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SITTING DAYS—2016

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FORTY-FIFTH PARLIAMENT
FIRST SESSION—FIRST PERIOD

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

Senate Office Holders
President—Senator Hon. Stephen Parry
Deputy President and Chair of Committees—Senator Susan Lines
Leader of the Government in the Senate—Senator Hon. George Henry Brandis QC
Deputy Leader of the Government in the Senate—Senator Hon. Mathias Cormann
Leader of the Opposition in the Senate—Senator Hon. Penny Wong
Deputy Leader of the Opposition in the Senate—Senator Hon. Stephen Conroy
Manager of Government Business in the Senate—Senator Hon. Mitchell Peter Fifield
Manager of Opposition Business in the Senate—Senator Katy Gallagher

Senate Party Leaders and Whips
Leader of the Liberal Party in the Senate—Senator Hon. George Henry Brandis QC
Deputy Leader of the Liberal Party in the Senate—Senator Hon. Mathias Cormann
Leader of The Nationals in the Senate—Senator Hon. Nigel Scullion
Deputy Leader of The Nationals in the Senate—Senator Hon. Fiona Nash
Leader of the Opposition in the Senate—Senator Hon. Penny Wong
Deputy Leader of the Opposition in the Senate—Senator Hon. Stephen Conroy
Leader of the Australian Greens—Senator Richard Di Natale
Co-deputy Leaders of the Australian Greens in the Senate—Senators Scott Ludlam and Larissa Joy Waters
Chief Government Whip—Senator David Christopher Bushby
Deputy Government Whips—Senators David Julian Fawcett and Dean Anthony Smith
The Nationals Whip—Senator Matthew James Canavan
Chief Opposition Whip—Senator
Deputy Opposition Whips—Senators Catryna Louise Bilyk and Anne Elizabeth Urquhart
Australian Greens Whip—Senator Rachel Siewert

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

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

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PARTY ABBREVIATIONS

AG—Australian Greens; ALP—Australian Labor Party;
CLP—Country Liberal Party; DHJP—Derryn Hinch's Justice Party;
IND—Independent; JLN—Jacqui Lambie Network; LDP—Liberal Democratic Party;
LNP—Liberal National Party; LP—Liberal Party of Australia;
NATS—The Nationals; NXT—Nick Xenophon Team; PHON—Pauline Hanson's One Nation

Heads of Parliamentary Departments

Clerk of the Senate—R Laing
Clerk of the House of Representatives—D Elder
Secretary, Department of Parliamentary Services—R Stefanic
Parliamentary Budget Officer—P Bowen
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<tr>
<td><strong>Prime Minister</strong></td>
<td>Hon Malcolm Turnbull MP</td>
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<tr>
<td>Minister for Indigenous Affairs</td>
<td>Senator the Hon Nigel Scullion</td>
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<tr>
<td>Minister for Women</td>
<td>Senator the Hon Michaelia Cash</td>
</tr>
<tr>
<td><strong>Cabinet Secretary</strong></td>
<td>Senator the Hon Arthur Sinodinos AO</td>
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<tr>
<td><em>Minister Assisting the Prime Minister for the Public Service</em></td>
<td>Senator the Hon Michaelia Cash</td>
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<tr>
<td><em>Minister Assisting the Prime Minister for Counter-Terrorism</em></td>
<td>Hon Michael Keenan MP</td>
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<tr>
<td><em>Minister Assisting the Cabinet Secretary</em></td>
<td>Senator the Hon Scott Ryan</td>
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<tr>
<td><em>Minister Assisting the Prime Minister for Cyber Security</em></td>
<td>Hon Dan Tehan MP</td>
</tr>
<tr>
<td>Assistant Minister to the Prime Minister</td>
<td>Senator the Hon James McGrath</td>
</tr>
<tr>
<td>Assistant Minister for Cities and Digital Transformation</td>
<td>Hon Angus Taylor MP</td>
</tr>
<tr>
<td><strong>Deputy Prime Minister and Minister for Agriculture and Water Resources</strong></td>
<td>Hon Barnaby Joyce MP</td>
</tr>
<tr>
<td>Assistant Minister for Agriculture and Water Resources</td>
<td>Senator the Hon Anne Ruston</td>
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<tr>
<td>Assistant Minister to the Deputy Prime Minister</td>
<td>Hon Luke Hartsuyker MP</td>
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<tr>
<td><strong>Minister for Foreign Affairs</strong></td>
<td>Hon Julie Bishop MP</td>
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<tr>
<td><strong>Minister for Trade, Tourism and Investment</strong></td>
<td>Hon Steve Ciobo MP</td>
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<tr>
<td><strong>Minister for International Development and the Pacific</strong></td>
<td>Senator the Hon Concetta Fierravanti-Wells</td>
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<tr>
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<td>Senator the Hon George Brandis QC</td>
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<tr>
<td><em>(Vice-President of the Executive Council)</em></td>
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<tr>
<td><em>(Leader of the Government in the Senate)</em></td>
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<td><strong>Minister for Justice</strong></td>
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<td>Hon Michael McCormack MP</td>
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<td><strong>Minister for Health and Aged Care</strong></td>
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<tr>
<td><strong>Assistant Minister for Rural Health</strong></td>
<td>Hon Dr David Gillespie MP</td>
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<tr>
<td><strong>Minister for Communications</strong></td>
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<tr>
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<tr>
<td>(Manager of Government Business in the Senate)</td>
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Each box represents a portfolio. **Cabinet Ministers are shown in bold type.** As a general rule, there is one department in each portfolio. However, there is a Department of Human Services in the Social Services portfolio and a Department of Veterans’ Affairs in the Defence portfolio. The title of a department does not necessarily reflect the title of a minister in all cases. Assistant Ministers in italics are designated as Parliamentary Secretaries under the *Ministers of State Act 1952.*
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<td>**Shadow Minister for Ageing and Mental Health*²³</td>
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<td><em>Shadow Assistant Minister for Ageing</em></td>
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COMMITTEES—
The PRESIDENT (Senator the Hon. Stephen Parry) took the chair at 12:30, read prayers and made an acknowledgement of country.

DOCUMENTS
Tabling

The Clerk: I table documents pursuant to statute and returns to order. Lists are available from the Table Office or the chamber attendants. Details of the documents also appear at the end of today's Hansard.

COMMITTEES
Meeting

The Clerk: Proposals to meet have been lodged as follows:
Finance and Public Administration References Committee for a private meeting on 14 September 2016 from 1.10 pm.
Legal and Constitutional Affairs Legislation Committee for a private meeting on 15 September 2016 from 4pm.

The PRESIDENT (12:31): I remind senators that the question may be put on any proposal at the request of any senator.

COMMITTEES
Joint Standing Committee on Electoral Matters
Membership

The PRESIDENT (12:31): Yesterday, I informed the Senate that I had received letters from Senator Leyonhjelm and Senator Rhiannon seeking appointment to the Joint Standing Committee on Electoral Matters. There are two nominations for one position on the committee, the position to be nominated by any minority group or Independent senators. In accordance with the standing orders, a ballot will be held to determine which one of the two senators who have nominated is to be appointed. The Senate will now proceed to a ballot to appoint a senator to the position to be nominated by a minority group or Independent senators. The candidates are Senator Leyonhjelm and Senator Rhiannon. Before proceeding to a ballot, the bells will be rung for four minutes.

The bells having been rung—

The PRESIDENT: Order! Ballot papers will now be distributed in order to conduct the ballot. I will remind senators that there was some confusion during the last ballot that was conducted, so can senators remain in their seats for the duration of the ballot. We ask you to place on the ballot paper the name of your preferred candidate, being either Senator Rhiannon or Senator Leyonhjelm. I invite Senator Siewert and Senator Leyonhjelm to come to the table to act as scrutineers.

A ballot having been taken—
The PRESIDENT: There being 33 votes cast in favour of Senator Leyonhjelm and 37 votes cast in favour of Senator Rhiannon, Senator Rhiannon is elected as a member of the Joint Standing Committee on Electoral Matters nominated by a minority group or Independent senators.

STATEMENT BY THE PRESIDENT

First Speeches

The PRESIDENT (12:47): Senators, I take this opportunity to remind you about the conventions for first speeches in the Senate. The time limit is 20 minutes, and the clock is usually set for 20 minutes. While some tolerance is given by the chair to senators to exceed that time limit from time to time, in acknowledgement of it being a first speech and of nervousness and other matters, we ask that senators observe the 20-minute rule where possible. Also, senators when making their first speeches are heard in silence. This is on the basis that their speeches do not contain material that is unduly provocative. If senators do not adhere to that standard they cannot expect to be heard without interjection or points of order. Finally, I urge senators to study Privilege Resolution No. 9, which encourages presidents to remind senators from time to time to exercise their great freedom of speech responsibly.

STATEMENTS

Deputy Prime Minister


Leave granted.

An opposition senator: How short?

Senator HINCH: I promise this will be shorter than last night! In an attempt at alliteration, I described the member for New England and Deputy Prime Minister in unparliamentary terms. I have made contact with his office so I can speak to him directly to apologise and on that basis I withdraw my comment. Thank you.

BUSINESS

Rearrangement

Senator FIFIELD (Victoria—Manager of Government Business in the Senate, Minister for Communications and Minister for the Arts) (12:49): I move:

That intervening business be postponed until after consideration of government business notice of motion No. 1.

Question agreed to.

BUSINESS

Consideration of Legislation

Senator FIFIELD (Victoria—Manager of Government Business in the Senate, Minister for Communications and Minister for the Arts) (12:49): I, and also on behalf of Senator McGrath, move:

That the provisions of paragraph (6) of standing order 111 not apply to the following bills, allowing them to be considered during this period of sittings:

Budget Savings (Omnibus) Bill 2016
Senator GALLAGHER (Australian Capital Territory) (12:50): Mr President, the Australian Labor Party will be asking that you put the question separately in relation to the National Cancer Screening Register Bill 2016 and the related bill. The opposition will not be supporting the exemption from the cut-off for the National Cancer Screening Register bills. We believe there is merit in referring a bill that is as consequential as this one is to the relevant committee for further considered review. Senator Watt and Senator Di Natale have given notice of a motion to refer the provisions of the bills to the Community Affairs Legislation Committee for inquiry and report by 11 October 2016. This motion is on the order of business for later today. As such, we do not believe that this bill should proceed to be debated.

In principle, Labor does support the establishment of the National Cancer Screening Register. We do see value in consolidating the nine existing registers, including the National Bowel Cancer Screening Program and the registers maintained by the eight states and territories that form the National Cancer Screening Program. We are cognisant that the register aims to reduce unnecessary duplication and improve the prevention, identification and treatment of cancer in Australia. These are initiatives that I am sure all in this chamber can support. However, the arrangements proposed within the bill for how the National Cancer Screening Register would function differ markedly from how governments currently administer the existing cancer screening registers. They would see the federal government for the first time entering into a commercial agreement with a for-profit company to administer a cancer screening initiative of this scope and importance.

As this is uncharted territory for the departments and agencies involved, and as the bill goes to something as vital as the health and wellbeing of Australians, it deserves the fullest attention and scrutiny of our parliamentary processes. Labor's concerns go to key elements of the bill. These include reservations about the impact of the bill on individual privacy, the adequacy of the security arrangements for extremely sensitive health information, and the nature and appropriateness of the commercial relationship entered into by the government with Telstra Health.

In relation to privacy, in order to effectively perform its function the new national register would hold sensitive information about every Australian who is eligible for the cancer screening programs. This includes individuals' personal details such as their name, address, contact details, date of birth and gender; but the register will also contain extremely private health data that would be unprecedented to hand over to a for-profit company, including an individual's Medicare number, Medicare claims information, preferred GP or other health
provider, human papilloma virus vaccination status, screening test results and cancer diagnoses.

Telstra Health has never operated a register like this. There are legitimate reasons to believe the register is far too sensitive to conduct with their training wheels attached. Telstra’s track record with regard to data security also leaves a lot to be desired. There is a questionable track record of keeping private data secure, including an incident in 2011 where the personal details of almost 800,000 Telstra customers were compromised online for eight months. As the existing registers are operated by governments and not-for-profits with longstanding expertise, there are well-founded reasons for this parliament to examine whether outsourcing to Telstra Health is in the best interests of the Australian public.

Labor also understands that the government's contract with Telstra Health is for five years and includes a facility for a 10-year extension. This means that, if the parliament does not do its due diligence now whilst establishing the National Cancer Screening Register, we may not have the opportunity to revisit it for 15 years.

Issues such as these, I think, self-evidently warrant further consideration by this parliament and this chamber. Our request in this instance is neither unprecedented nor unreasonable, and I urge the Senate to oppose exemption of these bills from the cut-off and support further consideration of them by the legislation committee.

Senator SIEWERT (Western Australia—Australian Greens Whip) (12:54): The Australian Greens will also be asking you to put the question separately in relation to two groups of bills. We wish to vote differently in relation to the two groups. We too are asking for the National Cancer Screening Register Bill 2016 and the National Cancer Screening Register (Consequential and Transitional Provisions) Bill 2016 to be put separately, but we also would like the Competition and Consumer Amendment (Country of Origin) Bill 2016 and the Budget Savings (Omnibus) Bill 2016 to be put separately. The omnibus bill is a large bill about which we heard of more changes about half an hour ago. We believe we need further time to discuss what are very significant changes that particularly focus on the most vulnerable Australians and also go to the future of renewable energy in this country. We think that bill needs more time to be considered. We also want to see the Competition and Consumer Amendment (Country of Origin) Bill 2016 go to a Senate inquiry, so we do not believe that bill should be exempt from the cut-off order either. We ask that those two bills also be put separately.

Senator FIFIELD (Victoria—Manager of Government Business in the Senate, Minister for Communications and Minister for the Arts) (12:55): If there are no other colleagues who wish to speak I will sum up, as is my prerogative.

It is standard in the ordinary course of events in this place that the government seeks exemption from the cut-off so that a bill can be dealt with in the same session in which it is introduced. By and large this works on a cooperative basis and parties seldom abuse that process. I acknowledge to the chamber that that is the case and take at face value the reasons put forward by colleagues in relation to the bills that they would like to be put separately. I will turn to each of those in turn.

I should indicate at the outset that, while it is obviously the prerogative of the Senate to have bills put separately in this motion so that they can vote differently, the government will
be voting to see all of these bills exempted from the cut-off. What happens is in the chamber's hands.

The Budget Savings (Omnibus) Bill 2016 is one where there is a large degree of emerging commonality between the government and the opposition. We went to the election with our savings plan, and the opposition went to the election with their savings plan. This particular bill seeks to present to the parliament those savings measures that both the government and the opposition agree upon. I know that there has been good discussion taking place between our Treasury and finance team and that of the opposition and that we are very close, if not already at the point of agreement. I assume that we might be able to find common ground with the opposition in terms of exempting the Budget Savings (Omnibus) Bill 2016 from the requirement of the cut-off. It is an important bill to be dealt with quickly because it will go towards improving the financial position of the Commonwealth. For our part, on this side we hope that there will be other examples where both government and opposition can work together to repair the budget bottom line.

One of the reasons we came through the global financial crisis so well was the nation's strong fiscal position. I have to tip my lid to the former federal Treasurer, Mr Costello, for his work.

Senator Wong: You used to iron his shirts!

Senator FIFIELD: I will take the interjection from Senator Wong. It is true that I did indeed iron the former Treasurer's budget night shirts in a previous incarnation. It is true, as Joe Aston chronicles from time to time. But it is important to give credit where it is due. Our response to the financial crisis was strong because of the nation's strong fiscal position.

Senator Cameron: He was the worst Treasurer we ever had. He was weak and couldn't stand up to John Howard.

Senator FIFIELD: I will have to disagree with you there, Senator Cameron. It underlines the importance of collectively doing what we can as a parliament to return the Commonwealth budget to a much stronger position, so I do acknowledge the opposition coming together with us on the Budget Savings (Omnibus) Bill 2016.

Senator Siewert indicated that the Australian Greens are not comfortable with the Competition and Consumer Amendment (Country of Origin) Bill being exempt from the cut-off. Again, I think that this is important legislation. It is important for consumer transparency, and that is something that we are keen to get on with.

The Manager of Opposition Business in the Senate has indicated that the National Cancer Screening Register Bill 2016 and the National Cancer Screening Register (Consequential and Transitional Provisions) Bill 2016 are two bills that they, with the Australian Greens, would like to refer to a Senate committee. I will sound note of caution here: my understanding is that, in order for the arrangements to be put in place for this register, September is a critical month, and the reporting date proposed by the Manager of Opposition Business is in October. My understanding is that the concept of a national cancer screening register is not controversial. I think we are all agreed on the need to do what we can to assist in this area. Mr President, for your benefit, the bill seeks to establish the National Cancer Screening Register, a national electronic infrastructure for the collection, storage, analysis and reporting of cancer screening program data for the National Cervical Screening Program and the National Bowel
Cancer Screening Program. It also authorises the collection, use and disclosure of information for the purposes of the register, creates an offence of unauthorised disclosure of the information and mandates the reporting of screening information to the register. That is from the Senate Table Office bills list summary. I do not think there are many issues in this bill that are of great controversy.

I would urge my colleagues to seriously consider exempting all of the bills in the motion lodged by Senator McGrath to exempt the bills listed from the provisions of the cut-off. As I say, the Budget Savings (Omnibus) Bill is an important one for this chamber to consider quickly. The Competition and Consumer Amendment (Country of Origin) Bill, again, I think is timely legislation that the parliament should get on with addressing—and also, as I have indicated, the National Cancer Screening Register Bill 2016, which is one that is listed for today on the Dynamic Red. I would note that my advice is that that particular motion proposing reference to a Senate committee came in at about 9.45 this morning, so that is not in the ordinary course of events. Usually such motions are lodged much earlier. With those few remarks, I will put the motion in the hands of the chamber.

The PRESIDENT: So that I am absolutely clear with both the opposition and the Greens, I discern that there are three questions I will need to put about the matters you want excluded from the cut-off. We can put the separate question on the Budget Savings (Omnibus) Bill, then the separate question on the Competition and Consumer Amendment (Country of Origin) Bill. Is it the will of the Senate that I combine the two national cancer screening bills into one question? Is there any objection to that? There being none, let's deal with them in order as they appear in the notice of motion.

The question before the chair at the moment is in relation to government business notice of motion No. 1, moved by Senator Fifield. I was asked to split the question, and we are now dealing with the first question, which is that the Budget Savings (Omnibus) Bill 2016 be exempt from the cut-off.

The Senate divided. [13:08]

(The President—Senator Parry)

Ayes ...................... 47
Noes ...................... 14
Majority................. 33

AYES

Abetz, E
Burston, B
Cameron, DN
Chisholm, A
Culleton, RN
Dodson, P
Farrell, D
Fifield, MP
Gallagher, KR
Hume, J
Leyonhjelm, DE
Macdonald, ID
McAllister, J
McGrath, J

Brown, CL
Bushby, DC
Cash, MC
Collins, JMA
Dastyari, S
Duniam, J
Ferravanti-Wells, C
Gallacher, AM
Hanson, P
Ketter, CR
Lines, S
Marshall, GM
McCarthy, M
McKenzie, B
Question agreed to.

The PRESIDENT (13:12): The question now is that the Competition and Consumer Amendment (Country of Origin) Bill 2016 be exempt from the cut-off.

Question agreed to.

The PRESIDENT: The question now is that the national cancer screening bills be exempt from the cut-off.

The Senate divided. [13:17]

(The President—Senator Parry)

Ayes .................25
Noes ....................36
Majority..............11

AYES

Moore, CM
O'Neill, DM
Payne, MA
Pratt, LC
Ruston, A
Sinodinos, A
Sterle, G
Watt, M
Wong, P

Nash, F
O'Sullivan, B
Parry, S
Reynolds, L
Seselja, Z
Smith, D
Urquhart, AE
Williams, JR (teller)

NOES

Di Natale, R
Hanson-Young, SC
Kakoschke-Moore, S
Ludlam, S
Rhiannon, L
Siewert, R (teller)
Whish-Wilson, PS

Griff, S
Hinch, D
Lambie, J
McKim, NJ
Rice, J
Waters, LJ
Xenophon, N

Question agreed to.
Question negatived.

The PRESIDENT (13:19): Just for clarity, and rather than go through each of the bills in notice of motion No. 1, if senators are happy I will put the question that, with the exception of the two national cancer screening bills, all the other bills under notice of motion No. 1, moved by Senator Fifield, be exempt from the cut-off.

Question agreed to.

GOVERNOR-GENERAL’S SPEECH

Address-in-Reply

Consideration resumed of the motion:
That the following address-in-reply be agreed to:

To His Excellency the Governor-General

MAY IT PLEASE YOUR EXCELLENCY—

We, the Senate of the Commonwealth of Australia in Parliament assembled, desire to express our loyalty to our Most Gracious Sovereign and to thank Your Excellency for the speech which you have been pleased to address to Parliament.

Senator ABETZ (Tasmania) (13:20): A few weeks ago a trove of hacked documents was published detailing the intricate international web of organisations nurtured by billionaire George Soros. Dubbed 'the man who broke the Bank of England', Soros is a US based hedge
fund operator and currency speculator worth $25 billion. In 2002 he was convicted for insider trading. The hacked documents shed light on Soros's extensive support of groups promoting open borders; climate action; abortion; the Palestinian cause; boycotts, divestments and sanctions targeting the democratic state of Israel; and a range of left-wing issues.

George Soros's insidious influence has, regrettably, reached Australian politics as well. In 1999 Jeremy Heimans, then only 21, secured a two-month internship with the UN Security Council during which, according to The Sydney Morning Herald, he was to meet George Soros to talk about global financial speculation, which had been his honours thesis topic. In Australia six years later, in 2005, Jeremy Heimans and David Madden went on to co-found GetUp! in the model of MoveOn.org and other Soros funded political action committees.

In the interim, in 2004, George Soros, Soros Fund Management, gave $150,000 to Win Back Respect, a US campaign started by Heimans and Madden, which ran television commercials targeting George Bush's foreign policy. Soros also gave $2.6 million to MoveOn.org Voter Fund which, in turn, gave another $150,000 to Win Back Respect, one of whose ads was a dishonest scare that the Bush administration would reintroduce the draft to deal with troop shortages for the war in Iraq, something the President emphatically denied and which, of course, never happened.

On the weekend of 16 April 2005 George Soros met in Arizona with 70 like-minded multimillionaires and billionaires, the Phoenix Group, to look at what went wrong and discuss strategy for the creation of pro-Democrat and left-leaning think tanks. According to the Washington Post, at least 80 wealthy individuals pledged $1 million or more apiece to fund a network of think tanks and advocacy groups, with the $80 million to be channelled through a new partnership, called the Democracy Alliance, as follows:

The Democracy Alliance will act as a financial clearing house. Its staff members and board of directors will develop a lineup of established and proposed groups that they believe will develop and promote ideas on the left.

On the 13 April 2005, Purpose Campaigns, cofounded by Heimans and Madden, posted an ad describing itself as a new, progressive, political campaigning organisation. Noting the Win Back Respect campaign, the ad said: 'Purpose Campaigns was established in 2005 to continue campaigning on important progressive issues, especially in the area of foreign policy, national security and global justice issues. Purpose Campaigns is currently involved in a variety of entrepreneurial political activities, including establishing a rapid response campaigning organisation designed to explode the myth of Republican primacy of national security.'

According to The Economist in a 2013 article, we were told:

It has a non-profit arm, which incubates protests and accepts donations. This is cross-subsidised by its for-profit arm, which makes money in a variety of ways.

It sells consulting services to big companies … It helps them to build mass movements to support their favourite causes.

Purpose Campaigns Pty Ltd was registered in Australia by Heimans and Madden on 27 April 2005. GetUp! was registered two days later and launched in August 2005, and various reports at the time stated that GetUp! had received pledges of $1.5 million in financial support prior to launching. In 2009, Anne Coombs, a former GetUp! board member and benefactor stated: Initially most of GetUp!'s funding came from a handful of wealthy and progressive individuals, plus some union money.
But whether it received Soros or Phoenix Group money, either directly or indirectly—or a home-grown replica—there is no doubt that GetUp! was inspired by such Soros inspired and funded groups.

But the connections between GetUp! and Soros do not end here. Together with global civic advocacy group Res Publica and MoveOn.org, Heimans and Madden cofounded Avaaz, a New York-based global online activist platform, which launched in January 2007. Avaaz's establishment was facilitated by seed funding from George Soros via Res Publica. In 2008 Res Publica received $250,000 from Soros's Open Society Institute specifically earmarked for Avaaz: $150,000 for general support and $100,000 for work on climate change. In 2009 Soros's Open Society Foundation gave Avaaz $600,000: $300,000 in general support and an additional $300,000 for climate campaigning. This was also via Res Publica, a very intricate web.

Brett Solomon, who was GetUp!'s executive director from 2005 to 2008, went to Avaaz as campaign director before founding and becoming executive director at Access Now, a so-called digital rights advocacy group. Access Now received $50,000 in start-up funding from MoveOn.org and $46,800 from Avaaz. Phil Ireland, appointed to GetUp!'s board in February, has also done well from the Soros network. Ireland is managing director of the Online Progressive Engagement Network, which facilitates multinational campaigns on issues like climate change, trade and corporate accountability. It was founded by another MoveOn.org and Avaaz graduate, Ben Brandzel. He has also been a senior adviser at Purpose Campaigns, involved with a climate change campaign, Here Now, and played a central role in establishing Purpose Campaigns’ London office. Ireland is also vice-chair of the Board of Directors of the Global Campaign for Climate Action, of which Avaaz is a partner organisation.

Among the documents hacked from the Open Society Foundation is a 2010 memo to George Soros which discusses the potential of the Global Campaign for Climate Action as part of an international mobilisation for climate action. The memo discusses facilitating this movement inter alia to Avaaz, which the memo describes as follows: 'Avaaz is already an Open Society Foundation grantee and close collaborator. Avaaz provides agile, online campaigning capacity in the international arena. Climate has emerged as one of the Avaaz community's top issues.'

This pattern of Soros backed activist organisations multiplying and nurturing others has, sadly, proliferated to Australia, with Avaaz giving GetUp! a total of $195,618 from 2013 to 2015. GetUp! has recently disclosed donations of $42,961 received from its German activist equivalent, Campact, along with $39,000 from Purpose Campaigns. So, despite endorsing a ban on foreign donations, GetUp! obviously not only has no problem with receiving them, it actually solicits them on its website via PayPal.

With the resignation of David Madden from the board of GetUp! in the last few days, following Jeremy Heimans's resignation in February, Phil Ireland looks very much like Purpose's guy on the GetUp! board. He also is Labor's guy on GetUp!'s board, having been Labor's campaign director in the Hunter region and the convenor of the Labor Environment Action Network, not to mention an organiser for United Voice.

The documents hacked from Soros's Open Society Foundations also confirm the organisation's extensive activities in supporting an ugly anti-Israel agenda. In particular, they detail numerous grants to organisations advocating for the Boycott, Divestment, Sanctions
campaign and worse. They also include a 2014 portfolio review by the Open Society Foundations' Arab Regional Office of its Palestine/Israel international advocacy, which states that the rise of the Boycott, Divestment, Sanctions Movement, and other economic levers, are new opportunities it may choose to exploit. The review notes:

The international solidarity movement is growing in influence and becoming more mainstream at a time the pro-Israel community is increasingly viewing it as an existential threat to the state. This movement presents opportunities but also risks, particularly in relation to the Boycott, Divestment, and Sanctions movement that is expanding in reach and influence but remains controversial in many spheres.

Then, in outlining 'the way forward', this review of the Open Society Foundations' Arab Regional Office grant portfolio says this:

In parallel, grantees and other actors have been extensively engaged in the intersection of business and human rights—pursuing corporate accountability and adherence to national and international laws ...

Whether or not OSF does advocacy in its own name in support of this new agenda or merely finances and does light touch organizing behind the scenes, we will still have to contend with the possibility of public scrutiny whether in the media or elsewhere, though we have avoided such attention to date.

I would say that this is compelling evidence of the Open Society Foundations' support for the ugly BDS campaign and its sinister, behind-the-scenes operations, deliberately seeking to avoid public scrutiny.

And, surprise, surprise, Avaaz is in the forefront of anti-Israel campaigns and, in particular, the BDS campaign. Avaaz vows that it will 'keep pushing until all companies financing the occupation of Palestine withdraw their investments'.

It therefore comes as no surprise that, in Australia, GetUp! has edged closer and closer to advocating for Palestinian causes and the BDS campaign. On 27 January 2009, under the heading 'GetUp! takes on Israel/Palestine', Antony Loewenstein recounted how he:

... was contacted last week by Get Up! to begin an online debate about this subject, as a way for the group to dip its toe into the problem.

In 2012, GetUp!'s CommunityRun platform hosted a petition by BDS activist Jennifer Killen to 'help save Susiya village'—a disputed settlement near Hebron. GetUp!'s CommunityRun website also hosts a petition supporting controversial Sydney university academic Jake Lynch and his misnamed Centre for Peace and Conflict Studies's boycott of Israel. A disclaimer on the CommunityRun website notes that CommunityRun campaigns are not run or endorsed by GetUp!

In February this year, GetUp! appointed a young Palestinian activist who has supported the Boycott, Divestment, Sanctions campaign for many years to its board. Saleh has been a BDS supporter since at least 2011. In a 2014 Facebook post, she criticised Kmart for stocking SodaStream—a BDS target of the 'electronic intifada' campaign, which saw SodaStream close its West Bank plant in 2015 and, perversely, saw hundreds of Palestinian workers lose their jobs.

Since her appointment to the GetUp! board, Saleh has continued to urge support for the BDS campaign and, during a speech to the Australians for Palestine symposium held on 31 March this year, she said: 'We must force Israel into a perennial state of existential anxiety.' Asked whether GetUp! would take up the Palestinian cause, she said this: 'It does come up.
It's not something that they have worked on in the past. So maybe it's something we can put on the agenda. But they're definitely aware, and it's definitely something that they're happy to support in their propensity, and maybe in the future as well. While not explicitly endorsing the ugly anti-Israel BDS agenda, it is clear where GetUp!'s sympathies and propensity really lie, and it is clear that the appointment of Sara Saleh to GetUp!'s board reflects George Soros's agenda.

So, in its personnel, its operating model, its financing, and, more particularly, its agenda, GetUp! faithfully perpetuates most of the worrying concerns of its progenitor, George Soros. GetUp! has now been fully exposed as Soros's local Australian franchise, operated as a joint venture by the Greens, Labor and the unions. GetUp! grooms its members, using their naive interest in one campaign to manipulatively enlist them in other campaigns and to funnel them into voting for the left.

There is something particularly repugnant about an organisation which claims to be independent and non-partisan but is actively partisan; which, at each election, goes through a charade of 'independently' assessing the various political parties' policies, when the result is a foregone conclusion; and which pretends to educate young people about policy issues while taking advantage of their political inexperience.

The question GetUp! participants must ask themselves next time they are 'consulted' about what GetUp!'s priorities should supposedly be, and next time they receive GetUp!'s slick social media content or glib takes on topical issues, is: do they reflect the agenda of GetUp! participants or George Soros's agenda?

Be assured, it will be the latter.

I notice a recent report that GetUp! considers a ban on foreign donations to be 'low-hanging fruit' at present, and a few days ago GetUp! unabashedly tweeted that 'everyone agrees we need to fix the influence big business has on our politics'. Yet GetUp! is so deep rooted in the big business Soros operating model as to render this tweet absolutely laughable.

In the last two years GetUp! has received over $275,000 from overseas based organisations. Apart from the hypocrisy, if any organisation represents or embodies the sinister and unhealthy aspects of foreign donations and foreign interests in our domestic Australian body politic, it is surely Soros's sinister influence on GetUp! itself. I trust that the Joint Standing Committee on Electoral Matters, when considering the last election, will give these matters due consideration.

Senator SCULLION (Northern Territory—Minister for Indigenous Affairs and Leader of The Nationals in the Senate) (13:38): I rise today to make a contribution to the debate on the address-in-reply to the Governor-General's speech in opening this parliament. It is an important debate and one that I would like to use to talk about the challenges in front of us in Indigenous affairs and our priorities for this term and also reflect on the progress to date.

I would like to thank the people of Australia for re-electing the Turnbull Liberal-National government and the confidence they have put in our government and the agenda that we put forward. I would especially like to acknowledge the hard work of the Nationals led by Barnaby Joyce and Senator Nash in the great achievement of adding to our numbers in that other place and keeping all these senators here. I acknowledge the hard work of Senator Nash and Senator Canavan, campaigning across the country, and the equally impressive efforts of
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Senator McKenzie, Senator Williams and Senator O'Sullivan holding their respective seats. The Nationals are a proud team in the Senate and we have got a lot to be proud of over the last six months. I want to acknowledge the contribution of our staff, led by Scott Mitchell. The Nationals are truly a family, and Scott has done a great job in managing that family. The hard work was definitely worth it.

Before I get into the substance of my speech, I would like to acknowledge the traditional owners of the country on which we are meeting today and pay my respects to their elders both past and present. I would like to especially make mention of Ms Tina Brown, who performed the wonderful welcome to country during the first sitting week.

As I will talk about later in this speech, I strongly believe issues in Indigenous affairs cross over the political divide, extending equally to the crossbenches. We must work together if we are to deliver outcomes for our First Australians. So I do acknowledge that the introduction of a formal welcome to country was something that those on the other side introduced, and it now holds a special place in our opening week. I think you will all agree that Tina delivered a stirring welcome to country, and that builds on the strong legacy of the welcome to country that Aunty Matilda delivered a number of times in this place.

Following the election in 2013, I was delighted to be appointed the Minister for Indigenous Affairs and I was humbled to be reappointed after the election this year. I see this as a great opportunity to make a fundamental change to this most important area of national policy. As I have often said, this is the only job I want in this place. The coalition recognises and values Aboriginal and Torres Strait Islander culture and people. And we are determined to make the gains required to deliver better outcomes for our First Australians.

To deliver this, we are committed to empowering local communities by increasing school attendance, providing more job opportunities and promoting community safety. These three priorities are critical to establishing the change needed to support better outcomes for Aboriginal and Torres Strait Islander people, particularly in remote areas, to ensure First Australians and their communities can realise their hopes and aspirations for the future, and that we make the gains required to meet closing the gap targets.

The work program of my first term constantly evolved because of the discussions I had in over 200 community visits in over 150 communities. Progress and priorities in my portfolio should not just be judged or determined by bureaucrats or academics in the major centres based primarily in the south-east corner of our country. It is something we also need to hear from the people in the community, something we need to listen to, whether that community be in Redfern, Yatala or Yirrkala.

I want to reflect for a moment on what Galarrwuy Yunupingu recounted recently as part of his essay in The Monthly. He said:

With my family I have built Gungiyangara into a place that we hoped all Yolngu places might be, back when hope powered the homeland movement. Men and women go to work and sweat for their wages, children go to school, old people are safer and happier, and we are making our way.

It is these priorities that I have heard across this great country, time and time again. They are priorities held as much by non-Indigenous people as our First Australians. And they were the priorities that we all recognised needed to be acted on after many years across both sides of politics, where the change that Indigenous Australians should have expected had not been delivered on.
Now this change has not always been popular, and I acknowledge that we have not always got everything right. But things have started to change and for the better. Through the funding reforms we have introduced as part of the Indigenous Advancement Strategy, we now know for the first time where Indigenous affairs funding is going, something that I was never able to get an answer to when I was in opposition.

We now have a much better understanding of what is working and what is not; and, importantly, we now have approximately 55 per cent of the funds for these programs actually going to Aboriginal and Torres Strait Islander organisations. Despite some of the myths that have been peddled by those with alternative agendas, there has actually been a significant increase in the number of Indigenous organisations that have been funded. It is still not high enough, and I will be pushing to make sure that good, robust organisations that are getting the job done are getting funded, and we would really hope that they would be run by Indigenous people or have a high number of Indigenous people working for them, because that is the future.

Increasingly, we will work with communities to move beyond the old transactional way of doing business. We would all know in this place that education is a passport to a better future for children everywhere. It is no different for Indigenous children, wherever they live. The coalition is committed to improving Indigenous school attendance and is working with states and territories through COAG to address the issue. Without a proper education Indigenous children are more likely than not to be on a path towards welfare dependency, interaction with the justice system, poor health, poor housing and little hope for the future that other Australians enjoy. The coalition is using all possible levers to ensure Indigenous children have the opportunity to fulfil their full potential. That begins with being at school regularly to receive an education.

Significant progress has been made. Through our Remote School Attendance Strategy we are working with families, schools and communities to ensure more children regularly attend school to receive an education. The cycle of poverty and disadvantage ends with a good education. Through the Remote School Attendance Strategy the coalition has started to turn around a long-term trend of declining school attendance. We now see many more children regularly, as part of a daily pattern, attending school. More children in remote areas are now attending school on a regular basis than in the five years before we came to office.

Employment is another of the coalition's top three priorities for Indigenous affairs. We all know that a purpose in life is absolutely central to the way people feel about themselves. The coalition is going to continue to focus on new and innovative ways to support Indigenous Australians into real, meaningful work that provides the opportunity to move away from welfare reliance. One of the most common messages from Indigenous elders and leaders in communities is that passive welfare destroys individuals and whole communities. They want governments to work with them to end this cycle—a cycle which only serves to entrench poverty and disadvantage. In remote communities around one in five adults of working age receive some sort of welfare. Too many people move into welfare at a young age and stay on it for extended periods, sometimes for life. The coalition is committed to delivering new and innovative support for Aboriginal and Torres Strait Islander people seeking real and meaningful work.
Reflecting on the recommendations of Mr Andrew Forrest's *Creating parity* review of Indigenous training and employment programs, the coalition has refocused training and employment programs to ensure they deliver real outcomes. Payment for employment programs are now directly linked to real job outcomes. We have ended the cycle of training for training's sake. Training is geared to the skills needed by employers and to securing jobs for individuals and training them into those jobs. This ends the old, failed model of placing people on the never-ending cycle of training which leads nowhere and only compounds the individual's sense of failure as certificates are collected but no jobs eventuate.

Payment for employment programs are now firmly focused on outcomes of at least 26 weeks of employment. This ensures employers, employment brokers and training providers stick with people moving from training to work and support them through this critical transition. This has led to a dramatic cut in the amount of churn that exists in our employment programs. We know that, if we can support a person into a job and ensure they make it through the first six months, they are more likely to remain employed and end their personal cycle of welfare reliance. There is enormous goodwill amongst Australian employers to hire Indigenous people. Previous approaches did not, however, provide them with workers who had the skills that they needed. We have addressed the needs of job seekers and employers and are getting results.

A coordinated approach to employment through Commonwealth procurement and public sector recruitment, and work with some of Australia's largest employers, is creating real opportunities for our First Australians. Nationally, employment programs in my portfolio, along with jobactive, have supported Indigenous Australians into around 47,000 jobs since 1 July 2015—the lives of 47,000 people have been turned around by the ability to get off welfare and start to build a future through meaningful activities for themselves, their families and their communities. Our Community Development Program, which commenced on 1 June 2015, is getting people active and making remote communities better places to live. Almost 80 per cent of participants in CDP are now placed in activities, compared to only 45 per cent at the end of Labor's failed Remote Jobs and Communities Program.

There has been an explosion in the number of Indigenous businesses winning government contracts thanks to the coalition's targeted Indigenous Procurement Policy. This has been a real game changer. The dramatic increase in demand for Indigenous business contracts is up from $6 million in 2012-13 to more than $200 million last year. This is driving a growing Indigenous business sector, providing even more job opportunities. We are working with Indigenous business leaders to further develop a strong, vibrant Indigenous business sector to ensure that Indigenous Australians share in our agenda for jobs and for growth.

The coalition's plan to build the Indigenous business sector will create new employment opportunities and help open up our Indigenous businesses to domestic and global markets. The coalition will develop Indigenous business opportunities through three main initiatives, including the $115 million Indigenous Entrepreneurs package and building on our partnership with major employers through the Employment Parity Initiative to require companies to purchase more of their own goods and services from Indigenous businesses. So the Commonwealth have provided the leadership, we have provided the infrastructure and we have provided the processes for assessment. We now call upon the other government jurisdictions as well as corporate Australia to take the same road. We will be building on the
outstanding success of our Commonwealth Indigenous Procurement Policy to ensure three per cent of all government contracts are with Indigenous businesses by 2020. Building the capacity of our Indigenous business sector not only makes good economic sense for our nation and for Indigenous Australians but also puts us on the path to meeting a key Closing the Gap target.

This term we will continue to focus on the significant numbers of Indigenous working-age people who are disengaged from work. We will work on youth transitioning from school to work and on moving people out of the justice system, and we will expand initiatives that ensure demand for Indigenous businesses and Indigenous job seekers continues to rise. However, with nearly 80 per cent of the Indigenous population based in suburban, regional and rural areas and serviced by mainstream programs, the coalition will ensure a whole-of-government approach to ensure all employment programs are levered and coordinated to best support the particular circumstances of Indigenous Australians.

Every Australian has a right to live in an environment and a home free from violence. Rates of violence in many Indigenous communities are too high. That is why safety is one of the coalition's top three priorities in Indigenous affairs. There is strong evidence that the key driver of violence in Indigenous communities, including family violence, are alcohol and substance misuse, child abuse and neglect, poor low school attendance and low employment levels.

We are committed to practical action to create safe communities and to prevent violence whilst also ensuring that victims receive the support they need through targeted investments. We are committed to protecting Indigenous women and children, given that Indigenous women are 34 times more likely than non-Indigenous women to be hospitalised as a result of family violence. Indigenous victims of family violence make up about 25 per cent of victims nationally. That is why the Indigenous Advancement Strategy included $32.2 million in the 2016-17 budget to deliver a number of targeted initiatives to reduce Indigenous family and domestic violence as part of the third action plan to reduce Indigenous family and domestic violence as part of the third action plan to reduce violence against women and children. As part of our $100 million package of measures to improve frontline support and services and to lever innovative technologies to keep women safe, we have also allocated $21 million for specific measures to help Indigenous women and communities. We have invested $186 million across government in Indigenous-specific initiatives for women's safety and family violence protection.

The coalition is also committed to tackling the underlying disadvantage that increases the likelihood of a person coming into contact with the criminal justice system. I am committed to reducing Indigenous offending, victimisation and incarceration by tackling the drivers of crime, including alcohol and drug misuse, poor educational outcomes and disconnection from employment. States and territories are responsible for their criminal justice systems, including policing. However, this, like many issues, needs governments to work together to ensure that we get better outcomes. In the 2016-17 year the government is providing $256 million through the Indigenous Advancement Strategy for activities to improve community safety and to address the drivers of Indigenous incarceration. The coalition will maintain its focus on efforts to deal with the factors that lead people to prison in the first place and those factors that too often lead them back there too soon after their release.
I am working with Minister Cash, along with state and territory governments, Indigenous prisoners, Indigenous communities, service providers and academics, to look at ways to better transition Indigenous people from incarceration to employment in order to reduce the risk of offending. A key focus will be working with states and territories to support rehabilitation and vocational training activities within the prison system and to ensure our post-release assistance leads to employment. These achievements have been possible because the coalition is committed to working with communities.

Through changes implemented by the coalition, Indigenous affairs is now at the heart of government. We have a Prime Minister, a cabinet minister, a cabinet subcommittee and an Indigenous advisory committee all committed to delivering better outcomes for First Australians. We have directed funding away from bureaucracies and towards local communities. This work has been supported by the Prime Minister's Indigenous Advisory Council, led by the Chair, Warren Mundine, and Deputy Chair, Ngiare Brown. The council has provided valuable advice to ensure programs deliver real, positive change in the lives of Aboriginal people.

Significant reform to the delivery of programs and services has seen Indigenous affairs elevated to the peak of bureaucracy within the Department of Prime Minister and Cabinet, which ensures that every single decision of government is closely scrutinised for its impact on Aboriginal and Torres Strait Islander Australians. We are focusing on genuine engagement directly with communities. We are working with traditional owners, elders and communities to identify the fundamental priorities and policy approaches that will lead to greater engagement in schooling, training and work and that will lead to safer communities.

These things are fundamental to building healthy communities. Tackling years of disadvantage is an enormous challenge, but if we work in partnership with Indigenous people, governments, business and service providers, I believe that this can be done. And this is a challenge for all of us in this place. It is not something that just rests with one side of politics. If we take a political approach, we will not achieve the change that First Australians—in fact, all Australians—expect of us. I call on all parliamentarians in both places to ensure that they get out into their communities and work with Indigenous Australians and come back to me and tell me what they think is working and not working. I know that a one-size-fits-all approach will not work. I ask for your assistance in ensuring that we are meeting the expectations of those people that we serve. I look forward to working with all of you over the next term and continuing the coalition's significant results in Indigenous affairs.
absolutely acknowledge that, without a doubt, you did serve this chamber exceptionally well in your role as Deputy President.

The ACTING DEPUTY PRESIDENT (Senator Marshall): You are embarrassing me, Senator Cash! You need to come back to the question.


In terms of my contribution to the debate, there were three key pieces of legislation that the Prime Minister tabled on Wednesday of the last sitting week in the House of Representatives, and all three pieces of legislation represented commitments that this government had made to the Australian people. They were of course in relation to the restoration of the Australian Building and Construction Commission, the standing up of the Registered Organisations Commission and, perhaps in terms of priority, our legislation to protect the 60,000 volunteer firefighters in Victoria who are currently being subjected to a hostile takeover by the United Firefighters Union.

