents, drafting guidelines and correspondence.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (16:07): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator DUNIAM: The government’s response to the final report of the Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry was released on Monday 4 February 2019, three days after the final report was presented to the government. The government has now implemented 24 commitments and has substantially progressed a further 35 which have been or are currently being consulted on ahead of their introduction.

Question agreed to.

MOTIONS

Aged Care

Senator McCARTHY (Northern Territory—Deputy Opposition Whip in the Senate) (16:07): I move:

That the Senate—

(a) notes that:

(i) the Aged Care Assessment Teams (ACAT) are teams of professionals that are based in hospitals across the country and are responsible for assessing which older Australians should receive government-funded care,

(ii) the Morrison Government has announced it wants to privatise the ACAT workforce from April 2021, when a tender will be put out for organisations to deliver this vital assessment,

(iii) the New South Wales (NSW) Liberal Minister for Health and Medical Research, Mr Brad Hazzard, has said that the Morrison Government's decision to privatise these services lacks "logic" and that "NSW has major concerns",

(iv) no consultation was undertaken by the Morrison Government to inform its NSW Liberal colleagues of the decision to privatise aged care assessment services, and

(v) there has also been criticism about the Morrison Government wanting to privatise assessment services by highly regarded experts across the aged care sector;

(b) supports the retention of ACATs as a publicly, independently provided service;

(c) opposes the privatisation of the ACAT workforce; and

(d) condemns the Morrison Government for its continued piecemeal approach to aged care policy.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (16:07): I seek leave to make a short statement:

The PRESIDENT: Leave is granted for one minute.

Senator DUNIAM: The government has not made a decision to privatise aged-care assessments. It's disappointing that claims to that effect are misleading the community and the parliament. The government made a commitment in the 2018-19 budget to streamline the assessment process of aged care in line with the 2017 Tune review recommendation that the government integrate regional assessment services with aged-care assessment teams. The royal commission, in the interim report, stated:
The Government has announced that it will implement this recommendation and will integrate the two assessment workforces from 2020. The Royal Commission considers that this integration needs to be progressed urgently.

The government rejects the false claims by Labor about consultation. In fact, there have been several rounds of consultation with states following the Tune review recommendation. The government remains committed to creating a better experience for senior Australians entering the aged-care sector, and our position remains unchanged. We are committed to ensuring that Australians seeking to enter aged care receive the timely, consistent and high-quality needs assessment that they deserve.

Question agreed to.

Workplace Relations

Senator URQUHART (Tasmania—Opposition Whip in the Senate) (16:09): At the request of Senators Sheldon and Walsh, I move:

That the Senate—
(a) notes that:
(i) Dinner by Heston, the high-end restaurant fronted by Mr Heston Blumenthal, has been caught stealing up to $4 million from its own employees,
(ii) these employees worked up to 25 unpaid hours each week, leaving many underpaid to the sum of $35,000 a year,
(iii) Dinner by Heston's landlord, Crown Casino, aided in this endeavour by entering into byzantine corporate arrangements including interest-free loans, millions paid to the restaurant's owners in licensing fees, and an annual rent for the restaurant of only $1,
(iv) this $4 million underpayment scandal joins Mr George Calombaris' $7 million dollar underpayment scandal and Mr Neil Perry's $10 million dollar underpayment scandal as yet another example of an alarming business model amongst elements of corporate Australia, and
(v) there is a wage theft crisis in Australia that must be addressed;
(b) supports real action on the underlying causes of these issues through the Economics References Committee inquiry, Unlawful underpayment of employees' remuneration, agreed on 13 November 2019; and
(c) commends the United Workers Union for their advocacy and hard work on behalf of these affected restaurant workers.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (16:09): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator DUNIAM: The government notes that this motion does not acknowledge the vital role played by the Fair Work Ombudsman as the primary workplace regulator. Given that the ombudsman has either taken or is continuing to take real action in relation to each of the matters mentioned in the motion, including the $7.8 million worth of underpayments of staff of the MADE Establishment group, this was no doubt an oversight.

The government is hopeful that the Labor Party's desire for yet another inquiry into this issue does not prevent them from supporting the government in taking real action in the meantime, such as through our forthcoming legislation to criminalise wage theft.

Senator HANSON (Queensland) (16:10): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator HANSON: One Nation agrees that wage theft is happening in Australia, but my concern is about targeting one individual, who has actually sold their house and has paid back the workers. What we need to take into account are those who have also been involved in this: Woolworths, the ABC and 7-Eleven. And one employee from Bunnings contacted us and said that he has been underpaid as well.

My concern with this motion here is that it's just focusing on one person. I think that we need to address everyone who has committed wage theft against their workers.

Question agreed to.

Safer Internet Day

Senator BILYK (Tasmania) (16:11): Before moving general business notice of motion 440, I wish to inform the chamber that Senator Polley will also sponsor it. I, and also on behalf of Senator Polley, move:

That the Senate—
(a) notes that yesterday, 11 February 2020, was Safer Internet Day (SID), an annual, worldwide event to promote a safer and better internet, where everyone is empowered to use technology responsibly, respectfully, critically and creatively;
(b) recognises that, while there are enormous benefits to the internet, going online also comes with risks including (but not limited to) cyberbullying, cyberstalking, trolling, malware, scams, and the theft of financial and personal information;
(c) expresses its support for the SID campaign’s aim to reach out to children and young people, parents and carers, teachers, educators and social workers, industry, decision makers and politicians to encourage everyone to play their part in creating a safer and better internet; and

(d) encourages:

(i) all members and senators in the Australian Parliament to promote the messages of SID to their constituents along with helpful advice about how to protect themselves and those in their care from harm online; and

(ii) the Australian Government, through its agencies – in particular the Office of the eSafety Commissioner – to provide the resources, educational materials and regulatory environment that helps all Australians to have safe, positive online experiences.

Senator HANSON (Queensland) (16:11): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator HANSON: I was listening to comments this morning, and this sounds all warm and fuzzy about Safer Internet Day, but it was raised that as part of this a parent must ask their two-year-old if they can take their photo. If this is all part of it, then you have to ask the question: who is the parent and who is the child? If this is what they're pushing, then I think it's ridiculous. I haven't been able to look at it to understand fully what is on the internet about it, but I'm concerned about supporting this motion.

Question agreed to.

Aged Care

Senator HANSON (Queensland) (16:12): I move:

That the Senate—

(a) notes that the current hourly rate of full-time pay for an adult aged care worker ranges from $20 (level 1) to $25 (level 7), which does little to recognise the dedication, compassion and caring they provide to our older, often vulnerable, Australians;

(b) acknowledges that this low rate of remuneration in an industry which demands a high level of care as well as health management skills leads to the high turnover of staffing in aged care facilities; and

(c) calls on the Federal Government to immediately act to increase pay rates in the aged care sector to better reflect the important work undertaken.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (16:12): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator DUNIAM: The government acknowledges the strong and dedicated workforce supporting senior Australians with in-home care and also residential aged care. Aged-care providers are responsible, together with their staff, to negotiate wages and conditions under enterprise-bargaining legislative provisions, as overseen by the Fair Work Commission.

The Fair Work Commission determines award rates for personal care workers under the Aged Care Award 2010; the Social, Community, Home Care and Disability Services Industry Award 2010; and, for nurses, under the Nurses Award 2010. Wage variations exist across employers, providers and jurisdictions. It should also be noted that, after each review of the minimum wage rates in Australia under this government, those rates have increased and that Australia now has the highest minimum wage in the world.

Question agreed to.

COMMITTEES

Corporations and Financial Services Committee

Reporting Date

Senator O'NEILL (New South Wales) (16:13): I move:

That the time for the presentation of the report of the Parliamentary Joint Committee on Corporations and Financial Services on its inquiry into the regulation of auditing in Australia be extended to 1 September 2020.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (16:13): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator DUNIAM: The government does not support an extension to this inquiry. The Senate agreed to a time line for the parliamentary joint committee to canvass important matters into the regulation of auditing in Australia.
The committee has conducted four public hearings and heard from all major submitters, including ASIC—twice—APRA, the ATO, the ANAO, the Treasury, the major accounting firms, two banks, standard bodies, academics and independent experts. The sooner the committee provides its recommendations to government for consideration the better.

Question agreed to.

DOCS

Energy

Order for the Production of Documents

Senator WATERS (Queensland—Leader of the Australian Greens in the Senate) (16:14): I move:

That there be laid on the table by the Minister representing the Minister for Energy and Emissions Reduction (Senator Birmingham) by 3:30 pm on 24 February 2020, all Departmental advice relating to establishing a coal-fired generation plant in Collinsville, Queensland, including but not limited to:

(a) the suitability or otherwise of a new coal-fired power station in Queensland;
(b) current congestion issues in this part of the grid network; and
(c) any economic, greenhouse or environmental impacts of establishing the coal-fired power station.


The PRESIDENT: Leave is granted for one minute.

Senator ROBERTS: The feasibility study has just been announced. It's pointless to investigate anything before that. Let's have a look at the feasibility study. One Nation opposes this.

The PRESIDENT: The question is that motion No. 444 be agreed to.

The Senate divided. [16:20]

The President—Senator Ryan

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

AYES

Ayres, T
Brown, CL
Chisholm, A
Di Natale, R
Farrell, D
Gallagher, KR
Griff, S
Kitching, K
Lines, S
McCarthy, M
Patrick, RL
Rice, J
Siewert, R
Steele-John, J
Urquhart, AE (teller)
Waters, LJ
Whish-Wilson, PS

NOES

Abetz, E
Askew, W
Bilyk, CL
Brockman, S
Carr, KJ
Cash, MC
Chisholm, A
Colbeck, R
Canavan, MJ
Duniam, J
Chandler, C
Hanson, P
Davey, P
Hughes, H
Henderson, SM
McDonald, S
Hume, J
McKenzie, B
McLachlan, A
McMahon, S
Molan, AJ
O'Sullivan, MA
McGrath, J
Rennick, G
Paterson, J
Roberts, M
Walsh, J
Watt, M

Question negatived.

MOTIONS
Water

Senator URQUHART (Tasmania—Opposition Whip in the Senate) (16:22): I, and also on behalf of Senator McAllister, move:

That the Senate—

(a) acknowledges:

(i) the devastating effect of drought on water supplies in Australian local communities, and
(ii) that the recent bushfire crisis has compounded water insecurity in affected areas;

(b) notes that:

(i) the Eurobodalla Shire Council’s 2016 proposal for a second water storage facility in the southern part of the shire would add 3,000 mega litres of water storage to the region,
(ii) the project has support from local and state governments, with the New South Wales (NSW) State Government committing $26 million in October 2019,
(iii) the Eurobodalla Shire Council has called for a $51 million commitment from the Government to build the dam, noting they will fund the rest of the $105 million project, and
(iv) all supporting parties should ensure the project is environmentally sound;

(c) recognises that:

(i) Australians and regional communities are rightly sceptical about the Government’s track record on water infrastructure and drought policy,
(ii) in 2013, former Prime Minister Abbott said he would build 100 dams across Australia—three terms later and in its seventh year of power, the Government has failed to fulfil its promise,
(iii) Prime Minister Morrison was caught out for being loose with the truth in October 2019 when he claimed his government was contributing more investment in NSW dam infrastructure than they actually were,
(iv) more than two years after the announcement of the $2 billion National Water Infrastructure Facility, not a single dollar had been spent, and
(v) that the Eurobodalla community has been waiting for a response from the Government since October 2019 in relation to their water storage proposal; and

(d) calls on the Federal Government to urgently respond to the Eurobodalla Shire Council’s request for funds for the Southern Water Supply Storage project.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (16:22): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator DUNIAM: The Australian government acknowledges the impact of the drought and bushfires that are continuing to have an effect across regional communities. The government is getting on with the job of building new water infrastructure to meet the needs of regional Australia, and we’ve established the National Water Grid Authority to oversee a national approach. We reject the assertions made in section 3 of this motion as the government has committed up to $3½ billion through the National Water Infrastructure Development Fund and National Water Infrastructure Loan Facility to build dams, weirs and pipelines. To date the government is committed to the delivery of 21 projects, including the Dungowan and Wyangala dams in New South Wales, and the government is actively working with state and territory governments to identify priorities for Commonwealth
consideration. The Eurobodalla project is currently being considered under round 3 of the National Water Infrastructure Development Fund, with outcomes expected shortly.

Question agreed to.

**Children's Rights Report 2019**

**Senator SIEWERT** (Western Australia—Australian Greens Whip) (16:24): I move:

That the Senate—

(a) notes that the report from the National Children's Commissioner, Children's Rights Report 2019, highlighted some critical issues in the protection of children's rights:

(i) First Nations children experience significant inequalities in health, education, justice and child protection outcomes,

(ii) there has been an increase in child deaths by suicide and hospitalisations for intentional self-harm,

(iii) approximately 17% of children under the age of 15 live in poverty,

(iv) there has been a 27% increase in reported substantiations of child abuse and neglect, and

(v) the age of criminal responsibility is ten, which is low compared to other countries; and

(b) calls on the Commonwealth, state and territory governments to implement the important recommendations made in the report, including:

(i) Australian Governments should urgently prioritise prevention and early intervention programs to reduce the number of children entering child protection systems and removing barriers to sustained reunification of children with their families by strengthening services and supports leading up to and post-reunification,

(ii) the Australian Government should make the Transition to Independent Living Allowance for children available for all care leavers leaving home up to the age of 25,

(iii) the Australian Government should develop a national poverty reduction plan that explicitly focuses on children, and

(iv) Australian Governments should raise the minimum age of criminal responsibility to at least 14 years and abolish mandatory minimum sentencing laws that apply to children.

**Senator DUNIAM** (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (16:24): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

**Senator DUNIAM:** The National Children's Commissioner's *Children's rights report 2019* warrants careful consideration from governments at all levels, which the government will give.

Question agreed to.

**DOCUMENTS**

**Climate Change**

**Order for the Production of Documents**

**Senator ROBERTS** (Queensland) (16:25): I move:

(1) That the Senate notes that, on 10 February 2020, Senator Cormann stated that climate change is human induced.

(2) That there be laid on the table by the Leader of the Government in the Senate, by 10 am on 24 February 2020:

(a) a list of titles of reports and publications which the Government relies upon for this belief; and

(b) for each publication specify the page numbers on which are presented the evidence that carbon dioxide from human activity affects climate and needs to be cut.

**Senator DUNIAM** (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (16:25): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

**Senator DUNIAM:** We acknowledge the need to take action to reduce global emissions to mitigate the risk of climate change. The science on man-made climate change is clear: climate change is playing a role in driving increasing temperatures, more severe droughts and longer fire seasons.

**Senator WATERS** (Queensland—Leader of the Australian Greens in the Senate) (16:25): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

**Senator WATERS:** The Greens support this OPD on the basis that Senator Roberts actually reads the documents that are provided, and we suggest that the government do the same. But there's no need for provision of the likely thousands of reports that could be captured by this OPD. Really, the government need only table the
IPCC's 1.5 degrees report to see the hideous trajectory that we're on, to see the serious consequences and to see the actions that need to be taken.


**The PRESIDENT:** Leave is granted for one minute.

**Senator GALLAGHER:** Labor will also support this motion but agree with the comments by Senator Waters in terms of what the government produces—that is, that a reasonable list of reports be tabled. I don't think we need necessarily specify page numbers, but we do expect that the government would have available to it a list of titles of reports and publications which the government relies on in acknowledging that climate change is real.

Question agreed to.

**MOTIONS**

**Climate Change**

**Senator WHISH-WILSON** (Tasmania) (16:27): I move:

That the Senate—

(a) notes that:

(i) urgent action is required to mitigate climate change,

(ii) the Intergovernmental Panel on Climate Change special report on Climate Change and Land, stated that, in the short term, leaving existing forests standing is the most effective way to manage forests to mitigate climate change, and

(iii) the plans by the Tasmanian Government to allow logging in the Tarkine in north-west Tasmania will result in an increase in carbon emissions; and

(b) calls on the Tasmanian Government to abandon its plans to allow logging in the Tarkine.

**Senator ROBERTS** (Queensland) (16:27): I seek leave to make a short statement.

**The PRESIDENT:** Leave is granted for one minute.

**Senator ROBERTS:** One Nation opposes this motion. No-one has ever provided the empirical scientific evidence proving that carbon dioxide from human activity causes climate variability. Secondly, the plans are for sustainable logging that will benefit jobs, maintain fire trails and sustainably reduce fuel load. We've just been through a terrible bushfire season due to national parks and other areas stopping sustainable harvesting that is needed to reduce the risk of high fuel loads. We need sustainable, select harvesting to reduce and manage fuel loads in order to save native fauna and flora, save property and save human lives. In One Nation we are true environmentalists, because we make decisions, based on data, to support human progress.


**The PRESIDENT:** Leave is granted for one minute.

**Senator GALLAGHER:** Labor does not support this motion. Labor has led the way in providing legislative protection for old-growth and high conservation value forests in Tasmania and across Australia, including through the creation of new reserves in the area known as the Tarkine. However, Labor are also unequivocal in our support for the sustainable management of our productive native forests and the many communities who rely on the jobs provided in forestry, including in north-west Tasmania.

**The PRESIDENT:** The question is that motion No. 447 be agreed to. Senator Whish-Wilson?

**Senator Whish-Wilson:** A point of order: Labor saved none of the Tarkine. Senator Gallagher, you just misled the Senate—

**The PRESIDENT:** Senator Whish-Wilson, good try. Cut him off. I'm going to start cutting people off when they don't even make a remote attempt to link a point of order to the standing orders. The question is that motion No. 447 be agreed to.

The Senate divided. [16:30]

(The President—Senator Ryan)

Ayes ....................11
Noes ....................44
Majority ...............33

**AYES**

Di Natale, R
Griff, S
Faruqi, M
Hanson-Young, SC
AYES

McKim, NJ  
Rice, J  
Steele-John, J  
Whish-Wilson, PS  

Patrick, RL  
Siewert, R (teller)  
Waters, LJ  

NOES

Abetz, E  
Antic, A  
Askew, W  
Bragg, A J  
Brockman, S  
Canavan, MJ  
Carr, KJ  
Cash, MC  
Chandler, C  
Chisholm, A  
Ciccone, R  
Colbeck, R  
Davey, P  
Dodson, P  
Duniam, J  
Farrell, D  
Fierravanti-Wells, C  
Gallagher, KR  
Hanson, P  
Henderson, SM  
Hughes, H  
Hume, J  
Kitching, K  
McAllister, J  
McCarthy, M (teller)  
McDonald, S  
McGrath, J  
McKenzie, B  
McLachlan, A  
McMahon, S  
Molan, AJ  
Paterson, J  
Remnick, G  
Roberts, M  
Ryan, SM  
Scarr, P  
Seselja, Z  
Sheldon, A  
Smith, DA  
Smith, M  
Stoker, AJ  
Van, D  
Walsh, J  
Watt, M  

Question negatived.

NOTICES

Presentation

Senator URQUHART (Tasmania—Opposition Whip in the Senate) (16:33): by leave—At the request of Senator McAllister, I give notice that, on the next sitting day, she will move:

That the Senate—

(a) notes that:

(i) the Government legislated in 2014 to increase the superannuation guarantee to 12% by 2025, and

(ii) the Minister for Finance, Senator Cormann, said in the Senate that the increase to the superannuation guarantee would be "specified and locked into the legislation"; and

(b) reaffirms its commitment to the legislated superannuation guarantee rise to 12% by 2025.

MATTERS OF PUBLIC IMPORTANCE

Australian Bushfires

The ACTING DEPUTY PRESIDENT (Senator Brockman) (16:34): A letter has been received from Senator Siewert.

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

The need for the Morrison government to take leadership to protect and restore Australia's fire-damaged landscapes by investing in reforestation, protecting native forests by ending logging (including damaging, so-called 'salvage' logging), and by urgently funding wildlife and habitat recovery.

Is the proposal supported?

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

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

Senator RICE (Victoria—Deputy Australian Greens Whip) (16:34): I rise to speak to this matter of public importance with a sense of urgency and determination because this parliament has a significant task in front of it.
The bushfires that have ripped through our East Coast have been devastating, and we have to respond quickly and comprehensively. Business as usual is not okay.

Since colonisation, Australia has been stripped of so much of its original vegetation. The landscape is now different, but there's still so much that we can learn from our First Peoples and their ongoing custodianship. We need to listen to them as we recover and restore these landscapes.

The task ahead requires real leadership in the national interest, not in the interests of a few greedy industries that are in the pockets of the major parties. Communities, land and nature must come first. Our native forests and the birds, the animals and the other wildlife that live in them have taken a huge hit with these fires. The exact scale of the destruction won't be known for some time, but we know it has been massive. For example, in my home state of Victoria, in the region of East Gippsland, 80 per cent of the forest has been burnt, and this is the part of the state that is more than two-thirds forested. If we're going to maximise the recovery and the revegetation of these forests, we need to make sure that we are not causing even more damage.

It's astounding that the native forest logging industry is proposing to go into these fire damaged forests to loot them and to log them. It's even more astounding that the federal and state governments are potentially going to agree. This is being dressed up as somehow making the best of this bad situation, or somehow making country roads safer. Let's be clear: after a fire, more logging and land clearing will make a bad situation worse. The safety task is separate. Of course we need to make sure that happens, but that's a very different proposal to getting in and looting them, with almost all of the wood coming out then going off to be turned into woodchips and exported overseas. We need to leave these trees where they are to maximise regeneration and regrowth, and to give wildlife a fighting chance to have some shelter and food. From koalas to quolls, from fish to the forest birds that live in these forests, they are going to have another hit on their wellbeing and, indeed, potentially their very survival if the loggers are allowed in.

The Morrison government have to take a lead here. It's the government's responsibility to act in the national interest when it comes to our threatened plant and wildlife species. This isn't just a matter for the states. The federal government oversees forest management and logging through the regional forest agreements. They have a critical role to play when it comes to management of our native forests and protecting our precious animals and birds. You must say no to this looting, this so-called salvage logging, and make sure that restoration and recovery are put first. Business as usual is not appropriate. We have to change our practices fast, and not just repeat past mistakes. Logging makes our forests more fire prone. Logging and land clearing destroy precious carbon sinks, which are a frontline defence to the climate crisis. The government needs to get its head out of the sand and listen to the science. It must end the logging of our precious native forests because that logging is actually setting us up for more devastating fires, droughts and heatwaves.

There are actions we need to take right now, and I call on the Prime Minister, the environment minister and the ministers responsible for agriculture, for mining and for forestry—Senator Duniam!—to wake up and listen to communities, listen to scientists, listen to wildlife carers and listen to First Nations people. You can no longer be setting policy for the industries and the interests of the last century. If you do that, you are sentencing our water, our wildlife, our forests and our regional communities to more fire, more floods and more destruction. There's a group of expert ecologists and researchers representing seven major universities who put out a report in January via the Threatened Species Recovery Hub laying out their blueprint for the conservation response to this summer's devastating fires. We must listen to the science, and I call upon the government to listen to the science.

This blueprint gives excellent guidance. It says we must act during the catastrophe to minimise biodiversity losses by including key biodiversity sites as assets that need protecting and using fire control mechanisms that have the least detrimental impacts on biodiversity. We must rescure injured wildlife and ensure short-term provision of food and water. We then need a rapid assessment of biodiversity loss. We have to prioritise species, sites and actions for response and make sure that recovery is properly managed. We then have to identify and respond to compounding threats, including drought and heatwaves. These are likely to continue and to be more extreme in the climate emergency that we're facing. We need to locate and protect refuge areas where unburnt patches are providing shelter and food for species. They say that communication is key. We need information exchange among responsible agencies and between them and the broader community. We also need coordination of resources between relevant agencies and NGOs. They need support to be targeting their work more effectively and strategically. And we need monitoring and research so that we can more precisely quantify and publicly report on the extent of the loss, the effectiveness of management responses, the pace and extent of recovery, and the ecological transitions and environment changes after the fires.

Then, in the light of these fires and in the light of climate change, we may need to reconsider our long-established conservation objectives. Long-term management actions must be planned for as well as the short-term responses. Then we need to implement and properly resource those actions. They say that the links with social and
economic responses need to be inbuilt and that we need to ensure that a 'caring for carers' strategy is in place, because this is a tough task for those individuals committed to wildlife recovery. Any reviews and inquiries need to keep the values and losses for nature in their sights. Finally, we need to prepare for future catastrophes and use lessons from this disaster to inform our response to possible events of this scale that may happen again.

So, Prime Minister, now is the time to listen and act. Listen to the science. Listen to the wildlife carers, the farmers, the fire chiefs and the scientists. Prime Minister, you've set up an expert panel to work with your Threatened Species Commissioner. You must implement real actions out of this, not just use it as greenwash. The task is big, but it is vital, and it is absolutely vital that the government rise to that task.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (16:42): I'd like to start by saying wood is good. It is actually a good resource. It's a wonderful material that is renewable. When trees are cut down and used to build things like the beautiful desks in this chamber and the framing of the buildings we work and live in, the trees are replanted. We don't leave deserts out there.

What we've just heard is one of the most ridiculous approaches to forest science, or so-called approaches to forest science, that I've ever heard. The Australian Greens are forest science deniers. They selectively quote from reports. One of the quotes that Senator Rice provided to the chamber a little earlier on was that forestry operations cause bushfires and increase the risk of bushfires. This is patently untrue.

The forest industry, I might add, supports 52,000 jobs in regional communities, like those in the state of Tasmania. It is worth $24 billion to the economy, including native forest harvesting, and I think it's madness that the Victorian state Labor government is planning to exit native forest harvesting when there is a market for it. I might add that we as a country are world leaders when it comes to managing our forest estates, both plantation and native. You know what? When we close down certain parts of our forest industry, the markets that want to buy our product go elsewhere to look for it, and they go to places where they don't manage the forests well, where they don't care about wildlife, where they burn the forests after they've gone through and where they don't care about jobs and the locals. We do. That's the difference, and that's what these policies that the Australian Greens bandy about would end up resulting in: worse environmental outcomes and worse economic outcomes.

I think we all need to acknowledge how devastating these bushfires have been for our nation and, as part of that, acknowledge the impact that the fires have had on the forest industry. No-one disputes the impact that they've had on the environment. I agree with Senator Rice. We do need to work together to protect our environment. The forest industry agrees, because if we trash our environment, if we trash our brand, no-one will want to buy our product. The Greens love going on overseas missions to tell the world we don't do it well, fibbing to the rest of the world about what we actually do here. It is an industry that we should be proud of. It is an industry that I stand proudly with.

To the point about salvage harvesting, Senator Rice referred to it as 'looting the forests'. The proposal by the Australian Greens to end salvage harvesting would mean that we would leave all these burnt trees on the forest floor. What happens when timber starts to rot? Oh, I think it starts to emit carbon. Salvage harvesting also manages fuel in the forest floor for the next big bushfire. So this idea of managing our forests to prevent these cataclysmic events that threaten life, threaten property, threaten the environment—you've got no plan, Australian Greens, to deal with these things. It's all emotive argument; it's not based on science. You have your head in the sand, Senator Rice.

Senator Rice interjecting—

Senator DUNIAM: The Australian Greens need to read the signs. I'd also invite the Australian Greens to come with me tomorrow. There are some timber contractors coming to Parliament House to meet with me to talk about things like salvage operations. I would like you to come and join them in my office tomorrow afternoon, and I would like you to explain to them why it is you think they should not be able to access this resource in a way that is environmentally sound, will protect these forests into the future and will prevent these fires from occurring to the same scale.

We hear all of this rhetoric around things like why fuel reduction burns and other measures like that shouldn't occur. The lock-it-up-and-throw-away-the-key approach is the wrong approach.

Senator Rice interjecting—

Senator DUNIAM: Exactly. I think Senator Rice agrees with me on that. We need to manage all of our forest estates. We need to make sure that we don't have what they call 'delinquent neighbours' with weeds and pests out of control and all the fuel-load building up the way that it is. We need to make sure that we are managing all of our forest estates, whatever the tenure, to ensure that we prevent these sorts of events from occurring in the future.
The forest industry in Australia is a proud industry. It's one that, generally speaking, enjoys bipartisan support between Labor and the coalition parties, particularly at the federal level. It's something that I look forward to growing as an industry. We've got a commitment to plant an extra billion trees, going to the point in the Greens MPI letter. I look forward to growing the industry, and I hope the Greens start listening to forest science instead of denying it. (Time expired)

The ACTING DEPUTY PRESIDENT (Senator Brockman): Senator Rice, I will point out that, in the main, you were actually listened to in silence. I would ask you to maintain order in the chamber.

Senator PRATT (Western Australia) (16:47): Australians are rightly devastated by the loss of life and property that they've witnessed over the past few months as a result of the bushfire crisis around the nation. More than a billion animals have perished in the fires and our nation has been subjected to a wide range of catastrophic impact. Our koala and other animal populations in many areas have been absolutely decimated. It's heartbreaking, I think many of us would agree, to cast your eyes over the images of our fire ravished landscapes that, prior to these bushfires, were stunning rainforest and bushland. Many senators have seen it firsthand around their own state, as I have.

Labor called on the government to convene a meeting of state and territory environment ministers and commence a national ecological audit. Such an audit, Labor believes, is absolutely critical to identifying the losses, delivering meaningful recovery and guarding against further extinctions. I note, for example, in that context, that 50 per cent or thereabouts of the Stirling Range—the Stirling Range National Park in Western Australia is a globally recognised biodiversity hotspot—was burnt by fire last November. That was even before summer had formally started. I firmly believe that the government is not acting with enough urgency in addressing this issue. Importantly, restoring animal populations and the ecosystem in fire affected areas will take careful management and commitment from government.

I'm probably not about to start taking advice on environmental management from the Greens political party, but I will say that the Morrison government has been extremely slow to act on the ecological crisis that our environment faces in the wake of this devastation, just as the government has been slow to act on all fronts during the bushfire crisis. Obfuscation of responsibility to the states in this regard is simply not good enough. This is a national emergency, a national disaster, and it requires a national response. The government has provided additional funding for wildlife recovery, and Labor welcomed that at the time. However, that announcement runs exactly counter to the government's record in the environmental space. We've seen funding cut to the environment department by some 40 per cent. Adding insult to injury, they've waited vast amounts of time between the announcements and the actual expenditure of these funds. The Morrison government failed to implement recovery plans for threatened species, with estimates that fewer than 40 per cent have a national recovery plan. And our government is, frankly, clueless about whether existing plans are even being implemented. So how can we trust the government to say they want to get active in the recovery of threatened species in the context of the bushfire if they can't even address whether they are upholding their responsibilities to the existing plans for threatened species that are in place? We know that in 2018 the government also cut the biosecurity and conservation division of the environment department by nearly a third.

The government can and should act immediately and decisively, mobilising more Australian land and species management specialists to intervene in this ecological crisis. On that note, like many senators here—certainly those of us in the Labor Party—we have a lot of contact with our local grassroots land management organisations, where volunteers and scientific experts and ecologists come together to do land and habitat restoration. Have I heard about any kind of call-out to those networks from the Commonwealth government to, for example, boost NRM funding in the context of the bushfires? No. No, I haven't heard that at all.

This motion by the Greens also highlights many rural and regional areas where strong forestry industries have also been impacted by the fires. Many of these communities rely heavily on forestry as a source of income, employment and economic development. Communities are now working out how they're going to rebuild and how they will be relying, frankly, on support from state and federal governments because their forestry jobs simply don't exist. We need real assessments to be undertaken of the full extent of this damage to both native and plantation forests. With proper assessments, communities and industry will be able to work together to rebuild. I'd like to call on the Greens to also consider, when putting forward such motions, the thousands of forestry workers across the country who will be grappling with a significant amount of uncertainty and anxiety about the immediate future of their work, not to mention dealing with the loss of property and the environment around them. I call on the Greens to show better judgement when it comes to making insensitive political statements, as we've returned to parliament at the beginning of this year.

Forestry workers and the forestry industry want a sustainable forestry sector. Labor supports the Regional Forestry Agreements, which ensure that Australia's native forests are managed sustainably. But what we've seen
under the Morrison government is the failure to implement a long-term forestry plan, and, in the context of a disaster like this, we have to look at the intersecting sustainability of our natural environment and our forestry industries. Prior to the bushfires, the industry was calling for a plan to ensure that a billion new plantation trees were planted by 2030. The industry knows it needs a sustainable, long-term supply of timber and has been crying out for this government to implement a plan to that end. If this industry is to continue to provide jobs and economic benefits to remote and regional communities, this is a plan that the Morrison government must get behind. We need meaningful action and support for the forestry industry as a matter of urgency if Australia is to continue to have a sustainable forestry sector—or, frankly, under the current circumstances, a significant forestry sector at all, if our forestry is so vulnerable to bushfire disasters such as we've seen over the past few months. The government's been consistently slow to act over these last months, and we call on them to turn that around today.

In addition, I'm calling on the Greens to be sympathetic to the workers in industries that have been targeted with no consideration given to the employment and income outcomes that are so important to them.

In concluding my remarks on this MPI, as we reflect on a real need for leadership to protect and restore Australia's fire damaged landscapes, we should, when talking about reforestation, native forests and logging, also be making sure that we take into account the needs of forestry workers when we look at our replantation and reforestation agenda. In addition, we certainly understand that the funding of wildlife and habitat recovery is urgent, and one of the things I think the government should be doing is resourcing the NRMs nationally, particularly those that have strong grassroots community networks.

Senator ROBERTS (Queensland) (16:57): As a servant to the people of Queensland and Australia, I oppose this motion of public importance. What an extraordinary motion it is. It is anti-human, as I will explain, because it relies on weather amnesia.

Has the Green movement not learned a thing from these devastating bushfires? The fuel load in devastated areas grew alarmingly over the last 20 years of political interference in forestry management by stakeholders who subscribe to green ideology just like this. Biosecurity and native vegetation legislation banned the removal of trees and branches because they are habitat for animals. How much habitat do these animals have now in the ash? Sustainable logging, specifically targeted by this motion, thins bush and maintains fire trails. Without that access, firefighters cannot get access to fires to put them out. We saw video of some of these miserable excuses for fire trails on social media, posted by frustrated firefighters—actually, by vulnerable and angry firefighters. Grazing in national parks has been banned to protect habitat, yet grazing in national parks reduces fuel loads. Residents have been banned from collecting firewood on the roadside and in national parks—activities that, again, reduce fuel loads. Residents were prevented from clearing far enough around their homes to protect their homes in a bushfire. To protect their homes! They can't do it. Their homes were lost. Lives were lost. Hazard reductions have been cut due to complaints from residents. Not in my backyard, they say. Fire brigades must now consider annoyance to residents when deciding on which days to burn. For years, local residents have been complaining about rising fuel loads and those warnings fell on deaf, green ears. Those fuel loads are the point of green forestry management. Greenies call it 'habitat'. Everyday Australians call it 'a disaster waiting to happen'.

It is a disaster that many, including One Nation, saw coming. Anyone with a history book should have seen these fires coming. Climate is cyclical, globally and in this country. The temperatures experienced this summer were not higher than previous cyclical highs in the 1880s and 1890s, nor the 1930s. In fact, in 1939 Australia experienced the Black Friday fires that took 71 lives. The ice dome core sample temperature reconstruction shows that in the last 1,000 years Australia has had 10 droughts that were worse than the drought we're currently experiencing—far worse. According to Paul Reid, an ecological criminologist and sustainability scientist at Monash University, 87 per cent of fires in Australia are caused by humans. This is about equal parts arson and neglect. Police reports confirm this. The difference this time was fuel loads.

To be clear, I'm not blaming the green movement for the number of fires that we had this summer; control of fuel loads does not reduce the number of bushfires. Proper forest management reduces the severity of bushfires. In demanding that the government put the bush back to the way it was before the fires, the Greens are creating the very conditions that caused these fires to burn hotter and longer than we have ever seen. Why? Why would we see these fires raging through hell, through fuel-laden forests, taking lives and taking homes, and then decide: 'Hey! Let's do that all over again!' The Greens have weather amnesia and fire amnesia, combined with fundamental ignorance or dishonesty in spreading weather amnesia among the community. This motion should not succeed. Greens' policies and behaviours are anti-environment and anti-human.

Senator HENDERSON (Victoria) (17:01): I'd like to begin my contribution with a warning that in this parliament and in this Senate, at a time when so many people are still suffering so significantly from the bushfires, we, as parliamentarians, have to exercise enormous responsibility in what we say and in how we direct our political advocacy. I need to make it very clear that bushfire impacted communities are not interested in self-
serving politicking, in toxic political pointscoring or in political one-upmanship. So I am disappointed by this MPI today. I have to say it is disgraceful, that at a time when the industry is hurting and on its knees as a result of these fires, the Greens are using this motion to push their anti-job agenda.

Let me just put a couple of things on the record. First of all, our government's response to this bushfire—these 'black summer' bushfires—has been unprecedented: a $2 billion National Bushfire Recovery Agency and massive investment in families and in emergency payments to small business, tourism, mental health, clean-up, infrastructure and, of course, for wildlife. So it's completely false that we haven't responded very quickly in relation to our concern for wildlife. There was a $50 million initial emergency response for wildlife and habitat recovery, and the minister has made it clear that more money will be committed. Our priorities are caring for and rehabilitating injured wildlife, so I was very disappointed by the remarks of Senator Pratt, who obviously has no idea of what is really going on. We are treating this very, very seriously, particularly in relation to the horrendous impact on Australian wildlife.

It is very disappointing—and I reiterate the comments of Senator Duniam—that the Greens are forest science deniers. There is no evidence whatsoever to suggest or to support the premise that logging makes our forests more fire prone. In fact, the Intergovernmental Panel on Climate Change, which advises the UNFCCC on climate matters, has stated unequivocally: A sustainable forest management strategy aimed at maintaining or increasing forest carbon stocks, while producing an annual sustained yield of timber, fibre or energy from the forest, will generate the largest sustained mitigation benefit.

So we're seeing the Greens on an ideological bent.

It's also disappointing that we haven't seen Labor or the Greens take issue in this debate with the shocking decision in Victoria by Premier Andrews to wipe out the native forest industry by 2030. It's particularly insensitive after East Gippsland has suffered the brunt of these fires. This decision will wipe out 4,700 jobs and hurt our economy to the tune of nearly $300 million. It shows a complete lack of respect for regional Victoria. It is a disastrous decision. Let me reiterate that native forestry is a sustainable industry. The average harvest area in Victoria over the past five years has been 0.04 per cent of the total publicly owned native forest in the state.

I call on the Victorian government to reverse this decision. The people of East Gippsland and north-east Victoria are hurting enough. We have seen Labor turn its back on coal workers and now we are seeing the same thing with our forestry workers. It is an absolute disgrace. To see Labor selling out regional workers in this way is absolutely untenable.

It's also disappointing that the Greens haven't recognised that protecting our fire-damaged landscapes means managing fuel reduction. We saw that with the 2009 royal commission into the Black Saturday bushfires. The royal commission made it very clear that a long-term program of prescribed burning, based on an annual rolling target of a minimum of five per cent of public land, was required. We have seen a shameful shortfall in terms of that recommendation by the royal commission. Last year, only 130,000 hectares of controlled burns occurred in Victoria, about one-third of what was recommended. So that is a real lack of respect for these important recommendations and a real misunderstanding of the contribution that fuel hazards play in—(Time expired)

Senator MARIELLE SMITH (South Australia) (17:06): I rise to speak on this matter of public importance. I agree with a small part of what Senator Henderson said, in that I do think parts of this motion are insensitive to people going through something very, very difficult and an industry going through something very, very difficult. We know that these fires that have occurred across Australia—including in Queensland, New South Wales, Victoria and South Australia—and impacted many rural and regional areas that have very strong forestry industries. These communities are now working on how they will rebuild, and federal and state governments will have a critical role to play in ensuring that these communities are able to recover. The management of both native and plantation forests must be properly assessed over the coming weeks and months. That is an important job which must take place. In this context, the motion put forward is disappointing and insensitive at a time when many of these communities are dealing with the loss of their homes, their jobs and their environment.