On that note, while I was happy to commend Senator Marshall for his role as the Deputy President in the Australian Senate, I have to say that I express great disappointment in relation to his role as a senator for Victoria and the fact that he himself, along with the Victorians on the other side of the chamber, refuse to stand up and put politics aside. Do not kowtow to Daniel Andrews, the Premier of Victoria, and stand up for the 60,000 volunteer firefighters in Victoria who, since 1945, when the CFA was first introduced—and certainly before that—have done everything they can to ensure that one of the most fire-prone areas in the world is protected during the fire season.

Debate interrupted.

MINISTERIAL ARRANGEMENTS

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:00): I advise the Senate that Senator Canavan will be absent from question time today and tomorrow on ministerial business. In Senator Canavan's absence, Senator Nash will represent the Deputy Prime Minister and Minister for Agriculture and Water Resources, and the Minister for Resources and Northern Australia.

QUESTIONS WITHOUT NOTICE

Marriage

Senator McALLISTER (New South Wales—Deputy Opposition Whip in the Senate) (14:00): My question is to the Attorney-General, Senator Brandis. I refer to his statement reported yesterday: We want to keep the cost of the plebiscite as low as it can be kept …

Is the cabinet's decision to provide public funding to the 'yes' and the 'no' plebiscite campaigns what the Attorney-General had in mind, or was this yet another concession to ensure that the conservatives in his party would agree to a plebiscite?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:00): What we said, and what we have delivered, is a fair process that treats both sides equally.
Senator BRANDIS: Senator Wong, I wish you would stop playing politics with this question, because the cabinet has now decided, and this morning our party room endorsed, the introduction into the parliament tomorrow of a plebiscite bill which treats both sides of the case—the 'yes' case and the 'no' case—with complete equality.

This is a challenge for Mr Bill Shorten, because Mr Shorten has said that he believes in marriage equality but now Mr Shorten is the one person standing between Australia and the opportunity for Australia to move to marriage equality. It is time for Mr Shorten to stop playing politics with this issue. It is time for Mr Shorten to get out of the way, to respect the fact that the government was re-elected committed to this course. It was adopted by the Australian people. It has been supported by the Australian people time and again. If Mr Shorten gets out of the way, we can have marriage equality within less than five months. But, if Mr Shorten decides to continue to play politics with gay people's lives, then there will not be marriage equality. While Mr Shorten says, 'I want to play politics; you can wait for years,' we will put this issue off for years.

Senator BRANDIS: I can understand, Senator Wong, why you are feeling very uncomfortable about this, but the fact is that you are a member of a party that faces a choice: will you stay in the way of marriage equality or will you allow the frustrated people to have a vote?

The PRESIDENT: Senator McAllister, a supplementary question.

Senator McALLISTER (New South Wales—Deputy Opposition Whip in the Senate) (14:03): I refer to the managing director of the Australian Christian Lobby, Lyle Shelton, who compared the children of same-sex couples to the stolen generations. Will there be restrictions on the use of public funding, or is this the so-called civil and respectful debate the Prime Minister is telling taxpayers to fund?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:03): I am not familiar with Mr Shelton's remarks, but I can tell you, Senator McAllister, that I have enormous confidence that the Australian people will have a civil and respectful debate. I have enormous confidence in that. I know that there are some in the Labor Party who are pessimistic about the Australian people. There are some in the Labor Party who believe we cannot have a decent debate about an issue of this sensitivity.

Senator BRANDIS: and I can understand, Senator Wong, why you are so upset. I can understand, Senator Wong, why you are so upset. But the fact is that we have now provided an opportunity for there to be a great act of public choice, which in a democracy is only appropriate, and a clear path to marriage equality by 11 February next year. I call on you, Senator Wong, and I call on Mr Shorten, to get out of the way.

The PRESIDENT: Senator McAllister, a final supplementary question.
Senator McALLISTER (New South Wales—Deputy Opposition Whip in the Senate) (14:05): I refer to Senator Paterson, who yesterday said in relation to public funding of the 'yes' and the 'no' campaigns:

… if we cannot think of a better way to spend taxpayers' money than in a political campaign, then I think we are not doing our jobs.

Does the Attorney-General agree the government is failing to do its job?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:05): Senator McAllister, it will not surprise you to learn that I have enormous respect for Senator Paterson's views on fiscal matters and I have enormous respect for Senator Paterson's concern to ensure that taxpayers' money is spent as frugally and as economically as possible. That being said, when it comes to the plebiscite, what we have decided to do is to adopt, as closely as possible, the funding mechanism that was adopted in 1999 for the republic referendum, when $7½ million was provided to both the 'yes' case and the 'no' case.

Now, Senator McAllister, I believe you feel quite strongly about this issue, so let me just say this to you one more time: we can do this. We can achieve this. The only party that is standing in the way of us achieving this is the Labor Party. The only person who is standing in the way of us doing this is Mr Bill Shorten. Mr Shorten should stop playing politics with gay people's lives.

DISTINGUISHED VISITORS

The PRESIDENT (14:06): I draw the attention of honourable senators to the presence in the gallery today of the Australian Political Exchange Council's 20th Delegation from the Socialist Republic of Vietnam. On behalf of all senators, I welcome you to Australia and in particular to the Senate.

Honourable senators: Hear, hear!

QUESTIONS WITHOUT NOTICE

Budget

Senator HUME (Victoria) (14:07): My question is to the Minister for Finance, representing the Treasurer, Senator Cormann. Can the minister provide an update on the government's plan to repair the budget and strengthen our economy?

Senator CORMANN (Western Australia—Minister for Finance and Deputy Leader of the Government in the Senate) (14:07): I thank Senator Hume for her persistent interest in good economic and fiscal policy for Australia. I am pleased to inform the Senate that the government has reached agreement with the opposition in relation to just over $6 billion worth of savings measures captured in the Budget Savings (Omnibus) Bill. This outcome has been achieved as a result of a very positive and constructive process with the opposition, and I would like to thank in particular the shadow Treasurer, Chris Bowen, and indeed the whole Labor leadership for their engagement with the government in relation to this piece of legislation. We hope that this is only the beginning and that there will be opportunity for the government and the opposition to work together in the national interest to bring the budget back into balance as soon as possible on further measures.
In any such discussion, in any such negotiation to reach an outcome, obviously there is necessarily a level of give and take on both sides of the discussion, and that has been the case on this occasion. The government, as part of our compromise, has agreed to progress the government's reforms to dental services through separate legislation. We have agreed to restore $800 million worth of ARENA funding over five years as grants funding instead of making it available by way of concessional loans or equity funding. The energy supplement through this omnibus savings bill will be removed only for new recipients of family tax benefit payments and the Commonwealth Seniors Health Card. We are also—and this was a concession made by the opposition—adding a new schedule to this bill which limits access to the family tax benefit part A end-of-year supplements only to families earning less than $80,000 per annum. The government has also decided not to proceed with the so-called baby bonus. (Time expired)

The PRESIDENT: Senator Hume, a supplementary question.

Senator HUME (Victoria) (14:09): Can the minister please explain why the timely implementation of the government's plan for budget repair is so important?

Senator CORMANN (Western Australia—Minister for Finance and Deputy Leader of the Government in the Senate) (14:09): Right now the Australian budget continues to be in deficit. We do have an improving trajectory over the forward estimates, and we are expected to get back into balance within five years. It is very important that we deliver on the return to balance as outlined in the budget, to ensure we protect our AAA credit rating. Our AAA credit rating helps to keep interest rates low for business and for consumers. It also helps us deal with any future economic shocks that we may face from time to time as a result of developments around the world beyond our control. And, furthermore, it is of course very important that spending on funding of important social services and other services provided by government is affordable and sustainable over the medium to long term and that we do not continue to fund our expenditure today based on borrowings from our children and grandchildren, based on borrowings from future generations. That is why today's significant step is an important step—

Senator Conroy: Say, 'Thank you'!

Senator CORMANN: but it can only be one step. (Time expired)

The PRESIDENT: Senator Hume, a final supplementary question.

Senator HUME (Victoria) (14:10): Can the minister outline any other measures the government is pursuing to encourage stronger economic growth?

Senator CORMANN (Western Australia—Minister for Finance and Deputy Leader of the Government in the Senate) (14:10): For the benefit of Senator Conroy, yes, the government is very grateful for the cooperative approach that Labor has taken in relation to the omnibus savings bill, and we hope, as I said, that this is only the beginning. There is more work to be done to implement our reforms, to make our superannuation system, and the tax concessions in super, fairer and more sustainable. There is still a lot of work to do to ensure that we have a genuinely internationally competitive business tax framework, that we continue to attract more investment, that we continue to be able to boost productivity, boost growth and indeed achieve increases in real wages over time. There is of course still significant work to be done to ensure that the spending growth trajectory that is currently reflected in our forward
trajectory is reduced and brought down to a more sustainable and affordable level. We hope that this example today of an agreement reached between the government and the opposition is only the beginning of more to come. *(Time expired)*

**DISTINGUISHED VISITORS**

The **PRESIDENT** (14:11): I acknowledge the presence in the President's gallery of former senator Mary Jo Fisher. Welcome to the Senate.

Honourable senators: Hear, hear!

**QUESTIONS WITHOUT NOTICE**

**Turnbull Government**

**Senator GALLAGHER** (Australian Capital Territory) (14:12): My question is to the Minister representing the Prime Minister, Senator Brandis. I refer to last night's reports of leaks from cabinet indicating that the Prime Minister had instructed cabinet ministers not to leak. Is the Prime Minister's authority so diminished that he has now resorted to telling cabinet ministers to do what they should do anyway?

**Senator BRANDIS** (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:12): Honestly and truly, Senator Gallagher, there are really important issues in this country at the moment, and, relevantly to the subject of today's question time, one of the most important issues facing this country at the moment—not the most important but one of the most important issues facing this country—is whether we give equal treatment to gay people under the Marriage Act. And you want to play politics. You and your leader and your party want to play politics, to play insiders games. Really, Senator Gallagher. I know what your private views on this matter are. Why don't you come to terms with the merits of the issue rather than play silly political games?

The **PRESIDENT**: Senator Gallagher.

**Senator GALLAGHER** (Australian Capital Territory) (14:13): I refer to reports of leaks from the Prime Minister's recent attendance at a meeting of the federal executive of the Liberal Party. Aren't last night's reports just a repeat of Liberal Party chiefs ignoring the Prime Minister's challenge to make sure his frank remarks did not make the newspaper?

The **PRESIDENT**: Order! I will invite the Attorney-General, if he wishes, to address that question, but it does not really fit within his portfolio remit.

**Senator BRANDIS** (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:14): I will take the question. Senator Gallagher, there are very, very important issues for this nation. There are things to be celebrated—like the fact, for example, that Australia's economic growth is now 3.3 per cent, the highest rate of economic growth of any G20 nation; the fact that consumer confidence has risen to a three-year high, as reported as recently as this morning by the ANZ-Roy Morgan Consumer Confidence survey; the fact that there are more Australians in work today than there have ever been. These are the big issues for our country, the issues of—

The **PRESIDENT**: Senator Cameron, a point of order?

**Senator Cameron**: Mr President, this is on relevance: the Attorney-General determined he would take the question, and he has not gone near the question. He determined he would take the question. He should then answer the question.
The PRESIDENT: Thank you, Senator Cameron. There is no point of order. The question was completely about leaks from the Liberal Party, not about cabinet. I invited the Attorney-General to address that question, if he wished to. The Attorney-General is in complete order. Senator Wong, on the point of order?

Senator Wong: I am making the point, Mr President—

Senator Brandis: Is it a point of order?

Senator Wong: I have a point of order. The question goes to statements the Prime Minister has made. We are entitled to ask questions about that.

The PRESIDENT: Yes, but it was primarily directed towards the Liberal Party. I have ruled on that question. The Attorney-General has agreed to take the question, and the Attorney-General can take the question.

Senator BRANDIS: Thank you very much, indeed, Mr President. The point I am making to Senator Gallagher is: while she is asking questions about political trivia and the sort of insider gossip which the Labor Party seems to enjoy, this government is getting on with delivering real outcomes for Australians' jobs, growth and prosperity.

The PRESIDENT: Senator Gallagher, a final supplementary question.

Senator GALLAGHER (Australian Capital Territory) (14:16): Given the Prime Minister's priorities have been to station staff at doors to prevent MPs from leaving and to tell his cabinet colleagues not to leak, is it any wonder that his own party and the country have been left wondering whether this Prime Minister has any agenda or any authority at all?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:16): Senator Gallagher, you asked me about the government's agenda, so let me tell you about the government's agenda. The government's agenda is to deliver on the election commitments we made when we won the federal election this year—in particular, our commitments for jobs and growth.

Now, you may not have been able to hear me over all of the interjection from your own side, Senator Gallagher, so let me remind you. The latest economic growth figures for Australia, at 3.3 per cent, are now the highest of any G20 nation. Under this government, Australia is, economically, the best performing nation in the G20. And that is apparent from the consumer confidence figures released this morning, to which I referred, which show consumer confidence at a three-year high—and going up. Those are the real issues, Senator Gallagher, not the silly insiders' games in which you and the Labor Party delight—jobs, growth, outcomes for the Australian people. (Time expired)

Asylum Seekers

Senator McKIM (Tasmania) (14:18): My question is to the Attorney-General, representing the Prime Minister. Attorney, today Save the Children and UNICEF revealed that the cost since 2013 of Australia's failed and inhumane asylum seeker policies is $9.6 billion; of course, the human cost is much higher. This includes: the policy of turning boats around; the illegal detention centre on Manus Island, where people are now being held in limbo; and the keeping of people in appalling conditions on Nauru, where allegations of abuse and assaults against men, women and children seeking Australia's protection are widespread and are not being adequately addressed. If the government is not going to dispute the figures
released by UNICEF and Save the Children by releasing its own costs based on a transparent methodology, isn't it reasonable for Australian taxpayers to conclude that the $9.6 billion figure is accurate?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:19): Senator McKim, you talk about the even greater human cost. Let me tell you what the humane outcome of the government's policies has been. When we came into office there were 1,992 children in detention on the Australian mainland. Today, as a result of decisions by Mr Morrison and Mr Dutton, there are now none—not one. Every child that had been in detention when my side of politics came into office three years ago has been released. That, I think, is a good humanitarian outcome.

During the period of the Labor government, whose policies you supported, we know that at least 1,200 men, women and children died at sea. There may have been many more. That is just the 1,200 that we know about. As a result of our policies in the last three years, not one man, woman or child has died at sea.

The PRESIDENT: A point of order, Senator McKim?

Senator McKim: Yes, thank you, Mr President. On the point of order: the question was absolutely explicit. It was specifically around the $9.6 billion and whether or not it would be reasonable for Australians to assume that that financial figure is accurate, if the government did not release its own figure based on a transparent methodology. The Attorney has not come anywhere near that question.

The PRESIDENT: Thank you, Senator McKim. You are correct in relation to your question. The Attorney-General was addressing your preamble. I remind the Attorney-General of the question.

Senator BRANDIS: Thank you very much, Mr President. So, Senator McKim, I think that is a good humanitarian outcome: no deaths for three years, as opposed to 1,200 and more deaths at sea in the previous six years; no children in detention today as opposed to nearly 2,000 children in detention when this government was elected.

The PRESIDENT: Order, Attorney-General. Pause the clock. Senator Di Natale, a point of order?

Senator Di Natale: I suspect the Attorney-General is defying your ruling, Mr President. The question was brought to his attention. He continues to ignore it. I urge you to ask the Attorney-General to address the question of costs.

The PRESIDENT: Thank you, Senator Di Natale. I did remind the Attorney-General. I remind the Attorney-General of the question.

Senator BRANDIS: Thank you, Mr President. There is one other part of your question, Senator McKim, that I would like to address in the time available to me. You made the assertion that the Nauru regional processing arrangements are unlawful. Senator McKim, you know that last year the High Court of Australia—

The PRESIDENT: Order! Pause the clock. Senator McKim?
Senator McKim: In a genuine effort to assist the Attorney, my point of order is that I actually asserted that the Manus Island detention centre was illegal, not Nauru, and he still has not started answering the question, Mr President.

The PRESIDENT: You are now debating the point, Senator McKim. That is not a point of order. There is no point of order.

Senator BRANDIS: I am making the point, Senator McKim, that the High Court of Australia upheld a challenge to regional processing arrangements in relation to Nauru. Senator McKim, this government is very proud of the fact that we have driven the people smugglers out of business, that we have stopped the boats, that we have saved countless lives and that we have released every last child from detention—(Time expired)

The PRESIDENT: Senator McKim, a supplementary question.

Senator McKIM (Tasmania) (14:22): The $9.6 billion has now been confirmed as an accurate cost by the Attorney. Attorney, I note that in April the Papua New Guinea Supreme Court declared the Manus Island detention centre illegal, yet five months later the fate over 850 people there seeking Australia's protection remains in limbo. Given your policy paralysis, given the massive expenditure of $9.6 billion since 2013, why will you not close the Manus Island detention centre and resettle these people to Australia? (Time expired)

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:23): Senator McKim, the Manus Island regional processing centre is a matter for the government of New Guinea. Senator McKim, you have referred to a decision of the Supreme Court of New Guinea. I do not comment on the decisions of foreign courts. You assert a figure: $9.6 billion. I do not confirm that figure, Senator McKim.

Senator Di Natale: You had the opportunity to reject it; you didn't do it once.

Senator BRANDIS: I do not confirm that figure but, if that figure is correct, I think that would be a price worth paying to save thousands of lives.

The PRESIDENT: Senator McKim, a final supplementary question.

Senator McKIM (Tasmania) (14:23): Spending $9.6 billion to torture people in foreign countries in Australia's name! What has this country come to? I also note the widespread allegations of assaults and sexual abuse, including sexual abuse of children, released in the Nauru files—

The PRESIDENT: A point of order, Senator O'Sullivan.

Senator O'Sullivan: If the senator is making an assertion that I or any of these people here have been involved in the torture of these people, I ask that it be withdrawn.

The PRESIDENT: There is no point of order. It was not the assertion.

Senator McKim: Again, Attorney, given your government's policy paralysis, given the massive expenditure and given the fact that your years of inhumanity have failed to deter people seeking asylum by boat in Australia, why will you not resettle these people on Nauru, our fellow human beings, to Australia? (Time expired)

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:24): Senator McKim, I am sorry: I am just not going to let you get away with continuing to utter falsehoods. You asserted in
your question that the policies of this government have failed to deter people smugglers and failed to stop the boats. That is simply factually wrong. Since this government's policies came into effect after the election of the Abbott government in September of 2013, not a single asylum seeker vessel—

The PRESIDENT: Pause the clock. Senator McKim.

Senator McKim: The point of order is that the Attorney has misled the Senate. The Minister for Immigration and Border Protection made it clear in a media release last week that the people smugglers are still targeting Australia.

The PRESIDENT: There is no point of order, Senator McKim. You are debating the point.

Senator McKim: They are his own words.

The PRESIDENT: There is no point of order.

Senator BRANDIS: Senator McKim, that is not what you said. I am sure the people smugglers are still eager—very eager—to deliver their human traffic to Australia, but, as a result of the decisions of this government, they are being thwarted, they are being beaten and they are not succeeding in their intentions. That is as a result of the decisions this government has made, and, as a result, literally thousands of innocent lives have been saved.

Workplace Relations

Senator PATERSON (Victoria) (14:26): My question is to the Minister for Employment, Senator Cash. Can the minister update the Senate on any recent developments that highlight the need for action to protect volunteer firefighters in my home state of Victoria?

Senator CASH (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (14:26): I thank Senator Paterson for his question, and yes I can. On Wednesday of last week, former CFA chief executive officer Lucinda Nolan gave evidence at a Victorian parliamentary inquiry. She said of the deal between the Victorian government and the United Firefighters Union, the following:

It is destructive and divisive. I could not stay and oversee the destruction of the CFA.

She then went on to say:

I think this has the potential to negatively impact the organisation, community safety, our volunteers, and our volunteer contribution.

I was given a clear alternative—sign the EBA or leave the organisation. Obviously I chose the latter.

Senator Cameron: Show us what clause does this? Name just one clause. Show us one clause.

Senator CASH: Mr President, unlike Senator Cameron, we on this side will continue to stand side by side with the 60,000 volunteers in the Victorian CFA.

On top of Ms Nolan’s evidence to the inquiry, she was joined by former CFA chief fire officer Joe Buffone. He told the inquiry that the EBA dispute with the United Firefighters Union had severely inhibited his role and made it untenable. Mr President, these people give up their lives sometimes to ensure that the people of Victoria are safe. If we did not have volunteers in Australia, quite frankly, where would we be?
As Sue Noble, CEO of Volunteering Victoria, has stated:

In rural areas, volunteers in the emergency services are connected and contribute across their communities in ways that extend far beyond fighting fires. Devaluing the work of volunteers will act in the same way as pulling a linchpin from the axle of these communities …

Mr President, we will back the volunteers every step of the way. *(Time expired)*

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

**Senator PATERSON** (Victoria) (14:28): Can the minister inform the Senate of the impact that the proposed deal between the Victorian government and the United Firefighters Union would have on the CFA and their volunteers?

**Senator Cameron interjecting**—

**The PRESIDENT:** Order, on my left.

**Senator CASH** (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (14:28): I have to say to Senator Cameron: why do you hate volunteers? Why do you hate volunteers? There are 60,000 volunteers in Victoria—

**The PRESIDENT:** Order. Pause the clock.

**Honourable senators interjecting**—

**The PRESIDENT:** Order on both sides. Senator Cameron, a point of order.

**Senator Cameron:** Thanks, Mr President. The minister should withdraw that remark. I cannot be accused of hating volunteers.

**The PRESIDENT:** That is not a point of order.

**Senator Cameron:** They have saved my community. I just don't accept the rubbish that we are getting here.

**The PRESIDENT:** There is no point of order.

**Senator CASH:** We have heard the concerns of Lucinda Nolan, the former CEO of the CFA. She stood up for the volunteers and was forced out by the union and the Victorian government. Then, of course, we had the independent board of the CFA. This is what they said:

The proposed EBA undermines volunteers, our culture, allows the UFU operational and management control of CFA and is discriminatory.

Now, Mr President, shortly after making that statement, do you know what happened to the board? They were sacked by the Andrews government because they would not side with the UFU. They wanted to stand up for themselves and the 60,000 volunteers they support. Joe Buffone, another victim of the deal with the UFU, again—*(Time expired)*

**The PRESIDENT:** A final supplementary question, Senator Paterson.

**Senator PATERSON** (Victoria) (14:30): Can the minister outline to the Senate what action the government will take to protect emergency service volunteers?

**Senator CASH** (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (14:30): On the Wednesday of
the last sitting week, in the House of Representatives, the Prime Minister tabled our response to this disgraceful situation—which is, of course, our legislation to protect the 60,000 volunteers in the Country Fire Authority in Victoria. Our legislation will fix this mess once and for all.

We know that the Leader of the Opposition knows that he is in the wrong on this, because during the federal election campaign he was loath to attend his home state of Victoria because of the position that the Labor Party have taken on this issue. The Leader of the Opposition, a member in Victoria, has refused to side with the Victorian community. Labor say they put people first. I say to Mr Shorten: on this issue, you are not putting people first; you are putting Peter Marshall and the United Firefighters Union first. You should put the 60,000 volunteers in the CFA first. (Time expired)

**Defence Procurement**

**Senator KIM CARR** (Victoria) (14:31): My question is to Senator Payne, the Minister representing the Minister for Defence Industry. I refer the minister to the ABC reports this week revealing that the new Defence dress uniforms to be worn by Australian soldiers will be manufactured in China through a $9 million contract awarded to Australian Defence Apparel that involves subcontracting arrangements overseas. Can the minister inform the Senate how this contract will, to quote Minister Pyne:

… maximise jobs and economic growth and deliver the very best capability available for the Australian Defence Force.

**Senator PAYNE** (New South Wales—Minister for Defence) (14:32): I think the question actually pertains to the portfolio of the Minister for Defence Personnel, but happily I have that job as well, in representation terms, so I am very happy to answer Senator Carr.

As the senator has observed, the Australian Army is introducing a new service dress uniform which has been progressively rolled out since June of this year. In April 2015 a contract was signed with Australian Defence Apparel, a company based in Bendigo, that includes a service dress jacket and 'lowers'. For the senator's benefit, lowers are trousers, skirts and things like that. The cost to introduce the Army's new service dress uniform is approximately $9.6 million over two years. Australian Defence Apparel's tender was assessed as the best value for money, with the tendered price representing an estimated saving of over 18 per cent over the prices at that time.

The service dress jacket and lowers are being manufactured in China utilising established subcontractor arrangements. However, items such as the Akubra-provided ADF slouch hat and the RM Williams parade boots are of course manufactured in Australia. Australian Defence Apparel has estimated that manufacture in Australia would be triple the cost of the contract as it stands.

Commonwealth procurement rules do indeed require Defence to seek value for money and do not allow discrimination based on the country of manufacture. The exception to that is the standard dress uniform, which was granted a government exemption in 2011. That garment is manufactured in Australia by Australian Defence Apparel, using Australian material.

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

**Senator KIM CARR** (Victoria) (14:34): The ABC report stated that the decision to allow the new dress uniform to be manufactured overseas was so sensitive that three ministerial
officers were to be consulted. Minister, I ask you this: why was an exemption not granted for the manufacture of these Australian Defence uniforms, as it was in 2011?

Senator PAYNE (New South Wales—Minister for Defence) (14:34): I thank Senator Carr for that supplementary question. As I understand it, none of the responses to tender provided by any interested party in Australia contained an all-Australian response, because of some of the details that I have alluded to, particularly in regard to cost, in my answer.

The PRESIDENT: Senator Carr, a final supplementary question.

Senator KIM CARR (Victoria) (14:35): Minister, I refer to your visit to Australian Defence Apparel in Bendigo less than four months ago, when you said on the issue of Defence procurement:

I think the best step we have taken in that regard is the Defence Industry Policy Statement which is all about Australian industry engagement …

What do you say to those workers who have been so betrayed so soon after your glib assurances?

Senator PAYNE (New South Wales—Minister for Defence) (14:35): As I said to the senator in response to his initial question, the contract was in fact signed with Australian Defence Apparel on 30 April 2015. Having made that visit to Australian Defence Apparel and spoken to a large number of—

Senator Kim Carr: So you lied to them!

The PRESIDENT: Order! Withdraw that, Senator Carr.

Senator PAYNE: Mr President, I seek that Senator Carr withdraw that remark.

The PRESIDENT: Senator Carr, you will have to withdraw that.

Senator Kim Carr: I withdraw.

The PRESIDENT: Thank you.

Senator Kim Carr: So you didn't tell them the truth! Is that the story, then?

The PRESIDENT: Order! After asking you to withdraw the first statement, you are implying the same thing with your second statement. I will not ask you to withdraw; I just make that observation.

Senator PAYNE: I am very happy to respond to the question—

Senator Wong interjecting—

The PRESIDENT: Order, Minister! Senator Wong, I think I have dealt with that matter.

Senator Wong: Mr President, a point of order: I would ask you to consider the *Hansard* of today's question time. You refused to require the withdrawal of an assertion that Senator Cameron hates volunteers. I ask you to consider whether the standard you are now applying on this issue is identical.

The PRESIDENT: As I always do, Senator Wong, I will review the question time *Hansard*.

Senator PAYNE: I have actually forgotten the question!

Senator Cameron: It is no laughing matter if you have lost your job.

The PRESIDENT: Order! Senator Cameron.
Senator PAYNE: If you take the time to visit Australian Defence Apparel, as I have, and you see the work that is being done in relation to the standard dress uniforms—the thousands and thousands of uniforms that are being produced on the floor of the factory there in Bendigo—then you will be very impressed with the work that is being done, as I was. You will be very impressed with the pride that the workers take in dressing the Australian Defence Force, as I was. As we announce in 2016 when we release the defence white paper— (Time expired)

Australian Defence Force

Senator REYNOLDS (Western Australia) (14:37): My question is also to the Minister for Defence, Senator Payne. Could the minister advise the Senate of how the Australian Defence Force is increasing its support to United Nations peacekeeping operations?

Senator PAYNE (New South Wales—Minister for Defence) (14:37): What a pleasant and professional approach Senator Reynolds brings to her question. Australia has a long and proud history of support for multinational peacekeeping operations. Since 1947, we have provided over 65,000 personnel to more than 50 UN and other multinational peace operations. Currently we contribute 45 ADF and AFP personnel across three UN missions in the Middle East, South Sudan and Cyprus. One of those missions extends over five decades in Cyprus.

Last Thursday the United Kingdom Secretary of Defence, the Right Honourable Michael Fallon, convened the UN Peacekeeping Defence Ministerial Meeting in London. It was attended by defence ministers and senior military representatives from over 80 nations, including many from our own region, and the US Secretary of Defense, Ash Carter. It was an opportunity for the international community to review the progress which was made against pledges given at President Obama's convened peacekeeping summit of 2015 and then to also discuss how UN peacekeeping can be improved.

Our pledge in 2015 was in particular to provide strategic airlift support for the UN peacekeeping operations. I am pleased to say that since 2015 we have progressed our commitment. We are developing what is known in UN terminology as a 'letter of assistance' that will set out the requirements, the processes for Australian airlift assets to potentially be assigned to UN operations, the speed with which that might happen, the responsive levels and so on. At the conference, I announced that Australia would provide additional funding of over $1.25 million over five years to further enhance UN peace operations for e-learning training and also $90,000 to support the dissemination of UN protection of civilians guidelines and policy.

As we outlined in the 2016 defence white paper, Australia is one of the most active supporters of the United Nations, and Defence will continue to make its contributions to peacekeeping— (Time expired)

The PRESIDENT: Senator Reynolds on a supplementary question.

Senator REYNOLDS (Western Australia) (14:40): I thank the minister for her response. We have clearly got a lot to be proud of in our ADF and in our peacekeepers. Is the minister also aware of any Australian initiatives that promote the role of women in peacekeeping operations?

Senator PAYNE (New South Wales—Minister for Defence) (14:40): That is an excellent question coming from Senator Reynolds given her experience and background.
Senator Cameron: If there are any lessons to be learned, apply it in the Liberal Party.

Senator PAYNE: Some respect for the UN peacekeepers from the other side would not go astray, Mr President. During the meeting, I was very pleased to moderate the Women, Peace and Security session with my colleagues from Norway, the United Kingdom, Bangladesh and Japan. Australia has been a strong and consistent advocate for the UN's women peace and security agenda and we are very proud to be doing our part to increase the number of women serving in peace and security operations and in supportive inclusive peace processes.

The Australian national action plan forms the basis of the government's efforts to address the impact of conflict on women and girls and to improve women's participation in preventing violence. Defence is implementing the women, peace and security agenda in corporate planning, in operational activities, in doctrine and in training. Women have commanded Australian contingents to Operation Masurka in the Sinai and Operation Paladin in the Middle East, and female commanders and deputies are being deployed to Afghanistan and other operational headquarters. *(Time expired)*

The PRESIDENT: A final supplementary question from Senator Reynolds.

Senator REYNOLDS (Western Australia) (14:41): Would the minister inform the Senate of how else the government is supporting peacekeeping operations?

Senator PAYNE (New South Wales—Minister for Defence) (14:41): In addition to our UN commitments, we are also helping to train and educate soldiers and police in our region to contribute to peacekeeping operations. In fact in May of this year, over 100 students from 24 countries participated in our biennial international peacekeeping training exercise known as PIRAP JABIRU which we co-host with Thailand. PIRAP JABIRU enables participants to gain a much deeper understanding of contemporary UN missions and, even more importantly, how we can work more effectively together in those contexts.

A new range of peacekeeping training initiatives has been developed at the ADF's Defence Peace Operations Training Centre, which include regional e-learning, increased pre-deployment training—preparing for the culture and the context to which they are going to be deployed—and a new humanitarian assistance disaster relief seminar as well. Defence is also developing gender adviser training in that context.

We provide significant support for doctrinal development and training for UN peacekeepers. I am proud of our continuing contribution to UN peacekeeping. *(Time expired)*

Marriage

Senator HINCH (Victoria) (14:42): My question is to the Attorney-General, Senator Brandis. Can the Attorney-General guarantee that taxpayer funded proponents of hate campaigns will be held responsible for the harm and possible suicides of vulnerable Australian targets, seeing that you personally and the Prime Minister in the past have opposed the plebiscite?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:43): Thank you very much, Senator Hinch. I should congratulate you on your maiden question—a very punchy, sharp, direct and relevant question, if I may say so. As I said in answer to Senator McAllister, I am an optimist about the capacity for the Australian people to have a civil and respectful debate about a
vexed social issue. And of course, Senator Hinch, you of all people, having had a very long career in broadcast journalism, would know that there are always outliers. There are always people who will say aggressive and regrettable things but they are outliers. I am sure this public discussion that we will have in the course of the plebiscite campaign about the meaning of marriage and whether the institution of marriage should be extended to include same-sex couples will be a respectful public debate.

The government, in order to ensure that that is the case, has designed to mechanism, has created an architecture. I want to pay particular tribute to my friend and colleague Senator Scott Ryan, whose knowledge of Australian electoral law is peerless, for devising an architecture through a publicly approved 'yes' committee and 'no' committee on which both sides of politics and the crossbench will have an opportunity to be represented, and on which prominent Australian citizens will also have the opportunity to be represented. I believe that those committees, from both the 'yes' point of view and the 'no' point of view, will set the tone of this debate.

The PRESIDENT: Supplementary question, Senator Hinch?

Senator HINCH (Victoria) (14:45): Can the Attorney-General explain why churches that pay no tax should receive even one more dollar to campaign on a public opinion poll?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:45): Senator Hinch, this is more than a public opinion poll. This is the engagement of the Australian people in a great democratic act. Senator Hinch, with all due respect to you, and with all due respect to every person in this chamber, I do not believe that politicians have any greater insight into the meaning of marriage than any other citizens. When it comes to a social institution as fundamental as marriage I believe that every single citizen is a stakeholder. I believe every single citizen is entitled to have their views taken into account and to participate directly in a great act of democratic choice in deciding what the definition of marriage ought to be. I do not walk away from that one iota.

The PRESIDENT: A second supplementary question, Senator Hinch.

Senator HINCH (Victoria) (14:46): Mr Attorney General, if you are so concerned about the stakeholders, how come in 2004 you did not ask the Australian public what they thought when you inserted the words 'man and woman' into the Marriage Act—and the High Court ruled it was your job to do it? How come you did not approach the Australian people when you said that official foreign marriages would not be recognised here in Australia? You talk about families, but you have damaged hundreds and thousands of families—wonderful families of same-sex couples. You have damaged them. (Time expired)

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:47): Senator Hinch, I completely reject the dystopia that you envisage. I think that we will see, in the course of this plebiscite discussion, a great embrace of gay Australians and gay families. Of course there will be outliers. Of course, as I said in answer to your primary question, there might be some people who say regrettable things. But I do not think that the Australian people are, by and large, homophobic. Nor do I think that people who have a conservative view and do not want to see the definition of marriage changed are homophobic either. They merely have a conservative—
Senator Hinch: A point of order, Mr President. The Attorney-General was asked why the public was not consulted in 2004.

The PRESIDENT: Thank you, Senator Hinch. I remind the Attorney-General of the question.

Senator BRANDIS: Senator Hinch, I did want to make that point. In relation to 2004, I voted for that legislation. So did Senator Wong, by the way. Senator Wong and I now both support the issue of marriage equality. There are a lot of people whose minds have changed and whose thoughts have evolved in the passage of the years.

Attorney-General

Senator CAMERON (New South Wales) (14:48): My question is to the Attorney-General, Senator Brandis. In relation to the Attorney-General’s appointment of Mr Tavoularis to the Administrative Appeals Tribunal, we now know that the Attorney-General has known Mr Tavoularis for many years. Mr Tavoularis previously acted for the Attorney-General’s son in criminal proceedings. Mr Tavoularis has made a donation to the Liberal Party of Queensland, and the Attorney-General personally approached Mr Tavoularis for appointment to the Administrative Appeals Tribunal. Does the Attorney-General stand by his statement, ‘There is no conflict of interest whatsoever’?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:49): Yes.

Senator CAMERON (New South Wales) (14:49): I have a supplementary question. I refer to media reports that indicate that Mr Tavoularis acted for the Attorney-General’s son, who was being prosecuted for wilful damage to property. Did the Attorney-General have any role in arranging for Mr Tavoularis to represent his son, and was Mr Tavoularis paid full commercial rates for the legal work?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:50): I will not dignify that disgusting question with an answer.

Honourable senators interjecting—

The PRESIDENT: Order! And order on my right—how can I deal with interjections when I cannot hear them because of the interjections close to me? Senator Wong, do you have a point of order?

Senator Wong: Yes, I do. They should withdraw calling Senator Cameron a grub. It was done repeatedly. Mr President, in question time you do have to protect senators to some extent.

Honourable senators interjecting—

The PRESIDENT: Order! If any senator used those words I would expect that senator to withdraw. I did not personally hear them.

Senator O’Sullivan: I withdraw that you are a grub.

The PRESIDENT: Senator O’Sullivan, could I ask you to withdraw, and do not repeat the phrase.

Senator O’SULLIVAN: I withdraw.
Senator Ian Macdonald: If ‘grub’ is unparliamentary, I did use that against Senator Cameron, and I withdraw.

The PRESIDENT: Order! I remind senators that it is not so much the word that is used; it is also the context in which it is used.

Honourable senators interjecting—

The PRESIDENT: Order! Senator McGrath.

Senator McGrath: I withdraw the use of ‘grub’.

The PRESIDENT: Thank you, Senator McGrath. Senator Nash.

Senator Nash: I also withdraw the use of ‘grub’.

The PRESIDENT: Thank you. Senator Scullion.

Senator Scullion: I withdraw, Mr President.

The PRESIDENT: Thank you. Senator Williams.

Senator Williams: I withdraw, Mr President.

The PRESIDENT: Senator Hume.

Senator Hume: I withdraw too, Mr President.

The PRESIDENT: Thank you. Senator Hume. Senator Cameron, a final supplementary question.

Honourable senators interjecting—

The PRESIDENT: Order on both sides!

Senator Ian Macdonald: What a disgusting excuse for a human being!

Senator Cameron (New South Wales) (14:52): I think that might be a record number of withdrawals.

The PRESIDENT: To the question, Senator Cameron.

Senator Cameron: Of those the Attorney-General has appointed to the Administrative Appeals Tribunal, how many has he known for ‘many years’ and how many have made donations to the Liberal National Party of Queensland?

Senator Brandis (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:53): Senator Cameron, there are many people who I approach to be judges or members of the Administrative Appeals Tribunal whom I know personally. There are many because, frankly, there are very few prominent members of the legal profession—certainly, in my own home city of Brisbane—whom I do not know personally. It is hardly a disqualification for a person who is a suitable candidate for judicial office that they happen to know the Attorney-General of the day.

Senator Cameron: I raise a point of order.

The PRESIDENT: Attorney-General, have you concluded your answer?

Senator Brandis: Yes.

The PRESIDENT: Do you still wish to raise a point of order, Senator Cameron?

Senator Cameron: It was on relevance. There were two aspects to the question. One was that the Attorney-General address the issue of many years' knowledge—
Senator Ian Macdonald interjecting—

Senator Cameron: but he did not go to the issue of donations to the Liberal Party.

The PRESIDENT: Senator Cameron, there is no point of order. The Attorney-General did address the question and he had concluded. Senator Bilyk, did you have a point of order?

Senator Bilyk: Mr President, I overheard Senator Macdonald calling Senator Cameron 'a disgusting excuse for a human being', and it is the second time I have heard in the past few minutes. I would like him to withdraw.

The PRESIDENT: Senator Macdonald, if you did make an unparliamentary comment, I would appreciate it if you would withdraw.

Senator Ian Macdonald: Well, I certainly did use those words, Mr President, and I stand by them. But if you say they are unparliamentary, I will withdraw.

The PRESIDENT: Thank you, Senator Macdonald. Senator O’Sullivan.

Senator O’Sullivan: Mr President, I used them too, and I will withdraw.

The PRESIDENT: Thank you, Senator O’Sullivan.

Trade

Senator FAWCETT (South Australia—Deputy Government Whip in the Senate) (14:54): My question is to the Cabinet Secretary, Senator Sinodinos, representing the Minister for Trade, Tourism and Investment. Can the Cabinet Secretary update the Senate on the government's long-term plan for trade, tourism and investment?

Senator SINODINOS (New South Wales—Cabinet Secretary) (14:55): I thank the very honourable senator from South Australia for his question. He is man of real integrity and does great things for his state. The new Minister for Trade, Tourism and Investment, Mr Ciobo, has hit the ground running. His No. 1 priority is our trade relationship with Indonesia, and he is intent on concluding an Indonesia-Australia Comprehensive Economic Partnership Agreement. The Indonesia-Australia CEPA will create a framework for a new era of closer economic engagement between Australia and Indonesia, opening up new markets and opportunities for businesses, primary producers and service providers, and that means real jobs, including for people up there in the gallery. This is about real jobs. The minister's first overseas trip since the election was to Indonesia—that shows the priority we put on the relationship—where he met with the new minister for trade, Enggartiasto Lukita.

Australia and Indonesia both agree that our trade relationship is underdone, and both nations have committed to expanding our economic partnership. Indonesia is critical to our future prosperity, with a population of more than 250 million people and a rapidly expanding middle class who will increasingly be looking to world markets to satisfy their increasingly more diverse and sophisticated demands. Australia's proximity and modern economy give us a comparative advantage to help Indonesia grow. An agreement will benefit our traditional export sectors, such as resources and agriculture, and also our burgeoning services sector: finance, health care, infrastructure, transport operators. In spite of all these factors, Indonesia at the moment is only our 12th largest trading partner. Only 250 Australian businesses operate in Indonesia today. The CEPA will go beyond the traditional scope of a free trade agreement—(Time expired)

The PRESIDENT: Senator Fawcett, a supplementary question?
Senator FAWCETT (South Australia—Deputy Government Whip in the Senate) (14:57): Can the Cabinet Secretary outline the government's other priority areas across the trade, tourism and investment portfolio?

Senator SINODINOS (New South Wales—Cabinet Secretary) (14:57): I can report that the trade minister can walk and chew gum at the same time. While pursuing our trade relations with Indonesia, he has also been moving quickly to negotiate a trade agreement with the United Kingdom post Brexit. I can report that the foreign minister and the trade minister were both recently in Brussels and they were very warmly embraced by the European Union as well as their UK counterparts. There is now something of a competition between the EU and the UK to see who can sign Australia up to a free trade agreement the fastest. Another key area is trade in services negotiations. The trade in services negotiations cover 23 parties representing 50 nations, up from the original 16 nations. This is a global agreement that will have an innovative approach to the liberalisation of the global services trade. This is very important for Australia. We are now a services based economy—(Time expired)

The PRESIDENT: Senator Fawcett, a final supplementary question.

Senator FAWCETT (South Australia—Deputy Government Whip in the Senate) (14:58): Can the Cabinet Secretary apprise the Senate of the benefits for Australians that will flow from the government's trade, tourism and investment agenda?

Senator SINODINOS (New South Wales—Cabinet Secretary) (14:58): This is a term of delivery. In part, the trade portfolio during this term will seek to maximise the benefits flowing from the free trade agreements that we have negotiated with China, Japan and South Korea. Our new FTAs will see tariffs slashed, if not eliminated, on a wide range of goods and services exports, benefiting everyone from healthcare providers in Queensland to dairy farmers in Victoria and mining engineers in Western Australia. Already we are beginning to see the benefits. Our export volume growth was double that of the rest of the world in 2015. We traded $670 billion worth of goods and services last year, which was an improvement of one per cent on the year before, during a time of falling commodity prices. And business is seeing positive effects, with 67 per cent of Australian exporters saying they believe business will be even better this year than it was last year.

Turnbull Government

Senator JACINTA COLLINS (Victoria) (14:59): My question is to the Minister representing the Prime Minister, Senator Brandis. I refer to the chief of staff of the former Prime Minister, Peta Credlin, who, when asked to name the Turnbull government's achievements, replied: 'I'm pressed.' I also refer to former Liberal Premier of Victoria Jeff Kennett, who, when asked whether he could name one of the Turnbull government's achievements, said, 'No, not at the moment.'

Senator Ian Macdonald: Do you have a question?

Senator JACINTA COLLINS: Why is it—for Senator Macdonald's benefit—that senior Liberal figures cannot identify a single achievement of the Turnbull government?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (15:00): Well, Senator Collins, I am a senior Liberal figure, and I can, so let me tell you about them: 3.3 per cent GDP growth in the
last year—the highest increase in the rate of growth of any G20 nation, and the highest rate of growth in the G7—

The PRESIDENT: Pause the clock.

Senator Wong: A point of order: I think that the leader of the government is continuing to mislead the Senate, and I would ask that he correct; Australia does not have the highest growth rate of the G20.

The PRESIDENT: That is a debating point, Senator Wong.

Senator Wong: No, it is not; it is a fact. It is called a number: 3.3. India is 7.1—

The PRESIDENT: But also it is a debating point during the course of this—

Senator Wong: China is 6.7. You can't even read your statistics properly!