We know that the forestry industry wants a sustainable and productive forestry sector. Forestry workers themselves have a vested interest in both native and plantation forests. Labor supports the regional forestry agreements which ensure that Australia's native forests are managed in a sustainable way and that the management of native forests maintains regional environmental, heritage and social values. However, the Senate must also note that the Morrison government has failed to properly implement a long-term forestry plan. The forestry industry needs supply of the timber resource and, before the fires, had wanted a plan which would ensure one billion new plantation trees were planted by 2030. This plan has obviously been impacted by the fires. We need to see the Morrison government provide meaningful action and support to this industry as a matter of urgency if we are to continue to have a sustainable forestry sector.
The other part of the motion, which deals with the impact of these fires on wildlife and habitat, is something I want to speak to also. The impact of these fires on our native wildlife, especially in my home state of South Australia, has been absolutely horrific. On Kangaroo Island, 300,000 hectares were burnt. That is 68 per cent of the entire island. I'm not sure how many senators in this chamber have been to Kangaroo Island or are familiar with it, but 68 per cent is basically from one end almost to the other. Penneshaw was okay, obviously, but the Flinders Chase National Park was almost completely destroyed. The visitor centre there is gone. A national park which was filled with native wildlife and fauna has been completely destroyed by these fires. We know that, of these species, the Ligurian honey beehives were one of the most impacted. We lost 6,000 of these beehives and 10,000 were damaged. We know that the impact on native wildlife, habitat and the national park was severe. And it was a similar story in the Adelaide Hills with the Cudlee Creek fire, which claimed 25,000 hectares. It also claimed vineyards and farms, but obviously had an impact on native wildlife in the Adelaide Hills as well.

Overall, we know that one billion animals have perished in this national disaster. Australians have been shocked by the images of these animals which they've seen—dead and injured wildlife, as well as farm stock. It's been absolutely heartbreakingly. One of the things I had the opportunity to do in the aftermath of these fires was to deliver to one of the hospitals in Adelaide which was helping some of the koalas which had been impacted by the fires. It was absolutely heartbreaking: koalas with paws burnt white which had been forced out of their native habitat because it had burned. And that's not to mention all the koalas that we lost in those fires and the damage which has been done to the native koala population on Kangaroo Island. That's a population which is extremely important because it's one of the healthiest koala populations in Australia.

They're unique because they're one of the last remaining koala populations which are free of chlamydia, which is a disease prevalent across the mainland populations. It causes blindness, infertility and death. There is a lot of work and research being undertaken into koalas in the eastern states of Australia which have this disease and its impact on those populations. That's why the sustainability and survival of the koala population on Kangaroo Island is so important, because these are healthy koalas. They're healthy and they've been thriving. But reports now tell us that as few as 5,000 koalas remain on Kangaroo Island after these devastating bushfires. The Wildlife, Ecosystems and Habitat Bushfire Recovery Taskforce chairwoman has stated that, based on the destroyed vegetation, only 5,000 to 10,000 koalas are believed to have survived, compared with 50,000 to 60,000 before the December and January fires. So we're looking at just 10 per cent of that population of koalas left on Kangaroo Island—a population so important and central to our national koala population. It's very significant.

And that is not the only species which has been affected on Kangaroo Island. The worst affected animal is said to be the dunnart, an endangered, mouse-like marsupial which finds its home on Kangaroo Island. It's one of 49 species, including 47 plants and one spider, which are believed to have had at least 80 per cent of their species within the fire affected areas. Another icon of Kangaroo Island which is found solely on the island is the glossy black-cockatoo, and they're also said to have had their habitat ravaged in the bushfires. The Department for Environment and Water estimates that 75 per cent of South Australia's endangered glossy black-cockatoo population lived within the 210,000 hectares burnt in the recent bushfires. Before the fires on Kangaroo Island, the island was estimated to have 370 glossy black-cockatoos. Now, since the fires, we know that 59 per cent of all known glossy black-cockatoo feeding habitat, used by about 75 per cent of the population, has been burnt. And 74 per cent of all known nests, not to mention 93 artificial nest boxes, were within those fire affected areas on the island. That just gives the sense of the destruction on KI—how far it spread and how wide the impact was on these species.

It's devastatingly sad, and it's devastatingly sad to the people on the island, who know that these native species—the fauna on their island—are such a critical part of what makes that island unique and special, not just for the residents who live there but also for tourists and our tourism economy. I think that Kangaroo Island is one of the most remarkable places in the world. You can experience Australian wildlife and its native habitat, but, dreadfully, it has almost been wiped out by these fires. That's not to say there are no unaffected parts of the island; there are still great things to see, and I would urge people to still go to Kangaroo Island, to Penneshaw and other parts of the island, where they can still enjoy and look at this wildlife. But it does tell us that we need a serious plan to make sure that we're doing everything we can to protect the wildlife that is left and that we need to make sure we have appropriate plans in place to protect the wildlife into the future. I don't get the sense from this government that that has been one of their priorities, but I hope we see change on this. I get that sense because we've had reported cuts from this government to biodiversity and conservation within the environment department. That's not the sign of a government committed to protecting our native species and our native fauna.

We need this government to act now, decisively, by immediately mobilising more Australian scientists and land and species management specialists to intervene in what can only be called an ecological crisis. They must immediately explain to Australians how they will urgently act to preserve native species—not way down the
track, but today. What are they doing today? What can be done now to protect these native animals? What can be done today?

This is an issue of huge importance to people in my home state of South Australia. We care about our native animals, we care about what it means to Kangaroo Island and we are desperate to see the government take meaningful action to protect this wildlife and to address this ecological crisis. It's important not just to those who love these animals and love what it means, who believe in ensuring faunal protection, but to our tourism, to our broader economic recovery and to the environment. I urge the government to take immediate action on this matter.

**Senator McKIM** (Tasmania—Deputy Leader of the Australian Greens in the Senate) (17:16): We've just heard the last Liberal senator and the last Labor senator to make contributions on this matter of public importance describe this motion as insensitive. You know what's insensitive? Hugging lumps of coal. That's what's insensitive. You know what's insensitive? Making slow, sweet political love to the fossil fuel sector in this country, as the Liberal and Labor parties both do. That's what's insensitive. The science is clear: emitting fossil fuels is one of the great drivers of climate change and climate change means we are going to face more fires and they are going to be more deadly and burn more fiercely. That is the fact of the matter.

These recent tragic fires that cost 33 lives, devastated so many communities and killed over a billion animals were still burning when the mendicant logging industry in this country and its shills in the union movement, in the form of the CFMMEU, were out trying to exploit these fires and suggest an increase in logging volumes in Australia. That is what is truly insensitive. The science about logging is clear: it not only destroys habitat for threatened and vulnerable plants and animals, it not only of itself is one of the great drivers of climate change and one of the great emitters of carbon, but in fact makes forests more vulnerable to fire. Those are the scientific facts.

Curtin University forest and fire professor Philip Zylstra says:

Thinning trees would allow stronger winds access to fires burning beneath the trees. Also the more open a tree canopy is, the more able fire is to spread because the leaf litter will be drier from more light coming through and there will be a more dense shrub layer due to increased light for plants—that will make fires far more intense.

Professor David Lindenmayer, from the ANU, says:

Forests that have been logged and regenerated are significantly more likely to burn at higher severity.

New South Wales forest ecologist Mr Andrew Wong points out:

Logging removes most of the water from the landscape and replaces it with small dry kindling.

He says:

The map of the Border fire—

near Eden—

pretty much overlaps the same area that's been logged.

Make no mistake: logging forests makes them more fire susceptible, so people who support logging in this country support making our communities more vulnerable to the kinds of devastating fires that we have seen regularly.

But there is hope. There are people in this country who are standing up for a better way, and I thank the people who've been arrested in takayna/Tarkine in my home state of Tasmania in the last week—14 brave forest defenders who've stood up for the carbon in those forests, stood up for the threatened species—the beautiful animals and plants that make those forests home—stood up for the Aboriginal cultural heritage in that area and stood up against a mendicant logging industry that couldn't survive without the gross public subsidies that underpin its obscene profits. There is hope, but it will take the Labor and Liberal parties standing up against the big logging and fossil fuel corporates in this country. Tragically, we are still some way from that.

**Senator CHANDLER** (Tasmania) (17:21): I welcome the opportunity this evening to speak on this matter of public importance. The bushfires which have affected so many Australians and so much of Australia have been a tragedy in so many ways. The loss of life, the loss of people's homes, the loss of wildlife and the damage to the environment are all devastating aspects of this bushfire season. This matter that we're discussing tonight, put forward by the Greens, includes some aspects which I think everyone in this chamber can agree on—not all of the aspects, and later on I will get to which elements we don't agree on, but some.

There is significant work to do in restoring fire damaged environments and helping the recovery of wildlife populations. That work has already commenced under the leadership of the Morrison coalition government. One of the early actions that the government has taken is to make a $50 million down payment for emergency responses to wildlife and habitat recovery. This money is to act on immediate urgent priorities: to care for and
rehabilitate wildlife; secure viable populations of threatened species; control feral predators, other pest animals and weeds; and work with landowners to protect unburnt areas adjacent to bushfire damaged areas, which will be important habitats to allow native plants and animals to recover. The Threatened Species Commissioner is advising the federal government on further immediate actions and long-term wildlife protection and will work closely with the National Bushfire Recovery Coordinator. That is, of course, on top of the significant relief that we have provided for those people affected by bushfires as well. This summer’s bushfire season has been a significant environmental challenge, and the initial funding committed by the Morrison coalition government is just the first step to allow urgent emergency recovery actions to be rolled out. More money will be required, and it will be forthcoming. The Morrison government is certainly showing leadership and will continue to do so in all aspects of bushfire recovery.

But what I do strongly disagree with in this matter of public importance that we are discussing here tonight is the Greens’ attempt to shoehorn their antiforestry agenda—an agenda, sadly, shared by the Labor Party in my own state of Tasmania and in Victoria—into a matter about bushfire recovery. It is disgusting that, at a time when the forestry industry is hurting and on its knees as a result of these fires, the Greens are using them to push their antijob agenda. To be perfectly frank, in Tasmania and Victoria the Labor Party is just as bad.

Amongst the many thousands of career firefighters and volunteers who bravely fought bushfires and protected communities this summer are a number of forestry workers. In my own state of Tasmania, our Sustainable Timber Tasmania staff were fighting alongside the Tasmania Fire Service in the community of Fingal to ensure that that community was kept safe. Forestry workers have made a huge contribution and represent a highly skilled and experienced part of our bushfire resource. They understand native forests and how to fight bushfires, because they work in these forests day in and day out.

This matter of public importance also mentions reforestation. Who understands how to regrow and regenerate native forests better than our world-class forestry industry? One of the most common pieces of misinformation that is spread by the green movement in this country is to refer to the harvesting of timber in this country as ‘deforestation’ when they know very well that the trees that are harvested are replanted and the forest is regenerated. It's a regular occurrence, particularly in Tasmania, to have green protesters complaining of logging of pristine, old-growth native forest in coops that have actually been logged and regrown just 60 or 70 years ago.

As a government, we will of course continue to show leadership in helping our wildlife populations and our native forests recover from fire damage, but what we won't do, and what Labor shouldn't do either, is use these terrible bushfires as an excuse to attack our forestry sector and forestry workers, who contribute so much to our regional economies. These are shameful tactics by the Australian Greens to denigrate our forestry industry. I challenge the Labor Party, particularly in Victoria and Tasmania, to denounce them, just as I have tonight.

Senator WHISH-WILSON (Tasmania) (17:26): The lowest form of dishonest politics is to deliberately spread what you know to be lies, misinformation and untruths during a time of crisis. This summer the first lie was that it was the greenies’ fault that we saw these bushfires. It was conveniently peddled by the Murdoch press and their platform here in Australia. Very quickly, within a week, it was followed by arsonists being responsible for these fires. They were deliberate misinformation campaigns designed to deflect the blame from the government—yes, flee the chamber, Senator Chandler. You could learn something if you listened to this contribution.

Senator Brockman: I'd just ask that the senator withdraw that.

Senator WHISH-WILSON: I'll withdraw it. Today doing the rounds on social media was Senator Fierravanti-Wells with a satellite photo of the country deliberately spreading a new form of misinformation: that 70 per cent of the fires were started by ecoterrorists. I'm sure it's going to go well on social media. We've gone from greenies to arsonists to ecoterrorists. Do you see the trend? Do you see the pattern? The lowest form of politics, dishonest politics, is to use a crisis for your own political ends. That's exactly what this government and the Murdoch press have done. I wonder whether Senator Fierravanti-Wells's whacky theory is going to be on Sky TV tonight. There's probably no doubt. No doubt it's already doing the rounds there. That is the Liberal Party: spreading lies and misinformation at a time when Australians want to see their politicians acting like adults, putting their political differences aside and coming together to find solutions to act, to make sure that we don't see more catastrophic fires, more devastation, more damage to communities and more sadness around our country. But that's what the IPCC scientists tell us.

Senator Chandler, if she'd stayed in the chamber, would have heard in my contribution that the IPCC have recently said the most effective way to combat climate change, which we know is driving extreme weather events like drought and these fires, is to leave our forests alone. High-conservation forests, carbon-rich forests like the Tarkine in Tasmania, are some of the most carbon-rich forests on the planet. They are carbon rich because they
are temperate rainforests. They're the ones the Tasmanian government, which she purports to represent in this place, are logging. They're the ones they're logging this week. Another four protesters were arrested today trying to defend some of the most magnificent rainforests on the planet from the greed and stupidity that has got us here in the first place.

Business as usual is no longer an option. We need a full independent inquiry into these fires that is taken out of politics and looked at with the resources and the powers that are needed to look into these fires and their causes, including forestation, deforestation, fuel reduction burns and hazard burns. The whole lot needs to be looked at properly. I am very confident that it is one of many things that need to be done in this country. It is not a silver bullet to preventing the kind of fires we have seen in Australia this summer. The most important thing we can do is act on climate change and make sure future generations don't suffer a worse fate.

Senator DAVEY (New South Wales—Nationals Whip in the Senate) (17:30): Thank you to Senator Whish-Wilson for telling us what the IPCC tells us, except that the good senator claims that they say we need to leave our forests alone. I would like to remind the Greens what the Intergovernmental Panel on Climate Change stated when advising the United Nations Framework Convention on Climate Change. They said:

… a sustainable forest management strategy aimed at maintaining or increasing forest carbon stocks, while producing an annual sustained yield of timber, fibre or energy from the forest, will generate the largest sustained mitigation benefit.

The Greens talk about logging and forestry as though we strip the landscape and don't replant. Our forestry industry in Australia is sustainable. It is a sustainable and honest industry that is highly regulated, well maintained and well managed.

It sounds like the Greens would rather us look at alternative materials. Let us not forget, timber is one of the most sustainable building materials available. Timber has a much smaller carbon footprint than any other building material. Imagine if, instead of using timber in construction, we were limited to only using steel. The carbon footprint! Imagine if, instead of using sustainable, well-managed forestry products harvested in Australia, we turned to importing from regions like the Amazon, where there is no regulation, where there is forest destruction and there is the carbon footprint from the transport. We would be exporting our problems, and that is what I get so fed up with in this place.

In rising to speak on this today, I am going to take the opportunity to highlight what a good industry our forestry industry is and the benefits it has. I will not shamelessly attack this industry, as we have seen from others, because, as the fires tore through the south coast of my state, New South Wales, this year and brought devastation to many communities, there was a group of people, purportedly environmentalists, who found joy and applauded when the Eden woodchip mill was in flames, when the largest employer in that town caught fire. If this group had their way, that mill would be completely destroyed, never to return, along with many jobs. So imagine that town, which was already suffering from the decline in tourism due to the bushfires and already suffering from the loss of homes and facilities and the loss of people from their communities in the regions, never having those mill jobs return. That would turn into the baker, the pub owner and everyone else put out of business, to the joy of this group on Facebook. Fortunately, that mill has been able to continue operations and will continue to be part of an industry that employs around 52,000 people across Australia and generates nearly $24 billion in annual income for our country.

Now, onto the issue of what is being referred to here as salvage logging, where there is a healthy environmental debate: at a time when we endeavour to ensure that the devastation that has just occurred does not occur again, is it not right for us to actually go out and allow for regeneration? We cannot completely dismiss a practice that may, in some cases, if handled appropriately, reduce future bushfire threat.

One point of this matter of interest that I'm glad has been raised is what we need to do to fund wildlife and habitat recovery, because that is what we in this government are doing. With an initial $50 million, we have directed this money for wildlife rehabilitation and recovery. It was one of the immediate priorities of the government and it includes identifying threatened species, controlling pests and weeds, and identifying unburnt areas where we can ensure the survival of native plants and animals. I am very proud to be part of a government that's recognised that need.

The ACTING DEPUTY PRESIDENT (Senator Faruqi): The time for the discussion has expired.

DOCUMENTS

Australian Building and Construction Commission

Consideration

Senator CICCONE (Victoria—Deputy Opposition Whip in the Senate) (17:35): I move:

That the Senate take note of document no. 1.
I seek leave to continue my remarks later.
Leave granted; debate adjourned.

COMMITTEES

Scrubty of Bills Committee
Scrubty Digest

Senator CICCONE (Victoria—Deputy Opposition Whip in the Senate) (17:36): On behalf of the Chair of the Senate Standing Committee for the Scrutiny of Bills, I present Scrubty Digest No. 2 of 2020.

Regulations and Ordinances Committee

Delegated Legislation Monitor

Senator BROCKMAN (Western Australia—Deputy Government Whip in the Senate) (17:36): I present the Delegated Legislation Monitor 2 of 2020 of the Senate Standing Committee for the Scrutiny of Delegated Legislation and move:
That the Senate take note of the report.
Question agreed to.

Human Rights Committee

Report

Senator BROCKMAN (Western Australia—Deputy Government Whip in the Senate) (17:36): On behalf of the Parliamentary Joint Committee on Human Rights, I present the second report of 2020: Human rights scrutiny report 2 of 2020. I move:
That the Senate take note of the report.
Question agreed to.

MINISTERIAL STATEMENTS

Closing the Gap

Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (17:37): On behalf of the Prime Minister, I table the annual report on Closing the Gap and accompanying ministerial statement.

DOCUMENTS

Order for the Production of Documents

Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (17:37): I table a document relating to an order for production of documents concerning recreational hunting and shooting.

COMMITTEES

Membership

The ACTING DEPUTY PRESIDENT (17:37): The President has received letters requesting changes in the membership of various committees.

Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (17:38): by leave—I move:
That senators be discharged from and appointed to committees as follows:

Rural and Regional Affairs and Transport Legislation Committee—
Discharged—Senator Sheldon.
Appointed—Participating member: Senator Sheldon

Temporary Migration—
Appointed—Participating member: Senator Faruqi.

Question agreed to.

BILLS

Treasury Laws Amendment (2019 Measures No. 3) Bill 2019

First Reading

Bill received from the House of Representatives.
Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (17:39): I move:
That this bill may proceed without formalities and be now read a first time.
Question agreed to.
Bill read a first time.

Second Reading
Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (17:39): I move:
That this bill be now read a second time.
I seek leave to have the second reading speech incorporated in Hansard.
Leave granted.
The speech read as follows—
This Bill contains a number of measures which improve the integrity of the tax system, ensure existing legislation operates as intended and provide flexibility in completing new financial adviser requirements.

Schedule 1 to this Bill amends the Income Tax Assessment Act 1936 to improve the integrity of the taxation of testamentary trusts.
Currently, unearned income of minors is generally taxed at higher rates, which discourages adult taxpayers from splitting their income with minors to reduce the overall level of tax paid. However, income minors receive from testamentary trusts is taxed at adult marginal tax rates, with access to the $18,200 tax-free threshold.
Some taxpayers are able to inappropriately obtain the benefit of this lower tax rate by injecting assets unrelated to the deceased estate into the testamentary trust.
As announced in the 2018-19 Budget, the Government is making changes to clarify that the concessional tax rates available for minors receiving income from testamentary trusts will be limited to income derived from assets that are transferred from the deceased estate, or the proceeds of the disposal or investment of those assets.
These changes apply from 1 July 2019. Income from assets already in testamentary trusts prior to 1 July 2019 will not be affected by this measure.

Schedule 2 to this Bill extends transitional deadlines for new requirements for financial advisers. Existing advisers will be required to complete the exam set by the Financial Adviser Standards and Ethics Authority (FASEA) by 1 January 2022 (this is one additional year), and meet FASEA’s qualification requirements by 1 January 2026 (this is two additional years).
This extension will ensure financial advisers have sufficient time to meet the new requirements, balancing the professionalisation of the industry with the need to maintain the ongoing availability and affordability of advice. In particular, the extension assists rural and regional advisers and working parents, including parents taking parental leave during the transition period, maintaining a diverse adviser industry.
The Legislative and Governance Forum on Corporations was consulted in relation to the amendments to transitional deadlines for financial advisers in Schedule 2 as required under the Corporations Agreement 2002.

Schedule 3 to this Bill makes a number of amendments to Treasury portfolio legislation to ensure that Treasury laws operate as intended. The amendments clarify the law, correct technical or drafting matters, remove anomalies and address unintended outcomes.
The amendments made by Schedule 3 to this Bill further the Government’s commitment to the care and maintenance of Treasury laws. These amendments also reduce regulatory burden and make it easier for Australians to comply with current laws.
The Legislative and Governance Forum on Corporations was consulted in relation to Schedule 3 to this Bill, as required under the Corporations Agreement 2002.
Full details of the measures are contained in the Explanatory Memorandum.
Debate adjourned.

Treasury Laws Amendment (Your Superannuation, Your Choice) Bill 2019
First Reading

Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (17:40): I move:
That this bill may proceed without formalities and be now read a first time.

Bill received from the House of Representatives.
Question agreed to.

Bill read a first time.

Second Reading

Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (17:40): I move:

That this bill be now read a second time.

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

Leave granted.

The speech read as follows—

This Bill amends the Superannuation Guarantee (Administration) Act 1992 to improve outcomes for Australians by providing choice of fund for more people. This Bill will commence on 1 July 2020.

Given the compulsory nature of superannuation, individuals should be able to decide where their superannuation goes.

Providing choice of fund to individuals should be simple. It was a recommendation of the Financial System Inquiry and the Trade Union Royal Commission. The Productivity Commission also found in their recent landmark report into superannuation that denying choice of fund can discourage member engagement and that this reform was "much needed".

This Bill will extend choice of fund by narrowing the deemed choice provisions.

Under this Bill, it will no longer be possible to deny choice to individuals on the grounds that they are employed under an enterprise agreement or workplace determination that specifies their fund for them.

For example, why should a student working two jobs – one in hospitality and one in retail – who is covered by separate enterprise agreements be required to have their superannuation paid to two different funds?

While it is pleasing to see that many unions have stopped negotiating to deny employees choice of fund, some unions continue with this oppressive practice. The Shop, Distributive and Allied Employees’ Association is a serial offender. It has recently attempted to deny choice of fund to people working for major employers of young people and casual employees in Australia – like Kmart.

The restriction of choice for Kmart employees was recently struck out by the FWC, which found that forced choice of superannuation fund is a detriment to employees.

The FWC found that "[The detriment] may be monetary to the extent that the performance of the REST fund is less than what an employee might otherwise prefer or that employees required to have multiple funds are required to pay multiple fund fees."

The behaviour of the SDA is particularly galling given that it represents workers in the fast food, retail and manufacturing industries, many of whom are vulnerable due to their youth.

Moreover, lack of choice can force people to be stuck in poorly performing funds. A number of these accounts are subject to workplace agreements that restrict choice of fund. A sample study undertaken by the Attorney-General’s Department shows that there are at least 290 agreements that restrict choice in some way to an underperforming fund.

At least 14,000 employees are forced to contribute to one of seven funds identified by Super Consumers Australia as the worst performing funds as a result of the restrictions.

Even when members are not being forced into poorly performing funds, restricting choice often leads to the opening of another unnecessary account. The Productivity Commission report highlighted the negative effects that holding unintended multiple superannuation accounts were having on millions of Australians through duplicate fees and insurance premiums.

Getting rid of restrictions on choice complements the work of the Government’s Protecting Your Superannuation Package. These reforms capped certain fees and drove consolidation of the current stock of unintended multiple accounts by introducing the ATO consolidation regime for low balance accounts.

This Bill is the next step in fixing the problem of multiple accounts by preventing Australians from being forced into having multiple accounts because of their enterprise agreement or similar workplace determination.

We want people to be able to make choices about their retirement savings — we want them to be active in making decisions about their future.

And most of all, we want the settings that underpin the system to be focused exclusive on the interests of members – on maximising their retirement savings from the first contribution and throughout their working life.

To be clear, this Bill does not prevent enterprise agreements from specifying a particular fund. It just allows individuals to choose a different fund if it suits them better. And in doing so, it puts those individuals on an even footing with the majority of the workers who already have this choice. Also, this Bill will have no impact on default funds specified in modern awards.

Full details of the Bill are contained in the Explanatory Memorandum.

The ACTING DEPUTY PRESIDENT (Senator Faruqi): In accordance with standing order 115(3), further consideration of the bill is now adjourned to 20 March 2020.
Social Services and Other Legislation Amendment (Simplifying Income Reporting and Other Measures) Bill 2020

Treasury Laws Amendment (Reuniting More Superannuation) Bill 2020

First Reading

Bills received from the House of Representatives.

Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (17:41): These bills are being introduced together. After debate on the motion for the second reading has been adjourned, I shall move to have the bills listed separately. I move:

That these bills may proceed without formalities, may be taken together and be now read a first time.

Question agreed to.

Bills read a first time.

Second Reading

Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (17:42): I move:

That these bills be now read a second time.

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

Leave granted.

The speeches read as follows—

SOCIAL SERVICES AND OTHER LEGISLATION AMENDMENT (SIMPPLFYING INCOME REPORTING AND OTHER MEASURES) BILL 2020

This Bill will improve the process of reporting employment income to Centrelink. From 1 July 2020, social security recipients will report their employment income to Centrelink when it is paid by their employer, instead of when it is earned. Assessing employment income when paid will make it easier to report income correctly. This will better support people receiving the right amount of income support each time it is paid - no more and no less than they are eligible for - reducing the likelihood of overpayments. It will also pave the way for the future prefilling of employment income using Single Touch Payroll information, supporting easier reporting arrangements for recipients.

Around 550,000 people report income to Centrelink in any given fortnight, and around 1.2 million people report income at least once a year. Current arrangements can appear complex and confusing to recipients when reporting employment income. Social security recipients trying to get ahead through work must currently report the value of the shifts they have worked during the past fortnight, not what they have actually been paid. In practice, keeping track of earnings requires individuals to keep a detailed record of the work they do.

At present, recipients work out how much to report based on the number of hours they worked and how much they earned each hour. This can involve multiple calculations for casual employees who may need to factor in penalty rates or shift loadings and for people who may work for more than one employer. For example, a recipient of Youth Allowance can work on a Friday night, Saturday morning and Sunday afternoon for the same employer with a different rate of pay for each shift. It can be difficult to report the correct amount of income if recipients have to factor in varying hours and duties, multiple employers, and changing award rates.

Over the course of 2017, there were over 15 million corrections to recently reported earnings, where people discovered when they got their pay that they had incorrectly reported their earned income for the previous fortnight. Through this Bill, the Government will deliver a simpler way for social security recipients to report employment income.

This Government believes strongly in the dignity of work. Importantly, this Bill will further support people in the transition from social security into work, by ensuring they aren't financially disadvantaged in the short term by getting a job. Under the current system, individuals can have their support payment reduced when they start a new job but before they have been paid their first pay. This is because they have to report income they have earned but have not necessarily received. Assessing employment income when it is paid means that a person can start work and continue to get income support for the short time before they receive their first pay. This will also mean that any perceived barrier to employment as a result of a short time without any income will be removed.

Assessing employment income when paid will make it easier for individuals to understand the ways in which the social support system interacts with paid employment, delivering a simpler system that rewards work.

This new method of assessment will treat all types of employment income consistently. At present different types of employment income must be reported to Centrelink at different times. An individual who is paid both wages and commissions must report their wages when earned and commissions when received. From 1 July 2020, employment income will only need to be reported when paid, and the two pieces of employment income information that recipients need to report will appear on their payslips or be available from their employers - their gross income and pay period dates.
Income paid every two weeks will affect a single support payment because entitlements are calculated fortnightly. A recipient who is paid by their employer every 30 days will have their income assessed over the next 30 days. Under this Bill, employment income that does not have a corresponding earning period will be assessed over an appropriate period, such as over a year for an annual bonus. Assessing employment income in this way will only change the timing of when employment income is assessed, not the amount of income support someone is entitled to.

Transitioning to the new model of assessment will require individuals with ongoing employment to undertake a one-time calculation to ensure that their income is not double counted - once when reported as earned and again when paid. The Bill has been designed to make this transition as simple as possible.

In their social security entitlement fortnight within which 1 July 2020 falls, social security recipients will be asked to subtract income they have previously reported from the income they report when paid by their employer. For example, an individual who is paid $200 and already reported $50 of that amount the previous fortnight will report $150.

To assist with this process, recipients will be notified through a bulk mail-out and targeted messaging well in advance. A specially designed calculator will also help people work out what they should report. The transitions calculator will be available online along with examples of how to report, frequently asked questions and video messages. Messages advising of the changed requirements will also be included in the regular Services Australia income reporting tools during the transition, such as the online portal and the app. People will also be able to contact a staff member for help if needed.

In addition to the benefits I have already described, assessing employment income when paid will facilitate the use of Single Touch Payroll information to make reporting income even simpler.

As employers begin reporting additional information through Single Touch Payroll over the course of the 2020-21 financial year, recipients will start seeing their employment income prefilled in their reporting solutions in the same way that income from interest appears prefilled when completing a tax return. This will mean that for most people reporting income at the end of each fortnight will be a simple process of confirming that their prefilled income is correct.

It is important to note that tax information obtained through Single Touch Payroll will not be automatically applied, and will not remove the obligation for recipients to report their income accurately. People will still have control of their information. Individuals will have the option to edit their prefilled income before they report, for example to add amounts paid by an employer who does not use Single Touch Payroll. The ability to change prefilled amounts will mean that individuals will not have to immediately contact their employer in cases where their STP data does not match what they have been paid. In this way, Single Touch Payroll data will be used to assist recipients to report accurately, but will not entirely automate the process or remove human oversight.

This Bill recognises the legitimate privacy concerns involved in the sharing of tax information, and so only the tax data for individuals with a relationship with Centrelink will be shared.

The changes made by this Bill, in combination with the use of tax data to assist recipients to report accurately, will deliver savings of $2.1 billion over four years to Government. These savings are not achieved through changes to payment rates or eligibility criteria. They are delivered through improved payment accuracy because it will be easier for payment recipients to correctly report income.

Over 80 per cent of savings delivered through this reform will be from working-age recipients because these recipients are the most likely to incorrectly report employment income. Preventing overpayments in this way will contribute to the sustainability of the welfare system and mean that these individuals are paid what they are entitled to.

In combination with tax data provided through Single Touch Payroll, these changes will make it much harder to misreport as a result of genuine error. For most recipients the biggest change will be the time they save when reporting to Centrelink every fortnight, and the reduced likelihood of receiving an overpayment from reporting their income correctly.

Conclusion
Assessing employment income when paid will contribute to the simplification and delivery modernisation of Australia's social security system by allowing the use of technology to prevent overpayments before they happen, but without reducing the responsibility of the individual to report correctly.

This Bill will also help to ensure Australia's welfare system remains sustainable into the future.

TREASURY LAWS AMENDMENT (REUNITING MORE SUPERANNUATION) BILL 2020

This Bill will facilitate the exit of all Eligible Rollover Funds from the superannuation system by 30 June 2021.

An Eligible Rollover Fund is a superannuation fund that holds superannuation accounts of lost members and those with low account balances that are no longer receiving contributions. Eligible Rollover Funds were intended to temporarily hold these accounts in a low-fee, low-cost environment to avoid further balance erosion until they could be reunified with the member.

However, the unclaimed superannuation regime, together with the recent passage of Government's Protecting Your Super Package, mean that the Eligible Rollover Funds have become redundant. Going forward, most Eligible Rollover Funds are unlikely to remain commercially viable, because the Protecting Your Super reforms now redirect small inactive accounts to the ATO - accounts that may otherwise have been paid to an Eligible Rollover Fund.

Additionally, the Productivity Commission's 2018 report 'Superannuation: Assessing Efficiency and Competitiveness' found that, overall, eligible rollover funds have not been successful in reuniting members with lost superannuation.
By contrast, the ATO’s data matching program has achieved outstanding results, far exceeding those previously achieved by Eligible Rollover Funds. In just six weeks, the ATO reunited more than 2.13 million lost or forgotten superannuation accounts — worth around $2.8 billion — with their rightful owners.

The Productivity Commission recommended that the ATO be responsible for holding lost accounts, and that APRA should oversee the wind-up of all Eligible Rollover Funds within three years.

This Bill gives effect to recommendation five of the Productivity Commission's report by allowing Eligible Rollover Fund trustees to voluntarily transfer any amount to the ATO, with a requirement to transfer all accounts below $6,000 to the ATO by 30 June 2020, and all remaining accounts to the ATO by 30 June 2021.

The deadline of 30 June 2021 for larger accounts provides sufficient time for funds to arrange mergers or transfers of members to put larger accounts in a new fund if a trustee decide that's in the best interests of members.

These changes build on the successes of the Government's Protecting Your Super. The ATO will work to proactively reunify amounts it receives from Eligible Rollover Funds, together with interest, to members’ active superannuation accounts where possible, or in some cases directly to the individual. Package, passed by the Parliament last year.

By reuniting these lost and forgotten accounts with their rightful owners, members will benefit from higher account balances and no longer be paying multiple sets of fees.

Through these changes, the Morrison Government is building a stronger and more efficient superannuation system, improving outcomes for members.

Full details of the measure are contained in the Explanatory Memorandum.

The ACTING DEPUTY PRESIDENT (Senator Faruqi): In accordance with standing order 111, further consideration of these bills is now adjourned to 23 March 2020.

Ordered that the bills be listed on the Notice Paper as separate orders of the day.

**Offshore Petroleum and Greenhouse Gas Storage Amendment (Cross-boundary Greenhouse Gas Titles and Other Measures) Bill 2019**

**Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Amendment (Miscellaneous Measures) Bill 2019**

First Reading

Bills received from the House of Representatives.

Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (17:42): I move:

That these bills may proceed without formalities, may be taken together and be now read a first time.

Question agreed to.

Bills read a first time.

Second Reading

Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (17:43): I move:

That these bills be now read a second time.

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

Leave granted.

The speeches read as follows—

**OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE AMENDMENT (CROSS-BOUNDARY GREENHOUSE GAS TITLES AND OTHER MEASURES) BILL 2019**

The Offshore Petroleum and Greenhouse Gas Storage Amendment (Cross-Boundary Greenhouse Gas Titles and Other Measures) Bill 2019 amends the Offshore Petroleum and Greenhouse Gas Storage Act 2006 (the OPGGS Act) to enable title administration and regulation of a greenhouse gas storage formation that straddles the boundary between State and Northern Territory coastal waters and Commonwealth waters, as well as to enhance the National Offshore Petroleum Safety Environmental Management Authority's (NOPSEMA) ability to respond fully during an oil spill emergency.

The recently announced National Hydrogen Strategy highlights the economic opportunity the hydrogen export industry has for Australia.

Australia’s abundant natural resources mean it could be one of the first countries to create a hydrogen export industry, helping to generate a significant number of Australian jobs and lay the foundations for a new hydrogen industry. This Bill aims to help realise this opportunity for Australia. The Hydrogen Energy Supply Chain project relies on suitable Carbon Capture and Storage that the CarbonNet project will provide. This is the cheapest way to produce clean hydrogen.
The CarbonNet project is investigating the feasibility for a commercial-scale, multi-user Carbon Capture and Storage network in Gippsland, Victoria. The proposed storage site under CarbonNet's project is one such site that straddles the boundary between Commonwealth waters and State and Northern Territory coastal waters. The Australian Government has invested heavily in both the CarbonNet and Hydrogen Energy Supply Chain, providing total funding of almost $150 million. The two projects are highly interdependent.

To kick-start our new hydrogen industry, the Bill will improve the current regulatory framework by amending the OPGGS Act to provide for single greenhouse gas titles that are partially located in Commonwealth waters and partially located in State and Northern Territory coastal waters. These amendments will further realise the benefits of Australia's resources sector and unlock the development of future resource projects that identify potential storage formations which straddle the jurisdictional boundary.

Once these amendments have passed, together with supporting State or Northern Territory legislation, a cross-boundary regulatory regime will be ready to be triggered. This regulatory regime starts with the creation of a Cross-boundary Authority, consisting of the responsible Commonwealth Minister and the relevant State or Northern Territory Resources Minister. This is similar to current Joint Authority arrangements for petroleum titles in Commonwealth waters. The Cross-boundary Authority will make decisions by consensus about the granting of cross-boundary greenhouse gas titles.

Upon the grant of the cross-boundary title, the title area becomes Commonwealth waters for all purposes of the OPGGS Act. The title area will be regulated under the OPGGS Act in the same way as other greenhouse gas titles located in Commonwealth waters. NOPSEMA will have regulatory responsibility for environmental management, safety and well integrity. Titles administration will be undertaken by the National Offshore Petroleum Titles Administrator.

The existing protections for pre-commencement petroleum titles and existing petroleum production licences, both in Commonwealth and State and Northern Territory waters, will be maintained. The amendments will also enable the unification of adjacent Commonwealth greenhouse gas titles where a titleholder has reasonable grounds to suspect that there is a geological formation that straddles the two title areas.

Through its other key measure, the Bill will also strengthen and clarify the monitoring, inspection and enforcement powers of NOPSEMA within State and Northern Territory jurisdictions during an oil pollution emergency originating in Commonwealth waters.

The OPGGS Act currently does not provide adequate monitoring, inspection and enforcement powers, within State and Northern Territory jurisdictions, for NOPSEMA to ensure compliance by a titleholder with its environmental management obligations. The extension of NOPSEMA's powers in the Bill is confined to the event of an oil pollution emergency originating from operations in Commonwealth waters.

The Bill will amend the OPGGS Act to enable NOPSEMA inspectors to enter premises used for the implementation of oil spill response obligations without a warrant, in the event of an oil pollution emergency arising from operations in Commonwealth waters. Premises also includes an aircraft or vessel.

NOPSEMA will be able to enter premises whether they are located in Commonwealth, State or Northern Territory jurisdictions. The delay caused by obtaining a warrant or consent can significantly impede compliance monitoring in such emergency situations. During an offshore incident, NOPSEMA inspectors need real-time regulatory intelligence in dynamic situations, including monitoring and enforcing compliance across premises.

The warrant-free oil pollution environmental inspection powers will only be exercisable if the CEO of NOPSEMA is satisfied that there is an emergency that has resulted in, or may result, in oil pollution and declares an oil pollution emergency. NOPSEMA must publish a copy of the declaration on its website as soon as practicable after the declaration is made, and must give a copy to the relevant titleholder.

When the CEO of NOPSEMA is satisfied that the emergency no longer exists, the CEO must revoke the declaration and publish a copy of the instrument of revocation on NOPSEMA's website as soon as possible after making. A copy of the revocation will also be provided to the relevant titleholder.

The amendments will enable NOPSEMA to monitor whether a titleholder is in compliance with its oil spill response obligations, and take enforcement action in the event of non-compliance. The Bill will also amend the OPGGS Act to extend the operation of polluter pays obligations and the application of significant incident directions that may be given by NOPSEMA to areas of State and Northern Territory jurisdiction.

Finally, the Bill makes minor technical amendments to improve the operation of the OPGGS Act.

Overall, the Bill underscores this Government's ongoing commitment to the maintenance and continuous improvement of a strong and effective regulatory framework for offshore petroleum and greenhouse gas storage. Further, the Bill ensures the regulatory framework's alignment with international best practice and aims to attract investment in new technologies and industries for Australia.

I commend this Bill to the Chamber.

OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE (REGULATORY LEVIES) AMENDMENT (MISCELLANEOUS MEASURES) BILL 2019

Greenhouse Gas Storage (Regulatory Levies) Amendment (Miscellaneous Measures) Bill 2019 amends the Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003 (the Levies Act) to clarify the application of levies in relation to cross-boundary greenhouse gas titles, as well as to the Crown in right of the States and the Northern Territory.
Amendments to the Offshore Petroleum and Greenhouse Gas Storage Act 2006 (the OPGGS Act) included in the Offshore Petroleum and Greenhouse Gas Storage Amendment (Cross-boundary Greenhouse Gas Titles and Other Measures) Bill 2019 (the Cross-boundary Titles Bill) provide for the grant of cross-boundary greenhouse gas titles over an area that includes both Commonwealth waters and State or Northern Territory coastal waters.

Amendments to the OPGGS Act included in the Cross-boundary Titles Bill also provide that greenhouse gas-related provisions of the OPGGS Act and the regulations apply, and are taken to always have applied, to the States and the Northern Territory. These amendments are intended to remove any doubt about the validity of greenhouse gas assessment permits that have been granted to the Crown in right of Victoria.

The National Offshore Petroleum Safety and Environmental Management Authority (NOPSEMA) and the National Offshore Petroleum Titles Administrator, both operate on a cost-recovery basis. This Bill removes any doubt that levies imposed by the Levies Act are effectively imposed on cross-boundary greenhouse gas titles, including the part of a title that is in State or Northern Territory coastal waters, and that the Levies Act applies to the Crown in right of each of the States and the Northern Territory. In effect, this means that levies are imposed in relation to regulatory activities undertaken in respect of greenhouse gas titles held by a State or the Northern Territory.

The amendments included in this Bill will not change the substance or practical effect of the Levies Act. The purpose of retrospective application is to validate past payments of annual titles administration levy by the Crown in right of Victoria under the Levies Act. No person will be disadvantaged as a result of retrospectivity.

I commend this Bill to the Chamber.

Debate adjourned.

COMMITTEES

Road Safety Joint Select Committee

Membership

Message received from the House of Representatives notifying the Senate of the appointment of Mr Thistlethwaite in place of Mr Zappia on the Joint Select Committee on Road Safety.

MINISTERIAL STATEMENTS

Closing the Gap

Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (17:44): I move:

That the Senate take note of the annual report on Closing the Gap and accompanying statements.

Today, I visited the other place to hear the Prime Minister’s address and the Leader of the Opposition’s address on Closing the Gap report 2020. It was a pleasure to hear the renewed bipartisan commitment to ensure progress over the next decade to close the gap between Indigenous and non-Indigenous Australians. This is vital because, sadly, the results to date are just not good enough. But I can assure the Senate and I can assure the Australian people that this government are committed to closing the gap and we believe it is an initiative that can address the disparity between health, education, employment and life experience for Indigenous Australians. There can be no doubt that the seven target areas of child mortality, early childhood education, school attendance, literacy and numeracy, year 12 attainment, employment and life expectancy are crucial to making a difference in the lives of Indigenous people. While it is important to note there has been progress on almost every measure of the existing framework, the fact of the matter is we're only on track to meet two of the seven targets. Clearly this is not where any of us want to be.

The two targets that are on track are important because these support the bright future for the next generation. For our early childhood education, the target is to have 95 per cent of Indigenous four-year-olds enrolled in early childhood education by 2025 because childhood education is important to a child's cognitive and social development. That target is on track. In 2018, 86.4 per cent of indigenous children were enrolled in early childhood education compared with 91.3 per cent of non-Indigenous children. On year 12 attainment or equivalent, the target is to halve the gap for Indigenous Australians aged between 20 and 24 in year 12 or equivalent by 2020, and education is crucial to finding work. That target is also on track. In 2018-19, around 66 per cent of Indigenous Australians between 20 and 24 years of age had attained year 12 or the equivalent. In the past decade that has increased by 21 percentage points.

But the targets in the five areas that did not meet the targets are equally important. On child mortality, the target is to halve the gap for Indigenous children under five within a decade. Although there's been progress in maternal and child health, improvements in mortality rates have not been enough to meet the 2018 target. In the 10-year period 2008 to 2018, Indigenous child mortality rates improved by seven per cent. We absolutely must make more progress on this.
On school attendance, the target is to close the gap between Indigenous and non-Indigenous school attendance within five years. At 2018, this target was not met. Attendance rates for Indigenous students remain lower than for non-Indigenous students, with around 82 per cent of Indigenous students in comparison to 92 per cent in 2019. Gaps in attendance are evident from the first year of school and widen during secondary schooling. On literacy and numeracy, the target is to halve the gap for Indigenous children in reading, writing and numeracy within a decade. While the gap narrowed across all year levels between three and 11 percentage points, it has not been enough to meet the targets.

On employment, the target is to halve the gap in employment outcomes between Indigenous and non-Indigenous Australians within a decade. We did not meet this target by 2018. In 2018, the Indigenous employment rate was 49 per cent compared to 75 per cent for non-Indigenous Australians. This is disappointing that there has been little change on this measure.

There is a target to close the life expectancy gap within a generation by the year 2031. At this time, this target is not on track. Over the period 2006 to 2018 there was an improvement of almost 10 percentage points in Indigenous mortality rates. However, non-Indigenous mortality rates improved at a similar rate, meaning this gap has not narrowed.

To make sure we see real change over the coming decade we need a collegiate, collective commitment to an improvement to change this for future Indigenous Australians. That is exactly what the Minister for Indigenous Australians, Ken Wyatt, is changing in his approach to Closing the Gap 2020. Up until now that approach has been very much a top-down approach. So despite the very best intentions and all the resources that have been applied to this task, if we have failed to deliver our goals, we have missed the mark. A new Closing the Gap process that is truthful, strength based and community led that puts Aboriginal and Torres Strait Islander peoples at its very, very core is absolutely essential. Unless all Australians see the gap—we need to close the gap from the point of view of Indigenous Australians—we will not succeed in our mission. That is why this new era does not include targets set by governments.

Minister Wyatt, working with Indigenous leadership that makes up the Coalition of Peaks and the state and territory governments, will determine the right design for the next framework. This new approach is locally led, collaborative and will make much further progress than a one-size-fits-all government-led approach could ever have hoped to achieve.

The process is to refresh Closing the Gap strategies. It has taken time but, when the framework is right, we will do better. The reform priorities already identified include developing and strengthening structures to ensure full involvement of Aboriginal and Torres Strait Islander peoples and embedding ownership, responsibility and expertise to close this gap. It includes building the formal Aboriginal and Torres Strait Islander community controlled services sector to deliver Closing the Gap services and programs in agreed priority areas. It also includes ensuring all mainstream government agencies and institutions undertake systemic and structural transformation to contribute to closing the gap.

In conclusion, our future approach to closing the gap between Indigenous and non-Indigenous Australians must be different from the past. We must do it differently and we must do it together.

**Senator WONG** (South Australia—Leader of the Opposition in the Senate) (17:51): I acknowledge we meet on the land of the Ngunawal and Ngambri people, and I pay my respects to their elders past, present and emerging. I also pay respects to and recognise my First Nations colleagues: the extraordinary Australian sitting behind me, Senator Patrick Dodson; Senator Malanrdirri McCarthy; the member for Barton, Ms Linda Burney; and the Minister for Indigenous Australians, Ken Wyatt.

I do want to say something about the gift that Senators Dodson and McCarthy and Ms Burney have given the Australian Labor Party. Our First Nations caucus has been such a transformative experience for people in our caucus, and has meant for so many of us that the reality of the experience of our First Nations people has been given so much greater weight and also experience in our caucus. It has been profoundly moving for many of us, and we are grateful for it. I also recognise the many First Nations people who have come to parliament on this day and were there to see Mr Morrison and Mr Albanese give their speeches.

With the tabling of the *Closing the gap* report we should be talking about progress, but we're not really. We're talking about inertia; we're talking about our failure to meet many targets. We know that there have been some successes, but they are insufficient. We know that the health of our Indigenous Australians is far worse than non-Indigenous Australians; we know that the Indigenous child mortality rate is still twice that of non-Indigenous children; we know that Indigenous Australians live around eight years less than other Australians, and the gap is even wider in remote and regional areas. We know that our First Nations children are being left behind and locked out of opportunity: one in four falling below minimum standards for reading; one in five below minimum
standards for numeracy. The incarceration rates of First Nations people are unacceptable: two per cent of the population, 27 per cent of the prison population. And we have seen, particularly in recent times, the prevalence of suicides, particularly amongst young people, ripping families and communities apart.

There have been some who have suggested the problem was that the ambition was too great in the gap targets. Well, the parliament should ask itself whether it would tolerate these facts, these gaps, for any other part of our society. We cannot compound more than 200 years of dispossession with an acceptance of disadvantage. As Mr Albanese said:

We can't keep coming back here, year in, year out, wringing our hands. The new way forward has to be led by First Nations people in meaningful and mutually agreed partnerships.

The Coalition of Peaks has said clearly what government needs to do to improve services for First Nations people. The three reform priorities are: formal partnerships between government and First Nations people on closing the gap, growing community controlled services and improving mainstream service delivery.

Change begins with listening. It's easy to say, isn't it? It's much harder to do. I will return to that point. If we really want to see progress on closing the gap, we must properly understand how the consequences of dispossession—the removal from country and culture, misguided policies that have transcended generations—can still be seen and felt today. I will never forget Senator Dodson's first speech. It was a privilege to hear it, but it was pretty hard to hear—about hiding in the grass—and a reminder of what has happened and still reverberates today.

You see, I don't believe we can understand the challenges of today if we do not understand that the causes so often remain rooted in the past. We must stop repeating the mistakes of the past and we must actually, genuinely listen to First Nations Australians.

So we welcome the partnership between the Coalition of Peaks and government. Labor looks forward to supporting new and ambitious targets and structural changes to close the gap, including in the important areas of child removal and incarceration, and the resources to enable that. A direct and secure voice to decision-makers will build on the work of peaks and ensure that the issues and perspectives of our First Nations people are not left to languish on the fringes. A genuine commitment means that local and regional services and programs will be adequately resourced and properly funded. I have to say it is difficult to accept a commitment as genuine when half a billion dollars was cut from the Indigenous Affairs budget by this government.

We are all challenged to do better, with more diligence and commitment. We all wish to determine our own lives; it's part of the way in which we understand agency and meaning and identity. Other Australians aren't just asked to be practical. Our Indigenous leaders have been telling politicians for years that self-determination matters. Well, maybe it is time we did listen. Maybe we don't know best. Today in the parliament, Mr Morrison said that the government wants 'a partnership where we listen, work together and decide together'. We have this clarion call from our First Nations people, the Uluru statement—a statement, as Anthony Albanese said, of unadorned power and, I would add, of clarity, voice, truth-telling and agreement making. The First Nations Voice is a modest request that Aboriginal and Torres Strait Islander peoples be consulted about policies and issues that directly affect them—not, as some have mischievously said, a third chamber or deliberative chamber.

Of course, another element in the statement, the call from First Nations people, is truth. We do need to tell the truth. I remember, and I'm sure Senators Dodson and McCarthy remember much more so, the way Mr Howard most infamously discouraged Australians from engaging with the truth. Do you remember the black armband view of history? Well, I'm pleased that we seem to have moved on from this, because not acknowledging the truth not only does not permit us to work together to close the gap but deepens the wounds. We must tell the truth, and all of us should be our best selves. We must seek acceptance and reconciliation. As Richard Flanagan said:

What Black Australia offers to the nation is not guilt about our history but an invitation to our future.

Then of course there is makarrata. Senator McCarthy explained it to me after the statement came out; I probably understand a bit. But I'm reminded of so many examples internationally where reconciliation and progress required people making peace—with themselves and each other. Mr Albanese described it today as 'conflict resolution, making peace after a dispute, justice and, of course, the path to a national treaty'. Hear, hear!

I felt a great sadness today when the Prime Minister said 'we must listen' but went on to make clear that the coalition were going to ignore what was sought or put aside—not press forward on what was sought in the Uluru Statement. You can't ask people to tell you what they want and then turn away when they do. You can't ask people to consult with you, and then make it clear in the national parliament that you don't actually like the answer. That's not respect. That's not consultation. That's not listening.

I will finish on this point. Our First Australians have been deeply connected with country on this continent for over 60,000 years—the Yuin people in the south-east, the Yawuru people in the north-west, the Yolngu people of
Yirrkala in the north, the Muwinina people in the south, the Noongar people of the south-west, the Meriam Mir in the Torres Strait, the Kaurna in South Australia, the Pijjantjatjara people of the Central Desert and more.

In the cut and thrust of this place, what is sometimes forgotten is the profound honour of having First Nations people across our entire continent—the oldest continuous civilisation on earth, people whom we have the privilege of representing. There is too often a tone of burden where there should be a feeling of pride. This parliament should ask itself whether we take the pride we should in our first Australians. As for the results of any report, we may find that the gap we need to close is actually within us.

**Senator DODSON** (Western Australia) (18:02): Here we are again, in another new parliamentary year, with another recital of policy failure, another appeal to cop it sweet and be patient. For more than a decade now, there has been this 'Groundhog Day' ritual whereby members from this chamber troop over to the other place, there to be told that most of the targets for closing the gap between Indigenous and non-Indigenous peoples continue to be beyond our reach. No-one is ever held accountable for this. First Nations peoples are expected to be impressed that parliament is talking about them and taking the time to do so.

Today we learnt that only two of the seven Closing the Gap targets are on track: early childhood education and year 12 attainment. Let me remind you of the five targets that are not on track. Tragically, the target to halve the mortality rates of First Nations children is not on track. Just as tragically, the target to close the gap in life expectancy by 2031 is not on track. The target to close the gap in school attendance by 2018 is not on track. The target to halve the gap in reading and numeracy by 2018 is not on track. The target to halve the gap in employment by 2018 is also not on track.

As grim as the picture is, it fails to reveal the whole sorry story of inequality, focused as the targets have been on health, education and employment. The targets tell us nothing about the over-representation of First Nations men, women and young people in the crowded prisons across this land. They tell us nothing about the exploitation of others who work for the dole under the perversely titled Community Development Program or those whose income is not theirs to manage, under the rules of the cashless debit card. And they tell us nothing about the abject circumstances which beset those thousands and thousands of First Nations people who live in remote communities where access to basic services is a constant struggle.

It's worth remembering today that the Closing the Gap regime grew out of the work of the Australian Human Rights Commission, and in particular the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families. The inquiry was established by the Keating government back in 1995. The *Bringing them home report*, primarily the work of the late Sir Ronald Wilson and my brother, Mick Dodson, the social justice commissioner, was tabled in parliament in May 1997. Their report identified gross violations of Aboriginal people's human rights and spoke about the removal of children as genocide—as genocide!—and aimed at wiping out Indigenous families, communities and cultures.

Prime Minister Howard was much discomfited by the report and could not bring himself to accept the recommendation that this parliament of Australia apologise for those dreadful points of history. Underlying that stubbornness and intransigence was an ill-founded fear that the Crown's liability was going to be an astronomical compensation claim. And so an apology remained a moot point for more than a decade, until a new Prime Minister, Labor's Kevin Rudd, formally apologised to the stolen generations. On that momentous day, 13 February 2008, whilst he did not offer compensation, he went further than an apology; he laid out a framework of a 10-year program to close the gap. 'Our challenge for the future is to embrace a new partnership between Indigenous and non-Indigenous Australians,' Prime Minister Rudd told the parliament 12 years ago. 'The core of this partnership for the future,' he said, 'is the closing of the gap between Indigenous and non-Indigenous Australians on life expectancy, educational achievement and employment opportunities.'

It was a well-intentioned agenda of practical reconciliation, but the outcomes have been so dismal. What an indictment, what a blight on this nation: 12 years with so little to show for it. No wonder that those First Nations peoples who gathered at Uluru in May 2017 lamented and proclaimed the torment of our powerlessness. Now we have the torment of this government's sluggishness as it crawls to develop a new 10-year framework for closing the gap. The process is called the Closing the Gap Refresh. It began in the federal bureaucracy two years ago, and there's no outcome yet. Much money has been spent on travel and talkfests, expensive consultants have come and gone, and still we have no new framework.

The Prime Minister tells us in the foreword of this year's *Closing the gap* report that this is not a process we should rush. Well, I say that's not good enough. The Commonwealth's administration of Indigenous affairs after the disastrous machinery of government changes by the Abbott government in 2013 falls under the Department of the Prime Minister and Cabinet, so the buck stops with the Prime Minister. And all the Prime Minister can say to
justify this protracted process of drawing up a new framework is that getting it right is worth the time it takes. I'm not fussed about getting it right; what worries me is the lack of urgency.

At least the government has belatedly engaged First Nations peak organisations in the process to develop a new national agreement on closing the gap. A new agreement is to be underpinned by four principles: developing formal partnerships between governments and Aboriginal and Torres Strait Islander peoples, giving Aboriginal community-controlled services greater roles, improving mainstream service delivery, and the development of local data processes to enable people to make better decisions. Those are all worthy principles but, as we know, no new program will succeed. It will fail unless it has adequate resources, and unless bureaucracies earnestly embrace those principles—and if it has the First Nations wholehearted participation. And in the end, any new agenda will amount only to practical reconciliation.

My commitment has always been to real reconciliation. My leader, Anthony Albanese, in the other place this morning showed his commitment when he said that this country is not reconciled and that a country that is not reconciled is not really whole. 'Until we are whole, our true potential as a nation will continue to elude us,' he said. When they met at Uluru nearly three years ago now, First Nations peoples laid out a clearly preferred pathway to reconciliation and wholeness. Labor supports in full the Uluru Statement from the Heart. The first call in that statement was for a voice to the parliament to be enshrined in the Constitution. The opposition leader this morning described this as a 'great and unifying mission'. But this government does not have the will to embrace that, because hardheads and the hard Right don't have the heart for true reconciliation.

Rather, this government wants a voice to the government—a voice that is not protected by being enshrined in the Constitution. The Prime Minister said this morning that his government supports recommendations about truth-telling in the 2018 report of the Joint Select Committee into Constitutional Recognition. And that's a good thing. But he could not bring himself to mention the Yolngu word 'Makarrata', which the Uluru Statement from the Heart called for. Makarrata: as the opposition leader said this morning, 'Let everyone feel those four syllables.' It's conflict resolution—and doesn't this nation need conflict resolution with its first peoples? It's making peace after a dispute—and hasn't this dispute gone on for far too long? And it's justice, so that we can all be liberated and become better people. This could be achieved through a pathway to a national treaty. There was certainly no mention of national treaty by the Prime Minister this morning. We are left to surmise only that Makarrata and treaty are steps too far for this government. What does that say about the leadership?

We as a nation are capable of great achievements, especially at times of crisis—like the drought, like the fires, the floods and the coronavirus. We are very capable of responding to great things, and it's time we responded to the First Nations requirements. It befuddles me—why this intransigence to something that is blatantly clear, is simple and is not asking for much? It's constantly eluding us.

Finally, today let me acknowledge and pay tribute to those who show uniring leadership on the front lines, where the gaps are widening and are stark; those who bear a heavy burden and toil day and night to care for children at risk and to worry for their loved ones. They are those unsung heroes who soldier on, sometimes at great personal risk, and they're unsupported because of the lack of adequate resources. There goes real leadership, and I salut them all.

**Senator McKENZIE** (Victoria—Leader of the Nationals in the Senate) (18:14): As the Leader of the Nationals in the Senate, I would like to acknowledge the traditional owners of the land on which we meet, the Ngambri and Ngunawal peoples, and pay my respects to their elders, past, present and emerging.

Since 2008 Australian governments have worked to deliver better life expectancy, mortality rate, education and employment outcomes for Aboriginal and Torres Strait Islander people. Today's report highlights the issues that we've had in closing that gap. We haven't achieved what was expected and we haven't collectively achieved what was needed. Today's update shows Australia is on track to meet only two of the seven set targets—specifically, having 95 per cent of all Indigenous four-year-olds enrolled in early-childhood education by 2025 and halving the gap for Indigenous Australians aged 20 to 24 in year 12 attainment or equivalent attainment rates by 2020.