The PRESIDENT: Order!

Senator Wong: He should correct the record!

The PRESIDENT: Attorney-General—

Opposition senators interjecting—

The PRESIDENT: Order! There are other places for this to occur. There is no point of order. Attorney-General.

Senator BRANDIS: I know that Senator Wong hates to hear the good economic news about Australia: almost 220,000 new jobs created; a $195 billion spend on defence capability over the next 10 years, which puts Australia—

Opposition senators interjecting—

Senator BRANDIS: in a sector in which the government of which you were a member did not make a single decision in six years; a shipbuilding plan which involves the construction of 54 new naval vessels in Australia, when the government of which you, Senator, were a member did not construct a single naval vessel in Australia in six years; over three million Australian premises now connected to the NBN; more Australian premises connected to the NBN in the last month than in all six years that the government of which you were a member was in office; investment in critical telecommunications infrastructure in regional Australia, which will extend the NBN to people in regional Australia, even though—

Senator Conroy interjecting—

Senator BRANDIS: that would never have occurred to Senator Collins—

Opposition senators interjecting—

The PRESIDENT: Order! On my left!

Senator Conroy interjecting—

The PRESIDENT: Senator Conroy! Order! Before I take the point of order from Senator Cameron, I have observed people leaving the gallery through the noise. Senator Cameron, a point of order.

Senator Cameron: A point of order: this is a health and safety issue. I am worried about Senator Brandis—he might have a heart attack here if he keeps going the way he is going!
The PRESIDENT: There is no point of order.

Opposition senators interjecting—

The PRESIDENT: Order! On my left! Can we just have a bit more decorum. We are now on the last question. Attorney-General, you have the call.

Senator BRANDIS: Now, where was I? Free trade agreements with China, with Japan, with South Korea—none of which was able to be achieved in the six long years during which the government of which you were a member was in power; free trade agreements now under negotiation and close to completion— (Time expired)

The PRESIDENT: A supplementary question, Senator Collins.

Senator JACINTA COLLINS (Victoria) (15:04): Minister, in relation to the Prime Minister's achievements, 50 business leaders, former Liberal politicians, academics, economists, administrators, lawyers and lobbyists, contrary to your remarks, graded the Prime Minister a D plus. Does a grade of D plus demonstrate the kind of economic leadership Mr Turnbull had in mind when he deposed Mr Abbott in the last term?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (15:05): Well, Senator Collins, I rate the Prime Minister's leadership as an A double plus. I will tell you why—and every man and woman who sits behind me agrees with me. So, Senator Collins, let me continue to inform you, because you are obviously unaware of some of the other achievements of this government. We have secured Australia's borders. Not a single illegal asylum seeker has reached Australia's shores in the last three years. We have given stronger powers to our national security agencies so that we can keep our people safe. In the field of health care, bulk billing is now at record levels—levels never achieved by the government of which you were a member: more than 85 per cent. We are implementing a $50 billion land infrastructure package, in particular— (Time expired)

The PRESIDENT: Senator Collins, a final supplementary question.

Senator JACINTA COLLINS (Victoria) (15:06): I again refer to Ms Credlin, who says: 'If they'd had some bloody achievements, they could've filibustered about their achievements. That's the problem this government is in.' Does the minister agree that senators trying to cover up the government's lack of an agenda yesterday would have found it easier had the government actually achieved something or, at least, had you circulated your somewhat weak speaking notes? (Time expired)

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (15:07): Senator Collins, you have given me the opportunity to tell you about some of the government's many, many achievements. Let me continue. And if we want an extension of time, I am sure—we are building stronger communities. We began the rollout of the NDIS on 1 July this year. The NDIS, which was just an unfunded idea during the period of the government, of which you were a member, is now going to become a reality on our watch. We introduced Senate voting reforms to ensure that the Senate voting system was unable to be gamed, and as a result we have a more representative Senate.
And of course, Senator Collins, to close question time where we began, we have today announced that there will be a plebiscite on 11 February next year so that we can bring marriage equality to the Australian people.

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

QUESTIONS WITHOUT NOTICE: ADDITIONAL ANSWERS

Defence Procurement

Senator PAYNE (New South Wales—Minister for Defence) (15:08): For the benefit of Hansard, I just wanted to correct one word in my response to Senator Carr. When I talked about the Commonwealth procurement rules and the exemption, I referred to the 'standard dress uniform'. I meant to say the 'standard combat uniform'.

QUESTIONS WITHOUT NOTICE: TAKE NOTE OF ANSWERS

Marriage

Senator McALLISTER (New South Wales—Deputy Opposition Whip in the Senate) (15:08): I move:

That the Senate take note of the answer given by the Attorney-General (Senator Brandis) to a question without notice asked by Senator McAllister today relating to the proposed marriage equality plebiscite.

It is another sitting week, it is another day and it is another example of a government without discipline, without diligence and without direction. We have gotten to the stage where it would be a front page news story if this government were not in chaos and disorder. After yesterday's debacle—a debacle where senior members of the government were forced to filibuster on the address-in-reply to the Governor-General because they had no legislation for us to discuss—we then had the pleasure of hearing the coalition endlessly debate a primary industries levy, a levy which was supported by almost everyone in this chamber, because they did not want the embarrassment of having to adjourn this chamber early.

I was blown away—I was surprised—by the ability of the government to debate non-controversial legislation amongst themselves. Then I thought, 'Well, they're in practice, aren't they?' They are in practice, because they have spent the last few months debating one another endlessly, not in this chamber, but actually out in the media. So let's just review that. Let's just hear some of the voices coming from the government, some of the things we have heard, when the government has been arguing against itself on a few issues.

Question 1: is Senator Brandis doing a good job in managing the plebiscite? Actually, we know what Senator Brandis would say. I think we all understand what Senator Brandis would think about his own role. But what did the member for Leichhardt think? He said, 'I want him to be more transparent, more open, more inclusive.' He said, 'Rather than having everyone second-guessing about what may or may not happen, I want him to reassure them and take them on the journey with him.' That was the view of the member for Leichhardt—very different, one imagines, to the view of Senator Brandis.

Question 2—another question of public discussion: should there be public funding for both sides of the plebiscite? Some of course say no. The reports are that Senator Brandis opposes it. Senator Brandis has said publicly that he wants to keep the cost as low as possible. Senator Paterson: 'If we can't think of a better way to spend taxpayers' money than this, we're not
doing our jobs.' The member for Leichhardt vehemently opposed public funding. He says: 'We're giving the churches the plebiscite they want. Do not come asking for money.'

You would think that would all be pretty clear, wouldn't you? But with this government there is always another side to the story, another side to the story that is usually prosecuted in a very public way, not through their party room, not internally, but through the media. And so, on the yes side—because of course there are many people on the coalition side who do support funding for a plebiscite—we know that the member for Canning, the member for Menzies, Senator Bernardi and Senator Abetz are all in support of funding for the plebiscite.

What did Senator Bernardi say? He said, 'We don’t want the plebiscite to be dominated by money from wealthy individuals overseas.' What did Senator Abetz say? 'For a change as fundamental as changing society's basic institution—not the parliament, incidentally—there is an imperative that the arguments be able to be put, and that requires funding.' And, according to Senator Abetz, that would actually require $10 million for each side. We know who won that argument, don't we? We know who won that argument in the cabinet.

Question 3: has the Prime Minister been telling the truth about his approach to this question? On the yes side, the Archbishop of Sydney, Glenn Davies, has said that Mr Turnbull gave an unambiguous offer to provide taxpayer funding at a meeting in February, and that is a claim that is backed up by the Australian Christian Lobby director, Lyle Shelton.

The member for Menzies, when asked if he believed the Prime Minister had given this commitment to the public or to religious leaders, answered, 'Both.' Senator Bernardi said, 'People will make up their own minds about whether they believe the PM or the church leaders.' Senator Abetz said, 'I'm sure that nobody when we first discussed the plebiscite thought there would not be equal public funding for both sides.' On the no side, you have the Prime Minister, because the PM and his staff have both denied giving these commitments.

Question 4, which I think is the big question for this chamber and for the Australian public, is this one: is the Prime Minister losing his fight against the social conservatives in his party? There is really no need to hear from the government on this one. The answer is very clear. Every decision about this plebiscite has been made with the foot of the right wing of the Liberal Party pressed firmly against the Prime Minister's throat. After months of uncertainty, we are only now starting to get details of what this plebiscite will look like.

Senator Brandis in his answer to my question said that the coalition had landed on a structure that 'treats both sides equally', which probably marks the first and the only time that the social conservatives in his party have been committed to complete equality on any matter. (Time expired)

Senator RUSTON (South Australia—Assistant Minister for Agriculture and Water Resources) (15:13): Can I say that I am somewhat disappointed in the contribution that has been made by Senator McAllister in response to answers to questions during question time, mainly because I actually thought better of Senator McAllister. I have to say I was not overly surprised at the contribution of Senator Cameron; he is a bit of a regular at this sort of behaviour.

I might point out, though, that one of the things that really amazed me about the contribution we have just heard from Senator McAllister was that she refers to a number of contrary views. There is no doubt in the coalition that there are a number of differing views,
and what we seek to do is to debate them, so everybody gets their say, so we can have a robust and open debate about many of the issues that face the Australian public. The parliament of Australia is the greatest place in Australia for public debate, and it does seem a little strange for people to come in here and complain about the fact that there are differing views within the coalition.

There has been some comment about yesterday's so-called filibuster because of the lack of legislation coming through this place. Senator McAllister's contribution failed to mention that there was no legislation earlier in the day because of the fun and games that were being played downstairs by her colleagues in the Labor Party and their refusal to allow the legislation to pass the lower house and come up here for a respectful debate. I think it is somewhat ironical that this is the comment that we have been hearing. It seems a little bit rich for those opposite to complain about the fact that the government is seeking to deliver a respectful, fair and transparent process for the plebiscite. This is not about us telling you what we want to do—whether we want to vote for the plebiscite or vote for gay marriage or not vote for same-sex marriage. It is incumbent upon governments to provide a framework which enables both sides of the argument to put forward fair, balanced and equal debate so as not to prejudice or jeopardise either side's position. That is what a government is here for.

We in this place need to set the tone for this debate. The irony seems to be lost on those opposite that it is those opposite with their politicking and their loud and hysterical behaviour who are setting the tone. What we on this side of the house would like to do, what we in the government are seeking to do, is to have a respectful and mature debate about this issue—an issue which is very important to many, many Australians. It will be the opposition leader, Mr Shorten, who will have to accept and shoulder the consequences of his actions by beating this issue up into hysteria. It will be his actions that decide whether this plebiscite goes ahead or not, and it will be him that decides whether the people of Australia are able to have their say on an issue that they feel very, very strongly about.

It does strike me as an extraordinary waste of the time of this place that after an hour of question time we are debating issues that I would refer to as issues that play the player, not issues that play the game. I refer to Senator Gallagher's question to Senator Brandis about leaks out of cabinet and leaks out of some Liberal Party function or meeting, and I also refer to a question asked by Senator Collins once again of the Attorney-General representing the Prime Minister about comments of a previous employee of government. This is typical of the debate in this place: we are not hearing serious questions, we are just seeing stupid stunts that have no positive bearing whatsoever on the important issues that are facing this country. Did we hear anything today about budget repair? Did we hear anything about fiscal responsibility? Did we hear anything about national security? Did we hear anything about counterterrorism? Did we hear anything about border protection?

Senator McAllister: Point of order. My point is relevance: the motion goes to answers to questions asked by me to Senator Brandis.

The DEPUTY PRESIDENT: There is a fair bit of latitude at this point of the day, but, Senator Ruston, I remind you the take note motion was on questions to Senator Brandis that Senator McAllister asked.
Senator RUSTON: I draw the attention of the house, through you, Madam Deputy President, to the fact that I was merely trying to suggest that the questions that were asked by Senator McAllister and her response to the answers to her questions really cut to the very point of what I was saying: the real issues facing this country are not being addressed in this place. Instead, we spend our time playing around with stupid, unnecessary, unimportant things and turning things into a debacle when we should be having respectful debate about things such as same sex marriage. (Time expired)

Senator O’NEILL (New South Wales) (15:19): I just have to pick up on the words of Senator Ruston. She talks about ‘stupid, unnecessary, unimportant’. That is exactly what we have seen on show from this government throughout the week: stupid stunts, unnecessary actions and failures by them in both the House and the Senate to govern. It is just another expression of what a divided and incompetent government we are having to suffer. It is just another expression of what a divided and incompetent government we are having to suffer. What an absolute mess—12 months in and the whole show is more akin to a Marx Brothers comedy than it is to a competent and effective government. The fact that they came into this house yesterday with absolutely nothing worth talking about tells us everything we need to know about a government that has not lost its sense of direction, because the fact is it never had one.

It is a completely unacceptable reality that we are saddled with a government that is swimming in treacle in the dark, with no sense of purpose or direction. We all know why that is happening. It is down to the fact that the Prime Minister cannot govern even his own party, let alone this nation. This morning, we hear that this government is planning to waste $160 million on the proposed plebiscite on marriage equality—and that is a conservative estimate; there are estimates of up to $250 million out there. It is nothing more than a glorified opinion poll that will not even be binding. More than that, an additional $15 million is to be wasted in order to fund hate speech out of the public purse. I bet that went down really well in a party room that is hopelessly divided on this issue. We have already had one senator from the other side saying that he wants absolutely nothing to do with a plebiscite that can only cause hurt and damage. Why is it remotely right that we should engage in a process that has all the potential to injure people in this manner?

What we are seeing with this government is a test of leadership, and the Prime Minister has failed it on this score absolutely miserably. What this mess of their own making illustrates is that we have a divided government and a Liberal Party at war with themselves. Let us face it: they could not even manage to keep their team in the building on Thursday of the last sitting week. Yesterday we had to watch them filibuster for four hours. Today, in the answers from Senator Brandis, we did not hear anything about flags—I suppose we can be thankful for that small mercy. We did not hear any talk about the Top of the Pops, or was it The Proms? We did not hear anything about that. We did not even hear anything about unknown or unnameable candidates in unknown or unnameable towns. So I suppose he stuck to the topic—at least that was something.

But the problem is that this is a government that is completely out of touch with the nation. What makes this fiasco even worse is when we put it in scale, when we understand that the government's mental health program that was recently announced has funding to the amount of $192 million—that is it. So let us get a sense of perspective. This is a government that wants to spend $192 million to support ways of improving the nation's mental health and
$160 million on a plebiscite to provide non-binding answers to a question that the parliament could settle this week.

The government's definition of a plebiscite is a very interesting one. What is their definition of a plebiscite? It seems to be that it is a situation where a Prime Minister, following a near-death political experience, has been returned with a majority of one, then laughably demands that he has a mandate to push through a policy forced upon him by part of his party who put him where he is and who have publicly said they will defy the outcome and vote any way they like regardless. It seems that the Prime Minister thinks that this is leadership in action. If this PM had one ounce of leadership, he would let the parliament do its job and have a free vote, decide this matter, rather than the tactic of delay, delay, and appeasing those inside his own—(Time expired)

Senator O'SULLIVAN (Queensland) (15:24): I popped a couple of valium in the break—I hope they kick in before I get through to the end of my contribution here today. To have to sit here and endure listening to the absolute hypocrisy of an opposition that wants to raise issues in relation to this matter is regrettable. I take up Senator Ruston's comments about how you want to discuss this but you do not want to talk about budget repair; you do not want to talk about repairing the massive debt you left this nation, between yourselves and the Greens. You do not want to consider what might be possible in this nation if we were not paying $1 billion a month on interest bills on the debt and the legacy left to following generations by the Labor government. You want to talk about $160 million wasted on free speech, as you have referred to it, in the plebiscite. You do not want to talk about the billions of dollars invested in pink batts in this nation. You do not want to talk about the billions of dollars incurred in this nation as a result of your policy failures in immigration and the 1,200 people who died on the high seas and the thousands of children that you had in custody at the time that there was a change of government. You do not want to talk about any of those issues. You want to talk about this government, which has now decided—and properly so—to go to the Australian people on what, in my view, is one of the most critical questions to have come before a modern society in the last four or five decades.

There are many of us who are very interested in this question of marriage equality, as it is loosely referred to. Marriage equality is not just about two people being able to marry. This potentially has impacts on defining who a mum is. It has impacts on defining who a dad is. We will have to change the definition of 'parenting' if we rely upon all the traditional definitions that have been available to society. I think, unlike anybody on that side, that the Australian people are entitled to be involved in this question and to express themselves, whatever that expression may be.

This particular question is too significant, too important, to be put before a parliament. Today the good people up in the gallery sat and watched, and I saw them hang their heads on many occasions during the performance. Some of the grubbies contributions that I have seen in my time in this place came from the crossbench today in question time. These are the sorts of people that you want to be able to rely upon for your judgement and your contribution to this important decision. Well, I say to you: you are disqualified. You are historically disqualified from making a contribution. What the government has decided, under the leadership of Malcolm Turnbull, is that it will ask the people of Australia to address this significantly important question.
My question to you is: what have you got against democracy? What have you got against going directly to the people of Australia and giving them an opportunity to express themselves on this significantly important question? No, you did not even want to spend time on that today, except for the loaded question at the beginning. You wanted to talk about grubby issues.

*Senator McKim interjecting—*

**Senator O'SULLIVAN:** Listen, can I say through you, Madam Acting Deputy President, that Senator McKim should sit silently. You are new here, but I tell you that you are in close coalition with this mob opposite. Your party is responsible equally for these legacies, these massive debt legacies. When I arrived here we were hardly talking in the billions; we were still in hundreds of millions—until the end of the Labor contribution, where we now have—

*Senator McKim interjecting—*

**Senator O'SULLIVAN:** Well, my personal wealth! Through you, Madam Acting Deputy President, this is what is happening in this place. When you do not like what is coming into your ears, you start to revert to personal attacks, just like we saw from Senator Cameron here today. It was a disgraceful performance. It really does diminish the reputation of this chamber right across the nation when we hear contributions like we did today. It was an absolute shocker. I withdrew my comments about Senator Cameron. I would still be standing here withdrawing them if I withdrew them on every occasion I called him by that name. So I say to you: this government is leading; it is showing leadership in the nation. The country is behind us. Let us have the plebiscite and put this question to rest. *(Time expired)*

**Senator CAROL BROWN** (Tasmania) (15:29): I think that contribution by Senator O'Sullivan shows why there is concern about the debate that the government would like to see in terms of the plebiscite. It would be useful for Senator O'Sullivan, who talked about redefining parenting in his contribution today, to understand that the Marriage Act does not mention parenting. It would also be good for Senator O'Sullivan to realise that it was the former Prime Minister, Mr Abbott, who proposed this plebiscite, and this plebiscite has been foisted upon Mr Turnbull because he is a captive of the conservative wing of his party. He is at the mercy of the conservatives in his party.

I would also like to say in my contribution here today that I commend Liberal Senator Dean Smith for having the courage of his convictions and taking a stand against the leader who stands for nothing. Senator Smith has told Fairfax Media that he will not support a plebiscite on marriage equality, saying:

I cannot countenance a proposition that threatens to undermine the democratic compact that has seen Australia emerge as one of the most stable parliamentary democracies in the world …

I support Senator Smith's views that we are elected as parliamentarians to represent our communities and to make decisions on difficult and contentious issues. Truth be told, I am sure that many of Senator Smith's colleagues privately support his position. More than this, I am sure that many share Labor's concerns about the impact of the publicly funded, divisive campaign on same-sex attracted and gender diverse people. The proposed marriage equality plebiscite continues to split the Liberal Party, with Mr Turnbull constrained by the demands of the right wing of his own party.
In answer to my colleague Senator McAllister's question, the Attorney-General, Senator Brandis, said both sides of this argument would be treated equally. It is fine for Senator Brandis to speak about equality, because equality is at the heart of this debate, but he should not pretend that this is about the equality in funding for the 'yes' and 'no' campaigns. It is about the equality of all couples, regardless of sexual orientation or gender identity.

We have seen and heard terrible, horrendous comments from those who are opposed to marriage equality. They have made outlandish and dishonest claims that have caused real harm. They have compared homosexuality to bestiality and bigamy. We have seen, in this place and outside, the horrendous comments of ultra-conservative senators opposed to marriage equality. It is clear that Mr Turnbull cannot even ensure a respectful debate from his own party. How can same-sex attracted and gender diverse people believe Mr Turnbull when he insists that public funding will be used for a respectful campaign? They cannot.

Mr Turnbull's support for the plebiscite on marriage equality is nothing more than the outcome of a pact he had to make to secure the leadership of the Liberal Party. Mr Turnbull has shown again why people are so disappointed in him. The Prime Minister has once again caved into the ultra-conservative wing of his party on public funding for the plebiscite. Mr Turnbull has rolled over. He has rolled over by agreeing to the plebiscite in the first place. He has rolled over by agreeing to throw public money at those who oppose marriage equality. It is public funding for a debate about whether there is something wrong with a proportion of Australians because of their sexuality.

Who will decide who gets the $15 million, and for what purpose? It is clear that Mr Turnbull has put his leadership ahead of the welfare of same-sex attracted and gender diverse young people. (Time expired).

Question agreed to.

Asylum Seekers

Senator McKIM (Tasmania) (15:35): I move:

That the Senate take note of the answer given by the Attorney-General (Senator Brandis) to a question without notice asked by Senator McKim today relating to the asylum seeker policy.

Despite being given numerous opportunities today by the Greens to reject the $9.6 billion calculated by Save the Children and UNICEF as the cost of Australia's cruel, inhumane, illegal—in the context of our international human rights obligations—and ineffective asylum seeker policies, the Attorney-General not only failed to reject that costing but failed to offer any alternative figure on behalf of the government and failed to commit the government to conducting a process whereby, with transparent methodology, it calculates and releases its own costing.

As I said to the Attorney in my question, it is entirely reasonable now for Australians to conclude that the $9.6 billion calculated by UNICEF and Save the Children is an accurate costing. Let's think about that for a minute: $9.6 billion since 2013, when so-called Operation Sovereign Borders began, equates to about $3.2 billion a year. What have Australian taxpayers got for the $3.2 billion a year that the government has expended—using other people's money, I might add; using the money of Australian taxpayers—on their behalf and in their name?
What they have got is camps set up on Manus Island, in Papua New Guinea, and in Nauru, camps that are designed to deliberately harm some of our fellow human beings, whose only mistake—in fact, I withdraw 'mistake'. Their only so-called crime—and it is not a crime to seek asylum; it was a decision that they made—was to seek asylum in Australia. For that, they have been indefinitely detained on Manus Island and on Nauru, in conditions that have been deliberately designed to be punitive and to cause, at the very least, psychological harm, and in the full knowledge that physical harm is overwhelmingly likely to follow. That is one thing that the Australian people have got for that expenditure.

They have also got a situation where their country is in flagrant breach of its international human rights obligations. I do not have time to go into all of the human rights instruments that Australia is a signatory to that we are in breach of, but there are many. The Australian government has established what the Papua New Guinea Supreme Court has determined is an illegal detention centre on Manus Island. We also now know, through the release of the Nauru files, of the over 2,000 assaults, including sexual assaults, of men, women and children that are alleged to have occurred on Nauru that the Australian government has not responded adequately to.

When we asked about these matters today, what we got in the main from the Attorney-General was a justification on the basis that, in his words, the boats have stopped. This is the big, fat misinformation that the Attorney and others on the government benches continue to perpetrate around their asylum seeker policies. On the government's own figures, 30 boats have been turned back since Operation Sovereign Borders started in 2013. And they are only the boats that the government has confessed to, that we know of. There may have been many, many more but, because of the veil of secrecy the government has dropped over what is going on in international waters—potentially in Australian waters—we simply do not know. But we do know that they have confessed to 30. As Immigration Minister Peter Dutton has said in a media release within the last fortnight, the people smugglers—in his words—are still targeting Australia. So the boats are still departing and people are still putting their lives at risk at sea—and, remember, that was the justification that was used to establish Australia's offshore detention policy. It is an epic failure of a policy, it has not achieved what it set out to achieve and it is costing us $3.2 billion a year. *(Time expired)*

Question agreed to.

NOTICES

Presentation

**Senator Williams** to move:

That the following matters be referred to the Parliamentary Joint Committee on Corporations and Financial Services for inquiry and report by 30 June 2017:

(a) the need for further reform and improved oversight of the life insurance industry;
(b) assessment of relative benefits and risks to consumers of the different elements of the life insurance market, being direct insurance, group insurance and retail advised insurance;
(c) whether entities are engaging in unethical practices to avoid meeting claims;
(d) the sales practices of life insurers and brokers, including the use of Approved Product Lists;
(e) the effectiveness of internal dispute resolution in life insurance;
(f) the roles of the Australian Securities and Investments Commission and the Australian Prudential Regulation Authority in reform and oversight of the industry; and

(g) any related matters.

**Senator Wong** to move:

That the Legal Services Amendment (Solicitor-General Opinions) Direction 2016, made under the *Judiciary Act 1903*, be disallowed.

**Senator Rhiannon** to move:

That the Senate—

(a) notes that on 14 June 2016, the Turnbull Government announced a $55 million package paid for from the existing Department of Defence budget, for:

(i) containment and remediation of perfluorinated compound (PFC) contamination around the country,

(ii) an epidemiological study to examine the effects of PFC contamination in communities around the country,

(iii) a voluntary blood testing program,

(iv) specialised mental health and counselling services, and

(v) the appointment of a dedicated Community Liaison Office;

(b) calls on the Government to report on the progress of each item under the $55 million package; and

(c) calls on the Government to pay for residents living in Williamestown, Fullerton Cove and Salt Ash under similar contamination conditions to those inside the Red Zone to be connected to town water.

**Senator Xenophon** to move:

That—

(a) the Senate notes that:

(i) the President's report to the Senate on government responses outstanding to parliamentary committee reports as at 30 June 2016, listed the report of the Economics References Committee on the Foreign Investment Review Framework as amongst the reports the Government had failed to respond to within the 3 month timeframe, and

(ii) the Government still has not provided a formal response to the committee's report, although it has been 5 months since the report was tabled; and

(b) there be laid on the table by no later than 3.30 pm on 10 October 2016 by the Minister representing the Treasurer the Government's response to the report of the Economics References Committee on the Foreign Investment Review Framework, dated 8 April 2016.

**Senator Xenophon** to move:

That—

(a) the Senate notes that:

(i) the President's report to the Senate on government responses outstanding to parliamentary committee reports as at 30 June 2016, listed the report of the Economics References Committee on the future of Australia's automotive industry as amongst the reports the Government had failed to respond to within the 3 month timeframe, and

(ii) the Government still has not provided a formal response to the committee's report, although it has been 10 months since the report was tabled; and
(b) there be laid on the table by no later than 3.30 pm on 10 October 2016 by the Minister representing the Minister for Industry, Innovation and Science the Government's response to the report of the Economics References Committee on the future of Australia's automotive industry, dated 1 December 2015.

Senator Lambie to move:

That the Senate—

(a) notes that the fruit, berry, cherry and wine industries in Tasmania:

(i) are worth $345 million each year,
(ii) employ approximately 30,000 people each year,
(iii) face risks to their profitability and viability because of the Federal Government's plans to remove the tax-free threshold on backpackers' wages,
(iv) have traditionally relied on a surge of overseas backpackers to harvest our crops,
(v) compete with New Zealand for a scarce backpacker labour pool,
(vi) are placed at risk of being crippled because of the Federal Government's plans to remove the tax-free threshold on backpackers' wages,
(vii) are supported by a parliamentary delegation of 10 people from Tasmania's horticulture and viticulture industries in a bid to overturn the controversial backpacker tax and fill 10,000 seasonal jobs in the sector, and
(viii) are supported by peak body Tasmanian Farmers and Graziers Association (TFGA) which opposes the removal of the tax-free threshold on backpackers wages, and
(ix) are supported by the Tasmanian Liberal state government which also opposes the removal of the tax-free threshold on backpackers wages; and

(b) calls on the Government to listen to industry and state government leaders and scrap plans regarding the backpacker tax, thereby giving immediate certainty to the fruit, berry, cherry and wine industries before the start of the bumper season.

Senator Lambie to move:

(i) The Senate notes that:

(a) the Australian dairy industry is facing an unprecedented crisis with the retail cost of bottled milk per litre often less than the retail cost of bottled water;

(b) Australian milk production since deregulation over 15 years has decreased from approximately 11 billion litres per year to 9 billion litres per year - a 20 per cent decrease, while New Zealand milk production has almost doubled;

(c) in 2011, a report of the Senate Economics References Committee recommended that producers' contracts with dairy farmers should offer a clear, consistent formula for milk pricing with unambiguous conditions;

(d) five years later, the livelihoods of up to 40 per cent of Australian dairy farmers are under threat because of imposed, retrospective debt, helped by unclear, inconsistent milk pricing contracts with ambiguous conditions - indicating a likely failure of political oversight;

(e) in a deregulated market, Australia's largest dairy producer and milk price setter, Murray Goulburn, has been allowed to force onto its suppliers unprecedented milk contracts ensuring that dairy farmers are burdened with retrospective debts ranging from tens to hundreds of thousands of dollars;

(f) Dairy Australia, despite this unprecedented dairy farmer debt crisis, still charges, on average, $8,000 AUSIAC levy on all Australian dairy farmers;
(g) as a short term solution to the Australian dairy crisis, the great majority of Australian consumers support a call for a 50 cent per litre milk levy to flow directly to our dairy farmers;

(h) Australian rural and regional communities face losing millions of dollars and thousands of jobs if a fair, long term solution to Australia's dairy crisis is not found;

(i) the mental and physical health of dairy families and workers are being unnecessarily and unfairly placed in jeopardy as politicians, legal and industry experts argue about possible solutions to the dairy crisis; and

(j) with the likely importation of fresh milk from New Zealand in the next 2 years to meet Australian consumer demand, a serious threat has now emerged to the sustainability of Australia's dairy industry and its capacity to meet future local demand.

(2) That the above matters be referred to the Economics References Committee for inquiry and report by 24 February 2017, in order to establish a fair, long term solution to Australia's dairy crisis, with particular reference to fresh milk security and:

(a) the legality of retrospective elements of milk contracts; and

(b) the performance and governance of Dairy Australia.

Senator Fawcett to move:

That the Joint Standing Committee on Treaties be authorised to hold private meetings otherwise than in accordance with standing order 33(1), followed by public meetings, during the sittings of the Senate, from 11 am to 1 pm, as follows:

(a) Monday, 10 October 2016;

(b) Monday, 7 November 2016;

(c) Monday, 21 November 2016; and

(d) Monday, 28 November 2016.

Senators Moore and Bilyk to move:

That the Senate—

(a) recognises that:

(i) National Stroke Week:

(A) will take place from 12 September to 18 September 2016, and

(B) seeks to raise awareness about the need to prevent stroke in Australia, and

(ii) the Stroke Foundation encourages all Australians to:

(A) understand the symptoms of stroke and know what to do if one occurs,

(B) make healthy lifestyle choices which will reduce the risk of stroke,

(C) assist in raising awareness in their local communities, and

(D) get regular health check-ups;

(b) notes with concern the financial and emotional burden which stroke has on the Australian community;

(c) acknowledges the:

(i) important role of families and carers of stroke victims, and

(ii) valuable contribution of the Australian health system in preventing and treating stroke;

(d) congratulates the bi-partisan efforts made by previous governments; and

(e) confirms the need for continued action to reduce the prevalence of stroke in Australia.
Senator Whish-Wilson to move:
That the following matter be referred to the Environment and Communications References Committee for inquiry and report by 30 June 2017:

The current and future impacts of climate change on marine fisheries and biodiversity, including:

(a) recent and projected changes in ocean temperatures, currents and chemistry associated with climate change;
(b) recent and projected changes in fish stocks, marine biodiversity and marine ecosystems associated with climate change;
(c) recent and projected changes in marine pest and diseases associated with climate change;
(d) the impact of these changes on commercial fishing and aquaculture, including associated business activity and employment;
(e) the impact of these changes on recreational fishing;
(f) the adequacy of current quota-setting and access rights provisions and processes given current and projected climate change impacts;
(g) the adequacy of current and proposed marine biodiversity protections given current and projected climate change impacts;
(h) the adequacy of biosecurity measures and monitoring systems given current and projected climate change impacts; and
(i) any other related matters.

Senator Siewert to move:
That the Senate—

(a) recognises that:

(i) the Royal Commission into Institutional Responses to Child Sexual Abuse released its report on Redress and civil litigation on 14 September 2015, and

(ii) the report recommended:

(A) the establishment of a single national redress scheme as preferable to state-based schemes,
(B) the institution in which the abuse occurred should fund redress,
(C) that state, territory and Commonwealth governments should act as funders of last resort, and
(D) that a single national redress scheme, or state-based schemes, should be in place by 1 July 2017;

(b) notes that:

(i) the Coalition has not yet committed to providing funding of last resort, and

(ii) less than a year from the recommended start date, there is no clear plan for national redress scheme; and

(c) calls on the Coalition to commit meaningfully to a national redress scheme, with the Commonwealth Government providing funding of last resort.

PETITIONS

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

Better Access to Palliative Care Program

To the Honourable President and members of the Senate in Parliament assembled:
The petition of the undersigned shows:
• Despite 70 percent of Australians wanting to die at home, only 14 percent do so. More than half die in hospitals and a third in nursing homes.
• The Better Access to Palliative Care Program in Tasmania has been an outstanding success, delivering end of life care education to more than 6,000 Tasmanians.
• A further 7,600 Tasmanians have been reached through the facilitation of more than $1 million in community funding.
• The number of Tasmanians dying at home has increased to an estimated 26 percent, resulting in massive savings for the Tasmanian hospital system.

Your petitioners ask that the Senate take whatever action is necessary to secure Commonwealth funding of $2.3 million to Palliative Care Tasmania to continue the Better Access to Palliative Care Program for another four years.

By Senator Bilyk (from 571 citizens)

Petition received.

BUSINESS

Leave of Absence

Senator BUSHBY (Tasmania—Chief Government Whip in the Senate) (15:40): by leave—I move:

That leave of absence be granted to the following senators:

(a) Senator Bernardi from 14 September to the end of the 2016 spring sittings, on account of parliamentary business overseas; and

(b) Senator Day for today, for personal reasons.

Question agreed to.

NOTICES

Postponement

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

Business of the Senate notice of motion no. 2 standing in the name of Senator Siewert for today, proposing the disallowance of the Social Security (Administration) (Trial Area – East Kimberley) Determination 2016, postponed till 14 September 2016.

General Business notice of motion no. 13 standing in the name of the Leader of the Opposition in the Senate (Senator Wong) for today, relating to racial and cultural diversity, postponed till 14 September 2016.

General Business notice of motion no. 28 standing in the name of Senator Rhiannon for today, relating to foreign political donations, postponed till 14 September 2016.

General business notice of motion no. 37 standing in the names of Senators Griff, Xenophon and Kakoschke-Moore for today, proposing a reference to the Joint Standing Committee on Electoral Matters, postponed till 15 September 2016.

BILLS

Australian Broadcasting Corporation Amendment (Rural and Regional Advocacy) Bill 2015

Senator BUSHBY (Tasmania—Chief Government Whip in the Senate) (15:42): At the request of Senator McKenzie, I move:
(1) That so much of standing orders be suspended as would prevent this resolution having effect.
(2) That the Australian Broadcasting Corporation Amendment (Rural and Regional Advocacy) Bill 2015 be restored to the Notice Paper and that consideration of the bill be resumed at the stage reached in the 44th Parliament.
Question agreed to.

Freedom to Marry Bill 2016
First Reading

Senator LEYONHJELM (New South Wales) (15:43): I move:
That the following bill be introduced: A Bill for an Act to amend the Marriage Act 1961 to reduce government intervention in marriage, and for related purposes.
Question agreed to.

Senator LEYONHJELM: I present the bill and move:
That this bill may proceed without formalities and be now read a first time.
Question agreed to.

Bill read a first time.

Second Reading

Senator LEYONHJELM (New South Wales) (15:43): I move:
That this bill be now read a second time.
I seek leave to table an explanatory memorandum relating to the bill.
Leave granted.

Senator LEYONHJELM: I table the explanatory memorandum and seek leave to have the second reading speech incorporated in Hansard.
Leave granted.

The speech read as follows—
I introduce the Freedom to Marry Bill 2016 to legalise same sex marriage. My arguments for doing so fall under three heads: liberty, conscience, and state power.

I turn first to liberty.

I support the legalisation of same sex marriage because I think that people ought to have the freedom to choose their own life path. That is, they have liberty: as John Stuart Mill said, 'over his own body and mind, the individual is sovereign'.

When the law says that gay, lesbian, bisexual, trans, and intersex people cannot marry, in an important sense it is diminishing their liberty and their ability to make life plans: a major choice is closed off. The state is interfering, intervening, telling certain people that they can do what they want, and telling others they can't. Indeed, it is worth noting that under current Australian law, intersex people cannot marry anyone at all.

Many will be aware of classical liberals only when we talk about economics. It is not well known, for example, that Milton Friedman—probably the 20th century's most influential economist—supported legalising same sex marriage.

However, a great libertarian economist's support for legalising same sex marriage should come as no surprise. It was economists like Friedman, Hayek, and Mises who published ground-breaking research showing that private individuals generally make better choices for themselves than do experts engaged
to decide on their behalf. Why, then, do we confine marriage choice to some people, and deny it to others?

I turn next to conscience.

I have built into this Bill protection for claims of conscience. As does the existing law, this Bill ensures ministers of religion do not have to solemnise marriages of which they disapprove.

I have also ensured that the Bill protects claims of conscience for civil celebrants, and for all providers of goods, services or facilities for weddings. When the non-religious make moral claims, they ought to be taken as seriously as the moral claims made by the religious.

I turn at last to state power.

As I pointed out in my first speech in this place, the State is a wonderful servant but a terrible master. In an important sense, the State stands for all of us, and that quality of representativeness means that if it undertakes to provide a service, it must do so in a neutral fashion. The State cannot discriminate, and if it does so, that is an abuse of power.

This is brought home when one realises that some authorised celebrants are officers of a State or Territory. Their functions are linked to the core liberal principle of equality before the law. This Bill ensures that all those who come before such celebrants can be married.

The Freedom to Marry Bill 2016 enhances liberty, protects conscience, and restrains state power. I commend the Bill to the Senate.

Senator LEYONHJELM: I seek leave to continue my remarks later.

Leave granted; debate adjourned.

DOCUMENTS

Environment and Communications References Committee Report: Government Response

Order for the Production of Documents

Senator XENOPHON (South Australia) (15:44): I move:

That—

(a) the Senate notes that:

(i) the President's report to the Senate on government responses outstanding to parliamentary committee reports as at 30 June 2016, listed the report of the Environment and Communications References Committee on stormwater management in Australia as amongst the reports the Government had failed to respond to within the 3 month timeframe, and

(ii) the Government still has not provided a formal response to the committee's report, although it has been 10 months since the report was tabled; and

(b) there be laid on the table by no later than 3.30 pm on 10 October 2016 by the Minister representing the Minister for Environment and Energy the Government's response to the report of the Environment and Communications References Committee on stormwater management in Australia, dated 2 December 2015.

Question agreed to.
委员会

社区事务与参考委员会

参考

参议员SIEWERT（西澳大利亚——澳大利亚绿党代表）（15:44）：我，以及代表参议员Griff提出：

提案如下：

将以下事项提交社区事务与参考委员会进行调查，并在2016年11月30日之前报告：

（a）这些削减对服务交付和老年人获得护理水平的影响，包括在地区和偏远社区；

（b）这些削减对包括该行业的容量以提供复杂健康护理以及该行业的持续性的影响；

（c）这些削减对州和领地政府的影响，如果健康系统必须提供更复杂护理的话；

（d）政府内部假设和数据的预估；

（e）与消费者、社区团体和老龄护理服务提供商进行的咨询过程；和

（f）与削减相关的其他所有事项。

参议员GALLAGHER（澳大利亚首都领地）（15:45）：我要求留出一小段时间。

主席：留出时间。

参议员GALLAGHER：工党将不支持此提案。我们仍然对老龄护理基金的变化表示关注。我们相信政府应该立即分享全面建模和假定变化的影响，参与未来老龄护理基金的真实评估。此提议的调查不会解决关于老年护理基金变化的问题，而是给了政府一个借口来推迟进行真正评估。如果合适，我们建议在政府提供了全面的模型和基础之后，参议院社区事务与参考委员会的调查可以处理这一问题。

参议员SIEWERT（西澳大利亚——澳大利亚绿党代表）（15:45）：我要求留出一小段时间。

我知道我通常不会这样做，但今天稍后再讨论这个问题。我将因此节省时间。

主席：留出时间。

参议员SIEWERT：一个可悲的借口来不支持一项对可能大规模影响老年护理行业将被进行的必要调查。我们正在谈论160亿美元。他们为什么不确保这些削减将被置于最严格的审查之中？最快速的方式是进行调查。我感到震惊，他们不支持一项对可能大规模影响老年护理行业将被进行的必要调查。
The question is that the motion moved by Senator Siewert be agreed to.

The Senate divided. [15:51]

(The President—Senator Parry)

Ayes .................17
Noes .................41
Majority .............24

AYES

Burston, B
Di Natale, R
Hanson-Young, SC
Kakoschke-Moore, S
Leyonhjelm, DE
McKim, NJ
Rice, J
Waters, LJ
Xenophon, N

NOES

Abetz, E
Bilyk, CL
Bushby, DC
Cash, MC
Collins, JMA
Dodson, P
Farrell, D
Fierravanti-Wells, C
Gallacher, AM
Hume, J
Lines, S
Marshall, GM
McCarthy, M
McKenzie, B
O'Neil, DM
Parry, S
Polley, H
Ruston, A
Smith, D
Urquhart, AE (teller)
Williams, JR

Culleton, RN
Griff, S
Hinch, D
Lambie, J
Ludlam, S
Rhiannon, L
Siewert, R (teller)

Whish-Wilson, PS
Back, CJ
Birmingham, SJ
Cameron, DN
Chisholm, A
Dastyari, S
Duniam, J
Fawcett, DJ
Fifield, MP
Gallagher, KR
Ketter, CR
Macdonald, ID
McAllister, J
McGrath, J
Moore, CM
O'Sullivan, B
Paterson, J
Reynolds, L
Sculion, NG
Sterle, G
Watt, M

Question negatived.
BILLS

National Cancer Screening Register Bill 2016
National Cancer Screening Register (Consequential and Transitional Provisions) Bill 2016

Reference to Committee

Senator WATT (Queensland) (15:54): I, and also on behalf of Senator Di Natale, move:

That the provisions of the National Cancer Screening Register Bill 2016 and the National Cancer Screening Register (Consequential and Transitional Provisions) Bill 2016 be referred to the Community Affairs Legislation Committee for inquiry and report by 11 October 2016.

Senator McGrath (Queensland—Assistant Minister to the Prime Minister) (15:54): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator McGrath: The National Cancer Screening Register legislation needs to be in place to allow for the development of the National Cancer Screening Register, specifically to authorise the register operator to collect and use personal information from the eight separate state and territory cervical registers, the DHS bowel register and the Medicare enrolment data, to allow for the NCSR to operate. The legislation also authorises the migration of identified data from existing state and territory cervical registers.

If the legislation enactment is delayed beyond the end of September, there will need to be consideration of contingencies to support the commencement of the renewed National Cervical Screening Program, including whether it is feasible to delay the MBS items in order to provide adequate time to complete the NCSR build, given that most state registers are not able to support the renewed program. If the NCSR cannot commence operations for the National Bowel Cancer Screening Program by March 2017, there will be additional costs to government to continue the current inefficient arrangements with DHS.

The PRESIDENT: The question is that the motion moved by Senator Watt be agreed to.

The Senate divided. [16:00]

(The President—Senator Parry)

Ayes .................... 35
Noes ..................... 26
Majority ............... 9

AYES

Bilyk, CL
Cameron, DN
Conroy, SM
Dodson, P
Gallacher, AM
Griff, S
Kakoschke-Moore, S
Lambie, J
Lines, S
Marshall, GM
McCarthy, M
Moore, CM

Burston, B
Chisholm, A
Di Natale, R
Farrell, D
Gallagher, KR
Hanson-Young, SC
Ketter, CR
Leyonhjelm, DE
Ludlam, S
McAllister, J
McKim, NJ
O'Neill, DM
Question agreed to.

COMMITTEES

Economics References Committee

Reports

Senator LEYONHJELM (New South Wales) (16:02): I move:

That the following interim reports of the Economics References Committee, tabled in the last Parliament, be listed on the Notice Paper for consideration during the item of business relating to the consideration of committee reports and government responses under standing order 62(1) on Thursday:

(a) Personal choice and community impacts;
(b) Personal choice and community impacts—Bicycle helmet laws (term of reference d);
(c) Personal choice and community impacts—Sale and use of marijuana and associated products (term of reference c); and
(d) Personal choice and community impacts—Western Sydney Wanderers supporters (term of reference f).

Question agreed to.
MOTIONS

Our Ocean 2016 Conference

Senator WHISH-WILSON (Tasmania) (16:03): I move:
That the Senate notes:
(a) that the United States Department of State is hosting the Our Ocean 2016 conference in Washington DC on 15 and 16 September 2016;
(b) that the Minister for Foreign Affairs (Ms Bishop) and the Ambassador for the Environment (Mr Suckling) will be representing Australia;
(c) that Australian marine pollution advocate, Mr Tim Silverwood, has been asked to lead a panel on marine pollution at this prestigious gathering of world leaders and influencers;
(d) that a recent World Economic Forum report warned that on current projections there will be more plastic than fish in the oceans by 2050; and
(e) the unanimous recommendations of the Senate Environment and Communications References Committee outlining a plan of action for the Federal Government.

Senator McGrath (Queensland—Assistant Minister to the Prime Minister) (16:03): I seek leave to make a short statement.

The President: Leave is granted for one minute.

Senator McGrath: The government is considering the report *Toxic tide: the threat of marine plastic pollution in Australia* and will respond to its recommendations soon. We are entirely supportive of the US hosting the Our Ocean conference and of the significant international interest in managing our precious marine resources. The government also applauds the work of individuals such as Tim Silverwood of Take 3. These groups make a real and practical difference to the health of our environment.

We are getting on with the job of protecting our oceans through a range of measures, including investing $700,000 in the last term for marine debris clean-up along the Great Barrier Reef and investing an additional $1 million over three years in organisations that build environmental awareness and take practical action, including Keep Australia Beautiful, Clean Up Australia, Banksia Foundation and Tangaroa Blue.


The President: Leave is granted for one minute.

Senator Ian Macdonald: What about ghost nets!

Senator WHISH-WILSON: Ghost nets are certainly a significant issue for marine life, Senator Macdonald. I wanted to thank the government for their kind words about Tim Silverwood, who left for the conference in Washington in the US today. The US Department of State and Senator Kerry asked him to go over and MC a very venerable panel of scientists on what is now one of the biggest pollution issues on our planet—that is, plastics in our ocean. Our ocean is turning into a plastic soup, and we all need to do something about it.

One thing I am hoping Mr Silverwood will talk about when he is at the US conference—and I understand our foreign minister, Hon. Julie Bishop, will also be there representing Australia—is the leadership that he wants Australia to take on this issue. The Senate held an excellent inquiry earlier this year into marine plastics. A number of senators in the chamber are calling on the federal government to take action, if the states will not, on a number of
important policy levers, such as a container deposit scheme. I look forward to a positive recommendation from the government in relation to that report.

Question agreed to.

COMMITTEES

Environment and Communications References Committee

Membership

Senator GALLAGHER (Australian Capital Territory) (16:05): I move:

That the resolution of the Senate of 2 November 2011, relating to the chair of the Legal and Constitutional Affairs References Committee, be amended by omitting "Legal and Constitutional Affairs" and substituting "Environment and Communications".

Question agreed to.

DOCUMENTS

Australian Pesticides and Veterinary Medicines Authority

Order for the Production of Documents

Senator RICE (Victoria) (16:06): I move:

That there be laid on the table, no later than 4 pm on 10 October 2016, by the Minister representing the Minister for Agriculture and Water Resources, any documents held by the Department of Agriculture and Water Resources relating to the relocation from Canberra to Armidale of the Australian Pesticides and Veterinary Medicines Authority, including:

(a) any cost benefit analysis; and

(b) any correspondence or other information, including briefings, meeting and file notes, between any Australian Government Minister, department or agency.

Senator McGrath (Queensland—Assistant Minister to the Prime Minister) (16:06): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator McGrath: The government is committed to boosting jobs growth and to strengthening communities in regional areas. That is why the government announced its election commitment to relocate the Australian Pesticides and Veterinary Medicines Authority to Armidale. Relocating the APVMA is part of the government's broader election commitment to establish centres of excellence in agriculture in regional areas. The Murray-Darling Basin Authority, the Grains Research and Development Corporation, the Fisheries RDC and the Rural Industries RDC have all instituted moves that will heighten their regional presence and relevance to the rural industries they serve.

Question agreed to.

Community Affairs References Committee

Order for the Production of Documents

Senator XENOPHON (South Australia) (16:07): I move:

That—

(a) the Senate notes that:
(i) the President's report to the Senate on government responses outstanding to parliamentary committee reports as at 30 June 2016, listed the report of the Community Affairs References Committee on the availability of new, innovative and specialist cancer drugs in Australia as amongst the reports the Government had failed to respond to within the 3 month timeframe, and

(ii) the Government still has not provided a formal response to the committee's report, although it has been almost 12 months since the report was tabled; and

(b) there be laid on the table by no later than 3.30 pm on 10 October 2016 by the Minister representing the Minister for Health and Aged Care the Government's response to the report of the Community Affairs References Committee on the availability of new, innovative and specialist cancer drugs in Australia, dated 17 September 2015.

Question agreed to.

MATTERS OF PUBLIC IMPORTANCE

Donations to Political Parties

The PRESIDENT (16:07): I inform the Senate that at 8.30 am the Leader of the Opposition in the Senate, Senator Wong, and Senator Siewert each submitted a letter, in accordance with standing order 75, proposing a matter of public importance. The question of which proposal should be submitted to the Senate was determined by ballot. As a result, I inform the Senate that the following 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 Turnbull Government and the Labor Party to commit to comprehensive and immediate political donations reform.

Is the proposal supported?

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

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

Senator LEYONHJELM (New South Wales) (16:08): This question of political donations is of considerable interest to me and my party. The view we take is that individuals, organisations, companies, whatever structure we talk about, is entitled to use its own money for its own political purposes to promote political speech. Most of the time political donations are made because the donor likes what they hear. They like what the recipient is saying and they want them to do more of it. Certainly that is the basis upon which so many donors contribute to the Liberal Democrats, my party. But we repeatedly hear from people who say those donations should not be made or at least they should not be made from particular types of donors. Common are: overseas donors, developers, tobacco companies. We hear it said by some that big coal should not donate. We are even likely to hear it said that big tourism should not donate, which would have implications for the Greens party.

In New South Wales we see these sorts of rules already in law. There are rules affecting developers. There are rules affecting tobacco companies in relation to whether they can give to a political party or a candidate and how much they can give. Those rules are very stringent and they have a very substantial impact on political speech. In fact the New South Wales
government went too far. It put too many constraints on political speech in the state and they were found to be unconstitutional by the High Court. And yet, notwithstanding the fact that it went that far and then had to reel them back again, in New South Wales we have plenty of politicians who have found themselves in breach of those laws, and the now somewhat maligned Independent Commission Against Corruption has had a lot to say on the subject. Some politicians’ careers have indeed been terminated as a result of breaching these donation laws. And yet what did they achieve? Did they really produce less political influence by donors in New South Wales politics? I do not think there is any evidence whatsoever for that.

I have a better suggestion: transparency. Transparency is publishing the names of the donors irrespective of who they are—and I make no distinctions between international foreign donors and local individuals on the electoral roll. As soon as that donation is made, as soon as is practically possible, within a few days, a week at the most, those donations are published and people can see who has given to whom and how much. The problem we have at the moment in Australia is that transparency basically does not exist. We have disclosure well after the donation has been made, more than 12 months later. The United Kingdom and the United States have much more current transparency. They have reporting at least quarterly, and in the United States, I understand, it is more often than that.

On the basis that you have transparency—so you know who is donating, when they are donating, how much they are donating and obviously to whom—you then have a situation where the voters are entitled to make a decision for themselves. It is up to the voters what they make of those donations. Do they agree that that donation was a good thing or do they disapprove? Obviously they can do what they like with their vote on the basis of that knowledge. Refusing to give voters that choice, refusing to allow voters to make that decision is exactly the kind of nanny state thinking that I have railed against in this place on other issues. It is assuming that the voters are too stupid, too dumb, too incapable of making up their own minds and making an informed choice based on the knowledge that transparency would provide. I do not believe we in this place are more capable of making decisions for voters than voters themselves. I do not believe that we are any smarter than the voters in their collective wisdom.

There is an answer to this whole discussion about political donations—that is, voters should not elect corruptible politicians. So how would an elector know if a politician was corruptible? I have a suggestion for electors: those politicians who do not like donations, who want to ban donations, obviously regard themselves as corruptible. If they want to ban donations, it must be because they think they would be susceptible to the donation and therefore other politicians are similarly inclined. I do not believe that donations should be banned. I do not believe corruptible politicians should be elected. So for voters, the obvious thing to do is to not vote for politicians who want to ban donations because they are the corruptible ones. All they need is transparency and it then becomes a matter for voters. Leave it up to the voters, and they will get it right.

Senator IAN MACDONALD (Queensland) (16:15): Just to make it clear, as I make my contribution to this debate, can I assure the chamber and those who are listening that I have never received a donation from a Chinese company that has associations with the Chinese government. I also want to make it clear, by way of disclosure, that never have I personally received any money from a Chinese company associated with the Chinese government. I am
aware that not all senators in this chamber can say that, because we know Senator Dastyari clearly did receive money for his personal use from a Chinese company associated with the Chinese government. Can I also make it clear that I love investment by foreign companies, by foreign investors, in Australia, because we need foreign investment to create wealth and activity and jobs for Australians. So do not ever suggest to me that I am anti Chinese investment in proper investment venues within Australia.

However, I am concerned that members of the Labor Party seem to think it is okay to receive personal donations from Chinese companies associated with the Chinese government—personal donations not only for campaigning purposes but also for purely personal purposes. That concerns me. We remember the celebrated case of a Labor politician who ended up being convicted of fraud. He was defended for most of the duration of that incident by the New South Wales Labor Party, the secretary-general of which at the time was Mr Sam Dastyari. We kept wondering where all of that money was coming from to pay the legal bills of Mr Craig Thomson, because they were substantial. We understood they were being paid by the Labor Party, but one can only wonder where that money was actually coming from. I agree, and I think the Prime Minister is on record saying this as well, that there should be some reform of the political donation system. In fact, the Special Minister of State has asked the Joint Standing Committee on Electoral Matters to look into that. Mr Turnbull is quoted as raising some issues, and I think they are sensible issues.

It is not only the Labor Party that is involved, of course. I see Senator Xenophon over there. He gets a very, very substantial donation from the guy who owns the Optical Superstore. That is the optometrist I used for ages, because they did not give bad service. I only bought these new spectacles a few months ago, and I have since brought another pair from the Optical Superstore. But, when I learnt that the profit from my consultation and from my purchase of these spectacles was going to one of my political opponents, I told the Optical Superstore, ‘Thanks for your service. I appreciate what you’ve done for me, but I will no longer be dealing with you. I will no longer be dealing with you because a substantial part of every $500 I pay for my glasses is profit.’ I am told by people who know that you can get these spectacles for about $10. They are made in China, they are very cheap, but in Australia I think I paid almost $500. That is business. I do not mind people making profits at my expense, but I do object when I find that their donations are funding political campaigns against me.

Then we get onto the Greens political party. The largest single donation ever in the history of Australian political campaigns was given to the Greens political party by a Mr Graeme Wood. Those of us who were around—and there are not many left—remember that Mr Wood was trying to set up an online newspaper which he wanted tax-deductible status for. Do you remember that? It all happened just about the time the Greens got this $1.6 million donation.

Senator Waters: I have a point of order: an unfair inference on members of this chamber. There is absolutely no connection between those two matters, and the senator should withdraw that inference.

The ACTING DEPUTY PRESIDENT (Senator Back): That is a debating point, but thank you very much for making it. Senator Macdonald, please resume.

Senator IAN MACDONALD: Mr Acting Deputy President, I have only just started! At various Senate committees, who was the greatest protagonist of this tax deductibility for those
who—no names mentioned—might just want to set up an online newspaper? The greatest protagonist was former Senator Bob Brown, the then leader of the Australian Greens. He did not declare an interest at the time. Mr Wood is quoted as saying that the $1.6 million he gave to the Greens was the best investment he had ever made. People can draw their own conclusions from this. I only raise these issues involving the Labor Party, the Greens and Senator Xenophon because clearly we need to have a look at these sorts of things.

I know the Greens receive enormous amounts of money—as does Mr Katter, I might say—from the union movement. It comes from the CFMEU, a union that is always before the court for criminal activity and breaches of its act, and the Greens and Mr Katter both happily accept donations from the CFMEU. We do not know where the CFMEU gets its money from. We know it does not pay tax. We know from recorded evidence in various court cases that the CFMEU does deals with some unscrupulous employers. Do we know whether those employers who pay big money to the CFMEU—who then pay it to the Greens and the Labor Party and Mr Katter—and those companies that the CFMEU gets its money from are Chinese companies, Indian companies, English companies or American companies? We really need to look into that and see where these moneys are coming from.

I notice the Greens and the Labor Party are always keen to want certain donors banned, but they never seem to raise the issue of the union movement, who are completely unaccountable to the Australian—

Senator Waters interjecting—

Senator IAN MACDONALD: You have raised that, have you? So you are going to insist that donations by unions are no longer allowed. I am pleased to hear that, Senator Waters. That is very, very good news. I wonder how you will account to the CFMEU—and, I think, to the MUA as well, wasn't it? I will be interested to see how you are going to explain to the CFMEU and the MUA that you are no longer going to allow them to make these donations to the Greens political party, because the Greens are always holier than thou when it comes to these sorts of things, but they are always a bit embarrassed when people point out that the CFMEU—that union that is always in trouble before the courts—made substantial donations to the Greens political party.

One might then ask: why do you think it is that the Greens political party and the Labor Party were so antagonistic to the ABCC? They voted against it again and again. If you were to follow their donations, if you were to follow why they are here—their raison d'être—they are here because of donations not only from big business, in the form of Mr Graeme Wood, but also from the CFMEU and, I think, the MUA. And if I am wrong there I will apologise for that later, but I am certain about the CFMEU.

These sorts of donations really need to be looked at a little further, and I think Mr Turnbull's floating of the idea that donations should be only from individuals seems to be a very good one. That is something that needs to be further investigated, and it is something that I hope the Joint Standing Committee on Electoral Matters will do. So whilst I am not certain about committing to comprehensive and immediate political donations reform, I do think the JSCEM should look into this—(Time expired)

Senator CONROY (Victoria—Deputy Leader of the Opposition in the Senate) (16:26): I rise to speak on this matter of public importance, and I welcome a discussion on political
donation reform and how we can best protect our vital democratic traditions. Labor has a proven track record when it comes to donation reform and has tried to legislate on multiple occasions to reform the political donation system, and there is the great irony of this issue. Here today we have the Greens calling on Labor to 'commit to comprehensive and immediate political donations reform'. The hypocrisy of the Greens political party knows absolutely no bounds, because when Labor tried to implement comprehensive donation reform in March—not 10 years ago, not five years ago, not three years ago—

Senator Rhiannon interjecting—

Senator CONROY: In March, when they had the numbers they were more interested in trying to do over Senator Hanson-Young. They were more interested in trying to do over one of their own—it was a spectacular own goal on that front. You just cannot rely on those party members in South Australia to do the dirty work for you, can you? But it is all right, you got her later this year; you got her after the election.

The ACTING DEPUTY PRESIDENT (Senator Back): Through the chair, Senator.

Senator CONROY: My apologies, Mr Acting Deputy President. The Greens teamed up with the Liberal and National parties and did a filthy deal. As part of that filthy deal on Senate voting reform, the Greens voted against their own platform to defeat a Labor amendment that would have comprehensively reformed political donations in this country. So the Greens had the chance, they had the leverage and they had the bargaining power, and they rolled over for their own selfish political interests. The self-proclaimed shining lights of progressive politics got down in the mud and did a dirty deal to try to put more Green bums on red seats.

They failed in that too, because there is one less of them today than when they did that deal. They sacrificed all of their principles and managed to throw former Senator Simms under the bus in the process.

Senator Rhiannon interjecting—

Senator CONROY: Now, I know that was not actually the plan; it was Senator Hanson-Young who was to go under the bus. But I appreciate those South Australian Democrats members threw a bit of a spanner in the works of Senator Di Natale and friends. I am not actually holding you responsible for this one, Senator Rhiannon, and I know where you stand on those issues.

What leadership old fancypants himself has shown! What leadership has Senator Di Natale shown here! Time and time again the Greens have been happy to make all of the accusations and throw all of the muck, but when a chance came to do the right thing—to not even do the right thing; how about voting for your own party platform just this once—what happened? The Greens threw away the opportunity, rolled over and then wanted to come in and, as usual, lecture the Labor Party.

So, just in the last week, we have seen Senator Di Natale imploring Australia to:

… move away from a system of huge corporate and foreign donations influencing the decisions that are made in Canberra.

What a fine sentiment! Yet, when Senator Di Natale says this, he fails to mention that it was the Greens that happily received almost $27,000 in gifts, in kind, from a New Zealand company ahead of the 2010 election. I know we have the closer economic relationship and I know we consider ourselves very close to New Zealand, but my check of geography is: they
are not part of the Commonwealth; they actually decided not to join the Commonwealth. And
that makes it a foreign corporation. Happy to take the dough back then!

When Senator Di Natale gives these lectures, he fails to mention that in 2010 the Greens
received what—and will continue to be until, I suspect, the next exposures next
February—the largest single political donation in Australian history: more than $1.6 million
from Graeme Wood, the founder of Wotif.com. One point six million dollars in one hit.
Wow! Well, we know who owns you. One point six million dollars!

Senator Di Natale, again, when he lectures everybody else, fails to mention that that same
Mr Wood donated a further $630,000 to the Greens in the lead-up to the 2016 federal election.
As Senator Macdonald said earlier, Mr Wood felt that that $1.6 million was the best
investment he ever made—enough to donate another $630,000. I do not know anybody who
has ever donated $630,000 dollars to me or the Labor Party, but that comes to nearly $2
million, across a couple of elections, from one person.

But not one to let the facts get in the way, Senator Di Natale has ploughed on, claiming that the Greens 'don't accept donations from developers'. He claimed: 'We don't accept donations from the alcohol industry, from the gambling industry and so on.' Once again, he failed to mention that the Greens have received donations of more than $585,000 from Duncan Turpie—a mathematician and a known high-end gambler. A high-end gambler gave you $585,000 for this election. It must be wonderful having these sugar daddies, Senator Lambie; it really must!

The ACTING DEPUTY PRESIDENT (Senator Back): Through the chair, Senator Conroy.

Senator CONROY: Sorry; my apologies, Mr Acting Deputy President—through you:
Senator Lambie, it would be lovely to have a sugar daddy like this, wouldn't it? They stand
condemned by their own actions and deeds.

And, Senator Rhiannon, I have not seen you stand up and say, 'Let's not accept a donation of over $1,000 from an individual.' I have not seen you stand up and say that. 'Developers? Yeah, that's okay. High-end gamblers? We'll take their money—$585,000.' So the Greens stand condemned—condemned by their own actions and deeds. And no amount of trumped-up moral outrage can hide the Greens' hypocrisy. So I look forward to seeing how you justify accepting these huge donations from two or three individuals.

Of course, the Greens are not alone in adopting a shambolic approach to donation reform. While Labor has been clear and consistent in our approach, the Liberals are hopelessly divided. I have said this before, Mr Acting Deputy President, but I am not surprised the Liberal Party sent Senator Bernardi to New York, to the UN, because this is what he has had to say on a multitude of issues; I am just going to pick on one today. He said:

It's wrong for substantial amounts of money from foreign entities in non-democratic governments to flow into [the] Australian body-politic.

Well, you do not want to ban those. Mr Pyne said, 'No, we don't want to ban those.' I will bet I know why. I bet you want to extend his holiday, using a foreign donation—anything to keep him out of the country, Senator Back, anything!

As to former Prime Minister Tony Abbott, what a week we have seen from him while the Prime Minister was overseas! Former Prime Minister Abbott got a new lease of life. He said:

CHAMBER
… "I think it is time to look at donations reform again."

"We need to look long and hard at restricting donations to real people on the electoral roll. To that end, there should be no union donations, company donations or foreign donations."

Yet, astonishingly, as I have already alluded to, the government's Leader in the House, Mr Pyne, has said that he is 'unfussed about foreign donations'—'unfussed'! Well, let me tell you: I saw a poll today that showed that Mr Pyne is in a category of 12 per cent of Australians, with the other 88 per cent going, 'Just a minute. We're not "unfussed" about receiving foreign donations!'

Then again, yesterday, here in the chamber, Senator Ryan said that he was:

… a believer that people who want to make a contribution to our political process should be able to do so.

So they are running up the barricades. They had a lot of fun at Senator Dastyari's expense over the last two weeks. But, when it came to actually making a difference, they started to dig a hole, and they are going to barricade themselves and put the wagons around.

Perhaps it is okay, because the foreign minister wants to see hundreds of thousands of dollars continue to flow into the coffers of the Western Australian Liberal Party from Chinese-linked companies that do not even have any business in Western Australia. You have to ask yourself: why does a Chinese company with zero business interests in Western Australia donate nearly $600,000 to the Western Australian branch of the Liberal Party? Senator Smith, I see you smiling over there. Is it your winning smile? I am afraid I suspect not. But perhaps—(Time expired)

Senator RHIANNON (New South Wales) (16:36): It is a very simple MPI, calling on the government and the opposition—Liberals and Nationals, and Labor—to commit to electoral funding reform. But, when you hear Senator Conroy again going into what seems to be the only mode he knows, attack mode, you wonder about the level of commitment that there could be, because, really, he has become, again, the senator for hypocrisy. It is a hypocrisy that runs deep, and he knows it well and truly; he often has a laugh about his own comments here.

So it is worth just putting some of the things on the record, because he makes out, time and time again, that there is poor Labor, trying to get electoral funding reform—those are the grand statements he makes. But let us remember that Labor had the opportunity—we had the numbers. Come the 2011 election, Labor and the Greens had the numbers in both houses to pass comprehensive electoral funding laws, and Labor would never bring on the legislation. They would not bring it on. So, yes, other times it has been defeated, but that time it would not have been defeated but it was not brought on.

So the deception that he runs is very extreme. Again, considering he tries to conflate the issue of Senate voting reform with political donation reform, that does need to be answered too. They are two issues that the Greens have worked a long time for. And, again, Senator Conroy, and his colleagues sitting there with him on the opposition benches, knows why they did that. They were not trying to get political donation reform at that time; they were trying to scuttle Senate voting reform, because at that time the government had made quite clear they were not going to be working on political donation reform. What we were trying to achieve—and it was a much fairer system as we can see here.
Let’s remember all those grand speeches coming from Labor about the damage Senate voting reform would do; arguing that it would lock in a coalition government forever, that it would wipe the crossbench out completely; just ludicrous statements. Often they actually contradicted themselves. One time they said that it would be an advantage to the Greens; other times they said that it would wipe out the Greens. So, again, we see those tactics.

Sadly, Senator Conroy is still stuck in that mode. You walk in here, you talk about political donations, you go for the attack, rather than looking for how do we develop common ground? Hopefully—but it does not look as though we can have any hope after listening to the previous speaker—what is needed is the comprehensive electoral funding reform. That is the message we should all take from the past week.

As we know, the amount of money that Senator Dastyari was caught out for was not big in the scheme of things when it comes to political donations, but the outcry was something that we have never seen the likes of before. I would just like to comment on this, because I have been working on this issue since the early 2000s.

The Greens set up a project called Democracy for Sale. When we would present evidence about wrongdoing, often the journalists would say, 'But show us what the outcome was.' But here, in this debate—and all the commentary about what Senator Dastyari had done and many other examples of wrongdoing—the assumption was made by commentator after commentator, in letters to the paper, politicians and commentators alike, that when donations are given they are given to buy influence. At no time was I asked to prove that; it was just the assumption of where the debate had shifted. That is a very significant shift. It is something the High Court recognised in a very important decision last October. Now that understanding is much broader.

Now our responsibility is to be working together. It is certainly the Greens commitment to be working, through JSTEM, the Joint Standing Committee on Electoral Matters, for a consensus position on these very challenging issues. We acknowledge that—while I am very proud of our policy—we now need to go deeper into it.

Just on the points that we have worked for, for a long time, our position is to ban corporate donations from for-profit organisations, to ban overseas donations, and to have caps in place on donations from individuals and not-for-profit corporations. We need, most definitely, caps on election expenditure. There is a range of other aspects that come into this.

I just wanted to put those details in there, because that is what we have been talking about in the past couple of weeks. But, if you listen to what Senator Conroy ran with today, if you listen to what Labor leaders were talking about when their colleague Senator Dastyari was caught out in such an embarrassing way, the two reforms that they would run with were a ban on overseas donations—and I think they had nowhere else to go but to talk about that, because it just became so embarrassing for them—and transparency.

Improved transparency is essential. It is something which is a great outrage of the Howard years. He brought in that change, lifting the disclosure to $10,000 per annum. It is now at $13,200, and you could give donations to different branches of the party just under that amount of $13,100 and quickly you are a very significant donor but nobody will know about it.
So, yes, transparency is very important. Again, it is something the Greens have worked on, and I acknowledge Labor has as well. But Labor needs to start talking about their position on other aspects of this, about limiting political donations. What is their position on corporate donations, on donations for not-for-profit? Do we bring caps in on individual donations? And that is what they are shying away from and what is quite disturbing.

I think what is also relevant here is that we need to remind ourselves that we need to get back to the issue of addressing the integrity of electoral process. I would imagine that we are all aware that for a long time political donations have really undermined people's confidence in our democratic institutions, undermined their confidence in people like ourselves, elected representatives. It does damage to all of us. I acknowledge that.

I just wanted to share with you some comments made by Professor Marian Sawer from the ANU School of Politics and International Relations. I think she really nailed the issue of integrity very well. She said:

Australia was once a pioneer in developing mechanisms for electoral integrity. We gave the world the secret ballot, for instance, as well as non-partisan electoral administrators and non-partisan processes for electoral redistribution. But our political finance regulation now falls way behind international standards.

And indeed it does.

You can look at so many other countries that are really tackling electoral funding reform in a comprehensive way, but in Australia we have just stalled. When it comes to disclosure—and this goes back to the issue of transparency—the current disclosure system, you have got to say, is a joke. As I think probably everybody in this place would be aware, there is the disclosure that the donors put in and the disclosure that political parties put in.

The Greens Democracy for Sale project looks at these disclosures in detail. We have uncovered many discrepancies. Then we thought we would look at both sides of the ledger and compare the donor disclosures to the party disclosures. And the system has failed. It has failed from day 1. These are some of the figures: about $8 million has gone undeclared as donations by parties in the past five years. Someone searching for donations through party returns on the AEC database would not find this money. Disturbingly, over $4 million of that money has come from the financial, insurance and resource sectors. I do not think anybody could really deny the influence of those sectors—the big mining companies, the finance institutions. So many of the laws in this place are watered down to suit their influence. Anybody ripped off by a bank would certainly agree with that. The influence of that money makes the injustice of fossil fuel subsidies in this era of global warming particularly outrageous.

Our most recent research found that $3 million has gone undeclared as donations by donors since the last election. Someone searching for donations through donor returns would not find this money. We were able to find it because it was declared by one side though not the other. It is a reminder of how comprehensive reforms are needed. It is also a reminder of why all the parties in this place need to put on the table what they think the changes should be, be willing to work with each other, and listen to each other about how we can get a consensus position on far-reaching reforms to limit the private money that goes into elections so we can return to the level of integrity that is so urgently needed.
Senator PATERSON (Victoria) (16:46): I would like to begin by making what I think is an important and what should be an obvious point but one which has been largely missed in the debate so far: donations reform, including banning foreign donations, would not have protected Senator Dastyari from his own poor judgement. That is because Senator Dastyari did not receive a foreign donation. He received a gift. The most regulated political donations system in the world would not have helped Senator Dastyari.

I acknowledge that there are very well-meaning advocates of change, of more regulation of donations, including in my own party, and there certainly are imperfections in the current donations system, which could be improved. It is appropriate that there be a review of the system that we have in place, and the best vehicle for that review is the Joint Standing Committee on Electoral Matters, which is very capably chaired by my colleague Senator Reynolds. But I want to issue a note of caution: donation reform is not something to rush into without careful consideration of the full implications of change.

One idea which has been widely suggested is that we confine donations to people who are on the electoral roll—that is, effectively, ban donations from unions, businesses and not-for-profit organisations. This reform would at least, to its credit, have the benefit of being relatively politically neutral between left of centre and right of centre political parties, unlike the shamelessly self-interested proposal by the Greens to only ban businesses from making donations but to continue to allow unions and NGOs to donate. But I think this idea is misguided for other reasons. It is almost certain to be unconstitutional following the 2014 Unions NSW case. That case found that the Australian people have an implied right to participate in the democratic process by making donations to political parties and other organisations which campaign in and around elections. Crucially, that judgement found that just because some Australians choose to exercise this democratic right collectively through an organisation that does not mean that they should lose that right. That is a very sensible and philosophically sound conclusion. After all, a business, a union or a not-for-profit organisation is just a vehicle for individual citizens to come together to advance their objectives as a group. Any right which an individual possesses alone should also be able to be exercised collectively.

Setting aside constitutional questions, though, it is also my personal view that banning donations from all third parties to political parties is misguided for other reasons. As we have seen elsewhere around the world, particularly in the United States, attempts to prevent organisations like companies from donating directly to political parties just encourages them to seek to influence political outcomes using other means. For example, they may set up third-party organisations of their own and fund them generously to engage in either the issue-based or even the quasi-partisan advocacy that occurs alongside political parties in elections. By their very nature, these third-party organisations will never be subject to the same standards, the same scrutiny or the same regulation that a political party is and can be. For the sake of transparency, we should encourage those that do seek to influence the political system—as is their right in a free and democratic country—to do so through the most formal channels available.

There are those that say we could solve this problem and prevent it from occurring simply by regulating the conduct of third-party organisations or even banning them from campaigning. Again, this is highly, highly likely to be found to be unconstitutional, but I also
think it is wrong. In a free country, civil society organisations must have the freedom to advocate their interests and the interests of their members. It cannot be that the only legitimate vehicle through which people can participate in the political process is an established political party.

Many propose that if we were to substantially regulate donations then we could replace any of the lost revenue to political parties with more public funding. That is not an approach that I support. Firstly, I am sure that we can all think of a better use of taxpayers' money than paying for political campaigning. As politicians, I think we sometimes already test the patience of our constituents at election time. Imagine how they would feel if they knew that virtually every ad they saw on television, or virtually every letter or pamphlet they received in their letter box, was funded by their own taxes.

Secondly—and you may be surprised to hear me say this—I think that public funding, which is typically awarded on the basis of the vote received after an election, gives a huge advantage to incumbent political parties. As a major political party we can spend, and if necessary borrow, with certainty during an election campaign knowing full well that we will effectively be reimbursed for that expenditure after the election with public funding because we will have a relatively predictable share of the primary vote, whether we are going to win the election or lose it. New political parties do not have this same certainty. Until they have run at least a few times, they cannot be sure how much of the vote they will get and therefore the amount of public funding they would receive after the election. It will be even more difficult for a new party to compete with existing ones, who are lavishly funded with public support, if we limit their ability to raise private donations.

Thirdly, increasing public donations continues further down the road of fundamentally changing the relationship between the state and political parties. I acknowledge that we have already taken some steps down this road, but it is not one that I am keen to continue down any further. It would give the state more power over parties, especially opposition parties and minor parties. It is not that hard to foresee—as former Prime Minister John Howard pointed out this week—a future government which imposes onerous and potentially partisan conditions on an opposition political party in order for that political party to receive funding. If, at the same time, we curtail their ability to raise those funds privately, they will be at the mercy of the government of the day. In a free and democratic society, we should all be concerned about this prospect. We will all be in opposition at some period during our time here.

Finally, I think there is an important broader point here. If you do not want people to seek to influence political parties and governments with donations, there is a much better way to proceed than by regulating those donations. While ever government is large and intervenes heavily in our economy and our society, there will be people who profit from that and people who lose from that. There will be people who benefit and lose from government decisions, and they will always have the incentive to use whatever means possible, whatever means available, to try to influence those decisions. Instead of further regulating donations, we could choose to tread more lightly on society and the economy. The smaller the government is, the less capacity it has to favour or harm individuals, businesses and civil society, and the less incentive they will have to try to influence us through political donations.
I want to end on a note of bipartisanship and congratulate Senator Conroy for his excellent contribution to the debate earlier on the hypocrisy of the Greens. I also want to congratulate Senator Rhiannon for her honesty. I marvel at the clearness of advertising in their fundraising program called Democracy For Sale. We know what democracy costs in the Greens political party. It is $1.6 million. If you have got $1.6 million—if you are an eminent businessman like Graeme Wood—then you have the capacity to buy them. Graeme Wood said after the election that it was a great return on investment, and Senator Bob Brown, the former leader of the party, said he would be forever grateful. So we know what the price of democracy is in the Greens political party.

I would also like to point out that the Greens often rail against some industries, such as the fossil fuel industry, for making donations to political parties. I am yet to hear them complaining about a new, emerging player in the donations space—that is, the renewable energy industry, which also now makes very generous donations to all sides of politics. It is an industry whose profitability and viability is inextricably linked to the regulations applied to it by government. During the debate about the renewable energy target, we saw that the whole viability of renewable energy companies would be threatened if that favourable regulation and the subsidies they receive did not exist. If there were ever a better example of an industry which uses political donations to curry favour with governments, oppositions and, yes, even minor parties, you could look much further than the renewable energy industry.

Senator McALLISTER (New South Wales—Deputy Opposition Whip in the Senate) (16:56): I thank the Greens for asking us to commit to comprehensive and immediate political donation reform. I just want to run through that proposition. I start by referring the Greens to the electoral reform green paper on donations funding and expenditure that was released in 2008, which contemplated serious reform to the funding of elections in this country.

Senator Rhiannon interjecting—

Senator McALLISTER: I would then refer the Greens, responding to Senator Rhiannon's interjection, to the Commonwealth Electoral Amendment (Political Donations and Other Measures) Bill 2010, which Labor introduced into parliament. That bill would have done a great deal. It would have capped donations and it would have introduced much higher thresholds for transparency. It would have made parties accountable for public funding by linking the funding to actual expenditure and prohibiting the practice that we have witnessed in other parties, where they take the public funding and pocket it. The leaders of those parties pocket it rather than spend it for campaign purposes. And it would have limited the scope for rorts, like donation splitting.

I would also refer the Greens to the comprehensive donations reforms introduced and undertaken by a Labor government in New South Wales. Amongst other things, those reforms limited the ability of property developers and others to subvert democratic outcomes. We must note that it turns out that the Liberal Party have been doing their very best to get around these laws in the intervening period. They have been doing their best to get around that scheme through the use of the Free Enterprise Foundation, a process that was undertaken under the watchful eye of the then Finance Director of the New South Wales Liberal Party, Senator Sinodinos.
I would refer the Greens to the policies on donations that we have taken to the last two elections. Those policies reduce the threshold for disclosure of donations by organisations from $13,200 to just $1,000, reduce the threshold for disclosure of personal donations to just $50, ban foreign donations and introduce real-time disclosure. I do not say all of this to try to make a cheap point.

The point I want to make is that the Labor Party is onto this. We are committed to donations reform and we have been advocating for it for a long time. Labor as a party and as a movement is firmly committed to transparency. It is why, for instance, we hold our conference in public—a position that I know some in the New South Wales Greens are now starting to contemplate. It is why we disclose all of our corporate donations over $1,000, despite the fact that this is not required by law. We do that because we think it is important. That stands in stark contrast to the Liberals, who not only do not obey the spirit of the law but, in New South Wales, seem to make concerted efforts to skirt the letter of it. We now know that the Liberal Party has engaged in a long-running campaign to obscure the names of some of its most generous donors through donation splitting, by allowing people to donate below the cap to each of the state and federal branches, and by the use of corporations to anonymise donations, through the use of the Free Enterprise Foundation and the various other fundraising forums that are used in this way.

It took an ICAC inquiry to find out the details of these schemes, and it turned out that it implicated a number of senior New South Wales Liberals.

We have talked a lot in the last weeks about the potential influence of foreign donations. Businessmen with links to Foreign Minister Julie Bishop have donated half a million dollars to the Western Australian division of the Liberal Party during the last two years. This has been disclosed through the disclosure process. All of those donors have links to the Chinese government, and the vast bulk of that money was given by companies with no apparent interests—no business interests—in Western Australia. The Herald reports that several of the donations have been obscured by the channelling of funds via executives or related companies, or by the donor’s failure to disclose to the Electoral Commission, in apparent breach of Commonwealth law.

I say this: if we are serious about protecting the integrity of our politics, we have to get serious about donations reform. The Liberal Party has spent more than a decade fighting Labor proposals for a better system, and it is time to stop.

The PRESIDENT: It being just past 5 pm, pursuant to order, we will now move to first speeches.

FIRST SPEECH

The PRESIDENT (17:01): Prior to calling Senator Roberts to make his first speech, could I remind honourable senators that the senator should be heard in silence during his first speech.

Senator ROBERTS (Queensland) (17:01): Mr President, as a servant to the people of Queensland and Australia, I am here to discuss with the chamber and the Australian people how we will rebuild our great nation. To the 600,000 people who voted for Pauline Hanson’s One Nation I owe a particular debt of gratitude for the privilege of serving our state and country. I will honour all Australians by restoring our Constitution, restoring our national
sovereignty and restoring freedom via this chamber and in my everyday life. All of us One Nation senators are going to say the things that need to be said and do the things that need to be done. We are not worried what the establishment says about us. We are not here for the establishment. We are here for everyday people and our nation.

My passion for politics and policy was unleashed during the grassroots uprising of the Australian people against the reviled and dishonest carbon tax—a new tax on carbon dioxide—based on a lie and founded on a dishonest agenda. I became a volunteer spokesman for the Galileo Movement, working with great Australians such as Jacques Laxale, Paul Evans, John Smeed, Case Smit, Viv Forbes, Judy Ryan, Anne Easby, Jennifer Marohasy, Ian Plimer, Leon Ashby, Joanne Nova, Jim Simpson, Mike Elliott, Alan Jones, Grant Goldman, the late Professor Bob Carter, and many other scientists and grassroots activists, against the carbon dioxide tax and for restoring our nation's sovereignty.

As a result of climate policies, Queenslanders, everyday Australians, have lost jobs, paid higher taxes, wasted opportunities, lost businesses and frittered away scarce resources. Nowhere is this issue more important than in our resource-rich state of Queensland, which stands to lose the most out of all our states.

Does it not concern senators that the hyperbolic predictions from the hysterical likes of Tim Flannery, David Karoly and Ross Garnaut have not come to pass? Again and again and again, for nearly 30 years, climate activists have been warning us that we have just five years to act. Every time, nature has proven them wrong. Flannery beclowned himself by saying at the start of this century, 'Brisbane's dams will never be full again.' Aren't we all sick of it? Because the Australian public certainly is. John Cleese said recently: I would like 2016 to be the year when people remembered that science is a method of investigation, and not a belief system.

But for too long blind faith, contrary to reality, has ruled.

My qualifications include a Bachelor of Engineering (Honours), covering atmospheric gases, including carbon dioxide, from the University of Queensland, and an MBA from the University of Chicago Graduate School of Business, famous for rigorous statistical analysis. In the real world, I obtained statutory qualifications covering atmospheric gases, with rigorous responsibilities for hundreds of people's lives. My studies reinforced the importance of on empirical facts—hard data and physical observations—that are essential and needed to prove cause and effect. My area of studies focused on earth sciences and geology.

Australians should be able to rely on the information from Australian government bodies and institutions, but we cannot. I have used freedom of information requests, correspondence and reports from the heads of the CSIRO, the Bureau of Meteorology, the UN and universities to show there is no data proving that human use of hydrocarbon fuels affects climate—none.

We use Australia's resources—that is, gas, coal and oil—to produce energy. These resources contain hydrogen and carbon, which produce water and carbon dioxide. Both gases are essential for life on earth, and both are not pollutants. Yet the core climate claim is that carbon dioxide from our human activity will one day, some day, catastrophically warm our planet.
Like Socrates, I love asking questions to get to the truth. So I ask the question: over the last 130 years, what was the longest single temperature trend? Is not the inconvenient truth this—that from the 1930s to the 1970s, during the period of the greatest industrialisation in human history, when our carbon dioxide output increased dramatically, atmospheric temperatures cooled for 40 years straight? Another inconvenient fact is that temperatures, statistically, have not been warming since 1995—21 years. Records show there have been warmer periods in Australia's history than the current decade. Temperatures are now cooler than 130 years ago. This is the reverse of what we are blatantly told by the Bureau of Meteorology, which has manipulated cooling trends into false warming trends.

Here are more undeniable facts proven by data: firstly, changes in the carbon dioxide level are a result of changes in temperature, not a cause. That is the reverse of what we have been told. Secondly, we do not and cannot affect the level of carbon dioxide in air. That too is the reverse of what we have been told. That means we cannot and do not affect global climate. Thirdly, warming is beneficial—after all, science classifies far warmer past periods as climate optimums. Again, that is the reverse of what we are told.

It is basic. The sun warms the earth's surface. The surface, by contact, warms the moving, circulating atmosphere. That means the atmosphere cools the surface. How then can the atmosphere warm it? It cannot. That is why their computer models are wrong. The UN’s claim is absurd. Instead of science, activists invoke morality, imply natural weather events are unusual, appeal to authority and use name-calling, ridicule and emotion. They avoid discussing facts and rely on pictures of cute smiling dolphins. These are not evidence of human effect on climate.

If it is clear that climate change is a scam, and also our prosperity relies on the human endeavours of industry and production, then why is it that, in this great parliament, there are extremist advocates of an agenda to de-industrialise our nation? Let me make it clear: I will stand firm against any political organisation whose primary aim is to destroy our prosperity and sovereignty. Instead of no nation, we need one nation.

How are we going to rebuild Australia and hold back any push to de-industrialise our nation? In touring Queensland and Australia with Senator Hanson, I saw firsthand the damage that fraudulent climate change science and policy is doing to communities and families. De-industrialisation is costing jobs, destroying families, bankrupting businesses and making our nation less competitive against other nations.

Queensland’s most important industry is mining. I have run mines around the world. Mining is also vital to Australia. Coal has lifted the whole of humanity out of grinding poverty and propelled us to achievements never thought possible. The wealth created for every Australian has been considerable. While it may be easy to find some rock, or a dollar, to then turn that dollar into two dollars is a very intensive and challenging endeavour. Government policy has not always helped this process.

In all these matters I trust the human mind and heart to make intelligent conclusions. I have faith in people and in our ingenuity. We must encourage honest debate and restore free speech on these issues, because that respects and promotes human spirit. Humans care. Our future civilisation depends on protecting the natural environment, and the future of our natural environment depends on protecting civilisation.
Allow me to say unequivocally: we are taxed enough already. As my dear friend John MacRae publicly says, Australians pay more tax every year than could have ever been imagined by our forefathers crafting our Constitution. Consider this, honourable colleagues, from a chartered accountant who worked on the GST implementation for our Queensland state government: 50 per cent of the cost of a loaf of bread is made up of tax. That is effectively a tax rate of 100 per cent. Young Australians would be most alarmed to learn that almost 50 per cent of the price of a house is made up of various taxes and impositions. That doubles the price of a typical home loan.

Fuel is taxed at the astonishing rate of 230 per cent. We are a decentralised nation, and high energy bills compound the cost of everything. When we reduce the cost of energy, though, we increase productivity, which increases our prosperity. High energy costs really hurt the most vulnerable in our society, the lowest income earners. The renewable energy target and climate policies are highly regressive on the poor, and we will work hard to end such policies. After all, who would have ever thought that governments would create a tax on the very air we breathe, the carbon dioxide tax?

And who pays taxes? The former Deputy Commissioner of the Australian Taxation Office Jim Killaly said that 90 per cent of Australia’s large companies are foreign owned and, since 1953, have paid little or no company tax. Former Australian Treasurer Joe Hockey said that Australians pay 50 per cent of our income in taxes. The Australian Bureau of Statistics previously stated that Australians on an average income pay 68 per cent of their earnings to government, as taxes, rates, levies, charges, fees, special charges and other burdens. We work Monday to mid-morning Thursday for the government. The biggest purchase of our life is not our house; it is government.

For too long in Australia we have been strangling the goose that laid the golden egg. It must stop. Economics is about people. Australian economist, lawyer, writer and bush poet Banjo Paterson said in 1889:

It must always be remembered that we are dealing here with the simple question whether we can, by any means, be enabled to make a better living.

Australia’s tax system quashes Banjo’s vision. Instead of no nation, we must have one nation. When our Constitution devolves many powers and responsibilities to our states, why would a central government crave collecting so much tax? It is for nothing more than stealing control over our states and, in doing so, it creates a mammoth bureaucracy that duplicates responsibilities and doubles costs for taxpayers. The challenges of tax and productivity are important to Queenslanders, and I will seek to work in collaboration with the entire parliamentary community in pursuing comprehensive tax reform.

In my view the purpose of great institutions such as this parliament, and broadly politics, is to protect life, protect property and protect freedom. Government has, sadly, transitioned, though, into a beast that only wishes to control people’s lives. And it has very curious bedfellows. As my good colleague Senator Rod Culleton has so ably shown, big government in partnership with big banks is a disaster for ordinary Australians. One of the greatest threats to our liberty and life as we know it is the international banking sector. As American President Andrew Jackson once said:

It is to be regretted that the rich and powerful too often bend the acts of government to their own selfish purposes.
Worldwide, privately owned central banks have greed as their creed and cannot be trusted to work in a country's best interests. A royal commission into the banking sector and currency is just one tool needed to expose what the big international banks are doing to trash our country. In 1889, Banjo Paterson identified the core problem very simply when he referred to international banking as: 'The trusts and monopolies whereby labourers are robbed.' Australia, again, needs a people's bank, like the Labor Prime Minister Andrew Fisher's Commonwealth Bank, started in 1912. A people's bank is an established policy of our party—a people's bank that focuses on building infrastructure and securing capital for Australia's needs. This people's bank will boost productivity and shield the country from the manipulation of our economy so often exerted by the tight-knit international banking sector.