We note that there have been improved outlooks in some areas, such as education, yet progress in many other areas still lags behind our community's expectations. The target to halve the gap in child mortality rates by 2018 wasn't met, the target to halve the gap for Indigenous children in reading, writing and numeracy within that decade was not met and the target to close the gap in life expectancy by 2031 is not on track. Only by acknowledging our failures can we move forward, make better-informed decisions and make a positive future for all Australians. We must not be afraid to learn from each other. This year, 2020, marks the next stage of Closing The Gap Refresh to deliver shared responsibility and accountability, led by our nation's first Indigenous Minister for Indigenous Australians, Minister Wyatt.
I want to speak tonight specifically on a key indicator that we feel quite strongly about: employment for our Indigenous Australians. No state or territory met the target to halve the gap in employment outcomes within a decade. Employment rates for Indigenous Australians increased, but only in New South Wales and the Northern Territory. Job security, meaningful full-time work, provides financial and economic security and helps to open the door to self-determination. Employment status also has associations, as we all know, with outcomes for health, social and emotional wellbeing and living standards. The Nationals welcome the new approach to closing the gap: local people leading local solutions.

As a former teacher, it is great to note that since 2014 we have seen significant investment in Indigenous youth and education initiatives, opening the door to real, secure jobs across rural and regional Australia. There are 45,000 Aboriginal and Torres Strait Islander youth being supported on their education journey through a raft of mentoring scholarships and leadership programs. But there is so much more to do.

Education is the door to better job outcomes. In the past 10 years the number of Indigenous Australians accessing higher education has more than doubled. Currently, almost 20,000 Indigenous Australians are attending university. Young employed Indigenous Australians with year 12 qualifications are more likely than early school leavers to be employed full time and be in a skilled occupation. These outcomes need to be celebrated and used to build momentum for greater improvements from education to health to employment opportunities.

The evidence clearly shows that education is the door to better job outcomes and that, when it comes to employment, gaps exist—a gaping chasm. In 2018 Indigenous employment rates were 49 per cent compared to 75 per cent for non-Indigenous Australians. The target to halve that gap has not been met. Until recently, closing the gap was not a real partnership with Indigenous people. The Community Development Program, though, has supported remote jobseekers into almost 30,000 jobs. Aboriginal and Torres Strait Islander communities now have greater control over the program, with a focus on flexible, locally led support for jobseekers. We are listening to people in remote communities because they are our communities. The Nationals' focus is on doing what these communities want and need, not what special interest groups want.

Economic empowerment is key, and realised and hoped for in Collinsville, North Queensland, where traditional owners are leading a coal-fired power station project proposal with a focus on Indigenous employment. Australia's first high-efficient, low-emissions, ultra-super-critical coal-fired power plant could mean 2,000 jobs in regional Queensland during the construction phase and 600 regional jobs once operations begin, with, as I said, a focus on Indigenous employment. Including Indigenous Australians in making local decisions to build capacity employment benefits all, economically and socially. Sustainable, ongoing, meaningful employment in regional communities for everyone is a priority for the National Party. Putting Indigenous Australians in the decision-making process as outlined by the Prime Minister will mean a better outcome for all.

This next chapter in closing the gap will be guided by the principles of empowerment and self-determination and will deliver a community-led strategy that enables Aboriginal and Torres Strait Islander peoples to move beyond the present into a thriving future. Rewarding careers are what we want to see. Indigenous Australians at local, regional and national levels are embedding knowledge and leadership. They're co-designing the systems, policies and operational frameworks, and are working with governments to make positive change for their families and communities. They're our communities. We're sharing priorities with Indigenous Australians and with state and territory governments, and, for the first time, Indigenous expertise is at the table with government—not to be told what will happen, but the opposite: for the first time, Indigenous expertise will be used to talk, to educate and to inform so that they can have a real and meaningful input into a say around future developments.

We are seeing more Indigenous kids in school by working with the community. Initiatives such as the teacher boost for remote Australia, removing all or part of the HELP debt for over 3,000 students, will encourage more teachers to work and stay in very remote areas. As Senator Dodson raised, basic services being delivered to remote and regional communities mean we have to get more teachers, more nurses and more doctors practising in these communities so that Indigenous Australians living there can have the full experience of being a citizen of this country and the services that that should entitle them to.

By discussing and recognising the past and understanding the present, we're better equipped to create positive change to eliminate the gap between Indigenous and non-Indigenous Australians. For 100 years, the National Party has worked to ensure rural and regional Australians have the same opportunities as those in the city. This is our challenge. We know a good education leads to a rewarding long-term career. We want to see partnerships, not paternalism. Only together can we hope to close the gap, so that all Australians enjoy all the benefits of this country that is both young, and infinitely ancient. Thank you.

Senator SIEWERT (Western Australia—Australian Greens Whip) (18:21): I rise also to speak to the Closing the gap report 2019. Firstly, I acknowledge the Ngunnawal people, the traditional owners of the land that we are
meeting on. I pay my respects to elders past, present and emerging, and acknowledge that this land was never ceded and that we have, as a nation, a lot of unfinished business.

I'd first like to start talking about progress on closing the gap and making some comments as they relate to what sorts of things we need to do if we are going to meet the aspirations that were included in this particular set of targets and those that are currently being developed with the Coalition of Peaks.

The target to ensure that 95 per cent of all First Nations four-year-olds are enrolled in early childhood education by 2025 is on track, although you will notice that it looks like enrolments have decreased over the last 12 months. I'm deeply concerned that some of the changes that have been made to childcare subsidies are in fact disproportionately impacting on First Nations parents. I've had some pretty strong feedback on that particular issue and the complications that now make it much harder for First Nations parents, in the bush particularly, to navigate. In 2018, 86.4 per cent of First Nations children were enrolled in early childhood education. This is a very important step to ensuring that young people stay connected with school and, of course, develop the child's cognitive and social skills. The child commissioner's report which I commented on earlier this week, and that I'll come back to, notes, for example, that ear health for First Nations children is 2.9 per cent worse than for non-Indigenous children and that they're 2.9 times more likely to have a hearing problem. This is an issue that I have been passionate about over the years and it is deeply connected to education, because if we don't address that issue and get on top of it then children's engagement with school will be deeply affected by hearing impairments.

The other target that is on track to be met is halving the gap in year 12 attainment or equivalent for First Nations students. Around 66 per cent of First Nations 20- to 24-year-olds had attained year 12 or equivalent, which is an important improvement. Yet it is with a very heavy heart that I note we're not on track to meet the rest of the targets.

The target to halve the gap in mortality rates for First Nations children under five within a decade is not even close to being met. In fact, because non-Indigenous infant mortality rates have improved at a faster rate, the gap has actually widened. The First Nations child mortality rate was twice the rate of non-Indigenous children. Aboriginal children are 10 times more likely than non-Indigenous children to end up being taken into the child protection system. Forty per cent of those in the out-of-home care system are Aboriginal and Torres Strait Islander children. In fact, we have more Aboriginal and Torres Strait Islander children in out-of-home care now than when the Bringing them home report was tabled.

These statistics are not what you would expect and do not belong in a so-called First World country like Australia. We are also far away from closing the gap in life expectancy by 2031. First Nations women have a life expectancy gap of 7.8 years and First Nations men have a gap of 8.6 years. These targets are heavily dependent on the social determinants of health and wellbeing including housing, education, income support, wages, employment. We are failing to address these particular social determinants of health, particularly for First Nations people, so how can we expect that we would be closing the gap if they are not being dealt with? It is estimated that social determinants are responsible for at least 34 per cent of the health gap between First Nations people and non-Indigenous people. This is one of the reasons why we have not made progress in closing the gap.

The target to close the gap in school attendance is also not on track. School attendance rates for years 1 to 10 have not improved for First Nations students over the past five years. Similarly, the target to halve the gap in the share of First Nations children at or above national minimum standards in reading and numeracy within the decade has not been met. About one in four First Nations students in years 5, 7 and 9 remain below national minimum standards in reading.

Finally, we are not going to meet the target to halve the gap in employment outcomes between First Nations and non-Indigenous people within a decade. In 2018, the employment rate for First Nations people was around 49 per cent compared to 75 per cent for non-Indigenous Australians. This data shows, as Pat Turner, the co-chair of the current COAG process and chair of the Coalition of Peaks, so clearly articulated this week:

There is more than just a gap, it is a chasm, a gaping wound on the soul of our nation.

I want to come to the inability of consecutive governments to meet the Closing the Gap targets. It is not through lack of ambition or commitment from First Nations people to get the message to government and try and work with government to meet these targets. But you have to look at some of the issues that are stopping us meeting those targets. I've just been through the failure to adequately address social determinants of health such as housing. When you are living in an overcrowded house, how can you be expected to go to school? We've canvassed this issue so often in this place but we are still seeing a failure to invest in housing and employment outcomes.

Discriminatory policies such as the Northern Territory Intervention, which is still being applied in the Northern Territory under another name, by and large, are still there. And we have a government that is intent on forcing the
current compulsory income management process into the cashless debit card. Prime Minister, if you are listening to this debate in the chamber, it is a top-down approach, the very approach you had a go at in your statement today on Closing the Gap. He made a specific reference to top-down approaches, and yet that is what the cashless debit card is. That is what the Community Development Program is. It's no wonder we're not meeting and closing the gap on employment. It is because that is a failed program. That program ends up penalising First Nations peoples. There is a wildly disproportionate increase in the number of penalties applied in regional and remote communities through the CDP program, which means people lose money. They end up further entrenched in poverty. These sorts of punitive approaches have to stop if we are to have any hope in closing the gap.

Today Scott Morrison acknowledged in his address that a top-down approach hasn't worked for First Nations peoples, so why is the government not scrapping the policies that they are imposing through this top-down approach, which is not working, as the evidence shows? The evaluation of the Northern Territory intervention showed it met none of its objectives. This card disproportionately impacts First Nations peoples and entrenches poverty, disadvantage and stigma. People still talk about it being like ration days.

A recent study found—this came out at the inquiry into the next rollout of the card—that women on compulsory income management in the Northern Territory under the Northern Territory intervention were more likely to have babies with low birth weights. That's critical evidence there. It is peer reviewed, thorough research. The government's imposition of compulsory income management contradicts its commitment to the new national agreement on closing the gap.

We have far too many First Nations peoples caught up in the criminal justice system. We've heard the statistics for young people, women and men. And yet we still haven't seen the Northern Territory government or the government here fully committing to the implementation of the royal commission into youth justice in the Northern Territory. There were absolutely critical recommendations around diversionary programs and making sure that young people don't end up in the justice system in the first place. These are the sorts of evidence based policies that will meaningfully break the cycle of involvement with the criminal justice system. There's been consistent push-back over the years to include justice targets in the existing Closing the Gap targets, something that the government committed to when they were in opposition and then didn't do when they got in government.

It's appalling that we're still seeing the lack of implementation of the reports that, in fact, Senator Dodson referred to: the royal commissions, the Bringing them home report and the Royal Commission into Aboriginal Deaths in Custody. We've only just seen the implementation of a custody notification system in Western Australia. I'm really pleased that it's there now, but it's only just happened. Those recommendations were from 1991.

Today the Prime Minister used the word 'jobs' seven times in his address, as if that is some sort of magic antidote for closing the gap. Yes, it is very important; I'm not saying it is not. But we have failed approaches. Unless we address those social determinants of health, it's very difficult to ensure that First Nations peoples can actually get meaningful jobs and stay in those jobs.

The CDP program is failing. It's discriminatory. It needs to be replaced. And it's not for want of Aboriginal organisations presenting to government very, very good programs that can be implemented. They have a plan for how we could increase employment; but, again, it was not taken up. No, the government will tinker around with the Community Development Program. So we have a long way to go. If we are genuinely going to close the gap under this new process, the government is going to have to get rid of those discriminatory programs.

I want to turn now to the future and the positive work that's been done on closing the gap with the Coalition of Peaks, the group of 50 community controlled peak organisations who are now working in co-design with COAG on a new national agreement on closing the gap.

This new agreement will set shared priorities and targets for the next decade. For the first time Aboriginal peoples will have an equal voice and, hopefully, full ownership of the Closing the Gap framework. This historic partnership gives First Nations people shared decision-making power with governments, and Pat Turner today at the Closing the Gap lunch clearly articulated that it has to be at national, state and local level—she was very clear about that. She articulated the key priorities they have put to government about agreement over decision-making processes and being at the table at all levels of government; that services have to be led, delivered and developed by community controlled organisations but that mainstream organisations also have to take responsibility and deliver their services to First Nations peoples and not in a discriminatory manner. She also made the very strong point about ownership of data, making sure they get access to data. Those are the priorities they have put to government.

It's not there yet. We have to see the outcome of that continuing work. There are a lot of people putting a lot of faith in that process. It's a particularly important process that can literally change the direction of this nation. It can
ensure that Aboriginal people are self-determining, that they are leading, developing and owning the programs that they know will work, and that they won't be subject to the vagaries of changing government priorities all the time.

Senator McCarthy (Northern Territory—Deputy Opposition Whip in the Senate) (18:36): Thank you, Madam Acting Deputy President.

Senator Hanson interjecting—

The ACTING DEPUTY PRESIDENT: Sorry, Senator Hanson, there's no speaking list. I've called Senator McCarthy and I'll call you next. Senator McCarthy.

Senator McCarthy: It depends on who you speak to today as to what today means to different people. If you talk to young Australians in particular—and I had an interview with triple j Hack not long ago—they have a different view of what this day means in terms of the parliament's efforts to improve the lives of First Nations people. They asked pretty heavy questions, and I thought it was important that those questions were asked about how far we've come and the fact that in the parliament today there was an acceptance of a failure in achieving the targets that we've all stood for each year since 2008—whether in the parliament or in our respective places outside the parliament in whatever organisations we work as First Nations people—of wanting to believe that the parliament of Australia is sincere and genuine and has a determined focus to improve the lives for First Nations people but also to improve the relationships between Indigenous and non-Indigenous Australians.

Those are the young people of this country who look at the parliament today and ask: why have you failed? What are you guys doing? What are you, the coalition, doing? What are we, Labor, doing? What are the crossbenchers doing? What are the First Nations members of the parliament doing to improve the lives of First Nations people? It was a poignant question because it's a question that goes to the heart, I believe—and should go to the heart—of each and every member of the Senate and the House of Representatives. But when I came into the parliament this morning and read articles on the treatment of the First Nations minister, Ken Wyatt, by his own colleagues on his side and I read about the views of my fellow senators on the government benches on the future of First Nations people in the Constitution to be recognised, to have a voice, I got angry, really angry. This is a day when—and it's the one day of the year—our parliament should be focusing completely on First Nations people, but yet again we're distracted by internal conflict in the parties opposite, in the leaders who could be doing more.

When we have young Australians asking these questions, each and every one of us doesn't really have an answer adequate enough to justify why we're failing in these targets. But when you also speak to young Australians who ask these questions you try to connect the history of how this began in 2008, when Prime Minister Kevin Rudd had to work with a hostile parliament to just say sorry to the stolen generations of this country—a hostile parliament where members walked out, refusing to acknowledge that this was a significant day with the apology to First Nations people. Yet, on the lawns out in front of Parliament House and right across the country, hundreds and thousands of Australians gathered, black and white. Why? Because they wanted to have hope—hope in a future that was theirs, hope in a future that belongs to their children and grandchildren for all people who call Australia home. When we come together for Closing the Gap day, that is what First Nations people are looking for—that continued hope for that vision for a future and everyday living. But we fail as members of parliament when we cannot connect and cannot listen to what First Nations people are saying. We fail when we talk about CDP, the Community Development Program, and the cashless debit card when we know, from numerous inquiries, the entrenched poverty that continues across the regions of Australia and when we know that these have a direct correlation to the health, the education, the housing, the jobs and, most importantly, the life expectancy of our First Nations people.

When young Australians ask what we're doing, I can say that I work on inquiries. I worked with Senator Keneally on the still birth inquiry. We went around the country and listened to those families. We know that the rate of still birth for Indigenous people is far greater, just like most of the other health factors we talk about in here. To the credit of Greg Hunt, the health minister, he listened to those recommendations and he made a difference by following through. Now that's a really good example of something we can stand up and talk about on Closing the Gap day. It's something we have done together as parliamentarians from all walks of life.

But today when I listened to the Prime Minister speak, wanting again to find that hope and that way forward, I looked at the minister sitting beside him, Ken Wyatt, and I thought, 'When you, Prime Minister, say that you're engaging with First Nations people, I want to believe that that's not just-lip service.' When leaders like Pat Turner and other leaders of the Aboriginal community controlled organisations in this country sit beside you, whether it's at the cabinet table, in a room in the parliament or out there beyond the parliament, and you say you're engaging, then that has to follow through with the policies that you deliver in this parliament, because I can tell you that...
those First Nations people who are sitting with you today are going to be the same people who'll turn around tomorrow and really give it to you if you are not genuine in that engagement. You may say you have them at the table now but, if you do not treat them with the respect that must come through both this Senate and that House in terms of the policies that this parliament delivers to improve the lives of First Nations peoples, you will not be calling that an engagement anymore; you will need the makarrata commission after that, let me tell you.

I see Ken Wyatt sitting there, someone who, I have no doubt, has the greatest sincerity in wanting to improve the lives of people in this country and improve the understanding between black people and white people. I find it really shallow when the people sitting around him are forever in the newspapers, at some stage or other, wanting to tear him down, wanting to rubbish him as a minister, and wanting to say that he's no good and put him in his place. Then they say: 'We don't know anything about a Constitution. No-one's talked to us about a referendum.' Well, hello, Senators. We've been talking about it since May 2017. It isn't about the Constitution, is it? It's actually about your relationship with the First Nations man in your cabinet. I can say as an Aboriginal woman—forget what side of politics I may be on—that it's disgraceful the way that you treat him. If you think holding him out on this day is going to cover the bases for you, let me tell you that First Nations people will see right through that, as I'm speaking to you right now, as I see it.

So there has to be a genuine connection. I say this to young Australians because they ask these questions of me and I'm sure they will ask it of many others. Those listeners who join in on Triple J and all the young shows around the country, they deserve to know if there is hope for the future. Are we as a parliament courageous enough to have that sincere engagement and to open our eyes and our hearts? We need to open our eyes and hearts to the fact that when you crush people with policies you are keeping them down—Senator Dodson and I and my colleagues talk about it, and I know the Greens talk about it—and that has a direct correlation with whether they are rising above the entrenched poverty we see right across the country.

Let's talk about jobs. When ministers get up in here and say, 'We've created 1.5 million jobs,' I go: 'Oh, that's great. You know what? There are 33,000 people on CDP. Are they any of those 1.5 million? If they are, please tell me and I'll go trumpet that for you. I will be proud of that for you.' But it's not. It's not happening. Then they talk about the cashless debit card and want to impose it on 23,000 people in the Northern Territory who are already suffering from an intervention that took place under Prime Minister John Howard. And people in the Northern Territory are living on the BasicsCard. That is not giving people hope.

I think Close the Gap Day should be all about looking at what our future is. But that future has to be about how we treat one another. If I see a First Nations bloke in the cabinet of the coalition government being treated like rubbish, what do you think the people out there think? What do you think the people, especially First Nations people, think? We're not silly. There has to be genuine and sincere engagement, and that includes how we treat one another in here. If that's how you're treating him, it's no wonder the way people out in these organisations—especially Aboriginal organisations whose funding was cut under Tony Abbott by $500 million and who've never recovered since then. These are areas that deal with health, education and our children—children who keep getting taken away. I get phone calls from people who desperately need help because their child has been taken away by welfare—auntes, grandmothers, who call, wanting to know what they can do. But first you're dealing with the trauma of the fact that they've realised that the child has just been taken from them. As recently as the weekend, a grandmother rang me and said: 'My grandchild has just been taken from her parents and put on a plane and flown to Darwin from a community. What can I do?' This is the daily existence of people out there.

Senators, you only have to look at 26 January, just a few weeks ago, and see the hundreds of thousands of Australians who marched in various rallies across the country, wanting a better future, a better vision, for our country. There might be groups in there that you might not agree with, but you've got to step back and be quite impressed by the numbers of people who were getting out there because they believe in something that we are not doing as a parliament. We're not improving the lives of First Nations people in our jails—there are way too many of them. That's what a lot of those protests were about, and they'll continue. There are too many children being taken away. Tomorrow, on the anniversary of the apology to the stolen generations, we're going to see that again. These groups who are so concerned, as they should be, that there are far more removals of First Nations kids in this country than there were when Prime Minister Kevin Rudd stood up and apologised to the stolen generations. That is our collective responsibility as a parliament.

So next year, when we come together for Closing the Gap, I hope I don't have to keep reminding the parliament of how significant the day is. But I certainly hope we can become a country that's far more understanding of the connection between the policies and legislation we create in here and the direct impact it has on the lives of First Nations people in this country.

Senator HANSON (Queensland) (18:52): When I speak here today I hope that I am going to get across the voice of many Australians. I've never been a pretender, and the people of Australia are relying on me to speak
openly and honestly about this issue of closing the gap. Closing the Gap is complete rubbish, and my thoughts are echoed by many Aboriginals who take the time to meet with me. As far as I'm concerned, it's a joke. The call for recognition is just a feel-good smokescreen that hides the true problems. The biggest problem facing Aboriginal Australians today is their own lack of commitment and responsibility to helping themselves.

Closing the Gap is the marketing term used by politicians and bureaucrats so they can feel good about themselves and get in front of TV cameras and pretend they're doing something to lift remote First Nations people out of their self-perpetuating hell holes. Most Australians know that ten of billions of dollars are spent each year to help alter the standard of living between those in remote Aboriginal communities and even those living in our developed parts of Australia. When you spend billions of dollars a year on any group of people you expect outcomes. Sadly, those billions have gone to the non-productive, unrepentant Aboriginal industry, not to where it should go, the grassroots Aboriginal and Torres Strait Islander people. It is an industry that has achieved no notable benefits in pulling our First Nations people out of squalor, domestic violence and poverty.

When I speak here today I represent the quiet Australians, those Australians who have had a gutful of the billion-dollar handouts with very little to show for them. Far too many Aboriginal kids in remote communities at this very moment are starving. They're that hungry they're breaking in to homes not to steal DVD players but to steal food. Far too many Aboriginal kids are fearful of their alcoholic parents and family members, who prey on their vulnerability. Those Aboriginal children in my home state of Queensland, in towns like Doomadgee, Woorabinda, Aurukun and Yarrabah, remain vulnerable to sexual assault and a life of petrol and paint sniffing under the current weak plans by our federal and state governments.

On the other hand, I need to commend the hard work of the NPA Regional Council, led by Mayor Eddie Newman and by Councillor Michael Bond from New Mapoon, who took the time to meet with me last year to genuinely speak about bridging the gap. Together with their council colleagues in Umagico, Seisia, Bamaga and Injinoo, they have demonstrated that we can close the gap with work programs and opportunities for our Queensland Indigenous people—and so too with the mayor of the Torres Strait Islander Council, Fred Gela, and the Torres Shire Council mayor, Vonda Malone. What people need to understand about me and One Nation is that we will always give credit to those Aboriginal and Torres Strait Islander groups who are actively striving to better outcomes for their people, but I'll also call out those dysfunctional communities.

I spoke about this issue 24 years ago when I was first elected to the House of Representatives. It wasn't called Closing the Gap back then, but again we threw countless billions at the very same problems we're talking about today. What's changed since I first raised those issues? Nothing. We still have Aboriginal kids not going to school. The wonderful air-conditioned school in Doomadgee has around 400 students enrolled, but they're barely able to roll-call 50 per cent of students on any given day. They've got just one child in the whole school with a 100 per cent attendance record. Whose fault is that? Lazy parents. You can't blame the whites when it's your own negligence. We can throw all the money in the world at building these schools, with three meals a day for $2 to make sure Aboriginal kids are given a wholesome meal while they're at school, but, if they don't turn up, how do they get ahead in life? We're also bribing parents with payments to send their kids to school, but even that's not working.

Never before have Aboriginal people been given greater opportunity to get a job. I see it frequently advertised: 'Only Aboriginals need apply.' I had a letter sent to my office last year that confessed to applying for one of these jobs, even though the writer knew he wasn't Aboriginal and in fact he wasn't even Australian; he was a Pacific islander. When he was quizzed about his heritage, he made up a story, saying he was a part of the stolen generation and had no proper knowledge of his background. What type of mockery does this create?

Many Australians feel we have widened the gap as a result of Federal Court and High Court decisions. Only yesterday, we undermined our border security and immigration laws with the decision by our High Court. We widen the gap by dropping Australia's national anthem at football games but are expected to stand and conduct a welcome to country.

You will never close the gap while this parliament continues to hand native title land claims back to land councils. The tensions this creates among tribes or mobs is feeding the division in many of these remote communities. I hear frequently from Aboriginals who have serious concerns with the behaviour of Noel Pearson and Jason Yanner, alias Little Boy Murundoo Yanner. These people aren't helping close the gap; they're simply riding the gravy train.

Incarceration rates of Aboriginals remain alarmingly high, even with the reluctance from the courts to jail them. The simple truth is: if you do the crime, you do the time. We expect it of every other Australian or person who comes to this country. If you want to close the gap, start taking some responsibility for your own people. As the old saying goes, you can lead a horse to water but you can't make it drink. We've provided the schools, it's now up
to you to send your own kids to school. We’ve provided the jobs, but it’s up to you to turn up when you’re rostered on, not when it suits. It’s up to the Aboriginals to stay off the grog and the drugs.

I will leave you with my final thoughts. Closing the gap should be about treating all Australians equally and on an individual needs basis, not one based on race. These government policies that are based on race are themselves discriminatory and racist. Stop feeding the resentment in this country and you’ll naturally close the gap. And stop playing the victim if we are to move forward as a united country. Resentment, hatred and blaming have to stop. We owe this to all future generations, regardless of race or colour.

**Senator BRAGG** (New South Wales) (19:00): I have always taken the view—

**Senator Waters:** Chair!

**Senator McAllister:** No, Chair!

**The ACTING DEPUTY PRESIDENT (Senator Griff):** Is there a problem?

**Senator McGrath interjecting**—

**The ACTING DEPUTY PRESIDENT:** My understanding is that Senator Bragg was next. Senator Waters on a point of order?

**Senator Waters:** My understanding is that the convention is that leaders of party have precedence over newly-arrived senators. I acknowledge that in the most recent circumstance, Senator McCarthy was given the call on the basis that she is a proud First Nations woman—and I support that call. But I don’t believe that Senator Bragg has that same claim, so I’m seeking the call.

**The ACTING DEPUTY PRESIDENT:** Senator Waters, you have the call in this instance.

**Senator WATERS** (Queensland—Leader of the Australian Greens in the Senate) (19:02): Thank you very much, Mr Acting Deputy President. I rise as the Greens leader in the Senate to acknowledge the traditional owners of the land that we’re on, the Ngunnawal people, and acknowledge that as sovereignty was never ceded we’re on stolen land. This was and always will be Aboriginal land, and I would like to pay tribute to the First Nations parliamentarians in this place.

In relation to the last contribution, which we just heard from One Nation leader, Pauline Hanson, it’s the racism that we’ve come to expect from her and her party. I might note that this is precisely why the Greens are pushing for a parliamentary code of conduct that would ban hate speech. I would like to apologise on her behalf for the offence that was likely caused to many listening to those words. They don’t reflect the sentiment of this chamber, nor do I believe they reflect the sentiment of the vast majority of Australians.

We heard some very fine words from the Prime Minister this morning, but words will not close the gap; action will. So far, this government is known for the racist Northern Territory intervention, the racist cashless debit card, cutting half a million dollars from the Indigenous Advancement Strategy and cutting funding for the Family Violence Prevention Legal Service. And just this week, in court, it was arguing that Indigenous people with dual citizenship should be deported as aliens. So the Prime Minister’s remarks this morning were, frankly, hypocritical, compared to the actions of this government. In fact, he went so far as to imply that the Closing the Gap targets were too ambitious. No! No, they are not, and we need truth, treaty and justice. I support and endorse the comments made by our wonderful spokesperson for Indigenous affairs, Senator Rachel Siewert, and pay tribute to the many years that she’s worked on these issues.

I want to make just a few remarks about the issues facing Aboriginal and Torres Strait Islander women and about some resourcing matters. First Nations women experience violence at three times the rate of non-Indigenous women. First Nations women are 32 times more likely to be hospitalised due to family violence than non-Indigenous women. The government’s fourth action plan for the elimination of violence against women did start to make some positive noises. It noted the need to respect and listen to First Nations people affected by violence and to acknowledge their unique experiences; it noted the need to deliver ‘high-quality, holistic, trauma-informed and culturally safe supports’ suited to the complex needs of First Nations women and children; and it noted the need to address the immediate impacts and underlying drivers of family violence in First Nations communities through collective action. But, despite those commitments, the government cut funding to the National Family Violence Prevention Legal Services Forum—FVPLS, as it’s known. The forum is the coordinating body for First Nations organisations that are dedicated to addressing family and domestic violence, and it plays a critical role in implementing culturally safe family violence prevention services. It works to give a collective voice to First Nations women and children affected by family violence and it helps to shape effective, targeted and culturally appropriate government policy responses.

There was a national evaluation of the FVPLS program, and it recommended increased funding to support members, to develop resources and to share information about best practices. Those are exactly the things that the
FVPLS national forum is providing, yet the government cut its funding. The cuts are entirely inconsistent with this so-called Closing the Gap Refresh and the principles of co-design. The cuts will put culturally appropriate family violence services at risk and, by doing so, put First Nations women and children at risk. The Greens have called on the government not only to reverse those funding cuts to the national FVPLS forum but to increase funding to this critical service. Aboriginal and Torres Strait Islander Social Justice Commissioner June Oscar AO said this in response to the cuts:

The National FVPLS Forum supports our women and helps to keep us and our families safe. It is also a member of the Close the Gap Campaign, and we must ask how we can close health and wellbeing gaps when the organisations tasked with doing so are themselves under threat of closure.

On maternal health care: the Closing the gap report recognises that maternal health, including antenatal and prenatal care, is the key driver in reducing Indigenous child mortality. Complications in pregnancy and birth result in a widening gap between Indigenous child mortality and non-Indigenous child mortality, and this is inexcusable. History and politics continue to shape the lives and the health of First Nations peoples overall, affecting the health of First Nations women and their babies. I want to note the tragic death of Naomi Williams, a 27-year-old Wiradjuri woman who was 22 weeks pregnant when she died of sepsicaemia in 2016. Ms Williams had made 20 visits to various medical centres in the months leading up to her death but had been turned away or given little medical attention. Last year a New South Wales coronal inquest into her death identified clear and ongoing deficiencies in the care Ms Williams received. The coroner found that implicit bias, lack of culturally appropriate providers and a lack of Indigenous representation in health services and boards could no longer be denied. The government must do more urgently improve access to culturally appropriate care, particularly in maternal health.

The last thing I want to address is the fact that this government continues to ignore First Nations people on resource decisions. Fracking for shale gas has started in the Beetaloo Basin in the Northern Territory against the wishes of traditional owners, who are terrified about the impacts on their water resources. This government has ignored them. In fact, our environmental laws don't even cover fracking if it's for shale gas. The federal government did, however, approve the pipeline for the export of that gas. This government also has repeatedly voted against my draft legislation, my bill, to give landholders, including traditional owners, the right to say no to fracking, to coal and to gas.

Sadly, there are more examples. The Wangan and Jagalingou people in my home state of Queensland have unequivocally opposed the Adani coalmine. They did not consent to the mine and they have fought it in court. They continue to fight it, even when Adani have callously pursued Wangan and Jagalingou council leader Adrian Burragubba for costs. This government has not only ignored them but approved the mine. But it also stood by as the Queensland government extinguished native title over the Wangan and Jagalingou country to enable the mine to proceed. This government has allowed traditional owners to be treated as trespassers. And, just this week, it took the High Court to rule that Indigenous people who are dual citizens are not aliens in their own country. There is a credibility gap between this government's words and its actions. We need not just a refresh of the Closing the Gap approach but a refresh of the people running this joint.

Senator BRAGG (New South Wales) (19:10): For me, the overriding sense from today is that this country has let Indigenous people down. The reason I spent a large part of my first speech last year dealing with this issue is that I have always felt it was the nation's unfinished business. I mean, how could we have a situation where people could be left so far behind on almost every social indicator. Frankly, after hearing some of the contributions that were made earlier, I'm really not sure what world they're living in. But I promised myself I would make these brief remarks free of politics.

I think today is a good day in the sense that we now have a lot more Indigenous input into what these targets should look like. I very much welcome that. I'm hoping that, next year, we'll see some significant improvements. This year, the improvements on early-childhood education and year 12 attainment are steps in the right direction. But there is a lot more to do. I am a big believer in having an Indigenous voice in parliament. When I travel around New South Wales and talk to Indigenous people, they always make the same point to me—that is, that on the ground, whether they are community leaders or community members, they haven't got sufficient control to run their affairs at the grassroots level in the way they would like to. My sense is that, if a voice could create more control for Indigenous people on the ground, it was practical, that would be a very, very good step.

More broadly, there is an important job for us to do on recognising Indigenous people in the Constitution. I am very confident that Minister Wyatt, who is the first Indigenous person to hold a cabinet rank and also the Indigenous Affairs portfolio, will shepherd through a good process which will give the community many options for what a voice could look like. That process is being chaired by Marcia Langton and Tom Calma, and it is a good process. Once that voice is nailed down, there will be an opportunity to talk about constitutional recognition.
The benefit of doing the voice first is that it is substantive, it is material and it could be the sort of reform that could really change some of those numbers we have seen today, which I think everyone would agree we need to do more work on. I very much look forward to working in a bipartisan fashion as we develop these models for a voice to parliament. The Labor Party, in the committees I have been on, have been very constructive. Despite some of the reporting today, I am optimistic about what this process could achieve.

Senator McAFFERSTER (New South Wales) (19:14): Senator Hanson has dedicated her public life to lowering the tone of every debate that she participates in, and today is no exception. If she was unable to show empathy or understanding, she could at least have shown restraint. Her racist comments—and they are racist—have no place in this chamber.

Our First Nations people have endured far worse over the years. Now, I have faith in their strength and their resilience. Senator Hanson, after all, is not such a formidable opponent. But it doesn't make her comments okay. They are not okay. We have heard from many speakers today about the challenges that face First Nations communities—the challenge that we ought to take up in this place, in this parliament, as true allies to First Nations communities who are fighting for their future and the future of their children. Those challenges are many and while we've made some progress, as the reports today demonstrate, the results on health, on education and on early childhood are simply unacceptable. As the Leader of the Opposition said earlier today, these are not just statistics; these are people—sons, daughters, brothers and sisters, aunts and uncles.

If we want to see real progress on closing the gap, we must properly understand how the consequences of dispossession and the removal from country and culture—the misguided policies, no matter how well-intentioned—have transcended generations and can still be seen and felt today.

First Nations people have given us a map. They gathered in Uluru and they made a statement—the Statement from the Heart—and they talked about what they wanted clearly, unequivocally and with a unity of purpose that we'd do well to heed. Because what First Nations people have asked for is a voice to parliament, and if we mean what we say when we say that we wish to partner with people, then what could be more sensible than a voice established to allow First Nations people to be consulted on the questions that affect them?

If the analysis provided by the government today about the results from the Closing the gap report is correct—if we accept it—that the results derive from a failure to work with First Nations people, then how can we reject their call for a voice? How can we reject their call for a constitutionally enshrined voice and the certainty that such enshrinement would offer to those people? The Statement from the Heart also asks for makarrata—for treaty-making, for truth-telling. These are opportunities for Australia—opportunities for us to embrace our history, to embrace what First Nations people offer us.

Today is an opportunity to reflect on how far we have to go in closing the gap in quality of life for Indigenous Australians. Our contributions should be thoughtful. They should be measured. They should have the integrity of the contributions we heard earlier from our First Nations senators, my comrades Senator McCarthy and Senator Dodson—and I am so proud of the contributions they made in this place today. They stand in stark contrast to what was offered by Senator Hanson. Today is not a day for bigotry and it is not a day for filth.

Senator LINES (Western Australia—Deputy President and Chair of Committees) (19:18): In the two minutes that I have at this point I, too, concur with the sentiments expressed by Senator McAllister. I was appalled to hear the contributions from Senator Hanson today. But that is all I'll say on that matter because I'm not going to give it any further air.

I also think it's time that we heard the First Nations voice on closing the gap. Today in the House, we should have heard the voices of Mr Ken Wyatt and Ms Linda Burney. Tonight, in this place, in the Senate, the first voices we should have heard are those of Senator Dodson and Senator McCarthy. That's how it should be, and I hope that next year we can get better agreement. The fact that Senator McCarthy had to line up behind non-Indigenous speakers offended me greatly—I told her I was going to mention this, and I'm glad that I've put it on the record. If we are honest and sincere about listening, about a partnership and about First Nations people leading, then we haven't done it in this place and we didn't do it in the House today.

I'm deeply offended that my granddaughter, a young Gija from Turkey Creek in Western Australia—

Debate interrupted.

**ADJOURNMENT**

The ACTING DEPUTY PRESIDENT (19:20): Order! I propose the question:

That the Senate do now adjourn.
Hodgman, Mr William Edward Felix (Will)

Gutwein, Mr Peter Carl

Senator CHANDLER (Tasmania) (19:20): Last month the Tasmanian Liberal Party leader and Premier, Will Hodgman, stepped down from his respective positions after nearly 18 years serving in the Tasmanian parliament. Will Hodgman has been a stalwart in the seat of Franklin in the state's south for close to two decades, having first been elected to the parliament in 2002. In 2006, he was elected leader of the Tasmanian Parliamentary Liberal Party and in 2014 was elected Premier of Tasmania in a resounding election victory. This victory was repeated at the state election in 2018.

Serving as Premier of Tasmania for six years, Will has been a strong advocate for our island state, leading Tasmania through six years of unprecedented economic growth and delivering policies designed to improve the lives of all Tasmanians. I had the pleasure of campaigning alongside Will during the 2018 state election as a fellow candidate in the seat of Franklin. At the time, I was, and am continually, impressed by the rapport he has with voters and his unique ability to engage with people from all walks of life, both in his local community and across our state. Tasmanians didn't just see a man who was running to be the political leader of Tasmania; they saw a man who wanted to make a difference and a man who kept his word.

Under Will Hodgman's leadership, our state has turned into a much stronger and more confident place, with more jobs for Tasmanians, a thriving economy and a new sense of pride and ambition for the future. There is no doubt in my mind that Will Hodgman will go down in history as one of Tasmania's greatest ever premiers and is leaving Tasmania in a much better shape than it was after defeating the incumbent Labor-Green government at the 2014 election. Under this disastrous minority government, the state was going backwards. Young Tasmanians were leaving in droves to seek opportunities on the mainland. Ten thousand jobs were lost, and business confidence was at an all-time low. Since then, our state has come a long way. Investment is flowing. The Tasmanian Liberal government is delivering a record $3.6 billion infrastructure program, driving business confidence, attracting private investment and, most importantly, continuing to create jobs.

The Liberal Party's historic win in 2018, delivering a second term to the Liberals, was in no small part due to Will's strong leadership and desire to continue to deliver better outcomes for Tasmanians. Promoting Tasmania as a unique and must-see tourist destination, building on our renewable energy capacity through the Battery of the Nation projects and Mariner Link, and investing in important public infrastructure projects like schools and hospitals are just some of the legacies Will leaves behind.

I would also like to take this opportunity to acknowledge and thank Tasmania's 46th Premier, Peter Gutwein, who I'm certain will continue to steer our state on a positive course into the future. Peter has been a longstanding Liberal member for Bass in the Tasmanian parliament, first elected in 2002 alongside Will Hodgman and serving as Treasurer when the Liberals were elected to government. Under Peter's guidance as Treasurer, the state's finances have turned around, investment is flowing and over 20,000 jobs have been created since we assumed office in 2014. I'm sure that this success will only continue as he takes on the role of premier and I certainly look forward to working with him alongside my federal Liberal colleagues.

On a personal note, I've always been very thankful for Will Hodgman's friendship and support throughout my political career, both as a senator and as a member of the Liberal Party. I consider myself fortunate to have benefited from his mentorship over the years, as I'm sure many of my colleagues have. It was Will who first approached me and asked me to run for the state seat of Franklin in 2018, a pivotal moment in my political career which set me on the path to this place and I will always be thankful for his advice and guidance.

Will has always been a great champion of women in the Liberal Party, and I'm honoured to have worked alongside him in 2017 to develop our party's blueprint for female engagement and to have seen that blueprint lead to a substantial increase in the number of Tasmanian Liberal women in elected office, both state and federal.

I wish Will; his wife, Nicky; and their children, William, James and Lily, all the best for this new chapter in their lives and thank Will Hodgman for all he's given to Tasmania.

Safer Internet Day

Senator BILYK (Tasmania) (19:25): Yesterday was Safer Internet Day, a campaign to promote making the internet safer and better for everyone. This global campaign started in 2004 and has continued growing until it now covers 150 countries. Safer Internet Day seeks to highlight the various roles that everyone has in making the internet safer, whether it be children and young people, parents and carers, educators, politicians or the industry. During my time as the chair of the now disbanded joint and Senate select committees on cybersafety, these committees did important work investigating how the government could improve the regulatory environment for online safety as well as support users to have a positive, safe experience. But national regulation can only go so
far, given the internet crosses national borders and the size and reach of the world's major technology companies. Given that so many online risks, such as cyberbullying, cyberstalking, grooming, trolling and scams, happen through social media, there is a particular responsibility for the social media giants to use their policies and practices to make the internet safer. It's sad to see that some are not living up to their responsibility.

I'd like to focus tonight on Instagram and their lack of action to stop practices such as child sexual abuse, grooming and the fetishisation of under-age girls through their platform. This is an issue that has been raised with me and other people in this place by Collective Shout, a grassroots movement against the objectification of women and the sexualisation of girls. Collective Shout has collected hundreds of examples of sexual and predatory comments made on the posts of under-age girls, some as young as seven. These include comments by adult men about girls' bodies, body parts and sex abuse acts they would like to carry out on the girls, and requests for nude images. Furthermore, sexualised images of children posted on Instagram, shared under the guise of child modelling, have been shared to paedophile forums where men discuss their sexual fantasies about children. I should probably offer a trigger warning about the rest of the content of this speech—it is very unpleasant.

These images include girls posing with arched backs or spread legs, side shots of girls with their backsides pushed out or with their lips parted as they stare into the camera. These are sexualised, adult poses. Young girls do not pose this way naturally. They are coached by adults to do it. While Instagram claims to be taking steps to ensure their platform is safe for children, when Collective Shout has reported some of this content Instagram responds that no community guidelines have been breached. Collective Shout has shared some examples of the comments posted, with the girls' photos blurred and their posts de-identified of course. I did offer a trigger warning, but I warn anyone listening that you may find some of these examples quite disgusting and even sickening. There was a request to a 13-year-old girl that she produce a nude calendar, and a comment on the photo of a nine-year-old girl in a bikini that her genitals needed licking. Some of the fantasy comments include ‘Do you want big daddy?’, 'I wonder if you taste as good as you look', and 'Who wants to have her as a daughter and what would you like to do with her? Tell me on DM'—DM being 'direct message', by the way. The comments actually get worse—they include fantasies about violent acts of sexual abuse against girls—but I'm going to stop there because I really don't want to offend anyone who is as outraged as I am. A senator stated earlier today that my motion on Safer Internet Day was airy-fairy. I ask that senator: do you still think my motion was airy-fairy?

Instagram's community guidelines read:

We have zero tolerance when it comes to sharing sexual content involving minors or threatening to post intimate images of others.

Their terms of use say:

We develop and use tools and offer resources to our community members that help to make their experiences positive and inclusive, including when we think they might need help.

If that is not enough to crack down on this behaviour then their guidelines need to be updated. If it is enough then they simply need to enforce the guidelines that they've got. I find it ironic that Instagram, despite their intransigence on this issue, are listed as one of the 'proud supporters' of Safer Internet Day—seriously?

No matter what messages we send to children and young people and to their parents, teachers and carers about staying safe online, it's difficult to preach safe use of social media when social media platforms don't do their bit to make it a safe, positive experience for everyone, and that includes our children. Our children have to be able to be safe and not chased after, groomed and subjected to paedophile activity. (Time expired)

**Marine Conservation**

**Senator SIEWERT** (Western Australia—Australian Greens Whip) (18:20): I rise tonight to talk about an issue that's very close to my heart: the protection of our oceans and our marine life. In January, in the midst of our bushfire crisis, a new study on global ocean warming was published in the *Advances in Atmospheric Sciences* journal. The study found that the world's oceans were warmer in 2019 than at any other time in recorded history. This warming is not an isolated incident but part of a broader trend, with 2018 being the second-warmest year in history, 2017 the third-warmest, 2015 the fourth and 2016 the fifth. The authors of the report said that climate change is unequivocally to blame for the consistent increases in ocean temperatures. The lead author of the report, Professor Cheng, said that the huge amount of energy the ocean has absorbed could have devastating consequences. It could lead to supercharged typhoons and hurricanes, support marine heatwaves and cause damage to life on earth. Rising ocean temperatures are leading to reduced dissolved oxygen and sea level rise and are already increasing extreme weather events, including floods and bushfires. Ocean warming is more pronounced in the Atlantic and the Southern Ocean, where several severe heatwaves have also been recorded in the past decade.
In my home state of Western Australia, we know the impacts of ocean warming, unfortunately, all too well. In December 2019, Western Australia’s coastline was in the midst of the most widespread marine heatwave it has experienced since reliable satellite monitoring began in 1993. The marine heatwave spread all the way from the Kimberley to South Australia. This brings back memories of the 2011 heatwave which saw sea surface temperatures in some parts of the Mid West and Gascoyne on the Western Australian coast reaching four to five degrees Celsius above average. This had a devastating impact on marine life, with scallop and blue swimmer crab populations declining, bleaching of the Ningaloo Reef and other reefs, and a 20 per cent decline in seagrass meadows in Shark Bay—the World Heritage area. The effects were seen in the south as well, with the lowest observed breeding levels of the little penguins on Penguin Island—which is just off Perth—in over 20 years and several tropical fish species being observed as far south as Rottnest Island. This recent warming event has been linked to a number of fish kills. We saw the deaths of tiny crabs on the Karratha mudflats, the deaths of wild oysters on the Pilbara coast and the deaths of 800 abalone and other shellfish species in the South West. We actually still don’t know the full impact of that latest heatwave in Western Australia.

In the World Heritage listed area of Shark Bay—about which I have spoken in this place on a number of occasions—scientists believe it will take decades for the seagrass to recover from that heatwave in 2011. I’m extremely concerned about what impact the latest heatwave has had on Shark Bay. If the 2011 heatwave had that devastating impact on seagrass, which has multiplying effects because it’s such a crucial nursery for many marine species in Shark Bay, I’m desperately concerned about what impact the 2019 heatwave has had on that area. We are yet to understand this current heatwave and what it will do to that fragile ecosystem that is of such global significance. What we do know is that these climate change fuelled events are drastically and dramatically altering the dynamics of marine life along our shores, and Western Australia, with our huge coastline, is feeling it hugely and will continue to.

It is absolutely imperative that we reduce greenhouse gas emissions and halt the impacts and the progression of climate change. Now is not the time to be still debating the ideology on this. It is not a case of whether you believe in climate change. Climate change affects everything on our planet. And our precious marine environment which, some would argue, has taken a little bit longer to reflect that impact, is now reflecting it. We have to halt it, or our precious marine environment is also at desperate risk.

**Australian Bushfires and Coronavirus: Forestry, Fisheries and Tourism**

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (19:35): I want, in the adjournment debate tonight, to pay tribute to the participants and members of three industries that I have the honour of representing as the Assistant Minister for Forestry and Fisheries and the Assistant Minister for Regional Tourism who are nothing short of amazing and resilient people in the face of the devastation of the bushfires that we’ve experienced this summer, but also coupled with the impacts of the subsequent outbreak of the coronavirus.

Since New Year’s Eve, since the fires have been at their worst and, of course, since the outbreak of the coronavirus, I have spent a great deal of time working with stakeholders from all three of these sectors—understanding from them exactly how much these two sets of events have impacted on their industries, the people that work in those industries and the communities that they support, and also to understand from them how the Morrison government can support them to make sure that these industries, which are so critical to the economies of regional communities across this country, can be sustained into the future.

Starting with forestry, as has already been noted in debates that have taken place in this chamber today, the forestry industry was hit so terribly hard by these bushfires this summer. In the state of New South Wales, if you look at the area around Tumut and Tumbarumba, 58,000 hectares of forest resources have been burnt as a result of these bushfires. That’s around 40 per cent—nearly half—of the harvestable resources in those areas that have been impacted by fires. That is going to have a lasting impact for this industry. In Tumut, a community which is a forestry town, with a population of around 7,000 or 8,000 people, 5,000 people directly or indirectly depend on that industry for their employment. So the support that’s going to be provided by the government through the loans that are available to small businesses and the grant programs to both primary industry entities and small businesses are going to go a long way. There will be more to be announced in the future to support these sectors, to make sure they can continue to grow. We had a bushfire round table here in Parliament House last Thursday. There were around 40 people who attended. We’ve got some great ideas, and I look forward to working with the industry to make sure it remains vibrant, resilient and—unlike what some, particularly the Australian Greens, wish for—a strong part of our community and our economy into the future.

It is similar with the fisheries sector. Of course there were immediate impacts felt as a result of the bushfires, with infrastructure impacts such as transport routes impacting on capacity to get freight out of communities where fishing occurs and to get product to market. Of course there were power cuts as well, preventing the capacity to
store fresh produce, particularly seafood, for periods of time before it is distributed. This was then coupled with coronavirus. When it rains, it pours, as they say. One example is the Tasmanian southern rock lobster industry. It is quite a lucrative industry, but one that is very trade exposed to China—95 per cent of that product is sent to China for consumption. When China closed their borders to items such as southern rock lobster, that had a devastating impact on that one fishery, and that is just one of many. With the number of jobs impacted, we need to be able to support as best we can the people who depend on the fisheries industries for employment in these regional communities. I note that Senator Urquhart and Senator Ciccone are great supporters of this industry, as they are of the forestry sector as well. I'm pleased that they agree with me on how important it is to support these sectors.

Tourism is a sector that has had a double hit of epic proportions, particularly in the regions. First, there were people overseas seeing Australia on fire and choosing not to make bookings to visit Australia and spend their time and money here. That was bad enough, but with coronavirus affecting our Asian markets the way it has this double whammy has had a significant impact on small, medium and even large tourism entities right across the country. The $76 million package that was announced by the tourism minister, Simon Birmingham, and me just a few weeks back will go a long way to helping these industries and making sure they can survive the onslaught that comes out of these disasters. With international marketing to let people know we're open for business and domestic marketing to convince people that they need to holiday here this year, plus the regional events and attractions program, I hope we see great things happen across our community, particularly in the tourism, fisheries and forestry sectors.

Telecommunications: National Relay Service

Senator URQUHART (Tasmania—Opposition Whip in the Senate) (19:40): I will briefly refresh the memory of the chamber on the National Relay Service, the NRS, which allows deaf and hearing-impaired Australians to make and receive telephone calls through the use of text relay services. It can be accessed through different options, including teletypewriters, SMS and, until recently, CapTel handsets. The NRS has been costing around $31 million, and the government were determined to reduce this cost. They capped the new tender for the provision of the service at $22 million and awarded it to a provider who did not include CapTel as an option. By doing so, they ended access to CapTel for NRS users as of 1 February this year. In the months leading up to this dreaded date, CapTel users, faced with losing the service that connected them with the world, pleaded for it to be continued. They were starting petitions and writing letters, horrified that such a decision had been made without even consulting them. I ask each of you to imagine trying to get by without an effective phone.

Over those months, motions have been passed in that chamber calling on the government and the communications minister, Mr Fletcher, to rethink this, but the government has ignored them. I have read to this chamber the stories of CapTel users describing the importance of this service and how it works, keeping them connected with the world, with family, with friends and with vital services they need to remain independent. For others, it evens up the playing field in the workplace to allow them the opportunity to pursue their work or run their business and to gain a level of equality.

It should matter to this government, shouldn't it—supporting hearing-impaired Australians to gain opportunity and equality? I could be quoting from the Convention on the Rights of Persons with Disabilities, couldn't I? That UN convention, which we just happen to be a signatory to, states that our government should:

… recognize the equal right of all persons with disabilities to live in the community, with choices equal to others, and shall take effective and appropriate measures to facilitate full enjoyment by persons with disabilities of this right and their full inclusion and participation in the community …

Isn't that what we're all aiming for? Yet this government—in particular this avoiding minister—shows no signs of caring, no signs of empathy and no signs of caring at all about our human rights obligations. The minister remains unmoved.

Last week I had the opportunity to meet Jenelle Outhwaite, a CapTel user here in Canberra. It was great to see her demonstrate how she used CapTel and also how the alternative technology she had been offered by the government worked. It was absolutely clear that the alternative was inadequate, cumbersome and verging on obsolete. I want to take this opportunity to thank Jenelle for her time and her passion for making Australia a fairer place for people living with disability.

So why is this Morrison government so intent on upsetting people like Jenelle? It is a government intent on cost cutting to save a few million dollars on a vital service for deaf and hearing-impaired Australians. It is a government prepared to protect a cabinet minister who rorted a $100 million grants program but not prepared to protect the dignity, wellbeing and human rights of senior deaf Australians. It is a government prepared to splash
$150 million on swimming pools in marginal seats that no-one applied for, but it will take away the phone of choice from an elderly deaf Australian or a young employed Australian.

In the last week, US based company Ultratec has acted to keep CapTel phones working in the interim, with captions now provided from America. I want to commend a company which has the empathy that this minister patently lacks. Its CEO says he's been moved by messages from 'distressed and frightened' deaf Australians. He noted:

CapTel has been available for over 10 years in Australia and I believe it is not acceptable to leave CapTel users without access to family, friends, employment, emergency services and the myriad ways that all of us use the telephone.

It paints a stark picture of what's important to the Morrison government, and it's a disgrace. It's beyond offensive. I'm going to borrow a phrase from Senator Lambie and just say this: I've had a gutful of this self-serving, cruel, cynical and morally bankrupt government. These guys in the Liberal Party back room have done the numbers. They've colour coded their spread sheets. Clearly there are just not enough votes in it for them, so they're going to try and ride this one out. Australians living with a disability are not going to let them forget, ever. (Time expired)

Royal Australian College of Surgeons

Senator Griff (South Australia) (19:45): I rise today to speak on the issue of road safety and the role that medical practitioners have played in raising awareness and working with decision-makers to help lower the road toll.

It is now 50 years since the first compulsory seatbelt legislation was introduced in South Australia. South Australia was a leader in mandating the fitting of seatbelts in cars during the late 1960s. In 1969, vehicle standards mandated that seatbelts had to be fitted for all front-seating positions, and fitted on all seating positions from January 1971. However, it was Victoria which took the crucial next step and made it compulsory for people to actually wear them. Within two years, by 1972, every Australian state had introduced mandatory front seatbelt laws. Countless lives have been saved in that time, and I want to commend the role played by the specialist surgeons from the Royal Australian College of Surgeons who lobbied for the introduction of seatbelts in the first case. That college also lobbied for compulsory blood alcohol testing for all injured occupants following a vehicle crash. This demonstrated the serious nature of the drink-driving epidemic, which led to random breath testing by 1976, which was also the first year for mandatory-child-restraint legislation. The 1980s saw the introduction of mandatory bicycle helmets and zero blood alcohol for all learner and P-plate drivers. More recently, RACS fellows have been working on legislation for mandatory rollover protection for quad bikes.

Surgeons have to face daily the carnage of wasted lives and horrendous injury. For every person killed in a vehicle accident there are often three more with serious injuries. Dr John Crozier, chair of the RACS Trauma Committee, has been a vocal advocate for improving transport safety, and his is a voice that we very much need to hear. What are surgeons such as Dr Crozier telling us that they would like to see happen now? They have called for Vision Zero. Vision Zero means no deaths or serious injuries at all on our roads. They have advocated for life-saving technologies that exist today to be fitted on all new vehicles. RACS fellow Dr Rob Atkinson has called for the introduction of mandatory autonomous emergency braking in new cars, which would save an estimated 1,200 lives and prevent 54,000 hospitalised injuries by 2033. Just think about that for a moment: 54,000 fewer hospitalised injuries by 2033. At present, incredibly, only half the new cars in Australia have this feature as standard.

It may also be time to consider whether we need the zero tolerance approach to drinking and driving. At the moment, allowing for a blood alcohol limit of 0.05 can cause some people to think, subjectively, that they are under the limit when they are not. If states moved to a zero blood alcohol level there would be no room for confusion. The message would be that if you drive you cannot drink anything at all—zero tolerance. And the increasing use of cannabis in the community, as well as medicinal cannabis, has also greatly increased the risk to road users. People who drive under the influence of cannabinoids have double the crash risk of other road users—double! Legislation on recreational cannabis in the US has also led to significant accident increases in the USA, with Colorado, Washington and Oregon incredibly prominent.

In Queensland, RACS fellow Dr Matthew Hope has also provided early data on the injuries associated with the electric scooters that now plague the streets of many of our cities. The haphazard introduction of these scooters without adequate safety training has been associated with 30 ambulance attendances and 134 emergency department presentations in the Brisbane CBD area alone over just two months.

RACS also supports the introduction of a minimum unit price for all alcohol sales across Australia in order to help stem alcohol fuelled violence. The NT has the highest rate of single-bone forearm fractures in the world, and these injuries typically occur in domestic violence cases where women are defending themselves from an attacker...
by putting their forearm up to protect themselves. The advocacy of RACS fellows has helped transform the NT into a national leader in action on alcohol fuelled violence. (Time expired)

Insurance

Senator GREEN (Queensland) (19:50): When a natural disaster occurs, whether it is a bushfire, a flood, a cyclone or hail, Australians will normally ask themselves two important questions: 'Is everyone safe?' and 'Am I insured?' This summer, many Australians are asking themselves those questions. When it comes to insurance, for many months to come, and possibly years, they will work their way through claims, recovery and, hopefully, rebuilding. We know that it takes time.

Last week marked one year since North Queenslanders were asking themselves those questions when Townsville experienced a 'once in 500 years' flood event. The flood was devastating, leaving hundreds of residents displaced and causing significant damage. More than 30,700 insurance claims were lodged for damage to property caused by those floods. Tonight, I take the opportunity to acknowledge that event and the aftermath—the North Queenslanders still rebuilding and the five families who lost loved ones during the tragic event. This would be a very difficult time for them.

Because Queensland is prone to natural disasters, we get it all—fires, floods, cyclones. The cost of insurance is always a concern. Unfortunately this isn't the first time I've been in here speaking on the cost of insurance, and it probably won't be the last. Insurance premiums in North Queensland are incredibly expensive and have been rising every year during the past six years under this government. I understand that insurance is a complex system involving financial regulations and consumer practices. But do you know what? At the end of the day, insurance is just a bill that has to be paid; and more North Queenslanders are finding themselves unable to pay that bill.

For the last six years, members of this government—the member for Leichhardt, Warren Entsch, and the member for Dawson, George Christensen—have promised North Queenslanders that they will fix our insurance crisis. They have held meetings and forums and have put up election signs. They've even created petitions to petition their own government. But they're in their third term of government now, and insurance prices keep rising. And not only have they not fixed the crisis; insurance prices are going up, and they have no plan to fix them.

The RSL in Townsville can't afford insurance. The Anglican Church, whose buildings provide relief during disasters, can't afford insurance. The ACCC has been investigating the northern Australia insurance market for two years and has published four reports. The ACCC found that insurance premiums rose by 130 per cent in northern Australia over the past decade, compared to just over 50 per cent for the rest of the country. When insurance is too expensive, people make the difficult choice of not insuring. It also makes it more expensive to buy properties and for businesses to invest in our regions.

What is clear from the findings of the most recent report from the ACCC, which conducted a case study after the Townsville floods, is that the people of Townsville urgently need affordable insurance. After the many speeches that I have given in this place in my short term as a senator, and from the many petitions we have seen from members of the government, it is clear that the government is not going to deliver a plan to fix this crisis. There is a term that is often used in North Queensland that I think is incredibly appropriate for this issue—I have heard somebody say that the member for Leichhardt is just 'flapping his gums' when he talks about fixing the insurance price crisis. After six years of this government, people in North Queensland know that they can't believe the promises that were made by the member for Leichhardt or the member for Dawson. They have been flapping their gums for six years and insurance prices keep going up.

Senate adjourned at 19:55