Unlocking the potential of northern Australia and regional Queensland is a most pressing issue facing our state and the broader Australian community. A people's bank would open new opportunities to make these areas the driver of our economy, with better infrastructure bringing investment and capital to the regions. We need to encourage business to move their operations north and focus on our huge potential. Instead of no nation, we must have one nation.

We recently received an excellent presentation from the team of the Minister for Immigration and Border Protection, Peter Dutton. Their core policies are protecting our borders, saving thousands of boat people's lives and enabling thousands of genuine humanitarian refugees, thanks to Senator Hanson's courageous policies 20 years ago. Australians everywhere have told me and my colleagues, including Senator Burston, how important it is that our nation's values and culture are protected. People allowed into our country, Australia, must live by our laws.

Growing up, my parents taught me to respect all cultures and religions. I lived with people of all faiths—Hindus, Muslims, Buddhists, Sikhs and Christians. Australia has developed a society where people of all faiths are free to get along. In particular, we must maintain our well-developed standards on the treatment of women and girls, and children in general, and the equal advancement of people from all ancestries and all colours of skin. We should welcome anyone of any background who wants to live in peace. But for those who do not plan to integrate into our culture and laws, we need to protect our borders and keep them out. My hope is that we will have a fairer immigration system—a system that stringently tests individuals in their commitment to Australian values. At the moment, we test people wishing to take citizenship on Don Bradman's batting average. So, I ask the question: why don't we test people more properly before they come to Australia on upholding our great nation and our laws?

Australia's values and way of life are also at risk from insidious institutions such as the unelected swill that is the United Nations. The people of the United Kingdom recently spoke, and I have great admiration for the way they broke free of that socialist, monolithic monster, the European Union. The EU is a template for total socialist domination of Europe through unelected bodies, such as the IMF, forcing their frightening agenda on the people. It is also the UN's template, and Australia must leave the UN. We need an Aus-exit.

Thanks to many researchers, like my colleague Graham Williamson and Graham Strachan, people are waking to the UN destroying our national sovereignty through implementation of the UN's 1975 Lima declaration and 1992 Rio declaration for 21st century global governance,
often known as Agenda 21—more recently as Agenda 2030. It was signed quietly by the then government and sneakily implemented by ministers of every government since under the guise of biodiversity to steal property rights, sustainability to pass regulations controlling people and climate change to push foreign control using unlawful agreements like the Paris sham.

Let me say: the people of Australia are desperate to regain our sovereignty. We need to rebuild our nation. Australians have had enough of foreign control, enough of tax and enough theft of our prosperity and future. Australia is on a precipice. We can fall off the edge if we continue to become an unproductive nation which hinders enterprise through high taxes and allows gross abuses of power, such as taxing the air we breathe. We once thought we were a poor nation when we were actually rich. Sadly, we now think we are a rich nation, yet we are becoming poor. Instead of no nation, we must have one nation.

People can be confident that I will advocate for them authentically from my heart, always in the national interest. I will show the highest ethical standards in my advocacy. My greatest passion is freeing people to reach their potential through strong leadership to be individuals able to pursue dreams and aspirations as citizens of the greatest nation on earth—the greatest nation on our precious, beautiful little planet. Together, we have a lot of work to do, Australia. I am humbled to be entrusted in doing this amazing work with the Australian people.

Finally, no one can show testimony to my belief in the enduring power of human nature more than the great Pauline Hanson. With the indulgence of this chamber and with the Senator's permission, I will refer to her as everyone knows—Pauline. Our Pauline, the people's politician—she is one of us, and we are just like her. She is a woman of great courage to whom I owe being able to stand here today. Pauline listens to understand and is honest, courageous and persistent. Twenty years ago, Pauline, the Establishment ridiculed you. At the same time they quietly started implementing some of your policies. Thank you for saying what you have said and for giving a voice to the forgotten people, and for showing that we really do matter. Thank you, Pauline.

I must thank the amazing James Ashby. As with Pauline, they threw everything at you, mate, and you stayed strong, true to our cause and kept your integrity. You are one of the most capable people I have ever met anywhere. Thank you, mate. You have a great team at One Nation behind you, Pauline, and I thank all of our campaign team and in particular Saraya Beric for your brave and loyal spirit. Thank you, Saraya.

I have been working voluntarily on these causes close to my heart for eight years to shed light on so many injustices. I could not have done this without the strength, the courage, the honesty, the tolerance, the sometimes overwhelming patience and certainly the care of the person I love most, my gorgeous wife, Christine. Together we are blessed with the love of our children, Shane and Kelsey, who have the strength to challenge and who are always close to my heart. I love you both. My parents, who have passed on, instilled in me honesty and strength of character, and I honour them today.

Our nation, Australia, is at its very best when it is united—united as one nation. In the past, our nation faced and overcame great challenges. Now we face enormous challenges. So today I have shown those things important to me, to our great party—Pauline Hanson's One Nation—and to our magnificent state of Queensland. My role in this chamber will be to ask
the questions that need to be asked and to do what needs to be done in finding solutions for all of us.

Mr President and senators, thank you.

FIRST SPEECH

The PRESIDENT (17:26): I am sure there is no need to remind senators to listen to the next first speech in silence.

Senator WATT (Queensland) (17:26): I begin by acknowledging the traditional owners of the land on which we meet today, the Ngunawal and Ngambri people, their elders past, present and emerging. I also acknowledge the many Aboriginal and Torres Strait Islander traditional owners of the lands of my home state, Queensland.

From November 2010 to January 2011, an unprecedented series of floods and cyclones hit my state. Thirty-six people lost their lives. Tens of thousands of homes and businesses were destroyed. Seventy-eight per cent of our state was declared a disaster zone. As the Brisbane River broke its banks and silently inundated properties, I joined tens of thousands of other Queenslanders to clean up the carnage, in what became known as the mud army. Unlikely partnerships were formed. I worked with the evangelical church in my then electorate, which previously I had known as the source of my local political foes. I helped strangers and friends I had not seen in years. But I was not special. Tens of thousands of Queenslanders did the very same thing. It was expected that you would help. Amid all the heartbreak, we stuck together to rebuild communities in what was the largest piece of collective action I have ever been involved in.

As our then Premier, Anna Bligh, said at the time:

We are Queenslanders; we're the people that they breed tough north of the border. We're the ones that they knock down and we get up again.

And get up again we did. But that summer changed Queensland and changed Queenslanders, including me, forever. For me, the memory of that collective action will shape how I approach every day of my job as a senator.

It is an honour to give this, my first speech, as one of two new Labor senators for Queensland. In the words of our great poet Judith Wright, Queensland is 'my blood's country'. My father's family hail from North Queensland and my mother's from the Darling Downs.

Growing up in Brisbane, it was fashionable in some circles to see Queensland and Queenslanders as backward. At times, our state governments entrenched this image as they set new benchmarks for political and cultural repression. But this view was always deeply misplaced. It ignored Queensland's business achievements, our scientific innovation, our cultural contributions, our spectacular biodiversity, not to mention our sporting triumphs!

Even in politics, Queensland has often led. We elected the world's first Labor government in 1899 and abolished the death penalty more than 50 years before most other Australian states. Just last year, the Palaszczuk government became the first in Australia to have a majority female cabinet. Today's Queensland is forward-looking, with so much to offer our country and the world. I look forward to being an ambassador for today's modern Queensland.

We are, of course, Australia's most decentralised state, and this brings unique challenges. Queenslanders' sheer distance from political decision-making can breed alienation from and
distrust of politicians. This sense of feeling ignored even reaches our state's more populated south-east corner in places like the Gold Coast, where I intend to establish my office.

Queensland has been well served by outstanding Labor senators—most recently by Jan McLucas and Joe Ludwig, whose service and achievements I acknowledge. In particular, Jan was a true champion of our state's north, travelling vast distances to listen and to advocate. Both Jan and Joe are great examples for any new senator, and I hope to meet the standard they set. I am privileged to join three other Queensland Labor senators: Senator Moore, who I have known and respected since childhood; Senator Ketter, whose diligent committee work is well known; and my friend Senator Chisholm, who will soon deliver his own first speech. We will all work hard to ensure Queensland has a voice in this place.

As a new senator I come to this place with strong Labor values: a deep commitment to fairness, equality and justice. I come with a firm conviction that being elected to parliament offers an unrivalled opportunity to convert those values into tangible gains for those who need it most. Like all new senators, I also come to this place with personal and professional experiences which inform my values—as a father, a husband, a son, a brother, a mate, and with a career spent working to improve the lot of others.

As a result, this is not my first first speech to a parliament. In 2009, I stood before the Queensland state parliament as a newly elected member to begin what became a very short lived political career. In what proved to be spectacularly bad timing, I entered state parliament when the Labor tide was going out and went on to lose my seat—along with 43 of my colleagues—only three years later. It is reassuring that merely one term in this place will triple my time as an elected representative! This experience means that I will not take a moment I spend here for granted. I am incredibly fortunate to have been given a second chance in public life. In preparing this speech I re-read my first speech to the Queensland parliament, and what struck me most was the similarity between the themes in that speech seven years ago and the themes I am touching on today. At one level, I guess that demonstrates clarity of purpose, but it is also a useful reminder that the road of reform is long.

Occasions like this also offer an opportunity for reflection on what you stand for and why. I grew up in the southern suburbs of Brisbane in a loving home. Like most Australian families, we were not desperately poor and we certainly were not rich, but even that solid start in life was a distinct improvement on my parents’ childhood. My dad, Neville, grew up around Mackay, leaving school at 14 to work on his family's dairy farm as a canecutter and in other hard physical jobs. My mum Kathy's family went wherever work was available for her father, from Brisbane to the Darling Downs. Sadly, unemployment—and the poverty that went with it—was a regular feature of family life.

Education was the essential ingredient in both Mum and Dad achieving a better standard of living than their own parents. Both Mum and Dad completed university as adults, while working and raising two kids. Both gained teaching qualifications. Mum eventually became a school deputy principal and Dad finished his career doing something he truly enjoyed—as a bus driver for the local council. Fortunately, my brother, Glen, has upheld the family tradition by becoming a teacher and by marrying one as well. That is why a belief in the power of education is core to who I am. My parents’ support for my own education is just one reason I owe them so much. While my father is unwell right now, I am so pleased that Mum and Glen can be with us today.
But my political awakening really happened around an old laminate-topped table in Toowoomba, on the Darling Downs. Each school holidays my family would travel up the range to visit my beloved great-aunt and great-uncles. They were big in personality and ideas. To me, they were giants who I adored, and the political education they gave me was priceless. My great-uncles remained, to their dying days, committed socialists. While they each left school at a young age, they were worldly men and fought hard to make a difference not just for themselves but for others as well.

I remember, aged around 14, asking Uncle Michael what annoyed him most. His doctrinaire response was this: ‘The private ownership of the means of production.’ I had no idea what he was talking about, but I knew it was pretty radical. While times have changed and their version of socialism did not lead to the utopia my great-uncles had hoped for, the hours spent dissecting current affairs around that kitchen table forever imprinted my values: fairness, equality and justice. By allowing an impressionable teenager to participate, they taught me the importance of inclusion. Their rejection of the mantras of the mainstream media of the time taught me to question the status quo. Their opposition to the authoritarian Bjelke-Petersen regime was pivotal to my studying law and, ultimately, to fighting for others' basic rights.

But those great-uncles also taught me other great values which I think are particularly important right now: the value of community, a concern for others and something bigger than just yourself; and the value of collective action, like that displayed by the 'mud army' in the Queensland floods. To me, this is what defines Labor. We are the party of the people, of standing together and of standing up for each other. We support individual freedom but believe this should not be at the expense of others, because a society where individuals act without regard for others is no society at all. In Labor, we understand that we grow best when we grow together, and this understanding has never been more important. Inequality is becoming more entrenched; power is becoming more concentrated; and people are anxious about their jobs, their family's safety and their future.

In this place, we will make choices about how we deal with these challenges. When we do this, I will always be for moving together. Unfortunately, not all political voices share this view; instead, we see Australians divided into 'lifters' and 'leaners', the 'taxed' and 'taxed-nots'. Even worse, extreme voices have re-emerged which actively fan the flames of prejudice and division. Rather than building bridges, they build walls.

These views are actually out of step with Australian values. Our nation has always solved its big challenges by pulling together. Facing potential invasion in World War II, Australians showed unity of purpose on the battlefield and on the home front. As our economy was modernised in the 1980s, business, governments and unions came together to restructure our economy in a way that sought find a place for all. That is why I am confident that today's attempts to divide us will fail because it is not what Australia is about.

This shift towards division is disguised as a rally cry for the poor, the disenfranchised and the fearful. But those left out do not want division either; they want to belong. I know these people; they are my family. They are the farmers and manufacturing workers I have represented as a lawyer. They are the people I doorknocked during the campaign. Not one of them tells me that their burning issue is to abolish the Family Court, that climate change is a
UN sponsored conspiracy or that they obsess over Halal certification of food. They tell me they want a plan for the jobs of the future, not conspiracies and beat ups.

These people do feel uneasy about changes they see around them. These changes and the resulting disillusionment with mainstream politics have never been greater. But we do not calm this unease and we do not solve the real problems these people face by dividing our community and breaking down the trust we have in each other. Instead, we need to reach out to understand and to bring people together. And it is only by working together that we will solve the big challenges that face our nation today—challenges like providing economic security, ensuring quality public services and building international cooperation.

Right now, Queensland's economy is in transition after the mining boom. High unemployment is hurting too many, especially in regional Queensland. I met a young man in Rockhampton last month, who had completed several training courses, had applied for over 100 jobs and had travelled as far as Sydney in search of work. He had slept in his car so he could pay for food but still he kept at it, searching for a job, any job to no avail. He was visibly relieved to have finally found work pumping fuel at a local petrol station but his point was simple: it should not be this hard. This kid is not a 'leaner' but we are failing him and thousands more like him.

Even those in work find themselves with wages barely rising, with increasingly precarious employment and with being subjected to tricky new employment arrangements that leave them more exposed. And of course sitting above all of this is ever-present technological change, which threatens to redefine and disrupt the very nature of work. Some say the solution is a race to the bottom—to individualise the workplace, to remove penalty rates, to make it easier for employers to hire and fire. The better way—the Australian way—is to create work together, like the partnership between business, unions and government that opened up our economy in the 1980s. Like the Queensland government's Smart State strategy, which I helped design, and which brought business, schools, training providers and universities together to create new jobs and modernise existing ones. There is a role for government in the economy, and it is not to sit back and hope that prosperity will just trickle down.

Having a job is the greatest engine to lift and keep people out of poverty. But it alone cannot meet every human need. Nourishing our minds and maintaining our physical wellbeing are also vital if we are to fully participate in our community. That is why well-funded and quality public services, like education and health care, are so important, especially in a decentralised state like Queensland.

Ensuring that all Australian kids, whoever they are, have the same educational opportunity, with a needs based funding system, is the biggest thing we can do to help them achieve their dreams. These types of reforms also have a huge payoff to the nation, with a skilled workforce lifting our productivity and our shared wealth. But the benefits of strong public services like this and universal public health care—something endorsed by Australians at the recent election—are not measured in dollars. By contributing to these services together and using them together, we all buy into our community. As President Obama said, in his second inaugural address:

The commitments we make to each other through Medicare and Medicaid and Social Security, these things do not sap our initiative, they strengthen us.
Naturally, many of the greatest challenges our people face are not fenced in by national boundaries. There is no border that prevents the effects of climate change. A nation, acting alone, cannot make multinational corporations pay their fair share. The horror we feel on seeing human rights abuses is not diminished by them happening overseas. These challenges are international in nature as are their solutions. Australia is well placed to contribute, with a history of leading positive change in the world. And we live in the most dynamic region of the world, replete with opportunity.

International cooperation presents our best chance to solve another challenge that has faced our country for decades—our treatment of asylum seekers. I have a personal connection to this issue, having been the lawyer for an Australian-born baby, Ferouz. Ferouz is the son of two Rohingyan asylum seekers, who fled persecution in Myanmar before arriving in Australia by boat. Despite being born in Brisbane's Mater Hospital—the same hospital where I was born and my two children were born—Ferouz was deemed to have arrived in Australia by sea. This absurd conclusion rendered this Australian-born baby, only days old, subject to immediate transfer to detention in Nauru. After an intense legal, political and public campaign, we succeeded in forcing this government to back down. Ferouz, his family and over 100 other Australian-born babies of asylum seekers were not transferred to Nauru, were released from detention and were granted the right to apply for protection visas. Far from being a drain on Australian society, Ferouz and his family are now living fulfilling lives in Melbourne.

I am well aware that the asylum seeker debate is one of our most politically charged, but I think most Australians want to see us deal with this in a better way. Most Australians want us to be a country that faces up to this challenge, like we always do, instead of shying away from it. It is deeply unfortunate that this debate has been framed around a false choice: we can have deaths at sea or we must treat people inhumanely. No-one on any side of politics wants to see people die at sea and no-one feels good to see people treated so poorly and in indefinite detention. The truth is that there are other options. In particular, a long-term solution to this issue will require more than Australia acting alone. It will require genuine engagement with our regional neighbours like Indonesia and Malaysia. It will require a different tone in our dealings with those countries, one of respectful partnership rather than a one-sided list of demands. Through international cooperation and by working together, especially with our neighbours in Asia, we can solve so many of our nation's future challenges.

This mission will, of course, not be achieved by me alone or even by one political party or one government. It takes a large group, and it took a large group to get me here. Unfortunately, I do not have time to mention the many people who have assisted me to date, but I hope that you all know how grateful I am for your help.

It is impossible to imagine a society where wealth is shared and where everyone gets a fair go without an active union movement. I am proud to be a union member and particularly proud to be a member of United Voice. I know that I come to this place thanks to the support of thousands of Queensland workers who have banded together through their unions to put Labor representatives into this Senate. I thank those workers, without whom I would not be here. I pledge to work every day on your behalf. I also thank the many political comrades who have assisted me, including a number of people in this chamber and the other place, and the
old friends from outside politics who have helped keep me reasonably grounded over all these years. It is a pleasure to have some of you in the gallery today.

Finally, to my closest friend, my wife, Cynthia, and to my inquisitive and energetic children, George and Abby: it is impossible to describe the love we share for each other or the gratitude I feel for you supporting me in this adventure. Having done this before, I well understand the sacrifices you will make as we take this step. When I am away you will never be far from my mind and when I am home I promise lots of backyard soccer, trampoline jumping and even more Ari jewellery.

It is the responsibility of every one of us here to speak the truth and to act in line with what we think it means to be Australian. For me, it is the combination of fairness, equality, justice and community. These things make us uniquely Australian. Our mission is to make these enduring values real in a way that works now for everyone in our nation. By banding together we grow together. That is the thing I was reminded of as I cleaned the mud with my evangelical neighbours after those devastating floods. That is what I want to help bring to this place and to my huge, sprawling, rugby-league-loving and diverse electorate of Queensland on every day that I am fortunate to be a senator. Australia is a remarkable country. We have achieved so much. Let us seize our nation's potential by working hard and by working together.

MATTERS OF PUBLIC IMPORTANCE

Donations to Political Parties

Consideration resumed.

Senator CAROL BROWN (Tasmania) (17:52): I rise to speak on this matter of public importance on the need for the Turnbull government to commit to comprehensive and immediate political donations reform. I want to say at the outset that Labor are committed to reform of political donations. Labor are up for reform because we have a longstanding commitment to improving standards of transparency and accountability in relation to political donations.

When Labor were last in government, we introduced legislation into the parliament to significantly reform the rules surrounding political donations. Unfortunately, the then Liberal opposition blocked our changes in the Senate. Our legislation was designed to reverse retrograde changes implemented under the Howard government when the Liberal Party last controlled the Senate. There is a need for reform, and Labor will be at the forefront of that reform because we have high standards for openness around donations to political parties.

The Greens also claim a longstanding policy in favour of reforming political donations. But we know that when they had the opportunity to actually achieve donation reforms, they squibbed it. Earlier this year, the Greens sided with the Liberals and opposed Labor's amendment seeking to make donations reform. This is exactly the kind of hypocrisy we expect from the Greens when it comes to political donations. They claim to oppose corporate donations, and you will often hear them criticise other parties for receiving corporate donations. But in the lead-up to the 2010 federal election the Greens accepted a $1.7 million donation from the founder of travel corporation Wotif.com, Graeme Wood. Even though they suggest it was a personal donation—a very large personal donation—it was the largest political donation in Australian history, whatever you call it. That donation was to a party that
apparently opposes private political donations. But, nonetheless, I welcome the Greens bringing this matter before the Senate today.

As I said at the outset, one of the first changes we need to make is to ban foreign donations. The Prime Minister must explain why he thinks it is a good idea to maintain foreign donations in our political system, because the Labor Party do not agree. There is absolutely no reason why we should not begin the reform of political donations by ending foreign donations. I am at a loss to understand why Mr Turnbull does not support parliament getting on with it. We need to make this change in legislation because that is the right and courageous thing to do, and that is what Australians want us to do. More than 100 other countries have banned foreign donations, so we need to act—and we need to act quickly.

Mr Turnbull and his government have a very different view. Mr Turnbull has himself been able to make significant personal donations to the Liberal Party—allegedly, up to $2 million. He seems to want to maintain foreign donations so the conservative side of politics can have a multimillion dollar head start on Labor. But he must provide answers and explain in detail why he wants to continue to allow foreign donations. We need to ban foreign donations.

There is room for more reform. Australians have a right to know who has donated to their political parties. Labor is quite clear that the threshold for anonymous donations should be $1,000. There is no reasonable argument as to why the identity of people who want to donate more than $1,000 should be withheld. The law now states that donations above $13,200 have to be made public. So people can contribute tens of thousands of dollars to their political parties and the Australian people will not have a clue who has donated to which party. We need to move on donations reform. (Time expired)

Senator LAMBIE (Tasmania) (17:57): It has become very clear to all Australians and, in fact, the world—and it is proven by the size of the Independent crossbench in the Senate—that our political system is broken and Australian democratic institutions have been corrupted. That is because, in the land Down Under, money buys political parties, politicians and policies. The situation has become so bad that we even have a former Prime Minister who thinks it is okay to make excuses for the Liberal Party, which happily takes millions of dollars in political donations from a communist dictatorship which has ignored international court rulings and threatened the lives of our Defence Force personnel who dare sail in international trading waters.

In an effort to muddy the waters and confuse the debate, former Prime Minister Howard has tried to treat political donations linked to an aggressive communist dictatorship as though they are the same as political donations from dual Australian citizens. There is a big problem with that. Even our Constitution recognises the dangers associated with the divided loyalties of dual citizens, because under section 44 it bans dual citizens from standing for elected office in federal parliament. So why can't we ban them from donating money to political parties? Whether it is formally or informally expressed, I think we should ban anyone who has divided loyalties from being able to vote let alone make political donations. If your loyalty is not 100 per cent with the Australian people and our democratic liberties and privileges then you should have no say at all on who speaks and votes in this parliament. For example, if you support the terrorist law—sharia law—and a hostile overseas religious leader then you should be banned from all democratic participation in Australia, including the right to donate to political parties, vote and receive taxpayer funded welfare.
I would like to challenge every political party to adopt the Jacqui Lambie Network system—an open and transparent real-time disclosure for political donations—and show the people of Australia exactly who has given them money and how much before legislation is voted on. It is not a coincidence that companies who have donated to our major political parties and who have turned over millions and in some cases billions of dollars trading in Australia have avoided paying tax. Australia's system of political donations has been deliberately set up by our major parties to fail and be vulnerable to corruption and rorting. It has been set up so that those with lots of power and money can secretly give money to and buy improper influence from their pet politicians and political parties.

The DEPUTY PRESIDENT: The time for the debate has expired.

DOCUMENTS

Australian National Audit Office

Consideration

Senator GALLACHER (South Australia) (18:00): I move:

That the Senate take note of the document.

In speaking about audit report No. 16 of 2016-17, Offshore processing centres in Nauru and Papua New Guinea: procurement of garrison support and welfare services, I want to refer back to the previous parliamentary committee on the recent allegations relating to the conditions and circumstances at the regional processing centre in Nauru, and recommendation 15. Recommendation 15e said:

the extent to which contracts associated with the operation of offshore processing centres are:

- delivering value for money consistent with the definition contained in the Commonwealth procurement rules;
- meeting the terms of their contracts;
- delivering services which meet Australian standards; …

And what do we have here? We have the most damning Australian National Audit Office report of a government department. It is almost incomprehensible. We have an examination of $3,045 million worth of expenditure as reported by AusTender at the end of March 2016. And we have an examination of the adherence to Australian government procurement processes, which combine Australia's international obligations on good practice and enable government entities to design processes that are robust and transparent and instil confidence in the Australian government's procurement activities. And what is the conclusion? The conclusion is damning:

The Department of Immigration and Border Protection's (DIBP) management of procurement activity for garrison support and welfare services at the offshore processing centres in Nauru and Papua New Guinea (Manus Island) has fallen well short of effective procurement practice. This audit has identified serious and persistent deficiencies in the three phases of procurement activity undertaken since 2012 to:

- establish the centres;
- consolidate contracts; and
- achieve savings …

This is an auditor outlining serious deficiencies.

I have not had the time to digest this audit completely. There are paragraphs about insufficient record keeping, about no due diligence, about no conflict-of-interest management—on the expenditure of $3 billion, or $3,045 million. The Australian National
Audit Office has come down with a damning indictment of the activities of this department and this minister. We in this chamber at question time get lectured to by the finance minister about what a grown-up government they are and how fiscally prudent they are and how in charge they are. Well, let me just give you an example of how Finance is in charge of expenditure in this debacle. The Prime Minister had requested that per-head costs be lower as a result of retendering the contracts, but the department did not calculate a cost per person. Finance advised the Australian National Audit Office that under the consolidated contract the per-person per-annum cost of holding a person in offshore processing centres in Nauru and on Manus Island was estimated at $573,111 at the time of the Mid-Year Economic and Fiscal Outlook 2015-16. Prior to the consolidation of these figures, Finance had estimated the cost at $201,000. That is $371,000 per head that they could not get right, that Minister Cormann and his department cannot add up. They are $371,000, per head, out of whack.

And these are the grown-ups in charge. These are the people who lecture this chamber about prudent, diligent fiscal and economic management, and they are $371,000 out. This is not the end of this matter. This report should be digested by every senator in this place. It is an indictment on this government.

The DEPUTY PRESIDENT: Thank you, Senator Gallacher. Your time has expired.

Senator Gallacher: I seek leave to continue my remarks later.

Leave granted.

Senator McKIM (Tasmania) (18:05): This report from the Australian National Audit Office is effectively a report into the establishment and operations of the detention centres on Manus and Nauru. I have to say, I am genuinely flabbergasted by the revelations in this report. Having digested but part of it in the short time available to me, I can confidently assert that the Department of Immigration and Border Protection would have terrible trouble organising the efficient purchase of a beer in a brewery. This is a damning and scathing report of an agency which in some aspects of its operations has clearly gone rogue. If people think I am overstating it, have a listen to this quote from the Australian National Audit Office:

The department used approaches which reduced competitive pressure and significantly increased the price of the service s without Government authority to do so.

The Audit Office has also found:

The Department of Immigration and Border Protection's (DIBP) management of procurement activity for garrison support and welfare services at the offshore processing centres in Nauru and Papua New Guinea (Manus Island) has fallen well short of effective procurement practice. This audit has identified serious and persistent deficiencies in the three phases of procurement activity undertaken since 2012 to: establish the centres; consolidate contracts; and achieve savings through an open tender process.

It then goes on to say in relation to the open tender process:

… the approach adopted by the department did not facilitate such an outcome—

the outcome being that the government had indicated desire to rein in the growing expenses associated with managing the centres. The Audit Office has made it clear that the approach of the department in fact did not facilitate such an outcome. This is the most extraordinary audit report—the most damning and scathing audit report I have seen in my time in politics. It reminds me of the ones that used to be made into Forestry Tasmania; and, believe me, that is not a kind comparison to make of the Department of Immigration and Border Protection.
But it gets worse for the department, because, of course, in the department's response it basically blames the government. Let me read you a bit of the department's response, contained in the audit report:

When legislation was passed on 17 August 2012 enabling regional processing—four days after the release of the expert panel's report—the Department needed to establish the necessary operational requirements immediately. Consistent with expectations, the first asylum seekers arrived in Nauru three weeks later... The Department met these requirements in an environment that was high-tempo, at the peak of national interest and complicated through logistics and uncertainties involved with processing in foreign countries.

In other words, the government should not have established in indecent haste regional processing centres in foreign countries. The Greens could not agree more with the Department of Immigration and Border Protection on that one. It was always going to end in tears and it has ended in people's tears. It has not only ended in a massive waste of taxpayers' money; it has ended in levels of human misery accomplished in the name of the Australian people that we have rarely seen in this country's history.

The Audit Office, make no mistake, has come down like a tonne of bricks on the Department of Immigration and Border Protection to the extent that I genuinely believe that the minister needs to seriously consider the position he finds himself in here. I make the same argument in relation to the secretary of the department. This is a scathing, damning report the likes of which I dare say this Senate has rarely seen. There are senior people not only in government but in the department that need to have a good, long look at themselves here, because we are talking about the expenditure of billions of dollars of taxpayers' money in a way that has not been in accordance with accepted principles of proper process and probity.

Senator IAN MACDONALD (Queensland) (18:11): What a disgraceful and unworthy attack that was on the hardworking public servants who during the course of this whole episode were really under enormous pressure. There were tens of thousands of illegal arrivals ending up on Australia's shores. The poor departmental officials had to try and process all of them under the time of the Labor government because they just kept coming. That attack by the previous speaker is unwarranted, unfortunate and wrong.

The previous speaker went halfway. He mentioned that the department had blamed the government. The speaker did say it was in 2012, and of course that was the Australian Labor Party government that the Greens political party supported all the way. It is a pity Senator Gallacher was not still in the chamber to hear Senator McKim, because what Senator McKim said was right about the then government that introduced this, and that was the Labor Party government that sent people to Manus and Nauru in the first instance. And you never acknowledged that, Senator McKim. You try to blame the current government. You are saying the current minister needs to look at it and the current secretary needs to look at it. It is in fact them trying to make up for the oversights—the dereliction of duty—of the minister who was in charge at the time this was all put in place. I cannot even remember who the Labor minister was, but I do remember it was Kevin Rudd, the Australian Labor Party Prime Minister, who started this Manus and Nauru issue. Senator Gallacher, I really suggest that you actually read the report before you get up and make those comments, because this report is a report by the Audit Office on the actions of the then Labor government who started the process of going to Manus and Nauru.
Let me remind senators who were not around at the time what this was all about. Years ago the Howard government did have processing centres there. They were properly managed. They had been put in place with careful consideration by the then public servants doing it the right way. The Labor Party came along and did away with that and, as a result, tens of thousands of people landed on Australia's beaches. Many were killed getting here. In a fit of pre-election anxiety, the then Labor Prime Minister, Mr Rudd, decided that, after denying it for years and years, they had better reinstate the Howard government's offshore detention proposals. In the course of a very short period of time, Mr Rudd called upon the public servants at the time without proper consultation and without the ability to sit down and work out how it could and should be done. Had they been asked to do that, the public servants would have done that very well, but Mr Rudd insisted they do it immediately, because he was facing an election. He knew the Australian people would not tolerate his government on the open borders policy, so he introduced this policy in a hurry. Senator McKim will never acknowledge that his criticism is accurate, but it is accurate against the government that introduced it, and he never mentions that. Did he call for Mr Rudd to be censured? No, he calls for Mr Dutton to be censured. It just shows how hypocritical and how dishonest the Greens political party are in the way they approach this particular issue.

As I say, before Senator Gallacher opens a page and starts commenting on a quite technical report, he should have a look at what it really said. It really laid the blame back on those early days when the bureaucrats were not given the appropriate attention. Unfortunately, time is going to escape me, but we are going to have another inquiry. The last two inquiries have been inconclusive; we have hearsay evidence on hearsay; nobody has ever proved anything; the department, which has all the facts, is never consulted. It is a bit like that children's report of the disgraceful Human Rights Commission—full of inaccuracies, which the department tried to tell the Human Rights Commission about; but they ignored it and simply issued what was clearly a political device at the time. If the department had been asked, as with this latest incident, they could explain the things and give the truth to those allegations. The audit report is right, but it is an indictment of the Labor government led by Mr Rudd.

The DEPUTY PRESIDENT: Thank you, Senator Macdonald. Your time has expired.

Senator IAN MACDONALD: I seek leave to continue my remarks.

Leave granted; debate adjourned.

International Air Services Commission

Consideration

Senator IAN MACDONALD (Queensland) (18:17): I move:

That the Senate take note of the document.

This is the annual report of the International Air Services Commission, delivered under section 53 of the International Air Services Commission Act. Obviously, the International Air Services Commission, as its name suggests, has a lot to do with air services around the world. It is an important element in the whole structure of our international and even domestic flight services. It is a report that is always useful and informative and I commend it to the chamber.

Question agreed to.
PETITIONS

Palliative Care

Senator BILYK (Tasmania—Deputy Opposition Whip in the Senate) (18:18): by leave—
I present to the Senate a nonconforming petition with 369 signatures. This is the second part
of a petition that was tabled earlier today. Unfortunately we could not get some of the
addresses out, so some of it had to be nonconforming. This petition is with regard to the
importance of securing funding for Palliative Care Tasmania to continue the Better Access to
Palliative Care Program for another four years.

COMMITTEES

Report

Senator SMITH (Western Australia—Deputy Government Whip in the Senate) (18:19): At
the request of the chairs of the respective committees, I present reports of the Community
Affairs References Committee, the Environment and Communications References Committee
and the Foreign Affairs, Defence and Trade References Committee on matters referred to the
committees during the previous parliament.
Ordered that the reports be adopted.

Senators' Interests Committee

Report

Senator BILYK (Tasmania—Deputy Opposition Whip in the Senate) (18:20): As chair of
the Committee of Senators' Interests, I present the Register of Senators' Interests,
incorporating statements of registrable interests and notifications of alterations lodged
between 2 December 2015 and 9 May 2016.

Membership

The DEPUTY PRESIDENT (18:20): The President has received letters requesting
changes in the membership of committees.

Senator RUSTON (South Australia—Assistant Minister for Agriculture and Water
Resources) (18:20): by leave—I move:
That senators be discharged from and appointed to committees as follows:
Corporations and Financial Services—Joint Statutory Committee—
Appointed—Senator Whish-Wilson
Finance and Public Administration Legislation and References Committees—
Discharged—
Senator Whish-Wilson
Participating member: Senator Rhiannon
Appointed—
Senator Rhiannon
Participating member: Senator Whish-Wilson
Intelligence and Security—Joint Statutory Committee—
Appointed—Senators Bushby, Fawcett, Gallagher, McKenzie and Wong, pursuant to the Intelligence
Services Act 2001
Question agreed to.

**Joint Standing Committee on the National Broadband Network**

**Appointment**

The DEPUTY PRESIDENT (18:21): A message has been received from the House of Representatives transmitting for concurrence resolutions relating to the formation of a joint committee. Copies of the message have been circulated in the chamber.

*The House of Representatives message read as follows—*

That—

1. a Joint Standing Committee on the National Broadband Network be appointed to inquire into and report on the roll out of the national broadband network;

2. until the national broadband network is declared built and fully operational, the committee report to each House of the Parliament annually on:

   a. rollout progress with particular regard to the NBN Co Limited Statement of Expectations issued by Shareholder Ministers on 24 August 2016;

   b. utilisation of the national broadband network in connected localities in both metropolitan and regional areas, and the identification of opportunities to enhance economic and social benefits;

   c. Australia’s comparative global position with regard to residential broadband infrastructure, particularly relative to other large, developed economies;

   d. national broadband network activation rates, user demand, usage patterns and trends, and any identified impediments to the take-up of national broadband network services:

   e. any market, industry, or regulatory characteristics that may impede the efficient and cost-effective roll out of the national broadband network: and

   f. any other matter pertaining to the national broadband network roll out that the committee considers relevant;

3. the Committee consist of 17 members, 4 Members of the House of Representatives to be nominated by the Government Whip or Whips, 4 Members of the House of Representatives to be nominated by the Opposition Whip or Whips, and 1 non-aligned Member, 3 Senators to be nominated by the Leader of the Government in the Senate, 3 Senators to be nominated by the Leader of the Opposition in the Senate, 1 Senator to be nominated by the Leader of the Australian Greens in the Senate, and 1 Senator to be nominated by any minority group or independent Senator;

4. participating members:

   a. may be appointed to the committee on the nomination in the:

      i. House of Representatives, of the Government or Opposition Whip or Whips, or any minority group or independent member; and

      ii. Senate, of the Leader of the Government or Opposition, or any minority group or independent senator;

   b. shall be taken to be a member of the committee for the purpose of forming a quorum;

   c. may participate in hearings of evidence and deliberations of the committee, and have all the rights of a member of the committee, except that a participating member may not vote on any question before the committee;

5. the committee may proceed to the dispatch of business notwithstanding that not all members have been duly nominated and appointed and notwithstanding any vacancy;
(6) every nomination of a member of the committee be notified in writing to the President of the Senate and the Speaker of the House of Representatives;

(7) the members of the committee hold office as a joint standing committee until the House of Representatives is dissolved or expires by effluxion of time;

(8) the committee elect:
   (a) a Government member as its chair; and
   (b) an Opposition member as its deputy chair who shall act as chair of the committee at any time when the chair is not present at a meeting of the committee;

(9) at any time when the chair and deputy chair are not present at a meeting of the committee the members present shall elect another member to act as chair at that meeting;

(10) in the event of an equally divided vote, the chair, or the deputy chair when acting as chair, have a casting vote;

(11) five members of the committee constitute a quorum of the committee provided that in a deliberative meeting the quorum shall include one Government member of either House and one Opposition member of either House;

(12) the committee:
   (a) have power to appoint subcommittees consisting of 3 or more of its members, and to refer to any such subcommittee any of the matters which the committee is empowered to consider, provided that each subcommittee shall include at least one Government member of either House and one Opposition member of either House; and
   (b) appoint the chair of each subcommittee who shall have a casting vote only;

(13) two members of a subcommittee constitute a quorum of that subcommittee, provided that in a deliberative meeting the quorum shall include one Government member of either House and one non-Government member of either House;

(14) members of the committee who are not members of a subcommittee may participate in the proceedings of that subcommittee but shall not vote move any motion or be counted for the purposes of a quorum;

(15) the committee and any subcommittee have power to:
   (a) call for witnesses to attend and for documents to be produced;
   (b) conduct proceedings at any place it sees fit;
   (c) sit in public or in private;
   (d) report from time to time; and
   (e) adjourn from time to time and to sit during any adjournment of the Senate and the House of Representatives;

(16) the committee be provided with all necessary staff, facilities and resources and be empowered to appoint persons with specialist knowledge for the purposes of the committee with the approval of the President and the Speaker;

(17) the committee has power to consider and make use of the evidence and records of the Joint Committee on the National Broadband Network appointed during a previous Parliament; and

(18) the provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.

On the motion of the Assistant Minister for Agriculture and Water Resources (Senator Ruston) consideration of the message was made an order of the day for the next day of sitting.
Ordered that the consideration of the report be made an order of the day for the next day of sitting.

**BILLS**

**Excise Tariff Amendment (Tobacco) Bill 2016**

**Customs Tariff Amendment (Tobacco) Bill 2016**

**First Reading**

Bills received from the House of Representatives.

**Senator RUSTON** (South Australia—Assistant Minister for Agriculture and Water Resources) (18:22): 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—Assistant Minister for Agriculture and Water Resources) (18:22): 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—*

**Excise Tariff Amendment (Tobacco) Bill 2016**

This Bill will increase the rate of excise equivalent customs duty on tobacco by way of four annual increases of 12.5 per cent a year. The first of these changes will occur on 1 September 2017.

The Government is committed to improving health outcomes for all Australians and in particular to combating the health implications of smoking.

Recent research has shown that up to 1.8 million people, around two thirds of Australia’s smokers, will die from smoking related causes if they continue to smoke.

One of the most effective ways to reduce the rate of smoking is a program of education combined with an increase in the price of cigarettes. Increases in tobacco excise over the last two decades have contributed to significant declines in the number of people smoking daily.

This Bill supports the Government's efforts to decrease tobacco consumption and limit the uptake of smoking.

Full details of the measure are contained in the explanatory memorandum.

**Excise Tariff Amendment (Tobacco) Bill 2016**

This Bill will increase the rate of excise duty on tobacco by way of four annual increases of 12.5 per cent a year. The first of these changes will occur on 1 September 2017.

This Bill aims to increase the price of cigarettes via taxation, which research has shown is one of the most effective ways of reducing tobacco consumption and preventing the uptake of smoking. Higher prices encourage smokers to quit or reduce their consumption while also discouraging potential smokers, including young Australians, from taking up the habit.
This is an important change as smoking remains a significant health problem in Australia. Recent research has shown that up to 1.8 million people, around two thirds of Australia's smokers, will die from smoking related causes if they continue to smoke.

These excise increases will bolster the Government's broader tobacco strategy, which uses a variety of policy interventions, to minimise the prevalence of smoking.

Full details of the measure are contained in the explanatory memorandum.

**Senator GALLAGHER (Australian Capital Territory) (18:22):** I rise to speak in support of the Excise Tariff Amendment (Tobacco) Bill 2016 and the Customs Tariff Amendment (Tobacco) Bill 2016. Tobacco consumption continues to have serious health and economic impacts for individuals, their families and society. It is something that is important to me, and I am pleased that this government has come to be on the same page as Labor in introducing this legislation that will hopefully see more people quit smoking or not take up the habit in the first place.

I should say at the beginning that there are no safe levels of consumption of tobacco products. Tobacco is highly addictive, it is harmful to an individual's health and it imposes a major economic cost on our health system. But this can be addressed with the right focus from government. The harms from smoking are well documented and, while smoking trends are decreasing, we cannot take our eye off the ball as policymakers and stop implementing strategies to make this trend continue.

Each year in Australia tobacco kills more than 15,000 people and has more than $31.5 billion in health and economic costs. In the most recent survey of the burden of disease in Australia, tobacco was the risk factor responsible for the greatest disease burden. Annually, over 750,000 hospital bed days are attributable to tobacco related disease. A 2008 study found that the cost of tobacco, alcohol and illicit drug abuse to Australian society in 2004-05—that is the most recent major study which seeks to quantify the social and economic costs of tobacco use in Australia. The study estimates that the tangible and intangible social costs of tobacco use amounted to $31.5 billion, which includes $5.7 billion attributed to absenteeism and a reduction in the workforce.

The costs of smoking also continue to weigh down on the economy and on the budget through its adverse health effects and associated costs to the healthcare system. These bills increase the rates of excise and excise-equivalent customs duty on tobacco. There are four annual increases in duty of 12.5 per cent each, commencing on 1 September 2017. The objective of these bills is to improve the health of Australians by reducing their exposure to tobacco products. The increases ensure that average cigarette prices are more closely aligned with the World Health Organization's recommendation concerning the proportion that excise and excise-equivalent customs duty should comprise of the price of a cigarette.

Labor welcomes the government adopting our policy to improve health outcomes for Australians. Labor is the party with a proud history of tackling tobacco. Under the previous Labor government, as part of the National Tobacco Strategy, COAG committed to reduce the national adult daily smoking rate to 10 per cent by 2018 and halve the Aboriginal and Torres Strait Islander adult daily smoking rate from 47.7 per cent in 2008. Significant progress has been made towards these targets. In 2007-08 the baseline in the agreement was a national daily smoking rate of 19.1 per cent of the population. Now it has come down to 12.8 per cent of Australian adults who smoke on a daily basis.
Australia has been a world leader in tobacco control, pioneering measures such as advertising bans and plain packaging that have driven smoking rates to record lows and our policies being adopted as best practice internationally. Labor stared down the ferocious legal attacks from big tobacco, and this is now inspiring the rest of the world to follow this major advance in public health. Tobacco consumption has fallen 16.8 per cent in the almost three years since Labor's plain-packaging laws came into effect. According to the latest National Drug Strategy Household Survey, daily smoking declined significantly between 2010 and 2014—from 15.1 per cent to 12.8 per cent.

Evidence suggests that increasing the price of a packet of cigarettes is amongst the most effective ways to decrease rates of smoking, especially for younger Australians. This is why when in government Labor introduced four 12.5 per cent excise increments from 1 December 2013. Combined with the plain-packaging measures these increases will save thousands of Australian lives.

I was a proud champion of law reform to reduce the incidence of smoking in our community before I took up my role in this place. It was the ACT Labor government that banned smoking in enclosed public places in 2003. We were also the first to ban smoking in pubs and clubs with enclosed spaces some years later when I was the health minister. One of the achievements I was most proud of in my time as health minister was the ban on smoking in vehicles with children under the age of 16. I should also note that the ACT, South Australia and Tasmania are the only Australian jurisdictions to have banned smoking in all enclosed areas of casinos, including high-roller rooms.

I know firsthand that changing the law in this area is not easy and often faces fierce resistance from a range of players in our community, including those who are smokers themselves; however, it is crucial that if we are to see a generation of people who do not smoke and do not suffer from the associated health issues that come as a result of smoking, we need to push ahead and make the tough decisions that will make our country a healthier one down the track.

We on this side of the chamber are very pleased that the government has adopted Labor's policy which we announced and took to the election. In November 2015, shadow Treasurer Chris Bowen and shadow health minister Catherine King announced Labor would, if elected, deliver four 12.5 per cent excise rate increases in government commencing on 1 July 2017, which would reduce tobacco consumption while bringing Australia in line with world's best practice when it comes to taxing cigarettes. It is worth reflecting on what members of the government said at the time we announced this very responsible position. At the time, Scott Morrison's initial assessment was that they showed the opposition were 'fringe dwellers'. Health minister Sussan Ley initially described Labor's policy as 'a grab for money' and said, 'It's a political statement and I don't like it.' The then Assistant Treasurer, Kelly O'Dwyer, described it as 'another tax take' by Labor. Tony Abbott described the cigarette excise as a 'worker's tax'.

These ill-informed statements are in stark contrast to what the experts said at the same time. Those with expert knowledge said that that the policy would make a real change because price was an important factor in the decision to smoke. The chief executive of the Cancer Council of Australia said:
Every time you increase the excise consumption goes down. We anticipate if there were four of these recurrent tobacco increases over time, that about 320,000 current smokers would attempt and be likely to quit as a result of all four increases, and about 40,000 teenagers would be deterred from taking up smoking. In the longer term that means tens of thousands of cancer deaths would be prevented.

The government's backflip is welcomed and, while these kneejerk comments from senior members of the Turnbull government are regrettable, we can apply the cliched phrase of 'better late than never' to the government's final position. The government eventually saw the wisdom of Labor's approach and announced an increase in the tobacco excise in the 2016-17 budget. In May 2016, Treasurer Scott Morrison announced the budget provided for an annual increase in tobacco excise and the excise equivalent customs duties of 12½ per cent on 1 September of each year from 2017 to 2020.

Labor welcomes the government's change of position in this area. In fact, we would encourage the government to follow Labor's policy lead in a range of other areas as well. This would not only support well-designed policies but it may also provide a way through the chronic internal divisions that are currently crippling this government. Three other Labor policies which the government may wish to consider are: superannuation; negative gearing and capital gains tax; and closing the loopholes in multinational taxation. These are very sensible, well considered policies which would ultimately assist with budget repair.

Labor supports these bills. We are pleased that the government has adopted Labor's policy and we are optimistic that this legislation will continue to build on Labor's proud record of law reform when it comes to consumption of tobacco products. We also encourage the government to consider our other policies that will not only make our country fairer but also contribute to significant budget repair. I commend the bills to the chamber.

Senator IAN MACDONALD (Queensland) (18:31): As Senator Gallagher, the previous speaker, has said, the Excise Tariff Amendment (Tobacco) Bill and the Customs Tariff Amendment (Tobacco) Bill increase the tobacco excise charged on domestic production and the equivalent customs duty charged on imports by way of four annual increases of 12.5 per cent a year from 2017 until 2020. The increases will take place on 1 September in 2017, 2018, 2019 and 2020, and are in addition to existing biannual indexation to the average weekly ordinary-time earnings. Again, as the previous speaker said, each year smoking kills an estimated 15,000 Australians and costs Australia some $31.5 billion in social and economic costs—the social costs, of course, include health. Smoking rates have been decreasing, but evidence suggests the need for continual and varied interventions to further decrease smoking rates and consolidate the gains that have been made.

I enter this debate rather patronisingly. Thirty or 40 years ago I was smoking up to 60 cigarettes a day. I must say I was not 'smoking' 60 a day—I would light 60 a day, and, in the high-stress job I was in at the time, I would put down the cigarette I had just lit and one would already be burning in the ashtray. But I was one of the lucky ones who was able to give it up. I found it relatively easy when I put my mind to it, but I acknowledge that a lot of people still have trouble giving up the evil habit. About 20 years after that—20 years ago now—I had a heart operation. I have an artificial valve in my heart. At the time, I remember the surgeon saying to me, 'Are you a smoker?' and I said, 'No, I gave it up 20 years ago.' He said, 'That's lucky, because if you were still a smoker I wouldn't have wasted your time or the health system's money by even bothering to try and operate.' He would have just said, 'Tough luck;
bear it.' So there are certainly benefits to a decrease in smoking. The increase in the price of cigarettes will reduce the rate of smoking in Australia further, and the lower smoking rate will reduce those social and economic costs associated with smoking that I spoke about.

These bills may attract criticism from the tobacco companies, which argue that an increase in tobacco excise rates will increase the size of the illicit tobacco market. A few years ago, in my role as chairman of the Legal and Constitutional Affairs Legislation Committee, I was approached by the tobacco companies along those lines. They were not so concerned back then about the increase in excise, although they did not like it—what they were worried about at the time was the huge increase there would be in illicit tobacco products. From the tobacco companies' point of view that meant they would make fewer sales because people would be using chop-chop or other illicit tobacco products on which no duty and no excise—no government revenue—had been raised. The tobacco companies, quite sensibly and maturely, made the point to me and to the government at the time that if we were going to increase the excise we needed to at least increase surveillance—increase the ability of the law enforcement agencies to address the illicit trade in tobacco products.

That was a few years ago. Another of the concerns the tobacco companies raised with me at the time was that there were three or four different Commonwealth agencies, such as the tax department, the Customs people and a couple of others, who all had a particular role to play but there was a difficulty with coordination. One agency could do something, but could not do everything. That is not a very good way of explaining it, but it gets across the argument that was put to me at the time. And there were real problems at the time with this lack of coordination within these government agencies who could attack the illegal tobacco products.

Since that time, and as a result of representations made, I know that the Taxation Office and the Australian Customs and Border Protection Service have adjusted their regulatory frameworks to better control that illicit trade in tobacco, because it is okay for us to stop the legal trade in tobacco products and reduce the incidence of smoking, but if those who are smokers can get it at a fraction of the price down the road at some illegal chop-chop shop then not only are we not saving anyone's health but we are not saving any money for the government and the taxpayer. That is why it is important to note that in the proposal before the chamber today the government has announced it will strengthen the penalties for illicit tobacco offences and provide an additional $7.7 million to the Tobacco Strike Team to combat illicit tobacco activity. That is a welcome initiative. It is something I welcome. I am sure the tobacco companies will also welcome it, although I am sure they will not be terribly happy with this increase in the price of tobacco.

In debating this legislation and urging support for it and acknowledging, as I do, rather patronisingly, that people should give up because it costs so much, I am reminded of a letter that I received from a friend. He is someone who was a friend long ago but who I had not caught up with for some time. He wrote me quite a long letter about his views on smoking. He says, in part: 'Cigarettes at the supermarket are just over 80c each’—this, I might say, is a letter written in March before the latest increase—‘and about 25 per cent more at a servo or a newsagent, and about 85 per cent of that goes in government tax'. He then goes on to talk about his disdain for any party or politician that might increase the cost. He is retired and is carer for his wife, who has a disability, and he sort of indicates that this is one of his few real
pleasures in life these days. I mention that in this debate only to show that we should, in legislating appropriately, as we are, also think about the people who have different views.

I am just trying to summarise some of the things he said. He does have some quite substantial figures on the cost of smoking to him. He says that he believes it would be much cheaper if he were smoking an illegal leaf, like marijuana, or even ice. He said it would be much easier for someone like him to smoke marijuana and ice, and much cheaper. Again, I think that is something that we have to bear in mind. There are other aspects of his letter that I would like to read but, unfortunately, I only just thought of this as I was speaking and I wanted to acknowledge my friend for making those points to me and I wanted to let him know that at least I have read and understood his concern. Notwithstanding that, the government, in its wisdom, and the Labor Party have agreed that prices should go up to try to discourage smoking and also with a view to revenue.

There is a lot of evidence around about the fact that this increase will lessen the incidence of smoking and the health problems which follow from it. I did mention in my contribution the fact that illicit tobacco may become a more attractive proposition for criminal gangs, and it is important that the government does increase funding to the Tobacco Strike Team to combat that. It is also important to understand the point my friend was making: with the cost of legal tobacco being so high—and, as I say, most of the cost of cigarettes these days is government tax—it does make younger people in particular look at the prospect of smoking illegal substances or, worse still, using substances like ice. Whilst we do this with all the right reasons, the right thought, the right principles and the right procedures, we should also just bear in mind that this is making the use of illicit drugs a more attractive proposition to some. I can only say to the government that we must ensure that state and federal governments do whatever they can to address the scourge of illicit drugs at the same time that they address the health problems caused by cigarette smoking.

It always seems strange to me that, when it comes to controlling illicit drugs or enforcing the laws against them, every schoolkid seems to know where you can get marijuana or ice, yet the police never seem to be able to catch the distributors of those dangerous drugs. I can never quite understand why the police, with their intelligence, are not able to find out what every schoolkid seems to know.

But I digress a little bit. To go back to the Excise Tariff Amendment (Tobacco) Bill and the Customs Tariff Amendment (Tobacco) Bill that are before the chamber: they are important pieces of legislation, not only for the nation's health but also for the nation's revenue. They are part of a budget proposal and some recent legislation that will help the government address the budget deficit that this country has faced for several years now, and I congratulate Mr Morrison on that aspect of his work, in doing what he can to try to get the budget back on track, where it should be.

Senator DI NATALE (Victoria—Leader of the Australian Greens) (18:45): I rise to speak today in support of the Excise Tariff Amendment (Tobacco) Bill 2016 and the Customs Tariff Amendment (Tobacco) Bill 2016—the legislation to increase the excise on tobacco by 12.5 per cent per year for four years from September 2017. Most people know that smoking is harmful. The statistics are actually quite alarming and, when you sit down and reflect on those, you understand the public policy imperative to try and drive down smoking rates. We know that cigarettes kill one in two regular users—that is: half of all smokers die as a result of
their habit. We know that smoking is estimated to account for at least 20 per cent of all cancers in Australia, and it is the cause of approximately 15,000 fully preventable deaths in Australia each year. Smoking is responsible for about $30 billion in social and economic costs each year, which is a huge burden on the health system and, clearly, on the economy more generally.

We know that if tobacco as a product were to come onto the market today and an attempt were to be made to license it for use, it would fail. An attempt to get a licence to sell a product that kills one in two of its regular users is something that no regulator would contemplate. It is a harmful product and, for that reason, governments consistently, right across the world, have tried to implement public policies that drive down smoking rates.

If you look at the success of the different measures that help drive down smoking rates in public health, there are a range of things that we know have worked across a range of areas. We know that promotion is important and that restricting the promotion of products that are harmful has an important role to play. It is why, many years ago, there were strict limits placed on advertising, whether through electronic or print media, and so on. We know that availability is also an issue—we do not make cigarettes available at the front counters of shops but have them behind registers and available only to people of a certain age. And, most recently, on packaging, when it comes to smoking, we were trailblazers. We were the world's first plain-packaging country, with legislation in 2012, and, since the introduction of that measure, we have seen smoking rates fall by about 11 per cent.

So there are a range of public health measures that we know work: measures on promotion, availability, packaging—they are all effective public health tools that can be used to drive down consumption. But price is also an important factor. Price is, clearly, one of the most effective tools for helping drive down consumption. You can deter people from smoking by raising excise, and we know that, every time excise on tobacco is raised, smoking rates fall. If we continue to use this as an intervention, we know that the impact will be that we will save the lives of people who would otherwise have taken up the habit or of people who smoke and will cease to do that as a result of increases in price.

That raises a number of questions around that particular policy lever. What is the role of taxation in society? We know that one of the roles is to address huge issues like income inequality via redistribution. One of the reasons that we levy taxes is to redistribute income so that we can do something about issues like income inequality.

We know that, sometimes, we need to levy taxes to try to address externalities. We have seen that in a number of areas. We have seen Australia adopt carbon pricing legislation in an attempt to effectively put a price on an externality to ensure that that externality was dealt with by the source of that pollution. Sometimes those two things come up against each other. So, when it comes to the taxes sometimes called behavioural taxes or Pigouvian taxes, we see that they can have negative distributional impacts, and that is certainly the case with issues like tobacco excise. If you raise the excise on tobacco, the people on whom it will impact most are people on low incomes, who tend to have higher rates of smoking but are also most susceptible to those increases in prices.

So raising excise cannot be seen in isolation. It needs to be seen within our broader system of tax and transfers. If we are going to levy taxes, like an increase in tobacco excise, then we
also need to be dealing with issues like rising inequality through addressing the tax and transfer system.

That is why today's announcement from the government—with the support of the Labor Party—that they will seek to increase the burden on the most vulnerable people in society cuts right across a measure like this, because, when you are going to introduce effective taxation measures, when it comes to restricting particular forms of behaviour, the measures have to be coupled with addressing the distributional impact of those taxes. So we are very disappointed that, on a day when we are debating an increase in the tobacco excise, we are also talking about reducing support for some of the most vulnerable families in Australia.

These issues need to be seen in totality. If we do this properly—if we address the issues of inequality and the negative impacts of policies like an attack on the vulnerable through removing the clean energy supplement or, indeed, restricting access to family tax benefits—it should not be limited to tobacco excise. For example, during the most recent election campaign, the Greens announced a policy on sugar sweetened beverages. We did that because sugar sweetened beverages account for 20 per cent of the added sugar intake for all Australians and up to 30 per cent of those Australians between the ages of 14 and 30.

So, if you have got an effective public health system, you need to engage with prevention and you need to adopt those measures that are based in sound evidence. Using price as a measure to reduce harmful behaviours can be very effective in reducing chronic diseases, in reducing ill health and in reducing avoidable hospital admissions. Of course, if you do that, along with addressing issues like inequality through the tax and transfer system, you have a system that is working to improve the health of Australians while still providing people with the choice to engage in those behaviours if they see fit to do so, but you are doing everything you can as a society to limit the harms on the individual and the costs on society, and addressing those externalities by redirecting that funding to our health system.

When it comes to issues like sugar sweetened beverages, we know that a price increase of 20 per cent on sugar sweetened drinks, or about 20c on a can of cola, will result in a 12 per cent drop in consumption, which is even higher if you talk about people who consume a lot of the stuff. So, again, we think that this is an effective measure relating to sugar sweetened beverages. It has been modelled to reduce the rate of obesity in this country and it has been modelled to show a demonstrable decrease in the incidence of diseases like diabetes and heart disease. It is something that has been recommended by the World Health Organization as a key measure to reduce obesity rates.

Just like big tobacco has fought the rise of an excise on cigarettes every step of the way, we know that big junk food will continue to do the same. The point here is that the companies who resist these measures most are the ones who benefit from the consumption and increased consumption of these harmful products, and our job in this parliament is to stand up for the interests of the community, and not to do the bidding of big industry.

It also is related to the issues of donations reform, something that we have spent a lot of time discussing in this parliament over recent days. It is no surprise that as restrictions on donations from the tobacco industry to political parties began to take effect we started to see the parliament act to adopt measures that would restrict or limit the number of people who take up smoking. And that is why donations reform is so critical; we need to address the
influence of some of those big, vested interests, when it comes to issues like junk food and alcohol, so that we can get public policy in the national interest.

Alcohol is another product which we know is consumed by many Australians. Many Australians enjoy the occasional drink, but we also know that price is a very important influence on the consumption, and particularly the harmful consumption, of alcoholic beverages. Again, it is classic public health; when we look at issues around price, promotion and availability, the consumption of alcohol is related very directly to each of those individual areas. In terms of promotion, we still allow the promotion of alcoholic beverages to young people through, for example, broadcasts of sporting programs, and we need to do much more in that area.

When it comes to the consumption of alcohol, there has been a lot of discussion around a floor price, or indeed a volumetric tax, so that the taxation of alcoholic products is based on the volume of alcohol in each of those products. Again, we know that when you do that you start to get a much more rational distribution around the consumption of alcohol and you reduce harms. So the principle here is one that is very, very clear and one that the Greens support.

Let's acknowledge that, when it comes to those products that have the potential to cause harm to the individual or those products that have the potential to cause harm more broadly within the community, and where those harms are often imposing costs on our health system, we have a responsibility to address those harms by using the effective public health tools that we have in front of us, including the issue of price as a way of taxing those externalities and paying for the services that the consumption of those products often leads to—that is, within that health system.

I will conclude by saying that I do welcome the government's acknowledgment that in taxing tobacco we can have a positive impact on people's health and the choices that they make. I also have to express at least a note of cynicism. It seems that this government's motives are driven less by their concern around the health of individuals and more around balancing the budget and knowing that this was a measure that would have the support of the parliament. Nonetheless, it is an important measure.

We Greens are very committed to the fight to drive down the rates of smoking. We also want to see the government show some leadership and follow the evidence in setting a price signal not just on tobacco but on sugary drinks and alcohol—and recognising that pricing harmful products has a very important role to play in reducing harms in our community.

Senator LEYONHJELM (New South Wales) (18:58): I rise to speak on the Excise Tariff Amendment (Tobacco) Bill 2016 and the Customs Tariff Amendment (Tobacco) Bill 2016. When the Liberal Democrats were first established in the ACT in 2001, the very first issue the party campaigned on was the right to choose to smoke. One of the founders of the party actually took up smoking for the duration of the 2001 election campaign. Smoking was not endorsed or recommended. It was all about adults being free to choose for themselves, not treating adults like children.

I did not join the Liberal Democrats until 2005, but the policy remains the same. We do not believe governments have any right to intervene in the choices made by adults, except to prevent harm to themselves. Twelve years later, in other words in 2013, the party received its
first donation from a tobacco company—it pays to be patient. You would have to be really imaginative to suggest that our policies were influenced by donation.

I do not smoke cigarettes. I smoke the occasional cigar. I think cigars are a little bit like fine wine. I do not recommend smoking cigarettes, and I fully accept that it would be best if everyone gave it up. But not liking something, not doing it yourself and not recommending it does not give you a licence to prohibit it, tax it or harass those who do it—whether it is smoking, drinking or even eating McDonald’s. Government policies towards smoking are characteristic of what is wrong with Australia. We are overgoverned, overtaxed and overregulated. It is true that a lot of people disapprove of smoking, but the correct response to that is: if you don’t like it, don’t do it. It is not compulsory. If others choose to smoke, unless they are blowing smoke in your face, leave them the hell alone. Unfortunately, we are a long way from that. We are surrounded by people who are troubled by the worrying thought that someone, somewhere may be having a good time.

As a result of the existing tobacco taxes, Australia currently has close to the most expensive cigarettes in the world. With the increase in excise these bills will authorise, we will unquestionably have the most expensive cigarettes in the world. That is nothing to be proud of. A typical pack of 25 branded cigarettes currently costs about $30. Of this, about three-quarters is swallowed up by the government. But, of course, too much is still not enough. As a result of this legislation, smokers will get little change from $40 for a pack, and $32 of that will be tax. The burden of this falls heaviest on our poorest citizens. Smoking is highest amongst low-paid workers, the unemployed and Indigenous peoples. Among prisoners, ex-prisoners and drug users it is well over 50 per cent—some say over 90 per cent. And, I have to add, a vast majority of these people would be Labor voters. Quite a lot of the revenue that the government collects in tobacco taxes is money it has paid to smokers in the form of benefits, including welfare and pensions. Raising tobacco taxes simply increases this churn, leaving poor families with lower standards of living and increasing pressure on the government to increase benefits.

We often hear the assertion that smokers hurt nonsmokers by claiming more than their fair share of government spending. This is simply not true. It is not something to be pleased about but by dying early smokers save the public purse. Smokers receive fewer years of age pension payments and incur lower lifetime public health costs than nonsmokers. A 2008 Dutch study found that, due to differences in life expectancy, lifetime health costs are highest for people with a healthy lifestyle, lower for obese people, and lower still for smokers. Other studies have found similar results. Perhaps we ought to be imposing more tax on running shoes, gyms and health food.

In 2013 smokers imposed net costs on Australia’s healthcare system of $318.4 million. Depending on rainfall, smokers also cost the taxpayer roughly $150 million a year in bushfire control. And, yet, the government collects more than $9 billion in tobacco excise each year. Smokers contribute at least 17 times more than they cost the public coffers. Against that, we hear repeatedly the voodoo economics of Collins and Lapsley, who attempt to put a social cost on personal costs such as taking time off work or the grief of family members at illness and death. These are not costs borne by the government. Collins and Lapsley also take no account of the benefits of smoking. Many smokers actually enjoy smoking. These are similarly personal rather than social issues, and a decent economist would not take them
serious— but Collins and Lapsley cannot even get their voodoo economics right. Collins and Lapsley are wrong on so many levels, and yet bureaucrats who should know better use their dodgy data to pursue their nanny state agenda.

In reality, smokers are being used to raise revenue to spend on other things, and the purpose of the high taxes is not really to discourage people from smoking—that has already occurred as much as it is likely to; it is because governments cannot control their spending. Instead, they use disapproval of smoking to justify imposing discriminatory taxes. Even worse, the poor Indigenous prisoners and the mentally ill are paying for spending that is of most benefit to people who are much better off. These two bills, which will pick smokers' pockets, are not just about robbing the poor. They are about robbing the poor to pay the rich. There are lots of examples, but one of the worst is the plan by the government to extend childcare subsidies to people with incomes as high as $300,000 a year.

Another effect of the tax increase will be the continued growth of the illegal tobacco market. This accounts for about 14 per cent of the total tobacco market, as measured by KPMG. The government receives no revenue from the organised crime gangs that run this market and is now missing out on over a billion dollars a year in tobacco excise. That is a billion dollars a year that could go towards helping the genuinely needy, or reducing taxes so that more of the needy can get a job.

Around 13 per cent of the adult population smokes. These two bills increase taxes on them based on nothing more than the fact that they smoke, plus the fact that the ruling class disapproves of smoking, plus the fact that they think they can get away with taxing them more. Perhaps they will get away with it, but if the art of taxation is like the art of plucking a goose, removing the most amount feathers with the least amount of hissing, they are failing. Sooner or later—and I expect it will be sooner rather than later—the hissing will turn into active resistance. I look forward to that day.

Senator DUNIAM (Tasmania) (19:07): Thank you very much, Mr Acting Deputy President Marshall.

Senator Williams: Should be Deputy President.

Senator DUNIAM: Hear, hear, Senator Williams! It was an interesting contribution from Senator Leyonhjelm. It was very well researched, and he made some interesting points. I am not sure that I agree with all of them, but I think his speech was very well thought through and it was interesting to listen to.

All of us in this chamber recognise that tobacco smoking is one of the largest preventable causes of death and disease in this country, if not the world. As a disease, it is associated with an increased risk of a wide range of health conditions, including heart disease, diabetes, stroke, cancer, renal disease and eye disease, and respiratory conditions such as asthma, emphysema and bronchitis—diseases that I am pretty sure all Australian families have been impacted by in one way or another, unfortunately. My family is no exception to that. Over the years, grandparents that smoked and probably lived a little bit too well died of heart disease and emphysema. Tobacco was responsible for 7.8 per cent of the total burden of disease and injury in Australia in 2003, equivalent to around 15,000 deaths per year. As has been noted by previous speakers in this debate, it was estimated to cost Australia around $31½ billion in health, social and economic costs in the years 2004-05.
Unfortunately, my own state of Tasmania has the highest smoking rates of all Australian states, with only the Northern Territory recording a higher rate of daily smokers. In 2011 Tasmania's smoking rate was 21.7 per cent, compared to a national smoking rate of 18 per cent. Within the Tasmanian population there are groups of individuals with significantly higher smoking rates than the general population. Currently, the smoking rate is especially high for males in my own age group, between the ages of 25 and 34, at 40 per cent of that population. In the 35- to 44-year-old bracket, it is at 38.6 per cent, which is alarmingly high, I think we would all agree. Tasmania continues to have the highest proportion of women who smoke during pregnancy, with a prevalence of 35.7 per cent for those aged under 20 and 30.8 per cent for those aged between 20 and 24. The smoking rate among Indigenous Tasmanians was found to be 44½ per cent in the year 2008—again, an alarmingly high statistic.

More alarming are the rates of smoking among minors, of those who are below the legal minimum age—something we as a country have been trying to stamp out for many years now. In 2011 the Australian secondary school alcohol and drug survey showed that six per cent of 12- to 15-year-olds were smokers, with 16 per cent of 16- and 17-year-olds having taken up the habit. I think that is a pretty unfortunate way to start young adult life. Most encouraging though is the changing attitude among adolescents and their growing awareness of health problems associated with the habit of smoking. In the 2011 survey, 96 per cent of students agreed that smoking causes lung cancer and that it harms unborn babies. The survey showed a changing attitude to smoking, with it no longer being seen as a normative behaviour among secondary students in Tasmania, which is something pleasing to report to the Senate.

The Australian government and state and territory governments, through the Council of Australian Governments, have committed by 2018 to reduce the national adult daily smoking rate to 10 per cent and to halve the Aboriginal and Torres Strait Islander adult daily smoking rate. This ambitious target is based on the relatively low smoking rate as compared internationally. Australia's low smoking rate though, I believe, is the result of sustained, concerted and comprehensive public policy efforts from all levels of government, of all political persuasions, and action from public health organisations.

In 1976 health warnings were first mandated on all cigarette packs in Australia. This was followed by a ban on cigarette advertising on radio and on television. In 1990, when I was eight, bans on the advertising of cigarettes in newspapers and magazines were introduced, and in 1993 all tobacco advertisements were banned. Between the years 1986 and 2006, bans on smoking in workplaces and public places were progressively phased in. For someone in my age demographic, it is hard to believe that there was ever a time when people were able to smoke at work or on aeroplanes or in other confined spaces, I must say. Between 1994 and 2003, we saw bans on smoking in restaurants. Efforts have also been made to change smoking behaviour, through using text-only health warnings in 1995; the more graphic health warnings, which we have all seen—and probably winced at—on packages in 2006; and plain packaging in 2012. Excise applied to tobacco has also proved to be an effective tool in shaping smoker behaviour, through increasing the price of tobacco.

I turn briefly to the history of tobacco excise. The federal government has imposed excise duty on Australian-made tobacco products and customs duty on imported tobacco products since 1901, since Federation. Until 1999 federal excise and customs duty were calculated on the basis of the weight of tobacco products. The excise regulation specified precisely how
manufacturers needed to label, calculate and declare excise duty. It also specified how the
weight of tobacco products, and the volume of alcohol and petroleum products, was to be
calculated. For cigarettes, this included the weight of the filter and paper but not the weight of
packaging. In the early years of the last century, manufactured tobacco was charged at a rate
of one shilling per pound of product weight, and cigars were taxed at one shilling and one
sixpence per pound. Since 1920 the rate of the duty has been set out, and frequently amended,
in the schedules to the Excise Tariff Act. Historically, duty on tobacco in cigarettes was
levied at a higher rate than duty on non-cigarette tobacco.

In November 1983, the then federal Treasurer, Hon. Paul Keating, changed customs and
cexcise policy in several ways. First, the rate of federal excise and customs duty was linked
with the Australian consumer price index, meaning that, since that time, excise and customs
duty have automatically increased in February and August each year in line with CPI for the
six months to the previous December and June. Second, the rate of duty for cigars was
immediately made equal to that for cigarettes. Third, the rate for non-cigarette tobacco was
increased by $5 a kilogram. In subsequent budgets, the rate for smoking-tobacco was
increased further—by another $5 per kilo in the 1984 and 1985 budgets, and then by another
$1.90 in the 1986 budget.

Historically, tobacco products produced in Australia were subject to a lower rate of duty
than that applicable to imported tobacco products. Customs duty was brought into line with
excise duty following the publication in June 1994 of a report of an inquiry by the Industry
Commission into the tobacco-growing and -manufacturing industries in Australia. Coinciding
with the end of the tobacco industry stabilisation plans, the harmonisation of customs and
cexcise duty was in line with government policy to reduce a range of direct and indirect
subsidies in an attempt to improve international competitiveness of Australian exports.

Throughout the 1990s, health groups lobbied for increases in federal excise duty. In
addition to the six-monthly CPI increases, the government increased the rate of federal excise
applicable to cigarettes and other tobacco products on several occasions. These included the
$5 per kilogram increase in 1992 and increases announced in the 1993 budget of three per
The final incremental rise of five per cent planned for August 1995 was brought forward and
increased to an immediate 10 per cent rise in the federal budget handed down on 10 May
1995.

In 1999, after extensive lobbying by health groups, the government moved from levying
excise and customs duty on cigarettes on the basis of weight to a system based on the number
of cigarettes. Between 1999 and 2010, there were no increases in tobacco excise and customs
duty on tobacco products, apart from adjustments for CPI. Excise and customs duty was
increased by 25 per cent on 30 April 2010. In 2013, the excise was further increased by 12.5
per cent per year for four years. That has seen the cost of cigarettes increase from about $15
per pack six years ago to around $25 to $30 at present.

Increasing the tobacco excise is just one of a number of strategies aimed at encouraging
young people to quit smoking, as has been noted by previous speakers. It also aims to help
stop people from commencing smoking in the first place, especially younger people, and is
seen as an important step in reducing the prevalence of smoking in Australia.
Earlier this year, when the excise increase was first announced, the chief executive of the Cancer Council of Australia, Professor Sanchia Aranda, was reported as saying:

… price is an important factor in people's decision to smoke.

"Every time you increase the excise consumption goes down. We anticipate if there were four of these recurrent tobacco increases over time, that about 320,000 current smokers would attempt and be likely to quit as a result of all four increases, and about 40,000 teenagers would be deterred from taking up smoking. In the longer term that means tens of thousands of cancer deaths would be prevented …"

Another article reported Emeritus Professor Simon Chapman, from the University of Sydney's School of Public Health, as saying:

… tobacco control had been one of the great public health success stories of our time.

"Tobacco control is the poster child of chronic disease control," he said.

He explained that the tobacco excise worked like 'a vaccine against lung cancer'. He also said:

Price is the single most important factor in determining demand.

Now, this measure alone cannot reduce smoking rates.

Debate interrupted.

ADJOURNMENT

The ACTING DEPUTY PRESIDENT (Senator Marshall) (19:20): I propose the question:

That the Senate do now adjourn.

Samoa: Coffee Industry

Senator WILLIAMS (New South Wales—Nationals Whip in the Senate) (19:20): I rise tonight to speak about what I have been trying to do in Samoa. In 2011, I took my wife, Nancy, there for Christmas. Being in rural Australia all my life, thankfully, I looked to see what they were doing with their land. They have thousands of acres of land that is simply not producing anything.

When I returned I spoke to a friend, and I got to meet Nabi Saleh, who owns Gloria Jean's and helped establish the tea and coffee industries in Papua New Guinea. He asked me: 'Senator, what you want to do?' I said: 'I want to help these people in Samoa, help them get their own industries going and get them off the international drip—their kids have to go overseas to work and send money back et cetera—and get some use of the agricultural land and get the coffee and cocoa industries going.'

Nabi Saleh, in a very generous way, came back to Samoa with me for about four days. We brought an expert from France, Christophe Montagnon, who had set up the coffee industries in Mexico and the Ivory Coast—that was his profession. We went through the country, we viewed it, we checked out whether the altitude would be suitable for robusta or arabica coffee, and we did a report. We met with the Prime Minister, the Deputy Prime Minister and the opposition leader.

Last year, I was contacted by a lady called Lita Guagua, who worked in New Zealand and is from Samoa. I went over there on a study tour. I spent all my study to money on trying to help Samoans. We went back there and we saw the Prime Minister, the opposition leader, and the agricultural minister, and we met with Ken Newton, who established CCK in Samoa. Amazingly, Ken Newton imports all of his coffee beans from PNG. He does not use any of
the coffee beans locally grown in Samoa, because they are an old, 1905 version the Germans
took there. They are outdated, they do not produce and they have virtually failed.

We have worked on this ever since. When I returned from the first trip, with Nabi Saleh, I
met with the then Minister for Foreign Affairs, Senator Bob Carr, and his staff to see what we
could do to set up a trial plot to show the Samoans how they can grow modern varieties of
coffee that will yield well. You cut the tops off the trees so they do not grow high and the
cyclones do not blow them over. We wanted to try and get these people into a state where
they can just make their own wealth.

I was quite amazed on 2 September, last Friday week, to read in The Australian
newspaper, ' Political junkets searching for a cause'. That was the headline. The article read:
Nationals senator John Williams needed 10 days in Samoa "to investigate the feasibility of establishing
a coffee industry" there.

I found this very annoying. The journalist, Sean Parnell—a bloke who actually comes from
Inverell—never phoned me to ask what I was doing. That was on a Friday. On the Thursday I
had actually spoken to Minister Connie Fieravanti-Wells to say: 'Yesterday I rang a bloke
called Geoff Philcox, who was born in New Zealand. He has land in Samoa and is keen to get
industries going. I'm working with him, and I said to him, "Put a business plan forward, and
I'll put it to the minister, Senator Fieravanti-Wells."' She said, 'Let's go for it and let's see
what we can do to help them.' I was still working on this the week before last, on the
Wednesday and the Thursday. Then on the Friday I got this story in the paper saying it was a
junket. I was very annoyed about it.

Here is the situation we face. We cop flak for not doing enough for people, so then we try
to help people. What do we get? We cop flak from a journalist like this who, as I said, would
not ring me. I think that was very unprofessional. We try and help people. I was very annoyed
about the article and I thought: 'Will I give up? No, I won't give up. That'd be doing the wrong
thing.' So I am going to continue. I am certainly not running for another election. I am here
until 30 June 2019, unless we have a double dissolution prior to that, of course, which is
probably not on the cards. I am going to continue to work with Minister Fieravanti-Wells,
with the people in Samoa and with Geoff Philcox—and I sent the report to him just the other
day.

But I just take offence that people think these are so-called junkets. I have had three weeks
overseas in my eight years in this place, including one week to Tbilisi with former Labor
senator Mark Furner, from Queensland. We were sent over to view and inspect the election in
Georgia, where we gave them a lot of advice. They did not have prepoll. They did not have
absentee poll. You could not vote outside your electorate. So we did some good work there.

Senator Sterle: And they didn't have any crossbenchers, Wacka!

Senator WILLIAMS: No; exactly! Anyway, then I have had these two trips to Samoa,
one for four days and one for about 10 days. That includes travel, so you lose the first day
getting there overnight, and it is just about a day to come home, by the time we get back to
Inverell, for sure. But I was trying to help these people. I met with Sue Langford, the high
commissioner from Australia. I met with the agriculture minister. I met with the Prime
Minister. I met with the opposition leader. We are doing our best to help these people get
established, to develop industries, to get them off the international drip, so the taxpayers of
Australia do not have to keep forking out money for them, so they can stand on their own two feet in time to come. What happens? We get bagged in the media. Sean Parnell, next time you want to bag me out for trying to help people, at least have the decency to give me a ring first and have a chat to me about it.

Road Transport Industry

Senator STERLE (Western Australia) (19:25): I want to talk about some fine work that is being conducted on the Rural and Regional Affairs and Transport Committee. Before I do, there is something that Australians really have to understand about what is going on in this nation. Through our road safety inquiry, we have uncovered the exploitation of foreign workers, predominantly Indians, through a corrupting of the visa system. What has come out—and it is on the Hansard record—is that there are scumbags in this fine country that are bringing Indians into Australia on student visas and then the students are being employed as truck drivers. I am not having a go at Indians. Let me just get this clear. Everyone is welcome in this nation. What I am having a go at is exploitation, through the visa system—and God only knows what they are being paid, at the expense of Australian jobs. This is where I have a real problem—

Senator Williams interjecting—

Senator STERLE: and Senator Williams has been working very closely with me on this. We will continue to delve into this disgusting behaviour that is being conducted in this nation.

The Department of Immigration and Border Protection are well aware of it, because they are the ones that gave us the information. We finally sucked it out of the department, in a hearing, what the hell visa these drivers were on. This was the B-double. I made a mistake. I just saw a tweet and I thought it was a semi. It was a B-double. So to all those passionate truckies out there that cannot wait—good old truckies!—to tell me I got the wrong configuration: well done, boys. Yeah, I get it. Now put the effort into your fingers and start dobbing in these so-and-sos for exploiting these people. That would be a far better use of your energy.

These students were employed with Scott's transport. I do not know what they do during the week. Maybe they are studying medicine. Maybe they are doing some fantastic work to become great citizens and help out kids with cancer. Maybe they are studying nuclear medicine. I do not know. But on that side of the chamber do they seriously believe that those of us who have a trucking background, who actually are passionate about Australian jobs and Australian apprenticeships, believe that these students on Friday night pack up their schoolbooks, put them into a case or put them in to the locker at uni, then jump into a B-double and do a two-up operation between Brisbane and Sydney and back? Pull the other leg—seriously.

I am going to read some excerpts from correspondence I had on behalf of the Queensland government Department of Transport and Main Roads. They were fantastic. They had taken information from us. We said that we had a real problem. We found out there is an RTO in Tweed Heads—and I will give you the name of the RTO. I am not going to rush, because I am going to come back into this chamber every week and do a speech on this and keep everyone updated with what is going on. There is a twisted, bent, corrupt RTO in Tweed Heads who was bringing the Indian students from Queensland into New South Wales. They
were doing their training there. He was assessing them, then he was ticking off and saying that they were fit to drive, and then they were going back to Queensland. The Queensland government—thank goodness for the Queensland government—issued 113 'show causes' to these 113 people who came through this corrupt provider of heavy vehicle transport licensing: 'Why should you have a licence?'

The result of that was that 60 licence holders have had their heavy vehicle licence downgraded to a car licence. Six have passed the Q-SAFE class heavy rigid practical driving test, demonstrating their competency to hold a class HR licence, and 47 have been granted an extension of time to undergo further testing. Mr Acting Deputy President Marshall, I know your commitment to young Australian workers through your previous life and how you were successful in gaining an apprenticeship and became a tradesman. If this were happening in plumbing or electrics or house building—and it might be for all I know—there would be an absolute uproar. Why is there not an absolute uproar from that side of the chamber that Indian truck drivers are being brought into this nation, corruptly trained in Queensland and given licences and then going out on the roads and being exploited? God only knows how dangerous these blokes can be. So what I am asking on the website—my Facebook page that I have started, where we have had 216,000 people contacted, 37,000 views and 1,012 shares—is: dob them in. I will be proud to stand up here and dob in, and relay your words of, every corrupt employer of transport, or user of transport, that is exploiting Indian drivers and exploiting the visa system.

Senator Williams: And trainers.

Senator STERLE: Senator Williams and I will continue the good work. We have only just started scratching the surface. This is going to be fun.

Child Sexual Abuse

Senator HINCH (Victoria) (19:30): I want to talk about one of Australia's largest employers of young people, our sporting clubs and working with children permits. I want to ask the question: how could a convicted paedophile get to work with teenagers at one of our most famous fast food outlets and a famous football club? How could a young victim turn up to play baseball and discover his attacker was the umpire?

The food chain is McDonald's. The football club is the Penrith Panthers. The baseball club is the Penrith Baseball Club. The convicted child molester is Joel Camilleri of Kingswood Park in Sydney. He not only got a job at McDonald's, Penrith Panthers and at Pizza Hut in Cambridge Gardens but started offering 14-year-old male staff members a ride home from work. The mother of one of his young victims—I will call him 'Paul'—saw what was going on and alerted McDonald's. She was virtually told to go jump—she was told he was an employee, had a right to work there and, basically, 'go away'.

This was a brave mother who had sat through the court case years earlier after her boy told his dad he had been interfered with by Camilleri, the canteen manager at the Penrith Baseball Club. The family contacted the police and they were interviewed at Mount Druitt Police Station. Camilleri was subsequently questioned, arrested and charged, and pleaded guilty to the sexual assault charges. He was sentenced to a two-year suspended sentence and released back into the community. His name went onto the sex offenders' register, but, of course, that
is secret. Only top brass police have access to it. That is why a national public register of convicted sex offenders is so urgent.

To add to this family's emotional turmoil, Paul's mother went to McDonald's to warn them. She went to the police and was warned not to mention the paedophile's name in public or she could be in trouble. She went to politicians, and nobody tried to help her. Nobody asked the obvious bloody question: didn't McDonald's, employer of thousands of teenagers, have a working with children permit policy? Didn't Pizza Hut? The answer was: no. She then turned to other members of parliament and anyone else she thought could assist her. For five years, she said, she received no response to any calls for help. She said that years were spent asking politicians to help her. It all fell on deaf ears. She told me, 'Nobody would listen to me.' She said she started to doubt herself—was she just being a troublemaker? But then she remembered how Camilleri had been allowed to still umpire boys baseball games at the Penrith Baseball Club after he had been arrested. She remembered how she had to take her heartbroken boy out of the club and away from the sport that he loved to play.

That victim is now 20 years old and still traumatised. His mother hit brick wall after brick wall—walls of indifference. She wrote to me last month and said, 'The trauma my son has gone through, and is still going through, is life changing. I feel I need to stand up and try and prevent this from happening to another child. Any help would be appreciated.' She said although the pain cannot be taken from her family, she hopes it will prevent other children from becoming victims.

Well, we have some good news. I have to give McDonald's credit for this—for acting swiftly and decisively after my staff alerted them. We alerted McDonald's on 31 August. We raised many questions about the absence of criminal background checks and were told that when people across Australia applied for positions with McDonald's on the internet they were only asked: 'Have you been convicted of a criminal offence?' The applicants were given a choice to answer yes or no. Within a week, we were told that the McDonald's IT department is implementing a compulsory criminal background check for over-18-year-old applicants, and predicted this will be rolled out nationally within six to eight weeks.

We informed Pizza Hut in Cambridge Gardens, where Camilleri was still employed. The store owner was horrified, and he was sacked for lying on his original employment documents—automatic grounds for dismissal. The Penrith Baseball Club has confirmed to us that Camilleri has been banned, and police have told the club to contact them if he tries to go back. We have also been told that Baseball New South Wales now has implemented strict employment practices. All potential staff must now be subjected to working with children checks. You would have thought that that was a given.

Finally, I want to applaud a mother who never gave up. You have protected who knows how many children and have made a major company lift its game.

South Australia

Senator FARRELL (South Australia) (19:35): As this is my first speech that I will make in this place since being re-elected, I would like to take a moment to thank a few people. In my farewell speech in this place a couple of years ago, I began by thanking my family. I do the same again now. None of us could commit as we do to serving the people of Australia without the selfless support of our families. And I can see you nodding there, Mr Acting
President Marshall. I would like to thank my wife, Nimfa, my daughter Emily and her partner, Lawrence, my daughter Tess and my daughter Mary and her husband, James, for their encouragement and support on my return to the Senate.

Since I last spoke in this place, Mary and James have welcomed to the family their first child and my first grandchild, Edward Donald Farrell Malycha. On Edward's next birthday he will be two. He spent most of his formative months in the United Kingdom, where other codes are king. But, as you know, Mr Acting Deputy President Marshall, it is different in Australia. He is already showing skills with an Aussie rules football—skills that, I hope, will one day see me barracking for him in the red, gold and navy of the mighty Adelaide Crows.

Senator Williams: What about the Swans?

Senator FARRELL: You can forget about the Swans, Senator Williams—forget about them. They will be history as of about 10 o'clock on Saturday night.

I would also like to acknowledge the support of my ALP colleagues Peter Malinauskas, Sonia Romeo and Reggie Martin. When you lose your Senate seat, you quickly know who your friends are. And they included Patrick Conlon and Tania Drewer, Ben Dineen and the WOD Life team.

As a proud South Australian, I am very happy to once again be representing the people of my home state in the Australian parliament. I intend to again do my very best to ensure that our great state thrives and grows. One growing region, as you would be aware, Acting Deputy President Marshall, is the Clare Valley, where, as some of you would know, I have spent a bit of time recently making some terrific wine.

Just over a week ago, I attended a function in the Clare held by Johnston Withers Lawyers, an Adelaide based firm that has a particular focus on providing services in regional centres, including Port Augusta, Whyalla, Roxby Downs and Clare itself. Along with other guests, including Clare and Gilbert Valleys Council CEO Roy Blight, I was in the audience for speeches by consultant Greg Crafter and senior lawyer Jason Bell. The former Master of the Supreme Court, Brian Withers, was also in attendance. Greg was formerly the Labor member for Norwood—he took over from Don Dunstan, you might recall, Acting Deputy President Marshall—and he was a state minister with portfolios including Minister for Local Government. He gave a particularly thought-provoking speech. It is not my intention to endorse the ideas he raised in his speech, but I would like to summarise its themes.

Greg spoke about the importance of efficient government structures in providing support to small businesses in rural and regional South Australia. He compared South Australia to the Auckland region in New Zealand, which has a similar population but has completely restructured its local government. Greg mentioned that Auckland now has one council with business units that deliver council services, rather than about 20 councils as it used to have. By comparison, South Australia has more than 70 councils. The Clare and Gilbert Valleys region has a strong local government, and, as I mentioned earlier, I am not endorsing or suggesting a program of council amalgamations. However, it is great to see smart, successful South Australians like Greg, who are actively involved in our rural communities, driving informed discussions about what we can do to strengthen our regions.

I will end by restating my intention to do everything I can through the Australian parliament to support the hardworking people of my home state, South Australia.
National Child Protection Week

Senator PRATT (Western Australia) (19:39): This evening I rise to acknowledge that last week was National Child Protection Week. It was terrific to see so many community groups, early childhood organisations and education centres work to raise awareness throughout the week and, in particular, to see the significant commitment they have to protecting the nation’s children and to the promotion of evidence based programs and policies that work. The wellbeing and interests of children, particularly our most vulnerable children, have always been personally important to me. I have worked to play a role in these issues as a state member of parliament and indeed as a federal member, doing things like reviewing the state of Western Australia’s Adoption Act. Now I have an opportunity to make a new contribution as the shadow assistant minister for families and communities, with particular responsibility for child protection, and to make a difference to children who are experiencing or at risk of child abuse and neglect.

I have recently had the opportunity to meet with and work with some terrific organisations in the Kimberley and other parts of Australia that are working to prevent child abuse and neglect by supporting families who are experiencing a wide range of family stresses that leave children vulnerable. These can range from economic stress, domestic violence, drug abuse to just plain family misfortune. I want to give a special shout out to some of the organisations who are doing a terrific job supporting these vulnerable families and children. One which I met last week is Helping Minds in Broome. They offer a range of early intervention programs to families in the Broome area to help support them through difficult times and connect them with services. That can be as simple as referrals to financial counselling, domestic violence or health services. It can also be getting families from A to B so they can get to appointments. I also want to give a special shout out to the Broome Youth and Families Hub, the Secretariat of National Aboriginal and Islander Child Care—SNAICC—and Feed the Little Children. These are all organisations that—in their own very diverse ways, whether they are lobbying or directly delivering services—are focusing on the needs of vulnerable children in our community.

We need in our country to place more of a priority on children. We need children to be seen and heard in our neighbourhoods, schools, social groups and throughout the community. We need supportive environments where our children are cherished, valued and listened to. So it is really important that as a community and as parents we take time to talk to our children, support their learning and value their unique qualities. Tonight, in recognition of National Child Protection Week, I call on members of this place to turn their attention to the needs of children in their communities. We can add value to lives of children—particularly those at risk—by addressing social exclusion, identifying and addressing risk factors for vulnerable families, and ensuring that we have well targeted, relevant programs for those families in need. I look forward to continuing to work on these important issues.

Federal Election

Senator McGrath (Queensland—Assistant Minister to the Prime Minister) (19:43): Yesterday, I had the opportunity in the debate on the address-in-reply to touch upon the federal election and pay tribute to the members and volunteers of the Liberal National Party, the Liberal National Party HQ and my colleagues in this place, along with Wyatt Roy, Ewen
Jones and Joanna Lindgren, who sadly were not re-elected. Tonight, I would like to continue my reflections upon the federal election campaign.

It is worth reiterating that Queensland is a citadel for the Turnbull-Joyce government. Queenslanders gave an emphatic endorsement to the national economic plan of Malcolm Turnbull and Barnaby Joyce. This is a state where, on a two-party preferred basis, 54 per cent of people voted for Malcolm Turnbull and Barnaby Joyce, and the Liberal National Party. We returned 21 members out of 30, in relation to the other place, along with five senators. One of the reasons we did so well in Queensland—along with the fact that we had a strong economic narrative—is that the Queensland members of parliament are reflective of the broader community and of Queensland. They do not come from a particular cadre of political class or a particular or certain demographic; they come from all over Queensland.

I am going to touch on each of our members, because I think it is important for Queenslanders and for those listening in to understand that the Liberal National Party is the only party that is for all of Queensland. You can start up in the Cape, in Cairns, where we have Warren Entsch, the member for Leichhardt. He is a former crocodile hunter, a grazier and someone who has evolved into a gay rights activist—something which makes some of us blush sometimes. You can go down to Dawson, with George Christensen, a larger-than-life former journalist and community activist. He is also, you could probably say, a gay rights activist, but from the other perspective!

You can go to Capricornia, based around Rockhampton and Yeppoon, with Michelle Landry, a former bookkeeper. For the first time in decades, Michelle Landry, who is an incredibly hard worker, held that seat against a disgraceful Labor campaign. Around Capricornia you have the seat of Flynn, with Ken O'Dowd. There is not a job that he has not done. He is a former publican and he understands intrinsically the wishes and desires of the people of Flynn, because he is Flynn.

You can go to Hinkler, based around Bundaberg and Harvey Bay, with Keith Pitt, who comes from a cane-farming family—similar to me, but he has actually worked the land. You can look at my hands and you can tell that, while I might be the son of a cane farmer, I am not a cane farmer! Keith took up a trade, went to university as a mature student and has run his own business.

On the Sunshine Coast, we have Ted O'Brien, who also ran his own business as a management consultant. We have Andrew Wallace in Fisher, who started life as a chippie, put himself through night school and retrained as a barrister and is now the member for Fisher. In Dickson we have Peter Dutton, a former copper and small business owner. Just across the highway we have Luke Howarth, someone who ran his own small business with his family in relation to pest management. Just over the river, we have Ross Vasta—someone else who has run his own business. Andrew Laming in Bowman, who has more PhDs than, I think, the rest of us in this place combined, is an incredibly intelligent person. Back across and up the river we have Jane Prentice, someone who, once again, has run her own business in events management, and is a former Brisbane City councillor.

You may be picking up a theme or a trend here, if you are listening in to this speech—that is, the number of Liberal National Party members who not only have a diverse background but also have been involved in small business. They understand the power that business has. People do not start a small business to stay in their garage or stay in a shop in the main street;
they want to grow their small business. We have Bert van Manen, who ran a financial services small business. We have Stuart Robert, a former Army officer. We have Steve Ciobo, who was involved in business and is also a former staffer. Karen Andrews was an engineer. We have Scott Buchholz, who has run his own trucking businesses and, for a glittering period of time, was Barnaby Joyce’s chief of staff.

These members are joined by some other new members. We have Llew O’Brien, the new member who replaced Warren Truss—and I will talk about the retiring members at another time. Llew O’Brien is someone who was raised in Gympie; married his high school sweetheart, Sharon; and has been the local copper in Gympie and up in Kilkivan. He is someone who will be a really strong advocate for the Wide Bay area. We had Trevor Evans win the seat of Brisbane. Labor thought they were going to take the seat of Brisbane, because Labor have a bit of a hereditary principle when it comes to certain seats. Labor think they are their seats by design or by right. In the seat of Brisbane they always saw Teresa Gambaro as a bit of an interloper. Well, with Teresa retiring and Trevor taking over—Trevor is giving his maiden speech tomorrow—there was a swing towards Trevor in that seat. This is someone who was a CEO of the National Retailers Association.

Up in Maranoa, we have David Littleproud, someone who I got into a little bit of trouble over when I did a tour with him in Warwick and out to St George. I said that he would be future leader of the National Party and a future Deputy Prime Minister. He is a banker and someone who runs a small business in Warwick, someone who understands the seat of Maranoa and understands the issues impacting upon rural and regional Queensland. Of course, we should not forget John McVeigh, who replaces my good friend Ian Macfarlane. John McVeigh is someone who worked with my dad—conflict of interest—in the Department of Primary Industries many years ago in Toowoomba. John was an excellent ag minister in the former LNP government in Queensland, and he is someone who is going to be a fantastic member for Groom. I have been joined by Senator O’Sullivan here in the chamber. Senator O’Sullivan is someone else who adds to the patina of the Liberal National Party as a former police officer who served with distinction and then went into business.

This is the challenge that is facing Australia at the moment. We have one side of politics who understands that the best way—in fact, the only way—to grow Australia is by supporting business. And it is by understanding, if you have ever employed someone in a business, that it is actually quite tough. If you have ever worked in a business, sometimes you would not pay your own bills because you wanted to make sure that your employee got paid. It is something that those on the left of politics fail to understand because they have never run a business. They do not understand a PNL. They do not understand because they have always worked for a union where the money comes in or they have worked for government or they have worked for NGOs. They have worked for organisations where the money comes in and they are all right. They have never understood the danger and the excitement of employing people and what you can do.

The challenge for Australia over the next three years is what we do for small business and what we do for business. Because the only way that we can really help Australia is by making it easier for people to start businesses and to grow businesses, to make it easier for people to employ people, to make it easier for people to understand. When I start my small business in my garage or when I get that empty shop and I give it a paint job, I do not want it just to be a
small business; I want to be a big business. I wanted it to grow, I want it to become a chain, I
want to do better for my family and I want to do better for my employees. The challenge for
us in the Liberal National Party, with the experience we have behind us, is to make sure that
we do everything possible to support business because, by supporting business, whether it is
on the land or in the cities, Australia will become richer and if Australia is richer then it
means that Australians will be richer.

**Turnbull Government**

**Senator POLLEY** (Tasmania) (19:53): It is very timely actually to come after the
contribution by that senator because there is something to be said for the anniversary that his
side of politics is going to celebrate tomorrow. He was one of those who actually helped roll
Tony Abbott and gave us the experiment of Malcolm Turnbull—and what a fizzer that has
turned out to be. We on this side have some history here and we remember what Malcolm
Turnbull was like when he was the Leader of the Opposition previously. Overwhelmingly the
Australian people are disappointed with this Prime Minister. There has never been a Prime
Minister who has promised so much and failed to deliver anything.

In this place 12 months ago, I said that Malcolm Turnbull is Tony Abbott in a top hat and I
stand by those comments that I made.

**The ACTING DEPUTY PRESIDENT (Senator Marshall):** Senator Polley resume your
seat. Senator Williams on a point of order?

**Senator POLLEY:** That did not take long.

**Senator Williams:** Well it would not take long, Senator Polley. Mr Acting Deputy
President, if she could address those in the other place by their correct title as some respect, it
would maintain levels and standards in this chamber.

**The ACTING DEPUTY PRESIDENT:** You are absolutely right, Senator Williams.
Senator Polley, if you would refer to members in the other place by their correct titles.

**Senator POLLEY:** It is quite clear that there is no signature policy. There is nothing we
can reflect on to say, 'This is what Mr Malcolm Turnbull stands for.' We are still scratching
our heads waiting to see what he actually stands for and we are not alone because the
Australian community are still wondering what it is that they have got in this Prime
Minister. For someone who has gone out on some very key policy positions, we have seen no evidence
of the Prime Minister's conviction. Even though he has always supported a different view to
myself, such as on same sex marriage, what has he managed to do with that? It is complete
chaos. It is a mess. He is responding to a section within his own caucus, not following is true
beliefs. That is another example of how he has let down the Australian people.

Another issue the Prime Minister has espoused, when it has been politically opportunistic
to get on the bandwagon, is that he cares very deeply for women and that violence against
women begins with disrespecting women, and I agree. But then why does the Prime Minister
preside over the savage cuts that have been made to women's health? If that is not
disrespecting Australian women, I really cannot think of a better example.

We know that the government is in chaos. It is dysfunctional. There is internal division. I
am sure Mr Turnbull gets up every morning and thinks, 'Well where is the trouble going to
come from today?' He knows that we are going to keep him to his election commitments. But
what we do not know on any given day is who is going to be pulling his strings because, as I
said, he has certainly shown no leadership, none whatsoever.

What we do know though from the past year is that it has really been a parliament
equivalent to the Game of Thrones or the Lord of the Flies—you know, the story about the
little boys who tried to govern themselves but failed. He was a Prime Minister who came into
office after rolling and knifing a sitting Prime Minister. I see there are some people in the
chamber tonight who, when we did the same thing to our sitting Prime Minister, were very
eloquent in their attacks on the actions that were taken by those people. They have done the
same thing. We just do not understand why they did it. Mr Turnbull told us that it would be
the end of the three-word slogans, that it would be a very agile 21st-century government but
we have not seen any evidence of that, none whatsoever.

You have to be an adult to vote so this government was voted in by adults in this country.
We were promised by the Abbott government and we were promised by the Turnbull
government that it was going to be a government of adults. But we have not seen evidence of
that at all.

What we saw in that other place in the very first week of the 45th Parliament was that the
government members could not wait to get out of the House of Representatives to the extent
that their one-seat majority proved to be ineffectual. They had to gather all their members and
get what ministers they could to fly back to Canberra because those ministers had left for
some important meetings—which turned out to be, in the case of one of those ministers, just a
media conference. But what is really interesting is how they have now put measures in place
so that no-one escapes from the House of Representatives on a Thursday afternoon. The
Leader of the House in the House of Representatives has said that they are going to put
gatekeepers at every exit of Parliament House to ensure that none of their members escape.
That is a really odd way for an adult, agile, 21st century government to act.

But their response has gone even further than that. They are now trying to change the hours
of sitting in the House of Representatives. They do not want the House of Representatives to
sit past 8 pm on any night. This is the same government that is attacking Australian
workers—wanting to cut out penalty rates. So they will attack Australian workers and say,
'You should be working on public holidays; you should be working on weekends for the same
rate as any other day of the week,' yet they want to make sure that they are out of this place by
8 o'clock. This is an agile, innovative, 21st-century government? No wonder the country and
the community are confused about this Prime Minister.

Casting our minds back to when Mr Turnbull knifed Tony Abbott, he said that he was
going to bring a new energy into the prime ministership. He said he would preside
over an agile, innovative government that was of the 21st century. He said he would have a plan for
the future, but what we have really seen is that he has gone from being agile to fragile. Never
before have we had a Prime Minister who has promised so much but delivered so little. He
promised he would lead a united party, but all we have seen is dithering, delays, dysfunction
and disunity from those opposite.

We understand that it is not always easy to bring a caucus together, particularly when you
have those from the Right who are pulling strings and there are also people from the Left—
Mr Turnbull owes so much for the support that he garnered to take over the leadership. What
we also know is that there are 17 fewer members on the government benches in the House of
Representatives. That speaks volumes about the commitment that this Prime Minister has made to the Australian people. I have tried to go back through a heap of papers and speeches to see what it is that the Prime Minister has achieved since he came to office. But it is not just me who is scratching my head and trying to understand what he has achieved and why there was a necessity to roll a sitting Prime Minister. Someone like Mr Andrew Bolt, who is certainly not, by tradition, a true believer or someone who supports us, said to Mr Kennett:

Can you name the achievements of the Turnbull government one year in office?

His response was:

Not easily.

Mr Bolt then said:

Can you name one? I am not asking this as a trick question.

Mr Kennett replied:

I want him desperately to succeed.

Mr Bolt's response was:

That's right, but can you name one?

Mr Kennett said:

No, not at the moment.

So it is no wonder there is confusion in the community. It is no wonder that at the election—with Mr Shorten and our policies and our leadership team that had listened to the community and developed excellent policies—the Australian community could see that there was some vision and passion and a strategy for the future. Unfortunately, that is lacking from those opposite. But there is one thing that we can put our money on as a true reflection of this Prime Minister. He is saying that there has never been such an exciting time to do whatever in this country. Well, there has never been a more exciting time—in my lifetime I do not recall there being a more exciting time—to sit by and watch a Prime Minister fizz out.

Mental Health

Senator SIEWERT (Western Australia—Australian Greens Whip) (20:04): I rise tonight to talk about a critical issue for all Australians, and that is mental health. It was with great pleasure that I added the mental health portfolio to my other portfolios, but I would like to acknowledge the work done by my colleague Senator Janet Rice and her predecessor, Senator Penny Wright. Both of them did absolutely sterling work in this portfolio. I really was pleased to take over the mental health portfolio again—I had it previously and thoroughly enjoyed the work. I believe it is absolutely essential that we address this issue in this country.

Last week we marked R U OK? Day on 8 September and then, on 10 September, World Suicide Prevention Day. Both these days are important for raising this critically important issue. They recognise the tragic impact that suicide has across Australia. Statistics show that suicide is at the highest level in 10 years—it has not fallen in 10 years. Clearly, more needs to be done to address the issue of suicide. There were more than 2,000 deaths from intentional harm in 2014—the latest available figures. I chaired one of several inquiries into mental health conducted by the community affairs committee, and we looked at how important it is to get accurate statistics—and I think that we still have some work to do there. I was really pleased that the Senate supported a motion yesterday that called for a suicide reduction target.
Suicide has impacts across Australia. One particular group who are affected by suicide is Aboriginal and Torres Strait Islander peoples. This is a tragedy across Australia, and I know that in Western Australia, particularly in the north, we have absolutely tragic levels that need urgent investment. I have spoken in this place before about the distress caused because the government has failed to spend the money that was previously committed to address the suicide crisis that was happening, and continues to happen, in the Kimberley.

I would also like to take a moment to say to anybody listening at the moment or, in fact, reading this later: if this brings up issues for you, call Lifeline, on 131114, or any other of the excellent services, like beyondblue or headspace. Their numbers are readily available.

Since taking over this portfolio I have been consulting with many organisations working in mental health to find out where we are at in more detail in terms of mental health. It seems while there has been some progress we also still have very, very significant issues to address, so it is sometimes two steps forward and one step back. The mental health sector talks of facing unpredictable change and uncertainty, and when I have been talking to people over this last couple of weeks that is certainly the conclusion that I would draw. We know that there are many steps that need to be taken, and of the many things that are being called for some are not new.

There is consistent concern expressed about the future of community mental health services, and I will come back to that. There is a call for targets and indicators, as recommended by the National Mental Health Commission when they released their report last year. There is deep concern that there has been little progress on the Fifth National Mental Health Plan and, in particular, getting a draft out for consultation. There is a great deal of uncertainty over that, particularly given the government's commitment, when the Mental Health Commission's report was released, about starting that process. There is concern over investment—and, again, I will come back to that—particularly in early intervention and prevention. There needs to be certainty around grants and funding to avoid disruption for providers. Again, the same old, same old is that providers are unsure of ongoing funding.

There is also a need to make sure that the Primary Health Networks are supported in the vital role that they have been given in the provision of services and that primary health and clinical services have the complementary community mental health services. Despite clear requests and advocacy by the mental health sector, the national mental health plan seems to be still in limbo. This is, of course, the Fifth National Mental Health Plan, and it is vitally important that progress on this is commenced and that there is extensive community consultation with all stakeholders. It is critical to ensure that we have adequate care across Australia, and this plan plays a vital part in that.

As I had this portfolio previously and was heavily involved in lobbying for more expenditure on mental health, what distresses me a great deal is that, although there has been some additional commitments, spending per capita is in fact dropping. There is particular concern around expenditure on community mental health. It is essential that we make sure that we have significant investment if we are going to address mental health and see significant progress.

When I have talked to people over recent weeks one of the areas that has come up consistently is how mental health is sitting with the National Disability Insurance Scheme. Now, I do not for one minute want anybody reading or listening to this to think that we do not
support the NDIS, because we are strong supporters of the NDIS. But one of the issues that has been raised consistently with me is how mental health is being addressed in the NDIS and what happens to those people who, in fact, do not get packages. What people are finding is that it looks like people are not going to get the same level of support they may have in the past, because programs like Partners in Recovery and PHaMs are being wound back, so those vitally important services will not be available, potentially, for people who do not qualify for a full package under the NDIS.

The other issue that goes hand in hand with those programs being wound back is that some states are putting all their funding into the NDIS and are not supporting community health services and other services that support people who do not qualify for the NDIS. I think it is foreseeable that 12 per cent of people with mental illness will qualify for an NDIS package. There is simply not enough funding in what was commonly called tier 2 or the LIC component of the NDIS to support all those people that do not qualify for a full package under the NDIS.

In my consultation, this seems to be raising increasing concern in the sector, and I think it needs to be urgently addressed by the government because what I certainly am hearing is that some figures can be slightly misleading in terms of the number of people that they suggest are actually getting packages. Some of the figures that are being used talk about the number of people who got a package having applied for a package. But when you look beneath those statistics there are large number of people who did not in fact apply for a package in the first place. I am not saying some of the figures are deliberately misleading, but they can be misinterpreted to the point where they are misleading in terms of the number of people that are getting support through the NDIS. I will say again: I am not having a go per se at the NDIS; it is about the way that people are being supported outside the NDIS. This needs urgent attention before it is too late.

**Palliative Care Tasmania**

Senator BILYK (Tasmania—Deputy Opposition Whip in the Senate) (20:14): Last week I spoke in the Senate about the importance of having conversations with friends and families about how we wished to be cared for towards the end of our life. I explained that, by taking the time to have these conversations and write an advance care directive, we are more likely to have the opportunity during our final days to be cared for in our preferred setting and in accordance with our wishes. We know that for 70 per cent of Australians that means dying at home. Sadly, only one in five people who would prefer to die in their own home will get that opportunity. Instead, thousands of Australians will experience what the Grattan Institute refers to as 'impersonal, lingering and lonely' deaths.

I also spoke last week about Palliative Care Tasmania and the fantastic work they do educating the Tasmanian community about end-of-life care, and pointed out that their funding runs out at the end of this month. As it currently stands, Palliative Care Tasmania will soon have no choice but to close their doors, and Tasmania will lose a very, very valuable service—a service which has now helped to educate over 13,000 Tasmanians about end-of-life care, dying, grief and bereavement.

Earlier today in the Senate, I tabled a petition which called for an extension of funding to Palliative Care Tasmania. There were hard-copy and online versions of the petition, which received about 940 signatures, combined, in just one month. This goes to show the
appreciation that people have for this important program. They understand that planning for end-of-life care is as important as, if not more important than, planning a funeral or writing a will.

Too often we give consideration to the arrangements for after our death but not enough to what happens in the days or weeks leading up to it. And—even when we do consider having these conversations—without community education, how can we be sure how to start the conversation or know what issues we need to cover?

Community education about issues around dying and end-of-life care is relatively inexpensive when you consider the benefits. It is amazing how much the end-of-life experience for hundreds, possibly even thousands, of Tasmanians has been improved because of the services provided by Palliative Care Tasmania.

Twenty-six per cent of Tasmanians die at home, and that is almost double the national average. Palliative Care Tasmania have no doubt contributed to this increase, working together with the various providers delivering the Better Access to Palliative Care Program. Along with the support for the petition I tabled, this outcome is a testament to the success of this fantastic community education program. Surely, rather than shutting the program down, we should be considering it for a national rollout, just as Labor committed to before the federal election. Just imagine how many thousands of Australians could have their end-of-life experiences improved by this program if it were rolled out nationally.

You have heard what I have to say about the value of the program to Tasmanians, but you do not have to take just my word for it. One of Palliative Care Tasmania's partners in the delivery of their program, the Tasmanian branch of Council on the Ageing, or COTA, was interviewed by the ABC recently about their program. COTA's CEO, Sue Leitch, said:

If you can get a family in to support a person's wishes around what they want to have for their end-of-life care I think it's a very important thing that can happen and this is the sort of the work that Palliative Care Tasmania was doing.

And, in relation to Palliative Care Tasmania's ongoing funding, Ms Leitch said:
I do hope that they see wisdom in the benefit of this proposal because I think, for one thing, ending life in an acute care hospital situation costs a lot of money to the system and it also causes distress to families.

To give you an idea of the value of this program to the community, I will read some of the comments from people who signed the online petition. To comply with Senate tabling rules, I was not able to include these comments in the tabled petition, but it would be a shame not to get at least some of them into Hansard and on the public record. Greg of Mornington wrote:

I have had two immediate family members affected by terminal illness whose final days with their family at home were much better than they would have been if they been in hospital. This is about dignity in one's final days—there's not much more important than that.

Sheelagh of Hobart wrote:

As a former Palliative Care nurse I 'get it'. Community Palliative Care is a vital service to give people the choice of dying in their own homes with some dignity and adequate pain relief. Palliative care nurses provide much needed care and support for all the family not just the patient.

The cold hard fact is that it is far more economical to nurse people in the comfort of their own home than it is to provide similar care in a hospital setting.
Maggy, also of Hobart, wrote:

During the last 5 years the researched and evidence based information which has been gathered by the PCT has been invaluable. Many diverse communities where able to dialogue, explore and unite together to help make the dying process a transitional journey. So thankful for many diverse grants that were available in order for the work to commence. To openly discuss the dying process is a huge hurdle in western society.

The final comment is from Dee in Lilydale:

Investment in the work Palliative Care Tasmania does is wise indeed as it improves the quality of life for the dying and their carers. Dying at home is a natural choice and saves governments thousands of dollars in the long run. The emphasis on self expression and the role the arts play in this area is well recognised by PCT and cannot be translated to in dollar values. Art plays a vital role in the realm of healing and positive health. The dying have already too few options!

These are just a handful of the just over 100 heartfelt comments that were submitted with the petition. They demonstrate that there is not just a breadth, but also a depth, of feeling about this issue.

I have been told by the office of the Minister for Health that there is an evaluation being conducted of all the elements of the Better Access to Palliative Care Program, which includes the community education program run by Palliative Care Tasmania. It is expected to be completed in December this year. But, unfortunately, this will be too late for Palliative Care Tasmania, whose funding will not last beyond the end of this month. They have already started closing offices and dismissing employees in order to keep going.

So tonight I am calling on the Turnbull government, again, to extend PCT’s funding for another four years, but if I can secure funding of even half a million dollars for the next twelve months, that will be a great outcome. It will at least keep Palliative Care Tasmania going until the evaluation process is complete, and I am confident—absolutely confident—that the outcome of that evaluation will be favourable to them. If the government has made a commitment to continuing this program after the evaluation, it would be a huge shame for them to lose the skills, knowledge and experience that Palliative Care Tasmania holds. This would mean having to rebuild the program from the ground up, re-establish infrastructure, rebuild partnerships and train new staff. And that is why the Turnbull government needs to make a funding commitment to Palliative Care Tasmania now, because time is running out.

I have also written to the Prime Minister, asking him to intervene and to make sure that Palliative Care Tasmania funding is continued, at least until after the evaluation process has taken place, because it is just not smart. It is not smart to have a program that has helped so many people through such a sad and complicated process. They are going to cut the funding. It ends in September. At that end of December, when they have done the evaluation and decided that it was a wonderful program, they have to start again.

I have seen Senator Lambie in the chamber. I know Senator Lambie is supportive of the Palliative Care Tasmania process. I understand that she has had quite a number of conversations. And can I say some of my colleagues from Tasmania from the government side have also been very supportive. So this is not a partisan position. This is something that we are pushing for the benefit of all Tasmanians, and nationally, because it is absolutely imperative that programs like these continue.
To have to start again seems utterly, utterly stupid to me. I do not know why the government cannot come to a decision, make a decision, give Palliative Care some security so that they know they are there at least until the evaluation process is rolled out, and then they have everyone in place ready to roll when they realise how good the process had been and how good the programs have been, and it can become part of a national program.

It is absolutely time in Australia we started talking about how to die well and how to die with dignity. This program needs to be kept going. So, once again, I am calling on those opposite to talk to their colleagues, to talk to the Minister for Health and to talk to Mr Turnbull, the Prime Minister, to make sure this program continues.

Veterans

Senator LAMBIE (Tasmania) (20:23): By now you may be aware that approximately 280 Australian veterans have killed themselves since 1999. In the same time frame the Australian War Memorial records 46 Australian soldiers died in war zones. These numbers indicate civilian life for a veteran is six times more deadly than a war zone. How is this possible? Why are veterans telling me they would rather face the Taliban than face the Department of Veterans' Affairs? These are the questions I expect will be answered in a Senate inquiry into the reason behind the high rate of veteran suicides.

In the last Canberra sitting, the Senate acknowledged the tragic plight of veterans and referred it on to the committee to investigate, and I thank those senators from the independent crossbench, the Greens and Labor for supporting my motion. Since then, my office has been flooded by veterans and families of veterans who are so grateful to have the opportunity to finally be heard. And they have hope for the first time in years. I would also like to extend my thanks to the Alliance of Defence Service Organisations, who supported the inquiry, as did the RSL Tasmania executive. I would like to say the same for the national RSL executive, but unfortunately I cannot.

These stories are stories of claim rejections and long delays; overpayments due to DVA negligence, which the recipient is forced to repay in an unreasonable time frame; and general lack of support. The first case I will share with you wishes to remain anonymous. I received a heartfelt plea from the mother of this particular veteran, who watched her son go from being a social, witty, fun-loving person to becoming a shell of a human being who has shut himself away from the rest of the world. The mother wrote to me stating:

No mother, no family, should have to watch a loved one spiral down so low that they have to worry about suicide... I have been fearful that [my son] would end up taking his life — even to this day — due to the lack of support from DVA.

This man was discharged from the army with a knee injury, which has left him with restricted mobility and chronic pain. He is limited in the type of work he can do and the length of time he can work. At every turn, the Department of Veterans' Affairs has thrown up roadblocks to his mental and physical healing.

He has a white card, which covers his medical and counselling sessions. But he was not provided with the option of counsellors, and when the army counsellor was found to be unhelpful, this man could not afford a different counsellor. As well as not having his mental health needs met, Department of Veterans' Affairs required this man to repay $9,000 within
28 days for an administrative error on the behalf of the Department of Veterans' Affairs. This man was subsequently cut off from all Department of Veterans' Affairs payments.

The second case I will share with you is the partner of my Queensland Senate candidate, Crystal Peckett, John Tassell. John Tassell sustained a back injury that required surgery. He was incorrectly medically discharged and sent back to duty, but his injury prolapsed and became chronic and degenerative. It was at this point Mr Tassel's PTSD began to manifest, and he was medically discharged 18 months later. But his battle had only just begun.

Knowing that the Department of Veterans' Affairs was notoriously slow and troublesome to deal with, Mr Tassell took a proactive approach and dealt with DVA in the lead-up to his discharge. But once he was discharged, DVA lost his forms. Mr Tassel then had to wait 10 weeks for his incapacity payments to begin; meanwhile, he had no means to support his family. In this time, his relationship broke down, and he was required to take on all of the accumulated debts of the relationship, despite having no source of income. After his DVA payments began, it was not long before an administrative error once again saw Mr Tassell cut off from a source of income. This time, it left him homeless and car-less. Mr Tassell was prevented from seeing his children due to having no fixed address.

When veterans are medically discharged, their injuries are measured on a points system. Despite being discharged for his back injury as well as psychological injuries, the Department of Veterans' Affairs only awarded him six points for his back injury, and his payments were provided accordingly. It was not until Mr Tassell went to the Commonwealth Ombudsman—regarding the administrative error that stopped Mr Tassell's payments that his mental health issues were recognised as being caused by his seven years of service, which included two deployments to East Timor and Afghanistan as a rifleman—that Mr Tassell was awarded 48 points, covering his physical and mental injuries. Mr Tassell spent the next couple of years doing everything that was asked of him by the Department of Veterans' Affairs, jumping through bureaucratic hoops in fear of losing his only source of income.

In 2014, Mr Tassell's partner, Crystal Peckett, took over managing his affairs regarding the Department of Veterans' Affairs. She is a highly skilled professional in the community services sector. She was and continues to be horrified by the lack of regard demonstrated by many of the statutory officers from the Department of Veterans' Affairs. Dealing with the Department of Veterans' Affairs on behalf of her partner was a full time job, and Ms Peckett was forced to walk away from her own career as a direct impact of DVA's blatant disregard for Mr Tassell's own well-being. It took Mr Tassell and Ms Peckett a further 12 months to be awarded maximum incapacity recognition, and a full year for his children to be awarded their entitlements as well.

Ms Peckett said to me once: 'No veteran, or partner and child of veterans, should have to endure what the Department of Veterans' Affairs has subjected us to. John agreed to proudly serve the Commonwealth, but as it stands right now, I would not support any of our children to enlist in the military directly due to the actions of the Department of Veterans' Affairs. They are costing lives and ruining families. John has had to fight for his country, fight for his children, and fight the government department that was set up to support him in his incapacity.'

Mr Tassell wanted me to share the following comments: 'If I had the chance to serve my country again, I would. Despite losing my health to my service I am very proud. What I could
not do again is the treatment of myself, Crystal and our children by Department of Veterans' Affairs. To be honest, I am not even sure how I made it through some parts. There have been some very, very dark days.' Mr Tassell goes on to compare the integrity of many DVA delegates to the Taliban. He said the Taliban are 'unethical, cowards, and thieves.'

I will move onto another veteran who lives in my home state and was exposed to asbestos during his service in the Royal Australian Navy. He is now terminally ill as a consequence. This man tells me that he has requested a chair lift to be installed in his house so he can get up and down the stairs, but he is being forced to wait. According to the chair lift contractor, the delay has been caused by the Department of Veterans' Affairs because they 'were arguing about how long he has to live.'

The DVA is dangerously incompetent and dysfunctional, and there are a number of politicians and senior government bureaucrats who are responsible. They have either deliberately or through incompetence forced veterans and their families to suffer terribly—people like previous veterans' affairs ministers Michael Ronaldson and Stuart Robert, and the assistant secretary to the Department of Veterans' Affairs—he is still there—Neil Bayles. All have combined to create a poisonous and lethal culture within the Department of Veterans' Affairs, which has led to the unnecessary harm of government staff and directly contributed to Australia's shameful veteran suicide crisis. Mr Bayles, Mr Robert and Mr Ronaldson should be condemned and held responsible for the devastating harm of their actions, insincerity and lack of empathy and remorse towards Australian veterans and their families. After meeting today with the new Minister for Veterans Affairs, Minister Tehan—who wants to deny veterans legal representation as they are forced before and judged by a government board stacked with lawyers—I have little hope that Minister Tehan is going to be any different from his former colleagues. A Senate inquiry into the reasons behind veteran suicide is only the start to saving lives. An automatic gold card for veterans who have seen war or warlike service would immediately reduce the bureaucratic hoops veterans are currently forced to jump through. This would reduce DVA expenditure, itself, and more importantly reduce the high rate of veteran suicide.

**Child Sexual Abuse**

**Senator MOORE** (Queensland) (20:33): In this place in August 2004, our Senate said to people who had been in institutions that they would no longer be forgotten, that the term 'forgotten Australians' would move into history and that we would move forward to give some hope and future. Of the 39 recommendations that came from that inquiry, I want to talk particularly about two tonight. One was a recommendation that said that if there had not been within six months of the tabling of the report movement towards establishing a process to respond to people who had been in institutions, consideration should be given to establishing a royal commission to look at these issues. That was recommendation No. 11. That was August 2004. Recommendation No. 6 of that report said:

That the Commonwealth Government establish and manage a national reparations fund for victims of institutional abuse in institutions and out-of-home care …

In fact, that report recommended a national redress system. From August 2004, we move to 2013 when it was declared there would be a royal commission that would look at issues of sexual abuse and related matters. In fact, the letters patent provided to the Royal Commission
into Institutional Responses to Child Sexual Abuse required that it 'inquire into institutional responses to allegations and incidents of child sexual abuse and related matters.'

Under paragraph (d) of the terms of reference in the letters patent, the commission was required to inquire into:

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

In September 2015, the royal commission brought down its formal response to issues around redress. It did not rush into the discussion of redress. In fact, it established that the issue around reparation and redress was one of the core issues that needed to be considered. In 2013 the first paper, Towards healing, was introduced from the royal commission. There were a number of research papers; one in particular in June 2014 was about redress schemes. There was consultation, there were roundtables and there was engagement with people who thought and cared and believed that this was an essential part of our society coming to grips with what happened to those people that used to be known as the forgotten Australians.

Some extremely valuable research papers were created by the royal commission through this process, and there was ongoing interpersonal reaction. People's own stories and accounts of what happened to them were listened to. As well as specialised hearings, there continue to be research papers looking at key issues. With the issue paper on redress, part of that was getting information on exactly what redress schemes had already happened in our nation. There had been a number. Even in August 2004, when the Senate Community Affairs References Committee was taking evidence, we heard of a number of state based schemes and institutional based schemes that were in place, but until the royal commission was able to pull together a complete list of what was happening and what had been paid out and why, we did not have that information. So I do want to commend the fact that we now have an effective picture of what reparation and redress has occurred over the last 10 years.

Taking that forward, I was fortunate enough to attend one of the consultation processes in Queensland, where people with whom I had worked closely over many years, who had been victims of sexual abuse in institutions, were able to look at the research papers that had been completed by the commission, study them and then give feedback as to what was most important to them. People were clear that a range of issues were important to them: services around psychological support and counselling, access to a range of housing options and acknowledgement that their condition had been recognised by the community and also by the perpetrators of the abuse. These things have all been identified in the papers that we have.

But most importantly in the contribution tonight is the clear acknowledgement that there needs to be a national redress scheme. This has been studied carefully in terms of looking at what financial responsibilities would be in place. When you read the papers of the royal commission, you see that they set out in detail the kinds of payments that could be in place, ranging between $10,000 and $200,000, and there is a clear indication of what attributes would have to be proven by people claiming redress. It is there in the papers; it can be clearly understood and known. Also, there are actuary reports of how many claimants would be expected to come forward with claims that would meet the requirements of the redress
scheme. The current indications seem to be that around 60,000 people could be impacted by the ability to make a claim for redress under a national scheme.

The commission put very clearly that it was important to provide redress under the most effective structure for ensuring justice for survivors and that the best possible arrangement would be a single national redress scheme, which would include some monetary payments. The purpose of the monetary payment under redress should be to provide a tangible recognition of the seriousness of the hurt and injury suffered by the survivor. So we have an extensive, well-researched, focused paper that indicates the need for a national redress scheme. More so than that, the commission, in putting forward its paper in September 2015, 12 months ago, said that there was a degree of urgency about this process. From the stories that had been given to the commissioners, from the heart-rending indications of people's pain and loss, it was acknowledged by the commission that there was an urgency in having this response in place. Its recommendation in September 2015 was that this scheme should be considered and put into place by the end of 2015, which by my calculation would have been 31 December last year.

There has not been a commitment by the government to respond to this claim for a national redress scheme. In this week, when we had the anniversary of the royal commission's paper on redress, there are people from the Care Leavers Australasia Network, CLAN, and other survivors of sexual assault in institutions, in our parliament visiting politicians, visiting their representatives, and reminding all of us about their claims—their claims that have been in place since this Senate acknowledged the need in August 2004. Care Leavers Australasia Network, in supporting a national redress scheme, through the royal commission, stated:

It is and always has been CLAN's position that the only way to ensure justice and equity for all Australian Care Leavers is to provide a National Independent Redress Scheme (NIRS) for ALL Australian Care Leavers.

... if a National Redress Scheme was introduced it would mean uniformity across the country eliminating the inequality between states and past providers. The redress schemes that have operated in the past all had their flaws and allowed for inequality between Care Leavers ... If a National Redress Scheme was introduced it would eliminate the injustice that occurred and allow for all Care Leavers to be treated equally.

It cannot be much clearer than that.

In terms of the need, in terms of the veracity of the claims, in terms of the pain of the claimants, we have already acknowledged that—in August 2004. The royal commission has exposed and identified the need. It has quantified how a system would operate. It has worked together with providers. That has always been one of the core elements of the need—that providers who ran institutions where abuse had occurred needed to be accountable for that. Immensely valuable work has been done with the providers to bring them to a place where they are ready to work with governments to ensure that we can have a national independent redress scheme. The only thing that seems to be missing in this place is a commitment from government to ensure it happens.

**Australian Football League: Women's All-Stars**

**Senator McKIM** (Tasmania) (20:43): I am not sure how many other senators saw it, but the AFL women's All-Stars game on 3 September was a fantastic showcase of Australian
Rules Football. More than 6,000 people showed up to the Whitten Oval, with a TV audience of over one million Australians tuning in to watch the start of a new and exciting chapter in the history of our native code of football in this country. Their skills, their commitment and the general standard were outstanding. It was a genuine, top-quality showcase of what makes Australian Rules Football the best team sport in the world.

But the genuine excitement around the new league, beginning next year, has been tempered somewhat by the embarrassingly low pay deal offered to players. Base payments for the seven-game plus finals season will be just $5,000, and the league will not cover private health insurance for the players. That situation, where women players have to fund their own health insurance costs, is unacceptable and should change now. It is worth pointing out that there are plenty of men playing bush footy, or in suburban leagues, who are getting way more than $5,000 a season to play football. If this situation is not changed, it will risk compromising the considerable goodwill and public interest that the competition has already garnered.

Unfortunately, the creation of the new competition has also given the AFL the opportunity, once again, to show utter contempt for my home state of Tasmania. Tassie is a footy state. We are part of footy heartland in Australia, along with Western Australia, South Australia and Victoria, and we deserve the same level of respect that those states get from the AFL. But, as the AFL have done for the past two decades, rather than treat Tassie as a footy asset they have brushed Tasmania aside and taken its footy people for granted.

For many years, many Tasmanians have worked to see our state have its own men's team. This still remains the ambition of many Tasmanians, including me, and it will happen one day, mark my words. But for Tasmania to have not yet been given an opportunity to have its own women's team is an even harder slap in the face for Tasmanian footy people. There have been many excuses delivered by the AFL, over many years, to deny Tasmania a men's AFL team, and I personally do not accept any of them. None of them, particularly the one used most often—that Tasmania cannot afford it—can possibly be applied to a Tasmanian women's team. We can afford our own women's team, we deserve one and we should be developing one right now for inclusion next year in the inaugural league of the AFL women's competition. Given Tasmania's passion for the game and the widespread social benefits of having elite sporting teams based in Tasmania, we believe Tasmania would be the perfect place for a women's team—a team based in Tassie, with Tasmania in its name.

Shamefully, neither the AFL nor the Tasmanian state government were prepared to seriously entertain the idea. Short-sightedness and a lack of leadership and interest from Tasmanian Premier Will Hodgman meant that there was not enough political pressure on the AFL to allow Tasmania to make a bid. As Fairfax footy writer Caroline Wilson so aptly put it, 'Tasmania shafted again'.

So why does the AFL continue to shaft Tasmania? The AFL is obsessed with increasing the revenue it receives from television rights. That is why it puts so much of its effort and cash into establishing new franchise clubs in Western Sydney and the Gold Coast—because it will help grow the national viewing audience and, therefore, the value of the broadcast rights. The AFL knows that Tasmanians will keep watching and supporting AFL even if we do not have our own Tasmanian team, so it treats us with contempt and takes us for granted.

It seems that the only equality on show is that the push for a Tassie women's team is equally as ignored by the AFL as the push for a Tasmanian men's side. Instead of being able
to ply their skills in an elite competition in front of their home crowds, Tasmania's top players will have to wait an unknown period of time for the league to get its act together and give Tasmania what it deserves. Next year, while women in other parts of Australia can play at the top level, Tasmania's top female footballers have been told to 'bide their time' in the state league. The AFL's claim that a North Melbourne women's team—which, I have to point out, does not even exist yet—will be a 'Tasmanian team' is utter rubbish. Tasmania will not have its own team until the team is based in Tasmania, has Tasmania in its name, and plays every single one of its home games in Tasmania.

Football is a rare unifying force in our state. It bridges divides of class, geography, religion, ethnicity, political affiliation and gender. It also plays an important unifying factor in our largely decentralised community. Footy clubs can influence positive health, social and employment outcomes, particularly in regional areas. They provide opportunities for mentoring and growth that may not otherwise be available, and they encourage volunteering and community building.

A Tasmanian team would help make the Australian women's league a truly national competition. It would deliver massive benefits for Tasmania, particularly for sporting participation, and it would acknowledge the massive contribution women already make to footy in Tasmania at all levels of the game. It would provide a pathway for young Tasmanian women to aspire to play their chosen sport for their home state at the highest level without having to leave their home state. It is a necessary first step in a journey that will inevitably end with Tasmania having its own AFL men's team. What a great day for Tassie and what a great day for footy in Australia that will be.

**Donations to Political Parties**

**Senator McALLISTER** (New South Wales—Deputy Opposition Whip in the Senate) (20:50): I take the opportunity this evening to continue my remarks earlier today in the MPI debate about the need for electoral donation reform. I think it is important to go through some of the details of the various policy needs and responses that we might consider in this policy area. I know that we have been having this debate for some time in this chamber; and, long before I got here, it was an active debate out in the public sphere as well. There is value in us thinking in constructive ways now, given the technologies that we have and the opportunities available to us, about the type of reform we could make and the real benefits that that would bring to our polity, to our parties and to our parliament.

Tonight I want to lay out some of the headline priorities that I think we need to be thinking about as we enter this new phase of debate. The first, of course, is increasing transparency. It is very difficult to argue that the Australian people do not deserve to know who is giving what support to whom. Having the information in the public domain is so important. It allows the public to properly scrutinise the behaviour of their elected representatives and to ask informed questions about whether relationships with donors are inappropriately influencing representatives in the conduct of their duties. It helps the voting public make an informed decision about their representatives. Knowing who supports parties and candidates is part of this.

There are at least two prongs to transparency. The first of these is more comprehensive disclosure. The Labor Party for many years has advocated for reducing the threshold for disclosure of donations by corporations. More than $13,000 for a corporation to donate to a
political party before it becomes public really is just too high. Labor has long supported reducing the threshold for anonymous donations from individuals as well. The second prong is the timeliness of disclosure. When I spoke in the MPI debate earlier today, I mentioned the ALP’s commitment to introducing real-time disclosure of donations. It is not something we had committed to at the time of the 2013 election, but it is an important policy that we took to the 2016 election. More timely disclosure is an important part of our policy platform and it forms an important element of the package of reforms that the Labor Party will be pursuing in this parliament. The truth is that disclosing donations 12 to 18 months after an election is no good for anything at all except an interesting post-hoc analysis.

The second objective I think we ought to pursue is to end donation splitting. This is when you donate just below the disclosable threshold to each of the state and federal branches of a party, or to a number of those state and federal branches. It is clearly a loophole that allows people to subvert the intention of donation disclosure laws, which is to provide information to the public about circumstances when significant amounts of money are being provided to political parties. It rests upon a legal fiction, because these party branches, as we understand, are closely linked and often share money in any case. It is particularly concerning when it is combined with third-party entities such as the Free Enterprise Foundation in an attempt to further muddy the waters about who is donating and who is benefiting from donations, which significantly inhibits effective disclosure.

The third area where I believe we need to pay attention is foreign donations. The High Court has said that donations are a constitutionally protected form of political communication and a way of taking part in political debate. But we should make sure that the people who are entering the debate are those who have a real and legitimate interest in its outcome, not just an intellectual interest. The regulatory arrangements for this will no doubt be complex, but it seems that, at minimum, persons or entities that live or work or conduct business in Australia ought to be the group of people who we consider have a legitimate interest in Australian political outcomes. There should not be a place in our electoral donations laws for those who have no connection with Australia apart from the money they donate.

The fourth general priority, I would suggest, is tightening up the Electoral Act. The public funding provisions help to prevent an ‘arms race’ of fundraising and they allow minor parties to have a voice in elections. But no-one should be able to make a profit from running in an election. We need to tighten up existing laws to tie public funding to campaign expenditure. We also need to make sure that the offences and penalties in the act properly reflect the ways in which breaches of electoral laws undermine our political system.

At the moment, there is a real passion for, a real interest in, donations reform, but in this chamber I think we have an obligation to make sure that this lasts beyond the news cycle. This should be about building a more efficient and ethical system in a practical and progressive way. There are real issues that need to be addressed. I am proud to be part of a Labor opposition that is committed to doing something about those questions.

**Australian Defence Force**

**Senator KAKOSCHKE-MOORE** (South Australia) (20:56): This is not my first speech. However, tonight I need to speak out on a matter of great importance. I have the utmost respect and admiration for the men and women that serve, and have served, in our Australian Defence Force. They are prepared to sacrifice their lives for our country, to defend our
fundamental liberties and way of life. Sadly, indeed disgracefully, too many men and women who have served in our defence forces have been treated with the utmost disrespect and indeed contempt, when they have been abused by those within their own ranks.

I became involved in this issue through my work with my now colleague Senator Nick Xenophon in 2011, after the so-called Skype sex scandal broke and made national headlines. Following the Skype incident, Senator Xenophon called for an urgent independent review by the federal government of defence abuse. His call to the Minister for Defence for a review was galvanized after meeting with a victim from HMAS Leeuwin who told him of the untold horror he had been subjected to in the 1960s.

In April 2011 the DLA Piper review into defence abuse was announced. The review received around 1,300 submissions, with around 800 being deemed credible and within the terms of reference. In response to this, the government established the Defence Abuse Response Taskforce, known as the DART, to assess allegations of abuse made to the review before 11 April 2011. Through the courageous actions of those people who suffered abuse coming forward and telling their stories, this truth has started to be revealed. We thought—hoped—that our ADF would have somehow been immune from such predatory individuals. We hoped that these 'rotten apples' within Defence would be detected quickly and removed permanently from the organisation. But, in far too many cases, this did not occur.

In the case of HMAS Leeuwin, many who joined were mere children. From the 1950s through to the early 1980s, the Australian Defence Force failed to protect boys aged just 13, 14, 15, 16. They failed to protect them from older predators within the Australian Defence Force. These predatory members within the Navy have left a wretched legacy. However, the abuse went way beyond HMAS Leeuwin and went all the way to the Australian Defence Force Academy, known as ADFA. In November 2014 the then head of the DART, the Hon. Len Roberts-Smith, recommended that the government establish a royal commission to inquire into, report and make recommendations in respect of allegations of abuse and the mismanagement of reports of allegations of abuse at ADFA.

The notorious ADFA 24 case was highlighted by the DLA Piper review as serious allegations involving 24 perpetrators at ADFA being involved in the physical, indecent and sexual assault of at least 26 female victims from 1996 and 1998. DART, under the leadership of Mr Len Roberts-Smith, investigated this issue that was so grave and so serious that it warranted a royal commission. However, when the final report of DART was released quietly on the afternoon of Friday, 2 September, there was a baffling U-turn on the part of the DART. Inexplicably, the new head of the DART, Robert Cornall AO, who took over after the retirement of Mr Len Roberts-Smith, has walked away from this key recommendation for a royal commission, even though he was deputy to Mr Len Roberts-Smith when the recommendation was originally made.

To understand why this change in position is so concerning it is necessary to set out some of the background to the establishment of the DART, particularly the context of ADFA 24. It is very likely that, for some years, there have been in senior ranks of the ADF some individuals who have raped other members of the ADF and have never been called to account for their actions. It is also very likely that, for some years within the senior ranks of the ADF, there have been some individuals who were aware that their mates had raped other members of the ADF and did not intervene to stop the abuse, and never reported what they knew. There
are serious questions as to whether rapists and their silent mates are fit to be role models and drivers of cultural change within the ADF. Furthermore, victims who have managed to stay in the ADF have to serve with these men. That must be very destructive for the victims. The longer the nation takes to respond to this situation the more senior the ranks that the rapists and their mates may rise to.

The DART confirmed in its November 2014 report on abuse at ADFA, signed off by Mr Len Roberts-Smith, that:

… a significant cluster of very serious allegations within Defence have never been thoroughly investigated …

and that—

… individuals alleged to have committed or acquiesced in very serious offences have never been called to account.

So what must be done? An appropriately commissioned and resourced permanent Defence Abuse Response Taskforce, as well as a royal commission into Defence abuse, would enable victims to disclose the systemic issues that affected them so deeply, and would give them a voice.

Sadly, it remains the government's view that allegations of abuse by Defence personnel after the Defence Abuse Response Taskforce was established in April 2011 must be dealt with through existing internal Defence mechanisms. This approach is clearly inadequate, given the litany of evidence tendered to the task force. Only a permanent investigative body would have the autonomy, authority and standing to unconditionally explore further allegations of sexual and physical abuse committed throughout Defence facilities across Australia.

Some who experienced this type abuse during their time in the ADF have been able to move forward because of the DART process. However, many others cannot, through no fault of their own. Many have spoken of ongoing impacts, including broken relationships, bouts of serious depression, ruined careers and alcohol and substance abuse. I am deeply moved by the way these brave men and women were able to recount the events that occurred to them.

Just this afternoon, I spoke with one abuse survivor who had served in the Navy in the 1980s. He told me that his time at the ADF was bookmarked by abuse. It started with a sexual assault and it ended in being deliberately electrocuted. He told me it felt like he was being left to wither away. He felt that he could not stay, but he felt that he could not go, either. Thirty six years later, he has had 40 different jobs. He still has trust issues with authority. This survivor was able to make a successful claim with the task force. However, we know that, as of October 2015, there were 425 people who had tried to submit a claim with the task force but were told that they could not because they were out of time. I fear that the 425 people who we know about are only the tip of the iceberg.

The proud history, traditions and sacrifices made by the Australian Defence Force have played a significant role in forging our national identity. These men and women of the Australian Defence Force—past, currently serving and future—are entitled to be, and deserve to be, treated with the highest levels of admiration and respect. The high esteem that members of the Defence forces are held is clearly demonstrated each year when the nation stops and comes together in the pre-dawn light. We come together to hold vigils and honour the sacrifices made by our service men and women, and their contribution to the nation. This
reverence of the men and women of the Australian Defence Force is precisely why it is so devastating that such tragedy and pain has been inflicted by members of this respected organisation.

A great deal has been done over the last few years to prevent abuse occurring in the ADF. But I believe there is still much more we can do. I believe that this parliament must maintain a rigorous and ongoing oversight of what the ADF is doing to protect our service personnel from further abuse. To those individuals who had the bravery to tell their stories in the hope that it would make a difference for the better, I thank you for your courage.

**Turnbull Government**

Senator URQUHART (Tasmania—Opposition Whip in the Senate) (21:05): Back in April, Prime Minister Turnbull told us that the nation was facing an issue so important, so serious and so dire that he had to throw normal electoral timetables out of the window. He stamped his feet because the Senate would not bow down and then questionably passed his regressive legislation to restore the draconian and fundamentally undemocratic Australian Building and Construction Commission. In the past three years, I have received tens of thousands of pieces of correspondence calling for change on hundreds of federal issues. But, in all this time, I have not received a single one from a constituent calling for the reinstatement of the Australian Building and Construction Commission. I am sure this experience would be the same in parliamentary offices around the country.

Despite this, Mr Turnbull told us that the issue was so pressing that the only option would be to drag the country to the first double dissolution election we have had in this country in more than three decades. But then the Prime Minister went on to spend the marathon eight-week election campaign barely mentioning the ABCC—a bill that, such a short time ago, was the most urgent issue facing the nation. Of course, we all know that there is a very good reason for this, and it is not just that most Australians would be hard pressed to say what the ABCC is, let alone baying for its return. The reality is that the ABCC was nothing but a smokescreen to cover up the Prime Minister's desperate attempt to out-run the falling party polls and his own plummeting personal ratings.

Knowing that Australians were wising up to the fact that his soothing progressive words are in direct opposition to the repressive, regressive agenda run by his government, Mr Turnbull decided to cut and run to a double-D. So, thinking of nothing but saving his own job, Mr Turnbull subjected the country to the longest election in more than half a century. The government went to the Australian people at the 2016 election with a threadbare policy agenda that was composed almost entirely of toxic policy strands from the former Abbott government.

Despite the Prime Minister's dulcet crooning about fairness, innovation, inclusion and the excitement of being a modern Australian, the vast bulk of his election policies were directly transplanted from the vicious and regressive 2014 Abbott budget. We had the Gonski backflip that would rip $29 billion from funding for our schools in 2018-19 and lock in an unfair funding model where disadvantaged young Australians will not get the support they need to achieve their full potential. We had university fee deregulation that would see $100,000 degrees become the norm and create a two-tier tertiary education system where only the wealthy could afford to go to university. Of course, who could forget the senseless GP tax that would discourage people from seeing the doctor and backload costs onto the already stressed
and far more expensive hospital system? This is the agenda that was so roundly rejected by the Australian people that it led to the downfall of the Prime Minister that championed it, and yet Mr Turnbull saw fit to revive it almost unaltered in 2016.

This is a policy agenda that will slash health and education funding and key services while giving a multibillion dollar taxpayer funded gift to big business. It will hit the poor, sick and vulnerable while keeping the rivers of tax deductions flowing for the privileged and the wealthy. It will put the final nail in the coffin of a first-class national broadband network, leaving us with a second-rate offering built on the ageing and decrepit copper network. It will set off a divisive and expensive plebiscite on marriage equality that government members have no obligation to follow through on, and it will do absolutely nothing to address the excessive tax breaks for property investors that cost our national budget more than $10 billion a year. In doing so, the 2016 Liberal election platform lays bare the rank hypocrisy of the Prime Minister's promise to put fairness at the heart of government decisions.

Those opposite went to the people of Australia promising jobs and growth, but they put forward a policy platform that stood in direct opposition to this stated goal. While the Liberals continue to champion policies that hit the most vulnerable in our communities and reward the wealthy and privileged, they are swimming against the tide of international economic opinion. This is not about class war, which conservatives like to confect. It is not about them and us. It is about how fairness benefits us all—rich, poor and in between—and it is about a government that are actively seeking to entrench systems that rip resources away from those who cannot live without them and direct them to those who do not need them.

When the richest one per cent of Australians now hold more wealth than the bottom 60 per cent put together, it is clear that something is very wrong. The situation in the United States is even worse, with the 400 wealthiest people on the Forbes 100 list owning more than the poorest 150 million Americans. Shamefully, it is the American policies that contributed to this brutal inequality that those opposite consistently try to emulate. What economists know, and what they have been saying for quite a while now, is that it is precisely these sorts of policies that will hit jobs and growth. This is the great truth that those opposite are trying to hide as they peddle their disproven trickle-down economic theory that promises by giving your tax dollars to the wealthy and privileged you will somehow benefit.

In fact, inequality is one of the most pressing and urgent issues that governments must fight vigilantly—not foster, as those opposite are determined to do. This is not just a warm and fuzzy feel-good rhetoric that is about helping those who are down on their luck. It is as much about cold hard fiscal reality as it is about morality, and it is not just the progressive side of politics that know this. In fact, some of the most authoritative economic organisations in the world are now sounding the bell on the risk to growth if governments cling belligerently to those shameless neoliberal agendas. The Secretary-General of OECD said:

We have reached a tipping point. Inequality can no longer be treated as an afterthought. We need to focus the debate on how the benefits of growth are distributed. Our work on inclusive growth has clearly shown that there doesn't have to be a trade-off between growth and equality. On the contrary, the opening up of opportunity can spur stronger economic performance and improve living standards across the board!

Even the International Monetary Fund, an organisation not exactly known for its left political leanings, has warned that inequality poses a serious threat to growth. In fact, a recent IMF
study estimated that a one percentage point increase in the income share of the top 20 per cent will drag down growth by 0.08 percentage points over five years, while a rise in the income share of the bottom 20 per cent actually boosts growth.

Last month, the Chifley Research Centre released some work on what this might mean for Australia. It found that if we continue as we are, inequality could hit our economy to the tune of more than $13 billion by 2019 and cost each Australian $500 a year in wages, not to mention the threats to social stability that come from a system that encourages and entrenches this growing unfairness. Yet those opposite line up policy after policy that serve to not only entrench but increase the gaps between the have and the have-nots. Take their plan to give tax cuts to people earning over $180,000 a year, while ripping money away from jobseekers, leading to the absurd situation where a person earning a million dollars a year will be $16,175 a year better off, while those on benefits will be dragged further and further below the poverty line. Or look at was possibly the greatest Liberal con of the election—a $50 billion addition to the national debt in a cash splash for big business. Those opposite had the gall to go to the Australian people with a commitment to take $50 billion of our hard earned money and give it away to businesses earning up to a billion dollars a year. And, what is worse, they would fund this excessive cash splash by levying vicious cuts to health, education and key services.

Businesses do not create jobs just because they are making more money. Businesses do not create jobs just because they are paying less tax. They create jobs because they need more workers. This is not simply an outcome of their profits; it is an outcome of demand for their products. And there is greater demand for products when people have money to spend. But, under those opposite, we have seen the lowest wage growth in living memory and the middle class dwindling, while many companies make record profits. In fact, we have seen recently that the overwhelming pressure in today's competitive environment is not to create jobs but in fact to cut them in order to satisfy the relentless demand for continual increases to profits. Any CEO that created jobs that were not needed instead of returning profits to shareholders would quickly be shown the door.

You only need to look at the big banks, who, despite recording growth to their multibillion dollar profits year on year, have actively cut jobs. In fact, together the big banks have cut 4,200 jobs in the last year alone. Clearly profit alone does not equal job creation. Even the government's own Treasury modelling showed that the benefit of their plan would deliver a minuscule 0.1 per cent to annual growth—not only that but $11 billion of the money would almost immediately be gifted to the American tax department as a result of a tax treaty that requires companies to pay the difference between US tax rates and overseas tax rates to the Internal Revenue Service. And $7.4 billion would go straight to the big banks, who, as I mentioned, have a proven record of cutting jobs. Another big chunk would end up in the hands of foreign shareholders, thanks to our dividend imputation system.

The idea that handing $50 billion of precious public money over to businesses earning up to a billion dollars a year is somehow going to spark a jobs boom was clearly flawed from the beginning. The irony of these expensive tax cuts in the context of the reality that around a third of private and public companies already pay no tax at all has not escaped many Australians. Nor have people missed the rank hypocrisy of those opposite when they sagely talk about living within our means and the need to address our national financial situation while actively ripping $50 billion out of our national coffers. While we absolutely have to
keep an eye on tax competitiveness, we should not be taking the axe to key government responsibilities and adding tens of billions of dollars to our national debt—although the fact that those opposite see no problem with this should come as no surprise, given they have presided over a doubling of the deficit and added $100 billion to the national debt in only their first term of power.

But there is something that can deliver the sustained, long-term growth that the Prime Minister is looking for, and that is investment in education. In fact, a survey of 31 economists by the Economic Society of Australia and Monash Business School has found almost two-thirds agreed with the statement:

Australia will receive a bigger economic growth dividend in the long-run by spending on education than offering an equivalent amount of money on a tax cut to business.

If the Prime Minister would just listen to the experts, this is exactly what he would be doing—just as Labor did. While those opposite were busy peddling a plan to hand over tens of billions of dollars of public money to big business, Labor was addressing the issues that Australians really care about. We put forward a comprehensive policy platform to address the concerns and meet the needs of all Australians, not just the powerful and the privileged, and we had a platform that put people first. We had a plan to properly fund our schools, hospitals and universities. We committed to protecting Medicare and ensuring that it is your Medicare card, not your credit card, that determines the quality of the health care you and your family receive. Only Labor had a plan to deliver real, long-term structural reform to reduce the deficit and generate real economic growth.

This is the very platform that the people of my home state of Tasmania chose when they said goodbye to every single sitting Liberal member of the House of Representatives. In turn, they welcomed three new Labor members of parliament: Justine Keay in Braddon, Brian Mitchell in Lyons and Ross Hart in Bass. I would like to take this opportunity to congratulate these three intelligent, caring, committed people and welcome them to this place, where I know they will prove to be wonderful assets. They are thoroughly deserving of their positions, and I have no doubt that they will fight relentlessly for people in their communities and stand strongly against the ingrained tendency of those opposite to trash health, education and public services.

But it was not an easy fight and it certainly was not a level playing field. Labor's local candidates were never going to be able to compete with the massive war chests of the Liberals. We did not have a leader willing to drop a reported cool million dollars to secure his own job. We could not spend tens or hundreds of thousands of dollars on multiple glossy mail-outs, an onslaught of robocalls and a slew of drive-in movie screen sized signs on every street corner. But we had something much more special. While the Liberals splashed the cash, Labor unapologetically focused on local people in local communities and the issues that mattered to them. While those opposite saturated the local papers with full-page, colour advertisements, we were busy reaching out to the community, one conversation at a time.

While they could afford to pay workers to man every polling booth, we were staffed by an army of dedicated volunteers, an army driven by a passion for Labor values and united by a vision of a more inclusive, fairer—

The ACTING DEPUTY PRESIDENT (Senator Whish-Wilson): A point of order, Senator McGrath?
Senator McGrath: My point of order is in relation to the assertion that has been made by the senator that the Tasmanian Liberals paid workers. That is an untruth; that is a lie. I ask her to withdraw that.

The ACTING DEPUTY PRESIDENT: That is not a point of order; that is a debating point. Do you have a point of order, Senator Moore?

Senator Moore: I think the allegation from across the chamber that Senator Urquhart is a liar and is telling lies should be a point of order.

The ACTING DEPUTY PRESIDENT: Yes, that is true. If you called Senator Urquhart a liar, Senator McGrath, please withdraw that.

Senator McGrath: I did call Senator Urquhart a liar, because the allegation that the Tasmanian Liberals paid booth workers to work—

The ACTING DEPUTY PRESIDENT: Senator McGrath—

Senator McGrath: is actually a lie. If you are saying that, Senator Urquhart, you are a liar.

The ACTING DEPUTY PRESIDENT: Senator McGrath, I have instructed you to withdraw it.

Senator McGrath: But I withdraw it. Out of respect, I will withdraw it.

The ACTING DEPUTY PRESIDENT: I remind senators that Senator Urquhart has the right to be heard in silence. Please continue, Senator Urquhart.

Senator URQUHART: It was an army driven by a passion for Labor values and united by a vision of a more inclusive, fairer, more prosperous future for our nation. Those volunteers were there for many different reasons but each had a common goal—to ensure the election of a Labor member to represent them. In fact, in my local electorate of Braddon in this year alone, our team of volunteers contacted over 35,000 electors and had over 20,000 conversations. We connected with people about the things that would affect their lives, the things they cared about, and the response from the Tasmanian community was amazing.

Tasmanians understood what was at risk and they chose Labor's vision for the future. They chose proper investment in health. They chose needs based funding for schools that would ensure that those most in need get the support they need to achieve their potential. They chose proper investment in renewables and concrete action on climate change. They chose the real NBN to give our communities the opportunity to attract investment and create jobs. They rejected the Liberal's vicious attacks on vulnerable Australians. They said no to $100,000 degrees and deregulation that would see regional universities like the University of Tasmania struggle to stay afloat. They gave the thumbs down to a $50 billion taxpayer funded handout to big business that would seriously damage the budget with a miniscule impact on jobs and growth. And, perhaps above all else, they categorically rejected the Liberals attacks on Medicare. In doing this, Tasmanians gave their newly instated Labor MPs a mandate—a mandate to fight for the interests of all Tasmanians, not just the rich and powerful, and a mandate to continue to prosecute Labor's positive plan in the federal parliament.

Now it is time for the government to show that they have listened. Now is the time for the Liberals to finally start delivering the fairness that Mr Turnbull likes to talk so much about but
struggles so hard to deliver. Today, I call on Mr Turnbull and the Liberal senators in this place to show they respect the clear wishes of the Tasmanian voters.

Tasmania now has a strong, united Labor team who will fight relentlessly for Tasmanians to receive exactly what they voted for. We will not bow down to the vicious and regressive attacks on health, education and services levied by those opposite. We will demand that the government make good on every single local announcement the Liberals made before the election. We will fight to ensure that their promise to contribute $150 million towards the University of Tasmania's northern revitalisation goes ahead. We will not let them off the hook on their promise to deliver fibre NBN to the West Coast. And we will call on them to deliver $15 million for the Cradle Mountain public infrastructure. Because this is exactly what Tasmanians have asked us to do.

Williams, Dr Bill

Senator LUDLAM (Western Australia—Co-Deputy Leader of the Australian Greens) (21:25): I rise tonight in shock and sadness to farewell Dr Bill Williams, who passed away the night before last. It is hard to put words into the space he leaves behind. We have lost a great one. Dear Dimity Hawkins writes:

Many of you will know Bill as a great man of vision, passion and compassion. His belief in a world free from nuclear weapons and untethered from the nuclear fuel chain fired our work. His energy, intelligence, humanity and humour inspired all his friends, colleagues and fellow travellers.

Bill lived and worked in Torquay on Victoria's surf coast, a GP with more than thirty years' experience. His background in clinical and public health took him from Melbourne University to Zimbabwe to the Muskito coast to the Western Desert. Our thoughts tonight are with his partner Gisela and daughters Daisy and Lily, and with the wider circle of family and friends who knew and loved him.

Bill was not content to confine his passion for health care within clinical practice; he was a determined and frequently flamboyant advocate for public health in the widest sense. Not content with only applying his expertise to harms already committed, Bill set out to challenge the ultimate preventable health catastrophe and dedicated decades of his life to the prevention of war and the abolition of nuclear weapons.

In the biographical information to his extraordinary 2015 book Bleed, He wrote:

Early in my career I became involved in medical activism to prevent war, oppose militarism, eliminate nuclear weapons, organising protests and civil disobedience campaigns to obstruct and highlight the violence of war. I've been an active member and leader of Nobel Prize-winning International Physicians for the Prevention of Nuclear War (IPPNW) and am a founding member of the International Campaign to Abolish Nuclear Weapons. ICAN has grown from a handful of us in Melbourne in 2006 to a global campaign with over 400 partner organisations in 95 countries. ICAN is the vanguard of the worldwide civil society campaign for a ban on nuclear weapons, driving and supporting the over 100 governments who have recently endorsed the "Humanitarian Pledge" at the UN NPT Review Conference in New York in May 2015—a commitment to negotiate and implement an abolition treaty.

If there is a better example of Margaret Meade's reminder about the power of small groups of thoughtful, committed citizens to change the world, I cannot immediately think of it. That Melbourne handful linked arms with like-minded people all over the world, found their allies in activists and peace-workers from every time zone—families who saw their homelands
broken in the name of nuclear weapons testing—and in those who had fled as children from
the white flash and black rain in August 1945. The networks grew, woven together with
career diplomats and politicians and military personnel who have served on the front-lines of
the planet's wars or worked to prepare for the one that must never be fought.

Bill wrote:

...after the energetically anti-nuke eighties and the end of the Cold War, nuclear holocaust—always
unthinkable—became almost uncommentable. A mass self-censorship, a mental no-fly zone, a cone of
silence descended. Little wonder: no sane person wants to contaminate their dreams with this ultimate
horror. But to finish this journey of survival—to abolition—we need to penetrate the fog of fear and
denial, informing ourselves and our neighbours without inducing psychological paralysis.

Dear Bill, it is happening. From Torquay to the First Committee of the United Nations
General Assembly, to the Western Australian Goldfields, somehow, it is happening. This
weekend some few dozen of us sat around a fire at Wongatha Birni in Kalgoorlie; having
travelled from Ceduna, from the Flinders Ranges, from Kakadu, from Noongar country in the
south-west of Western Australia, from the Central Coast of New South Wales, from the
ancient Pilbara and all corners of Australia, as guests of Wongatha leaders and elders from
around the region. Here, at this gathering of the Australian Nuclear Free Alliance, the
imaginary distinction between the civil and military arms of the nuclear fuel chain is set aside,
and you will hear story of the world's oldest and most resilient system of law. You will hear
story of the Spinifex people, who fled west when the British government showered their lands
with radioactive fission products as the world stumbled into the Cold War. You will hear that
in the local language the state's largest uranium deposit in the calcrete beds of the Yeelirrie
pastoral station was known as sickness country, 'youlirrie', a place of death, and you will hear
it from people who have protected that place from violation for more than 40 years. You will
hear that, even in 2016, unaccountable governments still target Aboriginal homelands to host
intractable radiotoxic wastes from distant reactors and isotope plants in exchange for the
modern equivalent of beads and blankets.

These campaigns are about as grounded and local as it is possible to get for those who do
not choose this work but find themselves chosen by it through forced imposition. In each
case, it is impossible to set aside the global dimensions of the uranium market and the
customers it serves. Taking on the uranium miners and the waste merchants of an industrial
fuel chain perched on the edge of collapse, you soon discover that these are not environmental
campaigns in the traditional sense; they are in fact about land rights, self-determination, and,
ultimately, sovereignty. We seem very far from those who sit late into the night in Geneva
and New York negotiating resolutions for the Open-ended Working Group, but we sit and
listen by this campfire and we understand that this is all the same work.

The people and lands of Central Australia held a magnetic appeal for Bill. It was on a visit
to the Pintubi lands of the Western Desert that his wife Gisela collapsed—1,500 kilometres
from the nearest brain surgeon, the horror and hope described in his 2015 work Bleed unfolds.
Years after her brain haemorrhage, after recovering her speech, her memories and her
particularly dry sense of humour, Gisela returned to country, the Western Australian desert. It
is difficult to comprehend how brave she was to be that far from doctors, an activist in her
own right, walking again on Wangkatja country to protect the land she had adopted after
fleeing the nuclear weapons of Europe. It meant a great deal for me to be there, within the
warm and close-knit nuclear-free community, taking those steps with Gisela. Know tonight, and tomorrow, and the next day, that you are held again in that community as we continue our desert walk toward the vision that Bill shared with so many around the world.

Bill was a doctor, a person who could comfort and guide through serious illness and crisis, but he was also someone who could sense the energy in a room and effortlessly lift its spirits. Imagine, if you will, Bill at a key meeting of the International Physicians for the Prevention of Nuclear War, in Helsinki, with Bill having helped build sufficient institutional determination to get ICAN off the ground—the International Campaign to Abolish Nuclear Weapons—which would go on to help energise the present global momentum towards a nuclear ban treaty. Not content with simply wearing the ICANgeroo shirts worn by colleagues and fellow campaigners, Bill did the whole suit, which you might also have been fortunate enough to see him wear in the vicinity of Flinders Street Station, shading himself and a pair of floppy ears—as you do—under a nuclear umbrella. To wake from the horror of nuclear nightmares, Bill knew you need not only hope, but also humour. Bill wrote:

What can each of us do that might move us along the road to a solution? And what exactly constitutes 'a solution'? In the world of pragmatism, where deals must finally be cut, a treaty to ban nuclear weapons once and for all is urgently required. Not just negotiated, signed and ratified by the world’s parliaments, but implemented all the way to zero. Maybe this route seems pedestrian, but there is no other: we must resuscitate, rejuvenate and exploit the tradition of international cooperation that has achieved bans on chemical and biological weapons, landmines, even dumdum bullets, but not yet on the world’s worst weapons of terror.

Bill, you cannot be replaced and you will always be missed. We commit to honouring your leadership in the great work of building a peaceful and tolerant world free of the menace of these inhuman weapons. More than anything, you will be missed as partner, father, colleague and mate. Vale dear Bill Williams.

**Bondi Pavilion**

Senator RHIANNON (New South Wales) (21:34): Bondi Pavilion is one of the nation's jewels. Recognised in 2008 by the Australian government as having 'exceptional' cultural significance, the National Estate listing identified Bondi as 'one of Australia’s most treasured places' and 'one of the world’s most famous beaches where Australians meet nature's challenge in the surf'. Bondi Pavilion is a central part of the Bondi experience. However, this stunning cultural and beachside centre faces a precarious future. The Liberal-controlled Waverley Council is pushing ahead with major commercialisation and privatisation plans for the pavilion. Bondi is in the Prime Minister's Wentworth electorate. Through grants and staff connections, Mr Turnbull and his government are involved in what is turning into another unsavoury Sydney story of politicians and developers.

The last time a Liberal Waverley Council attempted a similar privatisation plan they ended up before ICAC, with many councillors found to be corrupt. I am not suggesting that Waverley mayor and Turnbull staffer Sally Betts is corrupt. However, she and Mr Turnbull should be mindful that with many New South Wales Liberals caught up in ICAC exposed corruption there is growing public concern about the unhealthily close relationship between senior Waverley Liberals, developers and hotel companies.

Ms Betts is a part-time employee of the Prime Minister. I understand that since 2012 she has worked two days a week in his electorate office. A couple of years ago, Ms Betts came
close to losing that job when it was revealed that she had written and signed, as mayor, a
glowing reference defending the character of a man found guilty of a horrendously violent
rape. Later, Betts admitted that she hardly knew the man. She did know that his family owned
two of the busiest hotels in Bondi Junction, and she also knew that the family were financial
supporters of the Liberal Party and beneficiaries of Liberal support in the council for extended
hours of trading for their businesses. If that scandal was not enough to give the Prime
Minister reason to distance himself from Ms Betts, he should acquaint himself with what she
is doing to Bondi Pavilion. Ever since Ms Betts became mayor almost a decade ago, she and
her band of Liberal councillors have systematically mismanaged the pavilion, reducing
funding and ignoring community programs.

A couple of years back, arguing that the pavilion had become run down, Betts spotted the
directive from the Baird government to amalgamate with Randwick and Woollahra councils
as the cover she needed to push through privatisation of the pavilion once and for all. Using
the spurious survey of just 600 people, Betts' Liberals voted to abolish the 156-year-old
Waverley Council, Sydney's second oldest council—after the City of Sydney. The reward for
Betts for pulling this off is said to be a promise from Mr Baird of a seat in the New South
Wales upper house.

Betts' management of Bondi Pavilion is typical of what councils and governments do when
they are set on a privatisation course that will benefit developers. It starts with neglect. The
pavilion has been left to deteriorate in recent years. We have not seen any repairs or basic
maintenance for years. Locals are wondering if this has been a purposeful strategy to bolster
the Liberals' argument that the private sector needs to be brought in. However, it is not just
the building that has become run down; the pavilion is not the vibrant community centre it
once was. Under Liberal rule at Waverley Council this wonderful asset no longer hosts the
great events of past decades: Rock Against Racism, Latin American festivals, International
Women's Day festivals and so much more. The need for an upgrade is apparent to tourists and
locals alike. However, what is wanted is an upgrade that retains the pavilion as a community
facility.

The course of action pursued by Waverley Council and Mayor Betts reveals their secretive
approach. The council applied for a grant under the Department of the Environment's
Protecting National Historic Sites program and was successful in obtaining $1 million
towards the design phase of the Bondi Pavilion upgrade. But once the grant was received
Mayor Betts pulled down a curtain of secrecy. The community have been locked out of
having a say. What we do know is once the mayor had the pot of public money under her belt,
she commissioned one of Sydney's leading architects, who took a few months to come back
with a couple of design suggestions. And this is where the story gets really murky. Instead of
these design suggestions being presented to a meeting of councillors, a team of council
officers plus the mayor rejected two relatively modest plans and decided to push ahead with
an extravagant proposal with a whopping price tag of $38 million, one with massive flow-on
effects on community activities at the pavilion.

The question the local community have the right to know is: has the mayor abided by the
law when it comes to advancing her privatisation plans for the pavilion? The $1 million grant
awarded under the Protecting National Historic Sites program is for ‘design and conservation
work on Bondi Pavilion'. The guidelines for these grants clearly state that the money is for the historic heritage values of the site.

Senator McGrath interjecting—

Senator RHIANNON: I am happy to acknowledge the interjections. The grant is the second largest under the scheme, eating up more than 10 per cent of the program's total annual budget. So the then Liberal environment minister, Greg Hunt, was very—and maybe surprisingly—generous.

For months the mayor refused to release the grant application to the community. I found out that, as a member of parliament, I am entitled to receive a copy. I have long-term involvement with the pavilion as a user and as a participant in the 1987 and current Save Bondi Pavilion campaigns. Also, as an MP, I wanted to bring some transparency to the Waverley Council plans. What I came up against added to my concern about the Betts plan for the pavilion.

In the second half of July I commenced corresponding with the mayor to request a copy of the application for $1 million. After one month of not very polite responses from the mayor, on 19 August she agreed that I could receive a copy. However, that did not mean I immediately received a copy. The wheels still turned slowing, but what they revealed was even more concerning. The heritage grants team of the Department of the Environment and Energy could not give me a copy of the application as Waverley Council had not followed their own FOI processes, which they obviously would have been aware of. Interestingly, the grants team representative with whom we dealt said that they were aware of our request due to a number of communications with council about it.

Over a week later the application grant document was released. It makes for interesting reading. It is clear why the mayor did not want this application to be released. The application to the federal government that resulted in a $1 million grant of federal money was for an upgrade of the pavilion that would cost up to $14 million. The plan 'identified broad community support for the upgrade and conservation of the pavilion'. But the project that Mayor Betts is talking up to the media, discussing with developers and touting at so-called community consultations is the Liberals' $38 million pavilion redevelopment that would see the demolition of the purpose-built music rooms and studios, and the eviction of the theatre and all community activities from the first floor of the pavilion.

What is Mayor Betts up to? The $1 million federal grant is supposed to be for an upgrade involving maintenance, restoration and enhancement of the pavilion's community facilities. How did the council's $14 million upgrade plan become a $38 million major redevelopment? Who tapped Mayor Betts on the shoulder and said, 'We have a plan for you'? Why wasn't the massive cost increase publicly disclosed? Who are the developers that the Waverley Liberals are working closely with? When Waverley Council applied for the federal grant, did Mayor Betts already know that her Liberal council would back a change from a $14 million project to a $38 million project? Has the mayor obtained this $1 million under false pretences? In 2014 Mayor Betts said:

I am pleased that we have been able to allocate $10 million to refurbish the Bondi Pavilion because it is one of Sydney's most iconic buildings …

She went on to say:
The pavilion has a legacy our community is truly proud of so we want to make sure its longevity stretches well into the future and continues to live up to its remarkable history.

This raises another question that must be answered: has Waverley Council corrected the information they supplied to the Department of the Environment? The community support an upgrade of around $14 million which retains the building as a community and cultural centre. They do not support the $38 million plans that see it converted for heavily commercial purposes. When the plans for the $38 million upgrade went on public display and out for consultation, the community response was overwhelming—out of 750 responses, fewer than six supported the plans.

The community are solidly opposed to the current $38 million plan. This plan would see the music studios demolished; the music rooms that attract internationally recognised recording artists and are home to the Bondi Wave youth program would be gone. The art and pottery studios would be demolished. And the space available for small-scale community events would be reduced by 50 per cent. Acclaimed theatre practitioners have said that this plan is seriously flawed, unnecessarily expensive and an irresponsible waste of public money. Roderick van Gelder, an internationally recognised lighting designer and industry leader in the field of safety for the entertainment industry, has criticised the plans for the new theatre as 'not fit for purpose'.

Back to the Betts privatisation plan: the grant application states that additional funding will be sought. This is probably the most important question Mayor Betts must answer. Where will the $38 million come from? When a member of the community asked Mayor Betts where she would get additional money from, she said that 'developers would pay for most of the $38 million cost'. Earlier this year, the mayor had also floated the idea of a public-private partnership. The application states that an experienced project manager will be employed. This is also required by Waverley Council's own planning documents. Despite many requests from ratepayers, who this is remains a mystery.

The application declares it is 'able to obtain the necessary permits and support from the relevant traditional owners'. This is a lie. Aboriginal heritage has not had the support or respect it deserves, and for the Liberal council to make this claim of traditional owner support for their plan is insulting.

The application declares the project complies with all requirements set out in applicable Commonwealth, state and local laws. This declaration is astounding. The $38 million plan does not comply with the Crown Lands Act.

There are more questions the mayor must answer. Into which account was the $1 million grant deposited? Was it deposited into general revenue or was it handled as required under the Crown Lands Act?

Let us remember that, throughout this period and longer, Waverley Council has failed to produce even a budget, let alone a business plan for their Bondi Pavilion plans. The trouble is: council's analysis ignores the inconvenient fact that the pavilion sits on Crown land that was dedicated in 1938 for the sole purpose of public recreation, and a recent judgement against a local council found that land reserved for public recreation must not be developed for a purpose that excludes the public. That was in the case of Friends of King Edward Park Inc v Newcastle City Council.
And, because Bondi Beach and park are Crown land, they should be being managed by a trust, but there is none. It appears that Waverley Council has failed to maintain separate accounts for the beach and pavilion as required by the act. It has also roundly failed to provide the minister with the regular annual accounts and reports required under the Crown Lands Act. Council has ignored provisions of the Crown Lands Act by repeatedly leasing out the park and pavilion for massive profit-making events like New Year's Eve parties, and using the proceeds to subsidise entirely different council activities in unrelated places. As a result, 'trust' is not a word that anyone could use to describe the relationship between the mayor and Waverley Council and the community to which they are answerable and which they are required to serve.

At this stage—despite the best efforts of the non-Liberal councillors to represent community interests, and although one Liberal has been brave enough to break ranks and oppose the project—Betts's Liberals have refused to give an inch. They sit mute at council meetings and refuse to defend or explain their plans. Motions allowing independent experts to evaluate the $38 million project against heritage and other criteria have now twice been rejected, with the mayor repeatedly and arrogantly using her casting vote to push the proposal through.

Is the local member, the Prime Minister, Mr Turnbull, aware of what his staffer is doing with the federal grant? The local community cannot find out. Surely the Prime Minister and all MPs would want to be confident that federal money delivered under the federal grants program is handled correctly.

The movement to save Bondi Pavilion is undertaking the work that the council should do. We are seeing Liberals in control who have no idea of working for the public good and are out to help their constituency—the developers, hotels, real estate agents and other corporate interests. Instead of working for the people, Waverley Council has placed 'financial sustainability' at the top of its management objectives, so that the million-dollar ocean views from the first floor of Bondi Pavilion are on sale to the highest bidder.

The Betts privatisation plans for Bondi Pavilion are nothing new. Twenty-nine years ago, the Liberals who then controlled Waverley Council tried and failed to advance almost the same plan that Mayor Betts seems obsessed with now. This was in the era of the Markham Liberal rule over Waverley. Their decision to actually lock the community out of the pavilion kicked off an almighty battle. Sometimes I wonder if it might have inspired the movie *The Castle*, as Michael Caton was a Bondi local and one of the campaigners who helped defeat that attempted private takeover. The Markhams had a plan for Bondi Beach that they dubbed 'Camelot by the sea'. It included 14-storey buildings on the beachfront, including international hotels; the 'gutting' of the Bondi Pavilion; and lots of other developer-friendly schemes.

The Liberals were defeated at the 1987 council elections in a landslide, as residents in Bondi Beach and across Waverley organised to protect their neighbourhoods. And the then Waverley Council ended up with the dubious honour of being the first case referred to ICAC. Findings of corrupt conduct were made against a number of people associated with the Markhams.

One long-term local resident said to me, after a recent fiery Waverley Council meeting: 'If I close my eyes, Mayor Betts sounds like Mayor Carolyn Markham—her antics, excluding the public from meaningful involvement, and abuse of public money to advance her privatisation
plans.' If Mayor Betts does not drop her privatisation plans, the next Council election could be a repeat of the wipe-out that the Markhams faced the last time the Liberals controlled Waverley Council.

The campaign to save Bondi Pavilion has been hotting up. In recent months it has been my pleasure to again share the microphone with Michael Caton, as I did in 1987, to ensure we have a mighty win like we did at that time and to save the pavilion from the corporate mates of Mayor Betts and the local Liberals. I congratulate the Save Bondi Pavilion group for all their work in informing the community, the CFMEU for placing a green ban on the pavilion until the privatisation plans are dropped, and all the locals and supporters working hard to save this great community asset.

What I have found extraordinary is the way that Mayor Betts has used heritage to justify her privatisation plan. This argument should be laid to rest. An evaluation of the current proposal against the Burra Charter, which is a reference document for all heritage conservation work, demonstrates what a lie is being peddled by Mayor Betts when she says, 'Council's vision is for Bondi Pavilion to be a beautiful landmark building, restoring its heritage value by conserving its original architecture'. The Burra charter really puts to rest so much of the misinformation that is coming from Mayor Betts. The use of heritage is to disguise a shamefaced commercialisation of this defining Australian public building. And both the Prime Minister and the heritage minister should be ashamed that they have been fooled by Mayor Betts' claims.

The secrecy and the barefaced lies from Waverley Council about the project are breathtaking. It was approved behind the scenes by officers and the mayor. And, although required by an earlier council motion, councillors have never formally considered the $38 million proposal. Mayor Betts, now is the time to come clean with the community. Release all the documents about your $38 million plan—or, better still, drop the folly and work with the community on the urgently needed upgrade—(Time expired)

Senate adjourned at 21:54

DOCSUMENTS

Tabling

The following documents were tabled by the Clerk pursuant to statute:

[Legislative instruments are identified by a Federal Register of Legislation (FRL) number. An explanatory statement is tabled with an instrument unless otherwise indicated by an asterisk.]

Australian Bureau of Statistics Act 1975—


Australian Capital Territory (Planning and Land Management) Act 1988—Direction to disregard an objection—5 May 2016.


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Defence Act 1903—Section 58B—Post indexes and benchmark schools—amendment—Defence Determination 2016/31 [F2016L01421].

Export Control Act 1982—Export Control (Sheepmeat and Goatmeat Export to the European Union Tariff Rate Quotas) Order 2016 [F2016L01422].

Financial Sector (Collection of Data) Act 2001—


Financial Sector (Collection of Data) (reporting standard) determination No. 18 of 2016—GRS 800.3 Facility Business Data: Public and Product Liability and Professional Indemnity Insurance [F2016L01420].

Financial Sector (Collection of Data) (reporting standard) determination No. 20 of 2016—LOLRS 800.2 Claim Data: Public and Product Liability and Professional Indemnity Insurance [F2016L01418].

Financial Sector (Collection of Data) (reporting standard) determination No. 21 of 2016—LOLRS 800.3 Facility Business Data: Public and Product Liability and Professional Indemnity Insurance [F2016L01413].

Migration Act 1958—

Directions under section 499—

Assessing the genuine temporary entrant criterion for student visa and student guardian visa applications—No. 69.

Priority processing for standard business sponsors with accredited status—No. 70.

Migration Regulations 1994—

Arrangements for Business Skills Visa Applications 2016/077—IMMI 16/077 [F2016L01419].

Circumstances in Which a PayPal Surcharge Must be Waived or Refunded 2016/084—IMMI 16/084 [F2016L01416].

Specification of Activities 2016/075—IMMI 16/075 [F2016L01417].


Types of Fees and Charges 2016/083—IMMI 16/083 [F2016L01414].

Ozone Protection and Synthetic Greenhouse Gas Management Act 1989—Grant of exemptions under section 40—

Babcock Offshore Services Australasia Pty Ltd—No. S40E19735611.

Royal Flying Doctor Service of Australia (Queensland Section) Limited—No. S40E59651356.

Sikorsky Aircraft Australia Ltd—No. S40E82349557.


Public Governance, Performance and Accountability Act 2013—Commonwealth has acquired shares in NBN Co Limited—9 September 2016 [4].


Student Assistance Act 1973—Student Assistance (Education Institutions and Courses) Amendment Determination 2016 (No. 1) [F2016L01409].


Tabling

The following documents were tabled pursuant to standing order 61(1) (b):

Auditor-General—Audit report no. 16 of 2016-17—Performance audit—Offshore Processing Centres in Nauru and Papua New Guinea: Procurement of garrison support and welfare services: Department of Immigration and Border Protection.

Australian Institute of Health and Welfare—Australia’s health 2016—Fifteenth biennial report.

Department of the Senate—

Inter-Parliamentary Union—Travel expenditure, 1 July 2015 to 30 June 2016, dated September 2016.

Travel expenditure, 1 July 2015 to 30 June 2016, dated September 2016.


International Air Services Commission—Report for 2015-16.

Tabling

The following document was tabled by the Clerk pursuant to the order of the Senate of 20 June 2001, as amended: