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### SITTING DAYS—2014

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- **PERTH** 585AM
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FORTY-FOURTH PARLIAMENT
FIRST SESSION—SECOND PERIOD

Governor-General
Her Excellency the Hon. Quentin Bryce AC, CVO

Senate Office holders
President—Senator Hon. John Joseph Hogg
Deputy President and Chair of Committees—Senator Stephen Parry
Temporary Chairs of Committees—Senators Cory Bernardi, Thomas Mark Bishop, Suzanne Kay Boyce, Sean Edwards, David Julian Fawcett, Mark Lionel Furner, Alexander McEachian Gallacher, Scott Ludlam, Gavin Mark Marshall, Anne Sowerby Ruston, Dean Anthony Smith, Ursula Mary Stephens, Glenn Sterle and Peter Stuart Whish-Wilson

Leader of the Government in the Senate—Senator Hon. Eric Abetz
Deputy Leader of the Government in the Senate—Senator Hon. George Henry Brandis QC
Leader of the Opposition in the Senate—Senator Hon. Penny Wong
Deputy Leader of the Opposition in the Senate—Senator the Hon Stephen Conroy
Manager of Government Business in the Senate—Senator Hon. Mitchell Peter Fifield
Manager of Opposition Business in the Senate—Senator Claire Moore

Senate Party Leaders and Whips
Leader of the Liberal Party in the Senate—Senator Hon. Eric Abetz
Deputy Leader of the Liberal Party in the Senate—Senator Hon. George Henry Brandis QC
Leader of The Nationals in the Senate—Senator Hon. Nigel Scullion
Deputy Leader of The Nationals in the Senate—Senator Hon. Fiona Nash
Leader of the Australian Labor Party—Senator the Hon Penny Wong
Deputy Leader of the Australian Labor Party—Senator the Hon Stephen Conroy
Leader of the Australian Greens—Senator Christine Anne Milne
Chief Government Whip—Senator Helen Kroger
Deputy Government Whips—Senators Christopher John Back and David Christopher Bushby
Chief Opposition Whip—Senator Anne McEwen
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

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

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(1) Chosen by the Parliament of New South Wales to fill a casual vacancy (vice H. Coonan, resigned 22.8.11), pursuant to section 15 of the Constitution.

(2) Chosen by the Parliament of Western Australia to fill a casual vacancy (vice J. Adams, died in office 31.3.12), pursuant to section 15 of the Constitution.

(3) Chosen by the Parliament of Tasmania to fill a casual vacancy (vice Hon. N. Sherry, resigned 1.6.12), pursuant to section 15 of the Constitution.

(4) Chosen by the Parliament of Tasmania to fill a casual vacancy (vice Hon. B. Brown, resigned 15.6.12), pursuant to section 15 of the Constitution.

(5) Chosen by the Parliament of South Australia to fill a casual vacancy (vice M. J. Fisher, resigned 15.8.12), pursuant to section 15 of the Constitution.

(6) Chosen by the Parliament of Western Australia to fill a casual vacancy (vice C. Evans, resigned 12.4.13), pursuant to section 15 of the Constitution.

(7) Chosen by the Parliament of Queensland to fill a casual vacancy (vice B. Joyce, resigned 8.8.13), pursuant to section 15 of the Constitution.

(8) Chosen by the Parliament of New South Wales to fill a casual vacancy (vice M. Thistlethwaite, resigned 9.8.13), pursuant to section 15 of the Constitution.

(9) Chosen by the Parliament of Victoria to fill a casual vacancy (vice D. Feeney, resigned 12.8.13), pursuant to section 15 of the Constitution.

(10) Chosen by the Parliament of New South Wales to fill a casual vacancy (vice R. Carr, resigned 24.10.13), pursuant to section 15 of the Constitution.

**PARTY ABBREVIATIONS**


**Heads of Parliamentary Departments**

Clerk of the Senate—R Laing
Clerk of the House of Representatives—D Elder
Secretary, Department of Parliamentary Services—C Mills
Parliamentary Budget Officer—P Bowen
# ABBOTT MINISTRY

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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 Indigenous Affairs</td>
<td>Senator the Hon Eric Abetz</td>
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<tr>
<td>Minister Assisting the Prime Minister for the Public Service</td>
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<tr>
<td>Minister Assisting the Prime Minister for Women</td>
<td>Senator the Hon Michaelia Cash</td>
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<tr>
<td>Parliamentary Secretary to the Prime Minister</td>
<td>The Hon Josh Frydenberg MP</td>
</tr>
<tr>
<td>Parliamentary Secretary to the Prime Minister</td>
<td>The Hon Alan Tudge MP</td>
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<tr>
<td>Minister for Infrastructure and Regional Development (Deputy Prime Minister)</td>
<td>The Hon Warren Truss MP</td>
</tr>
<tr>
<td>Assistant Minister for Infrastructure and Regional Development</td>
<td>The Hon Jamie Briggs MP</td>
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<tr>
<td>Minister for Foreign Affairs</td>
<td>The Hon Julie Bishop MP</td>
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<tr>
<td>Minister for Trade and Investment</td>
<td>The Hon Andrew Robb AO MP</td>
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<tr>
<td>Parliamentary Secretary to the Minister for Foreign Affairs</td>
<td>Senator the Hon Brett Mason</td>
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<tr>
<td>Minister for Employment (Leader of the Government in the Senate)</td>
<td>Senator the Hon Eric Abetz</td>
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<tr>
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<tr>
<td>Attorney-General</td>
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<tr>
<td>Minister for the Arts (Vice-President of the Executive Council)</td>
<td>The Hon George Brandis QC</td>
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<tr>
<td>(Deputy Leader of the Government in the Senate) Miniseter for Justice</td>
<td>The Hon George Brandis QC</td>
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<td>Treasurer</td>
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<td>Minister for Small Business</td>
<td>The Hon Joe Hockey MP</td>
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<tr>
<td>Assistant Treasurer</td>
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<tr>
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<td><strong>Minister for Defence</strong></td>
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<td>Minister for Veterans’ Affairs</td>
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<tr>
<td><em>Minister Assisting the Prime Minister for the Centenary of ANZAC</em></td>
<td>Senate the Hon Michael Ronaldson</td>
</tr>
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<td>The Hon Darren Chester MP</td>
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<tr>
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Each box represents a portfolio. **Cabinet Ministers are shown in bold type.** As a general rule, there is one department in each portfolio. However, there is a Department of Human Services in the Social Services portfolio and a Department of Veterans’ Affairs in the Defence portfolio. The title of a department does not necessarily reflect the title of a minister in all cases.
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Wednesday, 12 February 2014

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

BILLS

Climate Change Authority (Abolition) Bill 2013

Second Reading

Debate resumed on the motion:
That this bill be now read a second time.

to which the following amendment was moved:

At the end of the motion, add “but the Senate expresses concern over the impact of the abolition of the Climate Change Authority on the provision of independent advice to Government and the public on carbon pollution reduction targets and actions”.

Senator POLLEY (Tasmania) (09:31): As I was saying, this is another example of the coalition hacking away at another body that is vital to Australia's effort in combating climate change—that is, the Climate Change Authority. Last year, as I said, I spoke in this chamber about the scrapping of the Clean Energy Finance Corporation, and I also spoke about the fact that the Clean Energy Finance Corporation makes the Australian government four per cent profit above the government's bond rate, and that has leveraged $1.5 billion worth of private funding in a very short period of time. But those considerations obviously have not been taken into account by this government.

The abolition of the Clean Energy Finance Corporation makes no sense, and I am here today to say to you that the abolition of the Climate Change Authority does not make any sense either. The Climate Change Authority provides expert advice and information on carbon pollution and climate change issues not only to the government but also to business and to the public at large. I am far from convinced that this could be handled by the environment department within its existing resources. It is not that simple. The Climate Change Authority fulfils a distinct role and the government needs to recognise that. Just like the Clean Energy Finance Corporation, this body is comprised of highly respected individuals whose opinions and expertise should be afforded proper respect.

As the shadow environment minister pointed out, few seem to recognise that it is chaired by former Reserve Bank Governor Bernie Fraser and that the board is made up of highly esteemed business leaders, economists and scientists. Their advice is valuable, but I think many of us have given up on the coalition acting so sensibly in the nation's interest when it comes to climate change. If the coalition are to prove that they are not just a bunch of closet climate change deniers and that they have some interest in fighting climate change, then surely they should retain the Climate Change Authority. It was very audacious to lump the bill repealing this body along with the Clean Energy Finance Corporation in a package of 11 repeal bills. The coalition should really reconsider whether they are willing to dispense with such an important outfit, and one that will continue to assist Australia in acting responsibly to limit emissions. The government's determination to scrap the authority is part of a broader
trend of shutting down debate, limiting transparency and treating the Australian electorate with nothing short of contempt.

The Prime Minister obviously does not want advice from the authority on emissions targets because he is afraid of just what that advice might be. Well, I have news for him: every day we see new advancements in renewable and cleaner energy technologies in this country, and it is because of the work that Labor did; it was what we did when we were in government. We have, of course, committed to move from a fixed price on carbon to a floating-price emissions trading scheme. This is sound policy, because an ETS will take advantage of market mechanisms to decarbonise our economy.

But I would also like to say that it is easy to forget what pricing carbon has already achieved. It has been widely reported that companies are clambering over each other to take advantage of the carbon price while it is still in place and to gain a greater share of the total electricity market. The result is that the renewable energy sector has its largest share of the eastern seaboard electricity market for many decades, and black coal fired power plants have lost market share. So, there we have it: greater use of renewable energy, fewer harmful carbon emissions. It is that simple.

As I have mentioned before in this chamber, my home state of Tasmania is going from strength to strength when it comes to hydro power. We have seen hydro take close to 10 per cent of the National Electricity Market. Wind technology, which is another form of renewable energy that Tasmania is particularly well placed to develop even further, has just under 4½ per cent of this market. This is a fantastic development for renewable energy and it is a clear sign that Labor's climate change policies are repositioning our economy to take advantage of new technologies that will reduce emissions.

In fact, a report from a leading multi-specialist consultancy, Pitt & Sherry, released recently clearly states that Labor's policies have had their intended effect. The principal consultant Hugh Saddler has clearly stated that:

Carbon emissions have dropped by 15 million tonnes, or 8.5 per cent, across the NEM since the carbon tax kicked in at the start of July last year…

'But what about the enormous cost to households in Western Sydney?' is the frequent refrain I hear. Well, again, the report numbers do not lie, and they do not support the sort of statements that we frequently hear from the coalition. The report provides that, whilst real average power prices rose 17 per cent from 2009-10 to last financial year, actual electricity spending rose by only 2.4 per cent—that is right: just 2.4 per cent achieved a drop in carbon emissions nationwide of 15 million tonnes. At the same time, research indicates that people are paying close attention to their electricity bills and reconsidering how they can use their energy more efficiently, something that should certainly be encouraged, right across the developed world in particular. But facts like these are ignored by the coalition. They refuse to challenge their mentality, to think critically and to heed the advice of experts.

In the mist that drives the coalition's stubbornness on this issue, that is so troubling. It goes without saying that this mentality is enormously frustrating for those of us who try to think through policy issues rationally and reasonably and with a reference to expert opinion and established scientific evidence. Let us take the example of the former Prime Minister John Howard, who recently told an audience in London that those who accept that climate change is real are a bunch of religious zealots and that he will trust his instinct rather than expert
opinion. What I would say to Mr Howard is: imagine if each of us applied this same sort of thinking to our everyday lives. Just consider: a doctor informs you that your illness requires a particular prescription and you respond that your instinct says that another treatment would help better; a mechanic advises you that your car needs a new part, but you tell him that your instinct tells you differently and you do not heed his warnings. This is exactly the same as ignoring the expert opinion of climate scientists who inform us that climate change is not only real but also man made.

If you will allow me to adapt the six aspects of denial from Sean B Carroll's book *The Making of the Fittest* to present circumstances, I think we can understand the coalition's approach to climate change policy a little better. The first step is to doubt the science.

There is, of course, ample evidence here—but, just as alternative health practitioners claim the science that lacks the effectiveness of their treatments is at fault, Prime Minister Tony Abbott has rejected the very basics of climate change. He notoriously told a community gathering near Shepparton in 2009 that the science behind human-induced climate change was 'crap'. When introduced on the ABC's *Four Corners* in August 2010 he was asked if he still questioned the science behind climate change and responded by saying, 'Sure, but that is not really relevant at the moment.'

Then there was Senator Bernardi, in June last year, providing us with the following:

... I have never bought the alarmist hysteria attached to carbon dioxide as driving climate change. And there is, you know, no consensus of scientists I'm afraid. There are literally tens of thousands of people - scientists who have a different view on this.

The next step questions the motives and integrity of the scientists. The evidence abounds here as well. Senior coalition figures have suggested on numerous occasions that expert scientists on climate change are part of an organised conspiracy and that their motives should be questioned.

The Prime Minister commented on the *Today* show in July 2011 that consensus on climate change was been driven by:

... a draconian, new police force chasing an invisible, odourless, weightless, tasteless substance.

Yes, you heard me correctly: the Prime Minister is frightened of an imaginary police force.

But, of course, the coalition go even further than that. After a United Nations assessment that the recent New South Wales fires were linked to climate change, the Prime Minister mustered all of his maturity and composure and accused the United Nations climate chief of 'talking through her hat'. How statesmanlike! Meanwhile, the Minister for the Environment, Greg Hunt, used Wikipedia to contradict her opinion in a BBC interview. It is moments like this, when Greg Hunt speaks to the BBC, or the Prime Minister is interviewed by the *Washington Post* that I think we should have a moratorium on conservative politicians speaking to global media outlets—because every time they do, they embarrass themselves and, more importantly, they damage this fine nation's reputation overseas.

The third step is to magnify disagreements amongst scientists. It does not matter that the tiny percentage of actual scientists who express scepticism, such as Ian Plimer, are outnumbered by the thousands of experts who renounce their arguments. The Prime Minister has tried this on numerous occasions, telling Alan Jones in June 2010 that 'there are credible scientists who don't think the UN Climate Change Panel has got it entirely right.' But I note
that he did not actually name any of them. He also said, in a speech back in 2009, that 'what is a scientific fact should not be determined by a majority vote, even of scientists. That just leads to experts shouting at each other.' 'Experts shouting at each other' is how the Prime Minister characterises the consensus of climate experts who warn that immediate action on climate change is needed.

The fourth step is to look at the potential harm of acting on climate change. In Australia we have seen this in spades, with the then opposition leader, now Prime Minister, having repeatedly questioned climate change wherever he has gone. As the Prime Minister we have not seen him act in any more responsible way.

The fifth step is to appeal to personal freedom and claim that acting on climate change is somehow an unnecessary and overblown government intrusion. The new member for New England said at a doorstop in late 2011:

We've had pious Penny Wong and gravitas Greg Combet coming out here telling [us] if we don't do this, the kiddies will drown in sea level rises or instantaneously combust or get eaten alive by spiders.

I think a few of these public statements have been totally ridiculous but, unfortunately, we have come to expect nothing less from those on the other side.

The final step is accepting that the science behind climate change repudiates key philosophies underpinning the party's direction. I guess this is what the coalition's stance is really all about. Even if some senior figures accept the science behind climate change, they are not willing to embrace market mechanisms because they just cannot adapt their thinking. For them, markets should be left to their own devices even if this means that urgent action on combating climate change cannot take place and even if it means spending billions and billions of dollars on grants and planting trees under the laughable, ineffective Direct Action Plan.

We need to act on climate change. It is a threat that looms larger every day. The evidence keeps mounting that we need to act urgently. I just want to give you one example, but in many respects I think it is most alarming. In the last six months in particular, research has emerged about the melting permafrost in the Northern Hemisphere and what this means for climate change. Permafrost covers the lands north of the Arctic Circle and can range from a few metres to over a kilometre deep. It is spread through Siberia, northern North America and northern Europe, including Scandinavia. What we are learning is that it is melting, with the elevation limits of the permafrost decreasing rapidly. This is of the highest concern, because the melting of the permafrost across the Arctic promises to radically speed up the greenhouse effect. The Arctic tundra basically acts as a giant carbon sink. When the permafrost melts because of high temperatures, microorganisms begin to biologically break down matter stored in this sink, and methane and carbon dioxide are released. This not only disturbs the Arctic carbon balance but greatly accelerates global warming. Then it becomes self-perpetuating. As the temperatures continue to rise, the permafrost continues to thin, with more carbon dioxide and methane released, which causes the temperature to rise further, which leads to further thinning, and on and on it goes. The situation really is quite desperate.

What is particularly terrifying about all of this is just how difficult it is to predict what will happen, but in almost any scenario the results will be catastrophic. In short, if the tundra gets warmer and drier, it will likely release mostly carbon dioxide. On the other hand, if the region grows both warmer and wetter, more methane will be released instead of carbon dioxide. The
latter scenario may actually prove far worse. Our focus in Australia on the climate change debate has almost always been exclusively on carbon dioxide, but methane does not linger in the atmosphere for anywhere near as long as carbon dioxide. That means that it traps energy more efficiently. It is actually 22 times more powerful than carbon dioxide. So, if action is not taken on climate change and the weather in the Arctic is warmer and wetter as some predict, the melting of the permafrost could accelerate climate change to an even worse situation than we are currently aware of. It is an environmental time bomb, and as I stand here today no-one can make any promises as to how dire the situation is.

Some may say that it is not Australia's concern and that it is the responsibility of Northern Hemisphere countries, but climate change is a global problem. We must recognise that and acknowledge it. We know that there are many on the other side who are still very sceptical, but we on this side, when we were in government, took action to show the leadership that Australians expected of us. As the member for Wentworth noted, how can we honestly lecture developing countries like China and India on reducing emissions when, per person, we have a significantly larger carbon footprint?

The reality is that we need to act on climate change because we are running out of time. Scrapping bodies like the Climate Change Authority is a backward step that shows just how out of touch the coalition is on climate change. I certainly hope the moderates within the coalition who understand the science behind climate change and realise the need for action will stand up, do something and speak out, because we are running out of time.

Senator KIM CARR (Victoria) (09:49): The Climate Change Authority (Abolition) Bill 2013 and related bills come before the chamber in what is clearly a very black week for this nation. In less than six months in office this government has destroyed the automotive industry. It has done nothing other than to ridicule and abuse an industry that was determined to transform itself for the future. It comes at a time when this government is turning its back on every endeavour that manufacturers are making to transform the way they do business. It is for this reason that you would think that the government would be able to articulate a plan for the future, a plan to modernise the economy, a plan for innovation and growth, because it is at this time that we are facing these extraordinary pressures on manufacturing. But this is not a government that appears to have done any serious work in opposition to actually develop such a plan to respond to what it says now are inevitable changes.

We have a government that is paralysed by its own indolence. We have a government that is paralysed by an outdated, stale ideology. We have a government that offers nothing more than platitudes. But then what more would you expect from a conservative political party? I do not mean that in the Menzian tradition, but in the New Right tradition of trying to turn the clock back when it comes to issues that face the people of this country. This is the message of this particular bill. Last time the Liberal-National parties were in government they failed this country on the issue of climate change, and now that they are back in office they think that the leadership we should be offering is to try to drag the country back to a period prior to when they were in office last time.

This is legislation that, at its heart, seeks to undo one of our country's most historic and important reforms—that is, the preparing of this country to meet the challenges of the 21st century around issues of climate change. The government maintains a view that if it does anything here the sky will fall in. The fact is simple: Australia is in its 22nd straight year of
economic growth; this is the time when you ought to deal with the issues of climate change, particularly if you want to see that growth continue. But what we have in fact seen is a government that wants to put its head in the sand and pretend that climate change is not real; it is not happening. That is the message it wants to send to Australian industry.

My experience dealing with business, dealing with industry at all levels, is that that is in fact not the view of most people who actually make things in this country, who actually do ensure that they have the enterprise necessary to secure the future. They know that they cannot turn their backs on the rest of the world; they know they cannot afford to be left behind. Business understands that in manufacturing there needs to be a constant process of improvement, a constant process of innovation, a constant process of achieving ever-increasing productivity. And that process is one that commenced centuries ago with the industrial revolution because it is a fundamental premise on the basis of which modern societies work—that is, the constant need to improve.

What this government fails to grasp is the unbreakable link between action on climate change and the need to modernise manufacturing—modernisation in terms of reducing the cost of energy, modernisation in terms of driving technological change that allows for us to be able to produce goods and services more effectively and with less impact on the environment, modernisation in terms of developing renewable energy sources.

We see with the automotive industry that there is a view in some quarters that this is old-fashioned stuff, that it is something we can dispense with. There is no recognition that this is actually cutting-edge industry in this country. The Australian automotive industry is amongst world leaders in terms of the capacities in material science, in light-weighting, in the development of gaseous fuels, in its capacity to expand our abilities in robotics and electronics more generally, in plastics and chemicals—in fact, an industry that spends some $700 million a year on R&D.

Manufacturing in its most advanced forms, the most elaborately transformed manufacturing, is fundamental to our science and technological base—our capacity to actually transform this society. But this is not an approach you will hear from this government, because they do not understand the importance of modernisation to harness the outstanding capabilities of our scientists and engineers, our abilities to find the new materials, the new and better processes, the new and better products, the new and better services and the new export opportunities.

The reality is simple: governments do need to be part of the solution to problems, not just to be part of the problem. That is what we know with this government: they do not want to be in the business of solving problems. What we need is to ensure that the policy settings are able to assist industry to adapt, to develop the new technologies, the new work processes, the new goods and services. It cannot be left to the individual firms. It cannot be left to the market alone. It requires the full resources of the innovation system: the capacity to harness our researchers, our universities, our scientists, our entrepreneurs, our workers to be able to find the better ways of doing things.

That is what real industry policy has to be about: to ensure that we are able to adjust to modernise and innovate. And that is what our climate change policies were aimed at: trying to find ways to actually be part of the solution rather than just being part of the problem. But what do we see from the other side? Overblown, distorted political rhetoric to suggest that the
market really is a device that, by itself, can solve the problems of modern industry. That is failed policy, a policy that has historically not been appropriate—and it is not the policy that business itself has supported.

Take the Australian Industry Group—not known as a hotbed of militant socialism. What they say is:

Market mechanisms will generally be most efficient in locating and driving least cost abatement.

But they also say:

… bureaucratic or political decision making are usually poor substitutes for the judgments of market actors responding to price in light of their own circumstances.

But that is what we are being given in the government's attitude in terms of their policies on direct action. Climate change policy requires us to be able to find mechanisms that actually work, and that is why we argue that putting a price on carbon is the best mechanism to achieve that.

We also say that there has to be government support to assist industries to transform their behaviours. We know of the short- and medium-term impacts of carbon pricing on the emissions-intensive trade-exposed industries. We also know that there has to be appropriate transition arrangements to support companies that are prepared to invest in themselves, prepared to invest in the research and development that is needed. But, what does this government do? It takes away industry support such as the Clean Technology Program, which has seen hundreds of businesses enjoy the benefits of investment that comes from new technologies. We have seen that co-investment with manufacturers brings down emissions and impact on the environment and allows them to modernise their operations. The Australian Industry Group said:

This program has made a significant contribution to maintaining many businesses’ competitiveness at a time of sharply rising energy prices, including the impacts of carbon pricing.

In the past the Parliamentary Secretary to the Minister for Industry has been quite a fan of the program. He thought it was, in fact, sufficiently worthwhile to go to a winery in the Hunter Valley this month and congratulate the company on the large solar field array it had constructed through this program. He even put out a media release so that other companies could follow the example. Of course, the project was 50 per cent funded by the Clean Technology Program. So, I congratulate the parliamentary secretary for the discovery, but I do not suppose he has ever brought to the attention of the public that the government's plan is to actually get rid of this program.

The program is an exemplar of Labor's approach. We listened to the scientists and we listened to the best experts available. We were in the business of modernising the Australian economy and allowing Australian businesses to modernise their operations. That is the most effective way we can assist to solve the problem rather than be part of the problem as this government is.

Mike Sandiford from the University of Melbourne wrote that the recent bout of electricity emissions was an example. He said:

In fact, in the one key sector that counts—the electrical power sector—emissions are declining rapidly. It's the sector that counts because it is most directly affected by the carbon tax—as he calls it. Mr Sandiford went on to report:
… emissions have fallen 14% over the past two spring seasons since the carbon tax was implemented. In total spring emissions are down almost 20% since the peak in the spring of 2008, just five years ago.

He also said:

At face value, the figures point to an increase in the rate of emissions reductions since mid 2012, coincident with the start of the carbon tax. On the back of a persistent decline in emissions, our electrical power sector emissions are falling at unprecedented rates.

This is the basis of results that we can start to see, which you would have thought this government would have taken some notice of. What we have is, in fact, an ideological hatred that blinds this government from the facts. It persists in trying to cripple industry in its capacity to compete and to modernise. And, of course, it says that the carbon price is part of that scapegoat.

In November 2008 the average value of the Australian dollar was around 65c, by November 2009 it was up to 91c, in February 2011 it was around one dollar and it remains around about 89c or 90c, which I saw on the TV last night. This is an extraordinary sustained period of a very high dollar, and it has played havoc with the manufacturing sector. It is not just the fact that the dollar is so high but the fact that it is so volatile. It has increased some sectors by as much as 30 per cent. Our exporters and producers have been hit very hard, and they are struggling and often unable to compete with the cheaper imports. But, of course, what this government's approach is doing is not to deal with the problem but to stand in the way of a solution by not wanting to work with industry to secure the future.

The Productivity Commission is very big on making the point that particular sectors of the economy, in its view, get far too much support from government. For instance, some ridiculous figures are often cited in regard to what the Productivity Commission regards as the cash transfers in the automotive industry. It claims the figure is $1.1 billion; it includes tariff support in that. But the actual value of the sector is around $21 billion, as I was reminded by an article in The Conversation this morning which draws our attention to these figures. What the government also fails to acknowledge is that there are many sectors that have secure government support. I quote from the article in The Conversation this morning, which refers to the ATO's recent annual report about the value of tax foregone in various industries:

The 2013 report showed the superannuation industry received A$33 billion worth of tax concessions. This tax foregone was made up of the contributions on superannuation which … only taxed at 15%, and concessional tax on capital gains paid by super funds, which is also taxed at 15% … Then there is the $1.5 billion private health insurance rebate; or the $4 billion mining diesel fuel rebate. These are not classified by the Productivity Commission as industry assistance—

which, by any normal measure, you would have to say would be difficult to explain. The simple point I am making here is that governments need to provide support to industry. They make choices all the time. There is no talk in this government about removing any of those other concessions but, when it comes to providing support for industry to be able to modernise, this government says that is corporate welfare.

Of course, what the government is in the business of doing in that process is actually standing in the way of innovation. This government is not in the business of assisting innovation. It is not in the business of providing support for science, research and innovation. It has no jobs plan. While it is telling business to compete and modernise on its own, we know that governments around the world provide support to their industries to make the necessary
changes to secure prosperity for the future. What we have is a government that says that some industries are more worthy than others. The government will support some industries, but it will not support manufacturing, it will not support industry being able to transform itself and it is even failing to understand how significant the consequences of its own policies are.

What we are seeing today is yet another example of a backward-looking government that wants to betray working people, because it is only through the capacity to secure new investments and new jobs through new technologies that we can ensure that prosperity is spread throughout this country. The alternative is pretty straightforward. There will be winners and losers from this government, but most people will not enjoy the benefits of modernisation. There will be some people who will be forced into less skilled, less secure part-time or casual work, and there will be those who will have no work at all. This is the price that the country will pay for a government that essentially wants to live in the past.

Senator STERLE (Western Australia) (10:09): I did listen intently to my colleague Senator Carr's words, and it is quite daunting. I cannot argue with anything that he said there. Especially coming from a previous industry minister, I think those words are quite solemn.

I rise to speak on the Climate Change Authority (Abolition) Bill 2013, which will see the abolition of the Climate Change Authority. I can think of nothing that epitomises the government's total disregard for the future of the Australian people than its proposed legislation to dismantle the authority which informs Australians and the government on the effects of climate change. Recently, thousands of Australians turned out to show their support for strong action on climate change. Right around the country there were demonstrations of people's concern about climate change and demand for actual policies to address the challenges ahead of us.

Today Australia stands at the crossroads. As a nation we can go one of two ways, both in this debate and, of course, more broadly. The first course is the one that the coalition government has embarked upon: to disparage scientists, to cut their funding or to sack them. It is a path where the Minister for the Environment relies more on Wikipedia, unfortunately, than the consensus of the scientific community. It is where the Climate Change Authority is seen as expendable. That is the course that this government has set. The other course—the course that the Labor Party supports—is towards a nation that relies on the facts and the expert analysis of our brightest minds. It is a course where we make the tough decisions now to ensure a better future. It is a course where we lead others, rather than wait for others to lead us. One of these courses is on the right side of history, the other takes a short-term view that ignores the challenges we face as a nation.

One thing that really amazes me about this debate is that it is alleged that there is some sort of divided opinion on the facts surrounding climate change. The fact is it is only on the conservative side of politics that there is any division. As far as scientists are concerned, there is a near unanimous view that climate change is real and it is caused by humans. Ninety-seven per cent of peer reviewed scientific climate change papers over 20 years have said that climate change is real and caused by humans, so the scientific community is united. This issue also has done the near impossible by uniting the economic community. No less than 86 per cent of economists who were surveyed recently backed an emissions trading scheme to deal with the threat of climate change in a cheap and efficient way.
I would like to reinforce a point that my good mate and colleague Senator Alex Gallacher made in the chamber recently with regard to the insurance industry. As Senator Gallacher stated, the reinsurers—Swiss Re, General Re and others—are the ones who are responsible for predicting and costing disasters such as cyclones, floods, tornadoes and earthquakes. It is a very interesting subject. As Senator Gallacher noted, it is interesting to see how these companies assess the risks involved when carrying out their business. They go into an organisation and they test it. They go through all the likely scenarios involving potential catastrophes that could happen to your organisation. Obviously, depending on where you are located, they can range widely. They can go through and place a price on the risk. You go and buy that insurance and then you go on about your business.

A really interesting notion that arises from examining the behaviour of these reinsurers—and one that should really be investigated in greater detail—is how the reinsurers are factoring in climate change. If the coalition seriously do not believe in climate change, or if they do not accept the scientific evidence, then the money men in those reinsuring industries will tell them that the prevalence of tornadoes, cyclones and catastrophic storms in the American Midwest or in the UK or in Europe demonstrates that something is happening there. Something is changing.

For the economic rationalists in the Liberal Party—if there are any left—this should be pretty clear evidence. If the market is factoring in climate change—that is, if the insurers are factoring increasingly extreme weather events into their premiums—then that is something that an economic rationalist should be able to accept. You would not think it was that hard.

They can deride the scientific evidence all they want, but the reality is that the people whose business is to factor in this kind of thing, the re-insurers and the insurance companies they sell their insurance to, are operating that insurance on the premise that something is happening globally that cannot be ignored. The money men around the world are certainly not ignoring it.

I pose this question: how do the Liberal Party argue their position in the face of such clear consensus? It is because the sensible heads in the Liberal Party have been usurped by the fringe and the mad loonie Right. The Prime Minister saw an opportunity to score a political victory over former Prime Minister Gillard and had no thought of the consequences. Sadly, he was cheered on by sections of the right-wing media who think they know better than the near-unanimous view of all the scientists and economists around the world.

Once Mr Abbott had become the champion of every far-right whacko and their friends at News Corp, there was no turning back. As I have said in this chamber before, it is clear to me that the Prime Minister is a climate change sceptic. This should come as a surprise to no-one. The Prime Minister's view affirm, and he has repeated them over a very long period of time, that the science of climate change, in his words—and I quote: is 'absolute crap'. He has described an emissions trading scheme as a 'so-called market in the non-delivery of an invisible substance to no-one.' That was at a press conference on 5 July 2013.

In March 2011 Mr Abbott said, 'Whether the carbon tax is quite the environmental villain that some people make it out to be is not yet proven.' In March 2012 the Prime Minister said that he did not 'believe that the science is settled.' I think the Prime Minister's words speak volumes. As I have said before: the government's so-called Direct Action Plan is just a shell, a policy for the sake of having a policy.
I have spoken previously in this place of the fact that the Prime Minister is not of the same political calibre as his hero, Mr John Howard. While the former Prime Minister had enough political nous to hide his climate change scepticism and present the Australian people with a legitimate policy of emission trading at the 2011 election, his protege has delivered far, far less. Mr Abbott has not even gone to the effort of attempting to put forward a credible policy. He is repealing, with support from that mob over there, one of the most effective climate change policies in the world and replacing it with nothing more than a slogan. The Prime Minister obviously has a very dim view of the intelligence of the Australian people if he thinks that he can pull the wool over their eyes on this issue. But what is clear is that, while there may still be some sensible heads in the Liberal Party—and I do not want to mislead the Senate: I said 'maybe'—the fringe-dwellers and climate sceptics have taken over. That is a fact. I notice the heads down on that side: no-one is going to argue with me on that one. In fact, I would welcome it if they were to charge into the chamber and challenge me, because I do not think there are any sensible heads left.

We saw that, during the debate on the sale of GrainCorp, how agriculture minister, Barnaby Joyce, and the Nationals, were really in control in the cabinet. We saw that, despite the Treasurer sticking out his chest on foreign investment, and insisting that he would not be bullied by anyone—those were his words: not 'bullied by anyone'—it did not take long before he was held to ransom by Mr Joyce and the Nationals. We saw that, in the end, the Treasurer Mr Hockey's bluster was empty: he really was full of wind. His total capitulation to the Nationals on the GrainCorp deal highlighted the lack of courage inside the so-called 'moderates' within the Liberal Party. In this bill we see again the defeat of any sensible heads inside the Liberal Party, as they set about abolishing the Climate Change Authority.

We saw the former leader, Mr Malcolm Turnbull, knifed by sceptics for his support of an emissions trading scheme. We have seen the new Minister for the Environment, Mr Greg Hunt, so debase himself at the feet of the climate-sceptic leader that he has given up on what was, until recently, his most passionate issue. It was Mr Hunt who, until 2009, championed—the idea of an emissions trading scheme. It was Mr Hunt who wrote a thesis at university entitled 'A tax to make the polluter pay'. Now the minister, Mr Hunt, has to stand in front of the Australian people with a straight face and advocate the abolition of the Climate Change Authority.

I just want to take a moment to talk about the Climate Change Authority. Some people must be wondering what is so terrible about the authority that it is in need of abolition. The Climate Change Authority was set up by the former government to advise on the setting of carbon pollution caps, to conduct periodic reviews of the carbon-pricing process and,-importantly, to report on progress towards meeting national targets for emissions reductions. That does not sound too terrible to me, and I am not sure what the Prime Minister finds so unpalatable about that. Perhaps what was so unpalatable to the Prime Minister has more to do with what information the authority was releasing. Was it perhaps the fact that the authority noted that the former Labor government's price on carbon had led to a 6.1 per cent decrease in emissions in the electricity sector that so annoyed this Prime Minister?

For the benefit of the Prime Minister, I should note that a 6.1 per cent decrease in emissions is equivalent to 12 million tonnes of CO\textsubscript{2}. We know that the Prime Minister believes that CO\textsubscript{2} is just an invisible gas, so for the sake of the Prime Minister I have checked
the figures and he will be surprised to learn that 12 million tonnes of CO$_2$—this is a real groundbreaker—actually weighs 12 million tonnes. Maybe I should have whispered so it did not get to him so quickly. It might be too much to fathom. As an ex-truckie, I understand what 12 million tonnes means. It is a heck of a lot of road trucks. It is a gas that is invisible to the naked eye—bewdy!—but I am assured by a scientist that 12 million tonnes of CO$_2$ weighs 12 million tonnes, which just happens to be, in layman's terms, the equivalent of taking about 3½ million cars off the road. Maybe the Prime Minister will understand that equation. He has already accepted that, because of the crash of Toyota and Holden, but anyway.

Perhaps the Climate Change Authority's greatest crime was that it was doing its job of involving the public in the effectiveness of a price in carbon too well and causing Mr Abbott and his climate sceptic colleagues to be a tad uncomfortable. Perhaps it is what the chairman of the Climate Change Authority, the very well-respected former Governor of the Reserve Bank Mr Bernie Fraser, has been saying that has Mr Abbott's hackles up. Mr Fraser recently said that the government's target of a five per cent reduction in emissions by 2020 is not enough and the target should be higher. Mr Fraser also debunked another of the Liberal Party's favourite lines when he said that the economy would continue to grow even if emissions targets were increased. In a recent appearance on 7.30, Mr Fraser labelled climate change an important and complex issue and said that climate change will not go away because there is a new government. Perhaps it is an eminent Australian with the backing of a credible institution speaking an inconvenient truth that is the real reason behind the government's decision to abolish the authority. It is because Mr Abbott does not want to have a debate on the facts of this issue.

I will give this to the Prime Minister: he is a master of the political slogan. We see this again with the so-called direct action plan, but the reality is that we are not getting anything that could be defined as direct action. The policies that the government says it will implement are untested. There is not one economist who says they will work. The Minister for the Environment is hanging his hat on the success of soil carbon sequestration. I think they are drifting into magic dirt territory if they think that soil carbon is going to be the answer. Some experts are saying it might—might—reduce emissions by an amount in the order of 10 million tonnes. That certainly will not be enough.

Then there is the great brainwave the government has to plant trees. That is right—one of the core tenets of the government's climate change policy is to plant more trees. In all seriousness, you would have to plant the entire area of Victoria and Tasmania with trees to achieve the sort of offset that the government is aiming for. Now, don't get me wrong: I am all for planting trees—I am a big fan of it—but we have to get real. To get that sort of offset you would have to get rid of all the grazing land in Australia and put it under trees. You would have to kick farmers off their land and turn farms into tree plantations. In all fairness it is a ridiculous policy because it is not a serious policy. The Prime Minister has no intention of planting trees across Australia. Direct action was merely another political fix to take the issue off the agenda before the election.

Before I conclude I want to make a point that is sometimes forgotten in this debate. The catalyst for the ascension of Mr Abbott to the Liberal leadership was brought about through negotiations between the Labor government and the then opposition leader, Mr Malcolm Turnbull, over the introduction of an emissions trading scheme. Such negotiations were taking
place because of the outrageous behaviour of the Greens, who chose to grandstand on an issue that should never have become a political football. If the Greens had acted with maturity and chosen to negotiate on this important issue then things could have been so different. It is no good being an expert after the event and, unfortunately, that is the fact: the Greens abrogated their responsibility on that day. Rather than choosing to get most of the things they wanted, they held on to their extreme and unproductive positions, demanding unrealistic concessions that were never ever going to be accepted.

_Senator Ludlam interjecting_—

_Senator STERLE_: Through you, Mr Acting Deputy President, Senator Ludlam said that the Greens could have. That is right—they could have, if they had grown up on the day and not sided with the opposition to condemn the government's policy. They had their chance like so many other things. It was no different than trying to save desperate souls leaving countries to travel across treacherous waters. They could have had an input, they could have had a place in history where they were on the right side. But, because of political expediency, they chose to side with the former opposition and go for the headline rather than go for the good policy.

_Senator Ludlam interjecting_—

_Senator STERLE_: As I said, the Greens could have had an emissions trading scheme in the final weeks of November 2009. Every senator in this chamber remembers, Senator Ludlam, where you sat on that day. The Greens destroyed any hope through their reckless grandstanding. But we should not be surprised, as that is their modus operandi. The Greens are as much responsible for this as the Prime Minister and the Liberal Party. Through you, Mr Acting Deputy President, take these words away with you, Senator Ludlam: you, the Greens, are responsible. Thank you very much for what you have done. The Libs are very proud of you.

However, do not for one second think that this in some way reduces the culpability of our Liberal Prime Minister. While the Greens have their share of the blame to carry, it is the Liberal government's dismantling of the system that is making a real difference in cutting our emissions. What Mr Abbott needs to understand is this: he can cut the Climate Change Authority and deny the science all he wants, but it will not stop the effects of climate change. It will not stop the rest of the world regarding Australia as a pariah on this issue. The Prime Minister trumpets the letter he received from his like-minded conservative mates in Canada for repealing carbon pricing. What he does not realise is that he will eventually be shown to be on the wrong side of history, along with the Greens, on this issue.

What the government needs to realise is that, while they might see an opportunity to make some political mileage on this issue in the short term, if they do not act to kerb emissions, the planet will pay a price. Our children will pay a price, our grandchildren will pay a price and our great grandchildren will always remember the names of those who have done this to our country. Sadly, they lack the foresight and the vision to make the hard decisions. I will not be supporting the bill.

_Senator XENOPHON_ (South Australia) (10:29): I can indicate that I have reservations about supporting this bill at this stage. I cannot support this bill, but I come to that position from a different place than some of my colleagues on the other side of the chamber. My view is this: I do believe that climate change is real and that we need to—as Rupert Murdoch once
famously said—give the planet the benefit of the doubt. I think that the science is incredibly strong and that there are issues that need to be dealt with. We need to play our part and be regional leaders in relation to this.

I also believe that it was fundamentally wrong for former Prime Minister Gillard to say, just prior to the 2010 election, that there would be no carbon tax. I think that, if anything, the former government had a reverse mandate not to introduce a carbon tax given the promise that was made. I believe it would—

Senator Whish-Wilson: It was not.

Senator XENOPHON: Senator Whish-Wilson said it was not. I do not believe that the former Prime Minister lied, but I think that the electorate was misled.

What we are debating here is the role of the Climate Change Authority. We know that the role of the authority is to monitor Australia's emissions mitigation processes, including reviewing the functions of the Renewable Energy Target, the Carbon Farming Initiative, and the National Greenhouse and Energy Reporting Scheme. It also advises the government on the carbon pricing mechanism and it reports on Australia's progress in emitting the national emissions reduction target.

I note that the government's rationale is that the repeal of the carbon tax makes many of the authority's functions redundant. I think that there is a flaw in the government's rationale in respect to this, for a number of reasons. Firstly, the coalition says that it has a bipartisan commitment to the same level of reduction as the former Labor government of a five per cent reduction of greenhouse gases by 2020 on 2000 levels. I may have got my dates wrong in terms of 2000, but I think that basically it is clear that there is a bipartisan commitment in respect to that. There is another debate whether that five per cent is adequate or not. I suggest that it is not, but at least it is a start to reversing an increase in emissions. That is a good thing.

Because the government is proposing a Direct Action Plan—I will get to that shortly—and other mechanisms in respect to dealing with greenhouse gases, I think that the role of the authority is not redundant in terms of having an independent, robust look at whether targets are being met and whether it is the most efficient way regarding how these matters are dealt with. What needs to be done is this: we need to have an independent mechanism. I am concerned that what the government is proposing to put in place is not independent at all.

I do not think that the functions of the authority are redundant in the absence of an alternative robust mechanism to look at them. I note that the government is proposing that some of the functions will be shifted to the Department of the Environment. I think there needs to be an independent oversight of emissions reduction. The authority's remaining functions should not be handed over simply to the department. There needs to be that level of independence. I do not know whether what the government is proposing to do is necessarily the best approach, given that they too are making a commitment to spend billions of dollars of taxpayers' funds in terms of reducing emissions.

I think it is fair to say that the way the carbon reduction policy was dealt with by the previous government was less than satisfactory. I note the comments of Danny Price from Frontier Economics. I disclose that he is a person who has given me advice over many years. When the Liberals were in power in South Australia, he advised me about the privatisation of the electricity assets back then—another case of a reverse mandate by the Olsen Liberal
government. The advice that Mr Price gave about the disastrous way that the electricity assets were privatised and the impact on consumers was met with a lot of derision from the Liberal side of politics and, I think, a lot of unnecessary abuse directed against him and me at the time. But he was right; his predictions of price rises were pretty much spot-on. That privatisation simply shifted public debt to private households, in terms of higher electricity prices.

Back in 2009, together with then opposition leader Malcolm Turnbull, we both commissioned Frontier Economics—Mr Price in particular and Matt Harris from his office—to look at an alternative emissions trading scheme. The scheme that was the subject of debate in this place and the subject of debate in the coalition party room was one of an intensity-based scheme, where you actually could have less revenue churn and a better outcome in terms of emissions reductions. That is because you would not have the enormous revenue churn or price effects that you would have with what was being proposed by the government, even in its first and second forms.

The point that Danny Price made in an opinion piece in The Australian in September 2012 was that the former government was backflipping, there was a lot of waste in that scheme and there were different pricings being given all the time. He said that, with those backflips in terms of removing the price floor, private brown-coal generators in Victoria and South Australia would end up getting a massive windfall of funds in terms of compensation. I think he has been proved right in respect of that.

I note that Mr Price is now the chairman of the government's reference group on its direct action policy. I have great confidence in him. I believe that he is robustly independent. He has said that we still need to have a Renewable Energy Target and a renewable energy scheme. I think it is good that the government is getting sensible, measured advice from someone with his expertise in respect of this.

They are the sorts of concerns I have. I think that the current carbon-pricing mechanism is deeply flawed. It has given coal generators—particularly brown-coal generators—windfall gains, which seems to me to be perverse. It has not been good for investment in terms of the uncertainty. Tying it to the European scheme, as was proposed by the former government, is not a good thing in that that price is subject to political manipulation, to regulatory failures, and to fraud and corruption in terms of the European scheme. We have seen that previously. I think we can do better. Whether Direct Action is the way to do that is something that needs to be subject to intense scrutiny, but I think it is important at this stage—unless the government has an alternative independent mechanism to determine the extent of greenhouse emissions reductions—that we ought not to throw the baby out with the bathwater by repealing the Climate Change Authority.

I will keep an open mind on this if the government comes up with other mechanisms to independently assess greenhouse gas reductions; you need to get independent advice. I agree with the former Reserve Bank governor, Bernie Fraser, now the authority's chairman, who said, 'On a subject as complex as climate change, I would have thought every government—whatever its complexion—would want to get good independent advice.' I think that is a pretty wise thing to say.

There is a lot of talk about the Renewable Energy Target. I make no apology for the fact that I am very concerned about the price effects of wind energy in my home state. I think we
have more wind turbines than the rest of the country combined. It is something that the former Wran government pushed very hard in South Australia. There are issues about the impact on nearby individuals. Leaving aside issues of low-frequency noise and easy-to-measure decibel counts, people are being kept awake and their health is suffering. Also, I think it is legitimate to look at the way that renewable energy certificates are issued for wind energy compared to other forms of renewable energy. In other countries—for instance, in the UK—my understanding is that wind energy does not get the same loading of renewable energy certificates as other forms of renewable energy, because it is not as reliable, it is intermittent and, as we know, particularly on hot days, when the demand for power is greatest, it has to be switched off.

A couple of weeks ago following some terrible fires in the Barossa Valley in South Australia, I met with a number of local residents who were concerned that, but for the aerial firefighters, they would have lost their homes. The Henschke winery is one of the great wineries not only in this country but also in the world, with their Hill of Grace wine. I have never tried it—I am sure some of my colleagues have—but it is a rare commodity that is up there with Grange. Stephen and Prue Henschke spoke out about this situation. These winemakers are concerned about climate change; they are passionate about the environment and about looking after the land. If it were not for those aerial firefighters, their property, including their historic 140-year-old vineyard, would not have survived. There is a real concern that fighting fires around wind turbines, which are up to 165 metres high, will not be practical.

I would urge the government to look very closely at strengthening baseload renewables, including solar thermal, which is much more reliable than wind, depending where it is. Geothermal has a lot of potential, along with tidal power. If we tweak the scheme to have the same end objectives but also to give that funding, the impetus for baseload renewables—more reliable renewables than wind—will be an unambiguously good thing. You are not going to get rid of coal fired power stations if you have unreliable forms of renewable energy. I think that is part of the debate.

What is being proposed by the government is somewhat premature. The government needs to come up with a plan B for a robust independent mechanism to measure greenhouse emissions. The government's reasoning, in saying that we do not need this authority because there is no longer a carbon tax, is flawed. If the carbon tax is abolished—I have said I support it, with various caveats, and we will discuss that later—you still need to measure greenhouse emissions, given the government's commitment to reduce them. Not to do so, not to have that robust independent mechanism, would be a grave mistake. I do not think most Australians would think that would be a good thing. Most people are still concerned about climate change, as they should be. The government has made a mistake to prematurely seek the abolition of this authority in the absence of a robust, alternative independent mechanism to measure greenhouse gas reductions.

Senator MOORE (Queensland) (10:41): Sometimes one of the problems in this place is that there are just too few quotes to use. Senator Xenophon gazumped me straightaway with Bernie Fraser's quote, which I know has been used many times in this debate, about the importance of strong independent advice. I know that Senator Xenophon and Bernie Fraser
are not the only people in the world who think that strong independent advice is important. That is the argument that I am going to put up in my contribution to this debate.

We know that parliamentarians in this place bring a significant volume of skill, passion and commitment into their jobs and into debates. There have been major debates in this place where all parliamentarians have had a go, for a range of reasons, about the issues around climate change. We have heard significant comments made on all sides of the debate. For many of us, in relation to the focus of our future, issues around the best ways to respond to climate change are not our primary knowledge base. We rely on other people to give us information, we rely on seeking out advice and sometimes we rely on people who have a particular point of view; we listen to them, learn from them and then run arguments.

One of the most important elements that has come through this process is that people consistently argue that we must have the space, the respect and the ability to have strong independent advice. It really does not matter on which side of the argument you are. In this case we have opposing views on whether or not you accept the science of climate change and on whether or not you accept that we in Australia have a responsibility to respond and take action in whatever way is put forward to make change.

Given that there are diametrically opposite views about what should happen, everybody is seeking advice to find out exactly what the truth is, what the basis of the argument is and what arguments are put forward to make a case for the need either to act or not to act. We have heard many people put forward their personal views, their passions, but what has come through over the hours of debate in this place and considerably longer in the open community is that there remains a difference but that a great number of people have realised that there is a need to accept that there is climate change. Some of the aspects of that climate change have been driven by growing populations and the way we use energy on our planet. When the previous minister, Greg Combet, brought in the Climate Change Authority Bill 2011, he said that the bill would establish the Climate Change Authority, but that it would be based particularly on independent advice. He said: This means that climate change policy will be directed by evidence and facts, rather than fear and political opportunism. It will take the politics out of the debate.

I am sorry, but that second sentence could be a little optimistic. I do not think, in this place or in the wider community, we will ever be able to successfully take the politics out of the debate.

The argument behind setting up the Climate Change Authority Bill was to establish within the community a process whereby a group of experts could seek advice and information from the broad community and come up with reports to government—not directions to government. It was not to be an outside body to take away power from the parliament. We were not removing the responsibility of parliament and handing it over to some other body. The authority was to be an independent body that would focus on evidence and facts. Minister Combet went on to say: Australians also deserve an approach to tackling climate change that respects the scientific and economic consensus, where facts and not fear set public policy.

It seems to me that that is a fairly open statement and one with which there should be very little argument. Individuals have every right to have their own views about the issues, but all argument must be based on facts and evidence. We speak for ever in this place about evidence
based policy. In fact, in all debates people complain that we should not make statements off the top of our heads—regardless of how important we believe the tops of our heads to be. We need evidence based approaches.

Through the entire climate change debate so much of the argument has been about what the science says. To our shame, through some of that debate, a quite serious lack of respect for people in the scientific community has been evident. There were allegations of flawed reports or inaccurate reports or reports that were biased in some way. We always insisted that the science be made public so that the information gathered by science was presented in a way that was accessible to everyone so that they could have confidence in it, but could still question it. But simply because something has been presented does not mean the argument is over.

The Climate Change Authority said consistently, in their very short life, that their role was to gather evidence and put it into reports to government and the community. Mr Combet stressed that it was very important that the authority's findings be independent, avoid unnecessary duplication of data collection and analysis and be publicly available. He also emphasised the need for the authority to examine best practice models for its own corporate governance.

We have heard a number of speakers on both sides talk about the importance of the climate change debate, but one thing we have all agreed on, and are committed to, are reductions in greenhouse emissions, regardless of whether the reductions are sufficient. There is agreement that climate change is impacting on our community and we need to take action, but how that is to occur differs widely. The process that was put in place by the previous government was set out in a range of legislation that is before us again. Then we went to an election, with both sides of parliament pledging to remove all forms of tax on carbon and to move to an emissions based scheme. The current government, however, has a significantly different plan for how they will address the issues of climate change.

It would seem to me that no matter what direction we take, there should be a shared acceptance that it is based on independent scientific information. There should not be any argument that any proposed action needs to be effectively reviewed, questioned and scrutinised. That is particularly so with our international position, because we are all agreed that it is an international problem. In the two previous debates in this place on the whole issue of climate change in Australia, one longstanding argument was that Australia by itself could not take the lead on the issue by itself—that you could not act alone. We heard strong statements that we were the only country to move forward at such a rate, in addressing climate change, that we were likely to cripple our economy and our industry.

One of the core roles of the Climate Change Authority was to investigate such statements by looking at what was happening not just in Australia but also across the world, because the problems of climate change are not peculiar to Australia. We have our own significant problems with our rate of pollution and the way we use our energy—we are, per capita, a relatively high polluter. This is a fact which is nothing to be proud of, but it is an independent fact. The Climate Change Authority was able to see what was occurring not just here but also internationally and to put the facts into the public arena. This is one of the things I value most about the way the Climate Change Authority has operated since it effectively came into being in 2012.
We have not had long to evaluate the authority. I think we are rushing to dismantle it even though it has only just begun to operate effectively and to gain the trust of the wider community and the scientific community that it has the freedom to put forward views in public discourse and not be subject to the kind of abuse we have seen in the past. The Climate Change Authority was designed to operate as an independent body and not be caught up in the very real politics of the climate change debate. When an organisation is set up with the word 'independent' in its name, there is an expectation that it will indeed be independent. The thing about independence is that it pleases no-one; statements made by an independent organisation do not please any side of the argument because they challenge people who have made up their minds completely and are no longer willing to question further. Any organisation which is independent must fight hard to retain its independence, because, once it is no longer accepted that what it is doing is in fact truly independent, the organisation loses its value. The Climate Change Authority has, since it was initially set up in 2011 and then came into being in 2012, taken its responsibility to be independent extremely seriously. This attitude consistently comes out in the people who work on the board and in the community.

When you are independent you make statements which do not please the government of the day. In fact, it is almost a position of honour that, when you are working as an independent authority in a government environment, you will at times make statements which the government of the day—or, indeed, the opposition of the day—does not agree with. This is the job of an independent authority. Its job is not to just recycle information which is part of the political discourse, and it is certainly not to pander to any particular argument. The Climate Change Authority was set up quite explicitly to ensure that these things did not happen.

In its original draft report the Climate Change Authority made a lot of comments about the Renewable Energy Target, and these comments raised further questions. In compiling this report, the authority took evidence from so many sources and did not limit the public's opportunities to give evidence, to make submissions and to engage. From the time that the Climate Change Authority was developed, the idea was that it would work for Australians and not for Australian governments. It was with this principle in mind that certain people were chosen to be on the board. Have a look at the bios of the people who are on the current board. I think it would be very difficult to claim that any of these people had pre-existing views which would have closed their minds.

I find it very disappointing that, in seeking an alternative approach to the consideration of climate change in our country, the view is that the Climate Change Authority needs to be dismantled completely without first taking a look at the value of each of its component parts. I have my own views about what should happen next, and I certainly think that the things we put in place while we were in government widened the knowledge and awareness of Australians about climate change. It is all very well for governments to make decisions and pass legislation, but if the processes are not fully understood and are seen as detrimental Australians will not support them.

We saw in the recent election that it is so simple just to say 'no climate tax'. Linking climate change so strongly to taxation seemed to me to ignore several basic requirements for Australia: identifying and understanding the vulnerability of our planet; looking at the way we use energy and the way we operate in our own country; and accepting that Australia's role is
international and not only about our daily work and daily lives in Australia. I had hoped that the Climate Change Authority would help to create awareness and understanding of the issues around climate change rather than of the political, often short term, debates. When you dilute an argument so that it becomes a slogan, there will be problems with creating understanding—or at least a desire for wider understanding—because it is all too simple. Slogans, particularly negative slogans, are easy.

We really have not had the chance to see the full impact of the work that the Climate Change Authority can do for all of us. They are, at this moment, continuing to work on putting together a draft report on where we are now in reacting to climate change in our country. They have a significant public schedule—again, doing the job for which the authority was set up, which was to engage and then through that process provide independent advice about what was happening on these issues, not just to governments but also to the community.

It is a sadness, I believe, that that work may not be able to be completed. I have seen nothing in the proposals being put forward by the government that sets up an alternative way for this work to be done. Regardless of what governments choose to do about the real issues of climate change in our community, there needs to be a way to ensure that there is independent scrutiny and independent advice that are not touched by the passionate elements of politics. I am a parliamentarian, not a climate scientist. No matter what argument comes up, I will need to look at it and question it. I think the best way of doing that, for anyone in this country, is to have access to the kinds of information that should be available in the draft reports of the Climate Change Authority—to look at the evidence that has been provided, and by whom that evidence has been provided, and to see what the volume of evidence is around a particular issue or response. Without this kind of independent advice, we will come back to individual slogans, and I do not think that is the best way for public policy to go. Regardless of what we are going to do with the process, I think there should be a place for an organisation like the Climate Change Authority. We need to respect independence. We need to respect science. That is the only way that we will be able to get an effective response to something that is real for all of us.

**Senator LUNDY** (Australian Capital Territory) (11:01): Since coming to government, the coalition have begun attacking almost every institution, every tool and every utility that this country needs to tackle climate change and its impacts. Mr Abbott's direct action policy removes a legal cap on pollution, giving free rein for organisations to choke the atmosphere with greenhouse gases. Instead of making them pay for this pollution, he will be giving these same organisations billions of taxpayer dollars as part of his carbon slush fund. All experts agree that this will cost households more and will fail to reduce carbon emissions. Moreover, it will mean Australia is left behind as the rest of the world moves to a clean energy economy built on emission trading schemes. It will almost certainly discredit Australia's international reputation, as we fail to do our part to reduce global greenhouse gas emissions.

Sadly, the changes and damage do not stop there. It is not enough for this government to erode Australia's ability to respond to climate change and to hand back power to those big polluters; it also wants to prevent scrutiny of how it goes about this, and to deny the public information about climate change. One of this government's first orders of business was to dismantle the Climate Commission, an organisation dedicated to providing the Australian
public with independent and easily digestible information about climate change. Today, with this bill, they are coming after the Climate Change Authority.

This bill abolishes the Climate Change Authority and transfers to the minister the responsibility for ensuring that all of the authority's periodic reviews are carried out. These reviews cover a range of issues and include: the Carbon Farming Initiative, a scheme for farmers and landowners to voluntarily reduce greenhouse gas emissions and be rewarded with carbon credits; the National Greenhouse and Energy Reporting Scheme, a framework for monitoring and reporting on companies' greenhouse gas emissions and energy use; and the Renewable Energy Target Scheme, a market mechanism that puts a requirement on electricity retailers to surrender annually a certain number of Renewable Energy Certificates, where each certificate represents one megawatt hour of electricity generated from renewable sources. The bill also makes some changes to the scope and timing of these reviews. These include making the Renewable Energy Target Scheme review biennial instead of quadrennial and delaying the first review of the Carbon Farming Initiative by two years.

The Climate Change Authority was established to provide the highest quality advice and transparency about Australia's climate change policies. It has a charter that includes taking into account expert scientific and economic evidence and developments—as you would expect—in the international arena. By respecting the scientific and economic consensus, it circumvents the politics of climate change and ensures that Australia's policy is directed by empiricism and reason instead of fear, denial and greed. The CCA is also independent of the government and is tasked with undertaking regular reviews of the government's climate change policies. The minister's input is limited to providing direction on general matters only; they cannot direct the conduct of a review, nor can they influence the content of a report or a particular view. To ensure openness and accountability, the authority is required to hold public consultation as part of its reviews. In short, the Climate Change Authority provides the facts and the advice for everyone to see, and the government and the parliament decide how to act on that advice. This model is simple, it is independent, it is transparent and, most importantly, it is working—four big ticks for any policy, in my opinion. But apparently that is not enough to save it from being run over by a government stuck in reverse gear.

The coalition have told us that the Climate Change Authority is no longer necessary because it only exists to monitor the carbon price, and the carbon price is on its way out. There are a couple of issues there, but let's focus on the authority for now. To call the authority redundant, as the government have done, and to suggest that its lone purpose is to monitor the carbon price, is not true. The Climate Change Authority exists to monitor Australia's climate change mitigation policies. This government's direct action policy should receive the same scrutiny as that received by the previous government's carbon price and associated policies. And that scrutiny should come from an independent and transparent body—like the Climate Change Authority.

The authority also exists to track Australia's progress in meeting its emission reduction targets—the ones, I might remind my coalition colleagues here in the Senate chamber, that both our parties agreed to—and to determine whether Australia is doing its part to combat global climate change. It did exactly this four months ago when it released Reducing Australia's greenhouse gas emissions: targets and progress review draft report. This draft report pointed out that, while Australia was on its way to meet its target of a five per cent
reduction in year 2000 emissions by 2020, it should be considering doing even more to cut its emissions by 2020. The authority also highlighted its own continuing relevance to the new government:

The Authority has taken the Government’s different policy approach into account in the analysis for this Draft Report. In the Authority’s view, this Report remains highly relevant despite the changing policy landscape. Its primary focus is Australia’s goals for reducing emissions. The setting of these goals raises the same critical questions, whatever the particular policies adopted to meet them.

Minister Hunt's argument that the Department of the Environment can assume the authority's review function flies in the face of the authority's very purpose—limiting ministerial influence and guaranteeing public transparency. This bill undermines the whole point of the authority, which is to keep the politics out of the facts so that Australia can have an informed and meaningful approach to tackling climate change. Extending the minister's logic, can we assume the Department of Finance will soon be subsuming the responsibilities of the Productivity Commission? We do not see that policy idea being floated.

Given the toxic and damaging political debates that have surrounded the science of climate change, one would have thought that retaining an independent authority to provide the government and public with an apolitical source of advice would be a great idea. That is what we in the Labor Party think—and we know we are not alone. The United Kingdom has an equivalent entity to the Climate Change Authority. Their Committee on Climate Change was established in 2008 with the express purpose of advising the UK government on emissions targets and reporting to parliament on the nation's progress towards reaching those targets and preparing for climate change. Essentially these are the same responsibilities as those of our Climate Change Authority.

When the Conservatives came to power in the UK, however, they did not scrap the Committee on Climate Change. They could see the sense in retaining an organisation that provided apolitical advice on climate change mitigation strategies. This is the British Conservative government—the ideological parent, one would argue, of the Australian Liberal Party. But even they can see the sense in retaining an independent advisory body for climate change. It shows just how out of step this government is with the international community—a conservative outsider even among their own conservative peers.

We in the Labor Party know we are not alone in Australia in wanting to see the Climate Change Authority left intact to do the job it was created to do. Numerous environmental organisations and climate change action groups provided submissions urging the government to retain the Climate Change Authority even in the event that the carbon price and pollution cap are repealed. For example, the World Wildlife Fund said:

… it is critical that the Climate Change Authority or similar body is retained to ensure Australia’s efforts to reduce greenhouse gas emissions are informed by independent scientific, economic, energy, and policy experts with a level of distance from stakeholder influence.

Similarly, the Conservation Council of South Australia said:

The Conservation Council of SA does not support the abolition of the Climate Change Authority. Such an Authority is vital to the independence of advice on climate change policy and initiatives.

Professor Frank Jotzo, who works in my electorate as the director of the ANU Centre for Climate Economics and Policy, pointed out in his submission to the Senate Environment and
Communications Legislation Committee that the Climate Change Authority could still function under the coalition's direct action policy.

The business community also supports the Climate Change Authority. The Investor Group on Climate Change pointed out that the investor community values the analysis provided by the authority:

Regardless of the policy tools that Australian governments choose to implement, the CCA’s analysis assists investors to interpret the likely future emissions reductions trajectory for Australia and the scale of policy response that will be required.

By removing the Climate Change Authority, we also risk Australia falling out of step with the emissions reduction developments emerging at the international level in response to new science and global carbon budget commitments. This could have dire consequences for Australian businesses as they become uncompetitive, or less competitive, in an international market that now values low-emission products and services.

If environmental organisations and the Australian business community both support the Climate Change Authority and the intelligence it provides to all considerations surrounding climate change, why is this government moving to scrap it? Allow me to speculate here. They have said a number of things, but I believe it is because they do not want their climate mitigation policies scrutinised by an independent body. They want this parliament, and the Australian people at large, kept in the dark about the impacts their policies are having on this country's carbon emissions. I suspect—and many people have made this observation—it is because they know their policies will not work.

Moving the authority's review responsibilities to the environment department is a sleight of hand to give Minister Hunt the right to censor reviews of his own policies. And what about the authority's other responsibilities? This bill does not make any mention of who will assume these responsibilities—responsibilities that include assessing and recommending national emissions reduction targets, providing the government with analysis of the response and efforts of other countries and providing the government with advice on the developments in climate science that are occurring all the time around the world.

By abolishing the Climate Change Authority this government is seeking to shut out any form of public and unbiased scrutiny of its climate mitigation policies. I suppose it should not come as a surprise, because of this government's poor record when it comes to transparency. We know it has made a virtue of ducking for cover, of keeping things secret, and it is an absolute discredit to a government that for many years in opposition clamoured for greater transparency—transparency that the former Labor government was only too happy to provide. We made a diligent effort to be transparent on a whole range of policy issues, not the least being the level of scrutiny we were able to establish for our climate change policies. An example of the government's lack of transparency is the weekly briefings on border control, which proved too sensitive and have been downgraded to press releases. I am involved in one of the committee inquiries into the Commission of Audit, another process shrouded in secrecy. It is extraordinarily difficult to get information, and yet the Commission of Audit seeks to make recommendations to the government on a wide range of cost-cutting and expenditure reducing measures that not only are likely to impact on the social experience of millions of Australians but also go to the heart of the function of government itself. Yet there is no transparency.
This lack of transparency is becoming a characteristic of the Abbott government. It is a characteristic that has no place in the 21st century. We have seen time and again that the benefits of transparency not only offer citizens of a country the opportunity to participate in a modern democracy but also allow for parliaments, and us as elected representatives, to engage more fully and openly in the great policy challenges of our time. I think this lack of transparency is because the Abbott government are afraid that their policies will not work. It may be worse than that—it may be that they already know that and they are seeking to provide a blanket to shield that knowledge from the rest of us. We know this government have nothing more than contempt for the way in which climate science is presented by experts who have devoted their life to that field of science, and some—not all—have ridiculed the strength of that science. Many Australians have observed that over many years with dismay.

The government closed down the Climate Commission when they came to power and they have savagely cut the CSIRO, and today they are looking to shut down the Climate Change Authority. We know that many members of the government are suspicious of climate change; we know that there are some deniers of climate change, even now, after decades of established science. This is, after all, a government led by a person who has questioned whether carbon dioxide is quite the environmental villain that some people make it out to be—not to mention his describing climate change at one point as 'absolute crap'. These kinds of comments, disregarding well established science, bring this whole place down. They reflect on all of us as parliamentarians and they reflect on the professionalism of the Australian parliament. It is embarrassing that such things are said about established science. I believe in a future where we do use science to test our policies, where we do rely on science for evidence of where we need to go next and to ensure we are making policies that best serve the next generation of Australians.

I do not understand why this government is trying so hard to hide. I have speculated on the potential motivations—I guess it is up to members of the government to tell us why they need to scrap the Climate Change Authority. As yet, there has been no plausible or satisfactory explanation, other than the lack of transparency, for a policy that I suspect they already know will not work.

**Senator THORP** (Tasmania) (11:19): I rise today to speak in opposition to the Climate Change Authority (Abolition) Bill 2013. I reject the coalition's push to abolish one of Australia's most vital independent statutory bodies, the Climate Change Authority, as they move to scrap the carbon pricing scheme. The opposition will not support the scrapping of statutory bodies whose role it is to provide independent advice to governments on climate science policy. Scrapping the Climate Change Authority would be an act of ignorance and recklessness as we face the increasing pressure of climate extremes from the global phenomenon of climate change. The coalition's attempt to abolish the Climate Change Authority indicates that they will do anything to ensure that there is no independent analysis and scrutiny of their 'direct action plan'—a plan that will achieve nothing and become a policy failure for the coalition government.

The creation of the Climate Change Authority was one of the most important of a set of policies put in place by the former Labor government to address increasing concerns about the impact of climate change—its impact on the Australian landscape, the Australian people and the Australian way of life. Despite the coalition's repeated promises before coming to
government that they were serious about climate change, attempts to scrap this statutory body indicate that the coalition government have no intention to take meaningful and effective action on climate change.

The role of the Climate Change Authority is to provide independent advice and recommendations to the Australian government on matters such as carbon pricing and Australia's renewable energy targets for carbon pollution. The authority conducts periodic reviews of carbon pricing processes and provides reports on Australia's progress towards meeting national targets, such as Australia's national emissions targets. Unlike the coalition led by Mr Tony Abbott, Labor will always base our policy direction and decision making on the best available science. Conclusive and comprehensive scientific assessments have strongly indicated that climate change is a reality—a reality that can clearly be attributed to the carbon emissions produced by human activity.

Labor understand that climate change is set to have a major impact on Australia's economy and environment. We know that the dangerous consequences of climate change increase significantly as increases in temperature persist. This Prime Minister can ignore the science all he likes but he cannot ignore the realities of climate change. The contrast between Labor and the coalition here is very clear: Labor stand with the scientific community and stand by taking real action on climate change; Mr Abbott and the coalition do not.

We know that the Liberals do not accept the science of climate change. It was in July 2009 that the now Prime Minister stated that he was 'hugely unconvinced by the so-called science on climate change'. Again, in October 2009, as my colleague said previously, Mr Abbott said that climate science was 'absolute crap'. In 2010, he went on to state that he did not believe that the 'science is settled'. The Liberals' treatment of climate scientists and their work was reinforced yet again recently, when Prime Minister Tony Abbott accused the United Nations climate chief of talking through her hat. When in opposition, Tony Abbott led one of the most irresponsible scare campaigns on carbon pricing that the Australian people have experienced. These attitudes are not surprising, however, with former Liberal Party leader John Howard travelling overseas and telling London audiences that he would rather trust his 'instinct' than the evidence of over 97 per cent of the world's climate scientists.

With the attitudes and very dated beliefs of those opposite, it is no wonder that the coalition's policy has not been backed up and supported by one credible scientist or economist. Therefore, it really comes as no surprise to me and my Labor colleagues that the coalition is seeking to abolish the institutional bodies which report on the facts and realities of climate science.

These institutional bodies are comprised of Australia's most well respected, experienced and highly educated scientists who report on the facts and the reality of climate science. It comes as no surprise, because the coalition know that their proposed Direct Action Plan would not stand up to any of the high-level scrutiny and policy analysis which would be provided by the Climate Change Authority. The coalition know that Direct Action is merely a slogan, a con of a policy, with no substance. It has no capacity to deliver the outcomes that the coalition promised before the election. The coalition know this and they are running scared from the independent scrutiny that the Climate Change Authority would provide.

The Climate Change Authority is a statutory body which was created under the Climate Change Authority Act 2011 and commenced operations on 1 July 2012. Advice provided by
the Climate Change Authority is well respected in the Australian scientific, business and academic communities. The advice is provided by Australia's best, with an incredibly strong board comprising a former governor of the Reserve Bank, who I understand was not even consulted on the development of the Direct Action Plan; an Australian Research Council Federation fellow of the University of Queensland; a current member of the Reserve Bank board and recently retired chief executive of the Australian Industry Group; the chair of AustralianSuper; and a former member of the Productivity Commission. Overall, these prominent Australians form a board which includes four professors, several economists, a leading climate scientist and Australian community members with strong backgrounds who have practical knowledge about investment and business. The talents and academic credibility of these outstanding Australians is as clear as day, yet Mr Abbott and those opposite would prefer to manage and control the information and advice provided to them through the Prime Minister's office. I find it hard to see how Mr Abbott could reject advice from such prominent people, when his understanding of climate change, as expressed in an interview with Steve Vizard on MTR in March 2011, is as follows:

Well, I've always thought that climate change was real because I've always known about the ice age and other things …

During the recent inquiry into the government's carbon tax repeal bills, the Senate Environment and Communications Legislation Committee heard from many stakeholders about the high esteem in which the Climate Change Authority is held. During the inquiry, Mr Erwin Jackson of the Climate Institute stated:

… the Climate Change Authority plays an essential role in informing that climate policy should be retained. … To achieve a sustained emission reduction consistent with our national interest, Australia needs climate policies that are based on a sound foundation of evidence rather than political agenda.

He went on to state:

What … the Climate Change Authority does is provide an opportunity for all those stakeholders to present their views, to have them scrutinised in a transparent way and then for conclusions to be drawn from that … We need a solid base of evidence and a strong analytical foundation upon which to base our decisions, which should be independent of government, should be independent of business groups and should be independent of environment groups. That is why we need institutions like the Climate Change Authority …

Labor believe that the role of the Climate Change Authority in providing this independent information and advice is vital. We believe that the Climate Change Authority has the capacity to continue to add value to the debate about climate change and its impact. There are similar examples of such independent bodies operating successfully to inform governments, such as the Committee on Climate Change in the United Kingdom. Labor believe that the value of the Climate Change Authority extends beyond policy debates over carbon pricing and ought to be retained regardless of the direct action policy approach pursued by the coalition government. It is vital for large, developed countries with advanced democracies to have robust and independent institutions which can assess and analyse both sides of the debate and make decisions based on the evidence presented.

The opposition have some serious doubts that the functions of the Climate Change Authority could be performed in-house by the Department of the Environment. The opposition do not support the shutting down of strong, independent voices in Australia's public policy debates in order for the coalition to ensure that government advice to the
Australian parliament and the wider Australian community is created, controlled and managed from the Prime Minister's office. Independent modelling has shown that the coalition's alternative climate change policy will cost billions of dollars more than Tony Abbott has claimed.

Witness evidence provided to the Environment and Communications Legislation Committee inquiry into the carbon tax repeal legislation from the Climate Institute noted that there had been no independent analysis to date which suggested that the Direct Action Plan could achieve the proposed five per cent target. Being one of the largest per capita polluters in the world, Australia has a great global responsibility to pursue policy avenues which aim to tackle climate change. Climate change is a shared global responsibility, and that is why Australia has a global obligation to act. If the coalition walks away now, future generations of Australians will have to pay the price of this government's ignorance and inactivity. If the coalition's legislation passes the Senate, Australia's response to climate change will be viewed as a joke, because no expert believes that the Direct Action Plan can deliver real outcomes.

The science on climate change is clear. This is why over 97 per cent of published climate scientists agree that it is real and driven by human activity. It is accepted knowledge that carbon pollution is having a harmful and dangerous effect on our environment. The average air temperatures of our nation have increased by 0.9 degrees Celsius since 1910 and, since the 1950s, each decade has been warmer than the previous decade. It has also been noted in the record books that January 2013 was recorded as the hottest month in Australia since 1910. Australia's climate policy directions are globally significant to the rest of the world, particularly to other developed nations.

Let me remind those opposite that we are watched with a careful eye by our international partners. Not acting on our global responsibilities is simply not an option. Even the world's major international economic institutions have pledged their support in favour of climate change based policies such as carbon pricing. China, who is one of Australia's biggest trading partners, has also made clear indications that it will place a cap on coal consumption. China has also begun seven pilot emissions trading schemes in regions covering more than 200 million people. As one of the largest polluters, it is vital for Australia to play a key role as an influential and powerful force in the fight for global climate action.

It is now clear that it is in Australia's national interest to reduce our greenhouse gas emissions and work with international partners to cut global carbon pollution. If emissions are not reduced, Australia will continue to experience more extreme weather events. At a time when 99 countries in the world have made formal pledges to the United Nations to reduce carbon pollution and taken serious action to lessen the impact of climate change, the coalition government is turning its back on Australia's climate achievements.

Under the former Labor government, Australia began to build a strong global reputation and a proud record for serious and effective policy measures to tackle climate change. Labor legislated a comprehensive plan to tackle climate change and cut the pollution we emit. The first act of the previous Labor government in this area was to ratify the Kyoto protocol. It was Labor who subsequently committed Australia to a second commitment period under the protocol. The former Labor government delivered outcomes which included more than one million households being fitted with solar panels; employment in the renewable energy industry more than doubling to over 24,000 people; and renewable power generation as a
share of the National Electricity Market increasing by 25 per cent, ensuring that pollution in the National Electricity Market decreased by seven per cent. The former Labor government also provided support to reduce land sector emissions through the Carbon Farming Initiative; unprecedented support for renewable energy through the Renewable Energy Target; and support for business to become more efficient and productive, including the Clean Technology Program.

Australia enjoys some of the best renewable energy resources in the world, which range from sunshine and wind power to geothermal energy and the tidal power of oceans. I would urge those opposite not to let these policy achievements go to waste. Unlike Labor, the coalition seems to have no ambition to create a cleaner and more energy efficient Australian economy. In stark contrast to the opposition's policy, Mr Abbott and the coalition have not been able to come up with one credible scientist or economist who is willing to stand up and back their 'direct action' policy.

Every day it is becoming clearer to the Australian public that the government's proposed direct action policy is a con. The approach of this government on carbon pollution will ensure that taxpayers' money is used to pay out the big polluters. The Australian public should not be surprised that the coalition is once again running away from engaging in a substantive policy debate on climate change policy. After all, Mr Abbott has consistently ignored the scientific evidence and advice. This is why the coalition's direct action policy is nothing more than a costly one-liner. Not one expert scientist has been able to show that the coalition's plan has the capacity to meet Australia's emission reduction targets. Labor believes that it is a government's responsibility to act on the professional advice provided by those in the scientific community.

The Climate Change Authority provides expert, transparent advice and information on carbon pollution and climate change issues to government, business and the public. The role of the authority is essential to inform the public debate and the public policy which follows. Despite efforts to silence the work of prominent scientists within Australia's statutory bodies, the coalition must realise that, regardless of their political tactics on this issue, climate change will not go away by simply pretending that it is not happening and ignoring academic advice which details the contrary. It is time for the coalition to stop pretending that those who advocate for greater action on climate change are alarmist; rather, they are simply realists about the issues facing our region.

It is clear that, as a country, now is the time to do more, not less. Now is not the time to be promising results under a direct action plan that simply will not work. And if I may quote the great Tracy Chapman, Mr Acting Deputy President: 'If not now, then when?' If not today, then why make your promises? It is time to start listening to the experts. It is time for the coalition to stop ignoring what 97 per cent of the science community are telling us about how our climate is changing. The Labor Party's position remains clear: we support retaining the Climate Change Authority so that we can ensure a robust and informed national debate continues. Unlike those opposite, Labor will always listen to the science and act to protect the flow of information and independent analysis on how best to tackle climate change. I will not be supporting this legislation.

Senator BERNARDI (South Australia) (11:36): Listening to that contribution from Senator Thorp reminds me that a little knowledge is a very dangerous thing to have on
It also reminds me of the maxim that 97 per cent of statistics are made up on the spot, because there is absolutely no justification for saying that 97 per cent of published climate scientists think that catastrophic global warming is created by mankind. That is what has continually been peddled by those who have become immersed in this quasi-cult of climate change and the belief that by imposing a tax upon carbon dioxide we are somehow going to stop the ever-changing pattern of climate change that has been going on for aeons.

For two days we have been here listening to the Labor Party and their alliance partners, the Greens, sandbagging the legacy of their six years in government. And what a legacy it is. It is a legacy of intergenerational debt. It is a legacy of peddling catastrophic and alarmist climate change propaganda that was always more about taxing the Australian people, putting government at the centre of business decision making in this country and outsourcing aspects of our sovereignty to unelected officials in the United Nations rather than delivering positive environmental outcomes. They are desperately ashamed of their legacy.

Senator Thorp in her contribution talked about evidence-based policy that was coming forward and how they had put in solar panels on all these roofs. She neglected to say that the Labor Party in government delivered the highest electricity prices in the world to Australians. They delivered higher gas prices for all Australians. They delivered higher costs of business for every business in this country. They have driven manufacturing industries to the wall in this country. That is the legacy of the Labor Party and their public policy agenda.

Senator Thorp and her colleagues have also glossed over the evidence-based policy where they rushed out the pink batts program, which, of course, cost billions of dollars to implement, cost billions of dollars to fix and, tragically, cost the lives of four young men because of the incompetence of those involved in implementing a coherent, incisive and deliberate evidence-based policy agenda. And we could go on. Do we remember at the election when they said that we were going to have a cash for clunkers scheme? There are plenty of clunkers on the other side—and some of them have cashed out, let me tell you, because we do not have the climate change minister with us anymore. We have had a whole bunch cash out. We have had two prime ministers leave the parliament because they were clunkers, according to the Labor government.

We saw the citizenship council. There was going to be no change or implemented policy on climate change, no carbon tax and no emissions trading scheme until there was an agreement by a citizens convention, or council, or whatever it was called at the time. That went the way of the clunkers. We saw a debt cap. Do you remember the debt cap? 'We are going to be prudent and only have a debt ceiling of $200 billion or thereabouts,' they said. If Labor's policy agenda were allowed to continue, it would reach $667 billion worth of debt, and that is intergenerational debt. It may not worry those on the other side, but it worries me because I am concerned about the children of this country and the future of this country. It is not about the rhetoric, it is about delivering outcomes for people.

What about the school halls? Let us have a look at that evidence-based policy where $8 billion of taxpayers' funds was wasted on rorts because Labor were incompetent administrators. Let us also have a look at their great defence of the HSU, the Health Services Union. They stood 100 per cent with them because there was nothing wrong. There was no rorting and corruption there, just like they stood shoulder to shoulder and man for man with Craig Thomson, a man who now faces these charges in court. We know that there have been
slush funds in the union movement, but they are in denial on that side. When we call them out on their policy agenda and say that they do not have the evidence to back up what they are saying, we know full well that the evidence is on our side, because we know that was the most incompetent government that Australia has ever seen.

When it comes to dealing with matters of climate change, let us also remind ourselves that the opposition, in government, took a policy to get rid of the carbon tax to the last election. That was their policy. They said, 'The carbon tax is gone; it is finished; it is all over,' yet, all of a sudden, for two days we have had Senator Thorp and others on that side saying how the carbon tax is saving the planet. None of them has said how much Australia's contribution is going to cut the temperature. We have heard about countries promising and signing pledges to do stuff. We have not seen any action, and that is the problem. You do not see America signing up to pledges. You do not see China doing anything; they are building more coal fired power stations. No matter how they want to gloss this and dress it up, power is absolutely important. Australia has the most expensive power in the world as a direct result of the policy agenda of those on the other side when they were in government.

They have of course been critical of policy outcomes and an agenda that will deliver real environmental benefits—that is, the coalition's Direct Action Plan. Everyone in the country probably knows that I am absolutely sceptical and do not buy the catastrophic climate change alarmism that has been peddled by so-called environmentalists. I do not believe that carbon dioxide is radically changing the temperature. I do not believe it is rapidly changing the planet. I do not believe it is a pollutant. It is important for functioning life on earth, but that is not the point. I do support proper and prudent environmental outcomes, because it is a legacy for our children and that is what our policy will deliver.

Our policy is going to increase the fertility of the soil. It is going to sequester carbon in the soil. It is going to allow more moisture to be retained. That is a net positive. Yes, it costs money, but so does everything. At least there is going to be something to show for it. We are going to plant more trees, which will be a good thing for the country. When they are planted in an appropriate area they help to clean the air, they grow and they provide a better environment. We are going to clean up our waterways. We are going to encourage more environmentalism in a practical and sensible way.

We are also going to encourage businesses and individuals to be more energy efficient. What is wrong with that? Apparently, those things are all terrible things to do, but, if you just whack a tax on something, it is suddenly going to stop climate change. If you believe that, you will believe almost anything. I regret that there are a number of people that really will believe anything, because they continue to vote for the Labor Party. If those on that side of the chamber truly believe what they are telling themselves today and what they are saying to this chamber, then it shows just how far groupthink has descended upon those on the other side. That is where the true denial is: the true denial of their legacy for Australia.

Can we remind ourselves of how many variations we have seen in their climate change policy? All of them were going to solve the planet's problems. We had much hullabaloo about the great moral issue of our time and how Copenhagen was going to change the world. Australia went to Copenhagen with the largest contingent of representatives of any nation, I think. They spent millions of dollars going there for zero outcome. What was the direct result of that? When the Labor Party returned, instead of embracing the great moral issue of our
time, as Mr Rudd then characterised it, they decided to ditch the policy and knife Mr Rudd—the first bloody coup by Mr Bill Shorten and his acolytes, the faceless men. It was a coup. It ditched a first-term Prime Minister in this country in a bloody and brutal fashion on the back of his dumping of their policy that no-one in the world was embracing. It was an extraordinary performance.

We can continue. Shortly after that, when Ms Gillard became Prime Minister, there was that crystal-clear promise—you would remember it, I am sure—in 2010: 'There will be no carbon tax under a government I lead.' That was about the same time as the cash-for-clunkers scheme came in and when there was the promise of a citizens assembly. What happened after the election? The great accord, which Mr Paul Howes is trying to bring back. The great accord was entered into with the Greens party. We saw Mr Bob Brown, Senator Milne, the Prime Minister, Mr Swan and others all happily embracing and signing their accord to change the planet and deceive the Australian people along the way.

The Australian people have rendered their verdict. The Australian people have made a determination that they saw the most incompetent, disingenuous and hopeless government—two governments—in, virtually, the history of this country, certainly that I can recall. They rendered their verdict; they voted overwhelmingly against the Greens-Labor alliance. They voted overwhelmingly to repeal the carbon tax, to get rid of the waste, to get the debt under control, to give some hope to our children, and yet those on the other side are still in denial. I know some of them secretly recognise just how poor they were in government. You cannot blame them all, but the fact is they should not be here defending what is truly indefensible.

We have to get the budget back under control. We have to restore hope and opportunity. We have to restore the ability for Australians to have confidence once again in their parliamentary institutions, that their government is going to act in the national interest; not act in the secular interest, not act in the personal interest and not act in the interests of the union movement but act for Australians. Let's remember: that is what we have been elected to do. So we need to cut the waste, we need to get back to sensible policy and we need to reduce and limit the size of government, because it became engorged with borrowed money under the regime of those opposite.

It is important we get these facts on the record. It is important that the Labor Party actually come to reality: they are no longer the government. Their legacy is poor and it has done a disservice to Australia. It is time they let us get on with the job of making positive change in this country, that is going to make our country stronger and more prosperous and will restore faith and confidence in the institutions that govern our parliament.

Senator CAROL BROWN (Tasmania) (11:48): I rise today to speak on the Climate Change Authority (Abolition) Bill 2013. I get the honour of following Senator Bernardi. To use his own words, I follow a contribution that was 'alarmist climate change propaganda', because the former speaker, Senator Bernardi, is one of the chief deniers about climate change. He is a very up-front about it, unlike many other members of the coalition government. At least Senator Bernardi is up-front about it. He does not believe. He is one of the chief deniers, one of the chief clunkers over there. But the coalition government's response to climate change is a defining issue for our parliament and the country. The early signs are not good. Indeed, I think Senator Bernardi has captured the leadership team and perhaps was an architect of Direct Action. As the coalition have done in the past, and I assume they will
continue to do this, they name their policies and legislation the exact opposite of what those policies and legislation will do.

The Prime Minister, Mr Tony Abbott, has an axe hanging over the Climate Change Authority. Senator Bernardi in his contribution said that he welcomes 'proper and prudent advice', and that is what the Climate Change Authority gives. The Climate Change Authority gives thought-out, independent advice on climate change policies to improve the quality of life of all Australians—the same Climate Change Authority that makes its recommendations based on the best available science. It is an impartial body with the freedom to 'call things as they see it' on the very important challenge of climate change.

But, rather than listening to the best available science, Mr Abbott and those opposite seem to know better than the best minds on the matter of climate change. The coalition have such a low regard for science that they do not even have a science minister. The coalition do not like what the Climate Change Authority has to say, so they are trying to shut it down. That is not the way Mr Abbott should run his government. As part of the suite of policies the former Labor government put in this place, the creation of the Climate Change Authority was one of the most important. In its inquiry into the government's carbon tax repeal bills, the Senate's Environment and Communications Legislation Committee heard from a number of stakeholders about the value of these bodies. The value of the Climate Change Authority and the Clean Energy Finance Corporation, as we have debated in this place recently, extends beyond carbon pricing. These bodies are value-adding to our nation. They are helping Australia to plot a chart towards reducing our emissions footprint. They are making a difference, as this generation attempts to combat a problem that will only get more challenging for future generations unless we act now.

The legislation regarding the Climate Change Authority is being considered separately because, regardless of the outcome of putting a price on carbon, it still has a significant role to play. The bills are being debated separately regardless of the outcome of the debate on how this country should price carbon. Both bodies should be retained regardless of the policy approach that the country ends up with.

The Climate Change Authority gives expert, transparent advice and information on carbon pollution and climate change issues to government, business and the public. It is impartial. It looks at the science, looks at the facts and makes its recommendations. The CCA's advice is well respected. It is doubtful that its functions could be performed in-house by the environment department. The Climate Change Authority’s role of providing information and advice should continue so that value can be added to the climate change debate in Australia, even if the Abbott government succeeds in foisting its policy con on Australians and gets its way on Direct Action. Even if the Direct Action Plan, which will line the pockets of the polluters, goes through, both the Climate Change Authority and the Clean Energy Finance Corporation will have important roles to fill. To scrap them will set the country back.

Mr Abbott has the chance to do the right thing and leave these bodies in place. To scrap the Climate Change Authority would prove that Mr Abbott and those opposite are climate change deniers. Is the coalition’s rationale for disposing of the Climate Change Authority that it thinks climate change is not real? I suspect we have just heard an answer to that from Senator Bernardi. The Australian people know climate change is real, and Labor is with them. We are listening to the experts. We are listening to the best available science. But this is a Prime
Minister who has in the past, when speaking to an audience in regional Victoria, in October 2009, said that the 'climate change argument is absolute crap'. That speaks to his attitude on this issue. He is out of step with the views of Australians.

Because this narrow-minded Prime Minister does not believe in climate change, the country must suffer. Future generations will suffer. It makes no sense to destroy the very authority that seeks to deliver independent and expert advice to government and other stakeholders. The Climate Change Authority has continued to gather information and debate policy positions. Is Mr Abbott concerned about the Climate Change Authority's opinion of Direct Action? Is that why he wants to get rid of this independent body of experts? If we refuse to listen to the experts, we are doomed to fail.

So, if not the experts, just who has Mr Abbott's ear on this matter? His top business adviser, Mr Maurice Newman, certainly seems to have it. Mr Newman is a climate change non-believer. On 17 September, Mr Newman wrote in the Australian Financial Review:
The CSIRO, for example, has 27 scientists dedicated to climate change. It and the weather bureau continue to propagate the myth of anthropological climate change and are likely to be background critics of the Coalition's Direct Action policies.

Mr Newman denies the science. He thinks climate change is a political issue. And, most significantly, he has Mr Abbott's ear. In his column in the Australian Financial Review, Mr Newman also advocated the abolition of the Climate Change Authority.

We have seen from Mr Abbott that he certainly got Mr Newman's memo: the Climate Change Authority is in his sights with this legislation. But the Labor party will not accept this bill. We will not side with the climate change deniers who are only prepared to provide lip service towards an issue to important to most Australians. That essentially is what Direct Action is: lip service.

Mr Abbott says no more money than has been allocated will go towards Direct Action. Even more damning is that the former Liberal leader Malcolm Turnbull told the ABC's 7:30 that the best virtue of direct action is that it can be ripped up. Mr Malcolm Turnbull explained why when speaking with 7.30 presenter Mr Tony Jones on Lateline on 18 May 2011. Mr Turnbull told Lateline that under Direct Action the government spends taxpayers' money to pay for investments to offset the emissions by industry. Of its virtues, he says:

One is that it can be easily terminated. If in fact climate change is proved to be not real, which some people obviously believe—I don't. If you believe climate change is going to be proved to be unreal, then a scheme like that can be brought to an end.

Is that it? The best case scenario for direct action is if climate change is not real? That would be cold comfort for all who hear it. The Climate Change Authority certainly believes that climate change is real. The leading scientists all believe that climate change is real. The Labor Party believes that climate change is real. In that interview, Mr Turnbull went on to Direct Action's other virtues:

Or if you believe that there is not going to be any global action and that the rest of the world will just say, "It's all too hard and we'll just let the planet get hotter and hotter," and, you know, heaven help our future generations - if you take that rather grim, fatalistic view of the future and you want to abandon all activity, a scheme like that is easier to stop.

A grim and fatalistic view indeed, but one it seems other members of his party are happy to adopt. Why bother taking any meaningful steps to reduce emissions when you can stick it in
the too-hard basket and give up. It is cause for concern if that is the approach that this government will take towards tackling climate change but, frighteningly, this appears to be the only rationale. Deny the science. Deny that climate change is an issue. Deny, deny, deny.

Climate change is certainly an easier issue to tackle if you refuse to acknowledge that it exists. Is that the Liberal-National coalition's real solution to this issue? They have no answers and will not listen to a body like the Climate Change Authority, which is there to give advice. Worse still, the coalition wants to scrap it altogether. Labor, on the other hand, wholeheartedly supports the Climate Change Authority. Labor also supports replacing the carbon tax with an emissions trading scheme. We do not support Direct Action.

But regardless, the Labor Party wants legislation around abolishing the Climate Change Authority to be debated separately, as it has a role to play no matter what the outcome of how this country puts a price on carbon. The shadow minister for environment, climate change and water, the Hon. Mark Butler MP, said the reason for this is that the Climate Change Authority is:

… a statutory body charged with providing strong and independent advice to government about matters, including the Renewable Energy Target as well as caps and targets for carbon pollution or carbon emissions. The authority is chaired by former Reserve Bank governor Bernie Fraser, with a board made up of highly esteemed business leaders, economists and scientists, including Australia's Chief Scientist, Professor Chubb.

… These bills would also shut down the independent voice of the Climate Change Authority on the critically important question of targets, extending yet further the emerging theme of this government: to ensure that all advice—advice to the parliament and advice to the Australian community—is managed and controlled by the Prime Minister's office. Well, Labor will stand up for strong, independent advice. We will oppose the bill that abolishes the Climate Change Authority outright.

The government must be taking action on climate change. It must show leadership on this matter. The evidence just keeps piling up about what is happening in the climate.

The 12 months to October were the hottest on record in Australia in spite of it not being an El Nino period. The evidence is there that our climate is changing. It is almost certain that humans are speeding it up. We cannot do nothing. We must continue to act. To destroy the Climate Change Authority undoes so much good work and sets back future governments and, indeed, future generations. Senator Bernardi, in his contribution, talked about his concern for our children, our future generations and, indeed, the country. Yet, in the next breath, he denies climate change all together. Well, Senator Bernardi, those future generations will inevitably have to tackle the issue, because this issue is not going away. The Climate Change Authority must be allowed to continue its good work.

The coalition's plan to close the Climate Change Authority is clear evidence that they have no time for independent expert advice. I think we have already seen that in a number of other policy areas. It is more of a central command process that is going on, coming out of the Prime Minister's office. The coalition seems to be more interested in listening to climate change deniers, like Mr Maurice Newman and those others in the coalition caucus. Already the coalition has sacked leading public servants that were too frank and fearless in pointing out that the coalition's direct action policy would be disastrous for Australia. So it is hard to imagine Mr Abbott wanting to listen to the Climate Change Authority.
But look at the contrast between the positions of Labor and the coalition. Concerning the year 2020, both parties are committed to being five per cent below the 2000 level. However, if you look closely, the parties have differing positions. That is even putting aside this new government's attitude to its commitments, which have played out with the Better Schools funding fiasco that the Minister for Education, Chris Pyne, put the nation's schools, parents and children through.

For Labor, five per cent below 2000 levels is the minimum. Our position was and is that Australia should reach a reduction of up to 25 per cent, conditional on international action. The Labor Party would also set its final target after considering the advice of the Climate Change Authority. The coalition has on paper made a commitment, but Mr Abbott told the National Press Club, on 2 September 2013, that if Direct Action did not work he would not meet the target.

The five per cent target is a minimum target, but Mr Abbott is unlikely to commit to anything other than the minimum, as reported in The Age. The Prime Minister said that the five per cent target will not increase 'in the absence of very serious like-binding commitments from other countries, and there is no evidence of that'.

Any excuse to weasel out of so-called binding commitments to reach the target. Mr Abbott agreed to the five per cent target when he wrote to the then Prime Minister Kevin Rudd in 2009. Even though he did not agree to putting a price on carbon, he agreed that five per cent of 2000 emissions by 2020 was the minimum target. If he wishes to achieve this without putting a price on carbon then he needs bodies like the Climate Change Authority and the Clean Energy Finance Corporation to achieve it.

Looking further ahead to 2050, Labor's policy is to be 80 per cent below 2000 levels. That means taking more than 17 billion tonnes of pollution out of the atmosphere between now and 2050. The coalition has no commitment for a 2050 target. It cannot be overstated how short-sighted this coalition is when it comes to attempting to reduce Australia's carbon footprint. If setting goals for seven years away is a headache, setting goals for 2050 is just too hard to compute for those opposite.

The Climate Change Authority is a key institution to give governments advice on the effectiveness of their policies. This is a government that not only ignores the scientists but also does not even have a science minister. If this government has its way and scraps the Climate Change Authority, it is clear evidence that Mr Abbott and his inner circle have no interest in hearing any views other than their own backward, conservative, slash-and-burn mentality. Prime Minister Abbott's decision to try to axe the Climate Change Authority shows his complete hostility to independent expert advice.

The coalition makes the argument that the Department of Environment can do the work of the Climate Commission and the Climate Change Authority. But this is a government that has already fired three senior public servants, including the former secretary of the Department of Climate Change, Blair Comley, who dared to be more frank and fearless than the coalition wanted to hear. It is a disturbing pattern. If you say things this government does not want to hear, you will be shown the door. It makes you question whether the Department of the Environment can be expected to keep the public properly informed. If the government gets away with it and scraps the Climate Change Authority, primarily it seems because those opposite do not like what it has to say, can anyone seriously expect the Department of the
Environment to fill the void when their jobs are constantly at risk from a coalition government that is seeking to remove anyone who will hold them to account?

It should be left to the Climate Change Authority to advise the government in the area of climate change, not the department. The Climate Change Authority is independent and it is there to provide expert advice. As we know, Mr Abbott's coalition government is lukewarm on this approach.

Senator DASTYARI (New South Wales) (12:08): I think it is important in this debate to acknowledge that there are some things that are agreed on by both sides of this chamber. One of them is that there is an agreement that we should abolish the carbon tax. But, while the fixed price on carbon should end by 30 June next year, it should end with a transition to a floating carbon price. Labor believe that we must support the most effective and least costly way of reducing carbon pollution.

The scientific consensus on climate change—that global warming is occurring and human activity is a contributing factor—has been settled. The Fifth Assessment Report of the Intergovernmental Panel on Climate Change, the IPCC, was released on 27 September last year. It states the inescapable scientific facts: 'Warming of the climate system is unequivocal and, since the 1950s, many of the observed changes are unprecedented over decades to millennia. The atmosphere and ocean have warmed, the amounts of snow and ice have diminished, sea level has risen and the concentrations of greenhouse gases have increased.' The fact that in 2014 we in this chamber still have to, in part, have a debate about whether or not climate change is real is an indictment of this chamber and an indictment of the debate that this nation has been having on this issue in the past few years. Observed changes have included more extreme weather events, more warm days and nights and greater frequency of heatwaves. The report concludes it extremely likely that more than half of the observed increase in global average surface temperature from 1951 to 2010 was caused by human activity.

The reality of climate change is fundamentally changing our strategic view of the world. In his contribution in the other place, the member for Isaacs pointed out that the Pentagon has identified climate change as one of the greatest security challenges we will face in coming decades. Addressing an international security forum in November last year, US Defense Secretary Chuck Hagel said that climate change was heightening global instability. The new arctic strategy he announced was dealing with what he described as a new frontier, opened up by the rapidly-changing conditions in that region.

We have to see this Climate Change Authority (Abolition) Bill through the prism of this government's approach to science and evidence based policy, and it has been extremely poor. There is an absence of a science minister, as Senator Brown referred to in her speech. There are flags of cuts to organisations such as the CSIRO and there are more cuts coming—unfortunately, we expect, in the area of science and research—as part of the still secret Commission of Audit process. In under a fortnight's time a report will be delivered to the government but the government are yet to give us a detailed timetable on when it will be released to the public, and they are ruling nothing in or out. I worry it will contain another attack on the science community and the science infrastructure of this nation.

Let us take a step back and look at the function of the Climate Change Authority. It provides independent expert advice on Australia's emissions-reduction targets and the scope...
for emissions reductions in Australia. As an independent body based on a similar advisory committee in the UK, it is intended to ensure that climate change policy is directed by evidence and facts rather than political opportunism. It was intended to take the politics out of the debate. Its advice, based not only on scientific evidence but also on economic evidence, is presented to government to inform its decision making.

The UK Committee on Climate Change outlines four strategic priorities:

- Provide independent advice to Government on setting and meeting carbon budgets and preparing for climate change.
- Monitor progress in reducing emissions and achieving carbon budgets
- Conduct independent analysis into climate change science, economics and policy
- Engage with a wide range of organisations and individuals to share evidence and analysis

These principles are shared with the Climate Change Authority and underpin evidence based policy on climate change. We all know that an evidence based approach is the cornerstone of good public policy. If the government do not have objective, factually accurate, rigorous information available when making a decision, then what are they basing their judgements on?

There are plenty of self-interested stakeholders out there, especially those who would benefit from government inaction. Caving into these pressures is not the mark of strong leadership. It is easy to ignore facts when they do not suit your argument, but selectively dismissing evidence is not leadership. The Prime Minister, on 31 July 2011, said: 'I agree it's very wrong to attack scientists, and no-one on the coalition side is doing that.'

Ignoring the evidence on climate change and abolishing independent expert advice to government is an attack. It is an attack on science, on good public policy and on the truth. Scrapping the Climate Change Authority means worse advice to government and amounts to the government looking to be wilfully and, in my view, negligently ignorant of expert scientific evidence on climate change. Responses to climate change have been highly politicised in recent years. That makes it all the more vital to have an agency independent of government that is responsible for advising on this policy area. In July 2011, Malcolm Turnbull said: 'We cannot afford to allow the science to become a partisan issue' and I agree with him, and this is why these bills should not pass.

The broader suite of bills that the Senate will consider is designed to tear apart the entire framework for delivering a cap-and-trade mechanism for reducing carbon emissions in Australia. They will also undermine the solid evidence base on which government decisions will be made. The Renewable Energy Target, when it was initially discussed by former Prime Minister Howard, was seen as a bipartisan pathway. Only a market based approach can guarantee that the Renewable Energy Target can be achieved. What worries me is that, contrary to positions that those opposite have held at different points in time, recent performance and the recent path the coalition has chosen to take are concerning. At the 2007 election—and some of this gets forgotten—the coalition supported putting a price on carbon emissions. The former Prime Minister, John Howard, commissioned a significant report, chaired by Peter Shergold, recommending that Australia support an emissions trading scheme. Releasing the report of John Howard's emissions trading task force, Mr Shergold said:
Australia should commit to an emissions target...ahead of any comprehensive global response, and it should do that with an emissions trading scheme based upon cap and trade.

The Shergold report also found that 'picking winners will increase the costs we impose on ourselves'. An ETS—an emissions trading scheme—gives incentives for constant business innovation by allowing the market to determine best practice. It empowers the corporate sector to make decisions that improve outcomes for the environment, minimising government bureaucracy and setting rules rather than taking a command-and-control approach. You would think concepts like these would be at the core of the Liberal Party's philosophy when it comes to environmental policy. But instead of rewarding ongoing efficiency, they will do exactly what Shergold cautioned against, and that is pick winners.

The direction the government is heading at the moment is effectively to create one giant slush fund for those the coalition think should be looked after in this process. Different speakers from the other side have slammed the use of slush funds for environmental projects in the past; they believe that only projects that are too risky for the market to fund should be funded. What hypocrisy that such a fund would be the core of their entire carbon policy. The Emissions Reduction Fund, which the coalition describes as the 'centrepiece' of its Direct Action policy, is still in development. One Coalition MP described Direct Action as 'like a school project'. At the moment they keep saying there is an ongoing process of consultation based on a green paper, but what do we actually know about Direct Action? Not much, because this green paper process replaces the policy that they published in 2010. We know what it will be called; we know how much it is going to cost—$2.8 billion over four years. But what we do not know is how it is going work and what worries me is neither does the government.

That is why they still have key questions unanswered in their green paper: They are questions like: how do we work out whether emissions reductions are genuine? How are emissions reductions calculated? How do we run an efficient tender process that actually subsidises the lowest-cost emissions reductions? How do we apply and enforce a safeguard mechanism against baselines being exceeded? What should the governance arrangements for the Clean Energy Regulator be? Are any processes available for this to be reviewed? It seems to me that some of these questions are very basic, and the lack of detail that has been provided by the government—outside a few slogans and documents that they themselves are now insisting they need to review—is very worrying.

The series of bills we have been debating will abolish the entire framework for managing emissions reductions, while nothing will replace it until the coalition sort out an alternative. Frankly, for the Australian public, on an issue as serious as climate change, this is just not good enough.

The government have allocated a budget without even detailing their own policy. The member for Isaacs said in the other place: Those opposite pretend that the abolition of the fixed price on carbon will lead to lower electricity costs. They pretend that taxpayers will somehow be better off; they pretend that this legislation is somehow business friendly; and they pretend that their policy can achieve the same environmental outcomes as Labor's. Nothing could be further from the truth. The coalition's policy is a hoax on the Australian electorate.
The government are seeking to repeal the carbon pricing mechanism without even coming up with a genuine alternative. Good public policy on climate change has fallen victim to the political and campaign interests of the coalition.

At the end of the day, the coalition's decision to repeal the carbon pricing mechanism was not about finding a solution to the climate change challenges that face this nation; neither was it about finding a solution to improve the economic and social framework for emissions reduction. It was about getting through an election campaign. These facts are clear now that we are on the other side and see no detail of the policy. How can we expect the government to achieve anywhere near their emissions-reduction target of five per cent below 2000 levels by 2020 when they themselves cannot even outline the details of their policy? Even without knowing the detail, we know that the coalition are going the wrong way on the fundamental design and framework of their policy.

The government are proposing to replace a policy that is working with a policy that experts say will not work. The Shergold report said that not choosing an ETS would 'impose a far heavier burden on economic activity' and that the cost of measures such as Direct Action would be 'enormous'. The Shergold report was commissioned by John Howard. Geoff Carmody—a co-founder of Access Economics, a former Treasury official and one of the three people hand-picked to verify the coalition's policy costing figures before the last election—agrees with Shergold. He has written:

In general, ‘direct action’ options tend to be the least cost-effective. That is, they deliver the lowest emissions abatement for a given cost, or the same emissions abatement at the highest cost.

A Fairfax survey of 35 economists which was published on 28 October last year found that 86 per cent favoured an emissions trading scheme while only two supported the Direct Action approach. Justin Wolfers of the Brookings Institution and the University of Michigan describes Direct Action as producing 'more economic disruption for a lesser environmental pay-off'. On a floating carbon price versus a system of picking winners, Rob Henderson, a National Australia Bank senior economist says:

If I had to make a choice between pricing carbon and having bureaucrats allocating permits, then I’m going to go for the market mechanism every time.

This view is shared by BT's Chris Caton, who said that any economist who did not favour an emissions trading approach 'should hand his degree back'.

We know that by pricing carbon we will empower the market to create incentives for business to shift to a new, cleaner standard of practice which will reduce our negative impact on the environment. Labor supports the abolition of the fixed carbon price, but our support for abolishing the carbon tax must depend on Australia's moving soon to an emissions trading scheme—a market based mechanism which rewards innovation and adaptation, discourages inefficient and environmentally damaging practice and helps us meet our emissions-reduction targets. We in the Labor Party are willing to work across the aisle to develop an emissions trading scheme that provides the best environmental outcomes at the lowest cost. That is why these bills should not be supported—emissions reduction is too important, and good public policy cannot be allowed to fall victim to partisan politics.

**Senator SIEWERT** (Western Australia—Australian Greens Whip) (12:27): The Greens, as our leader, Christine Milne, articulated in her contribution to this debate, will be opposing the abolition of the Climate Change Authority. The Climate Change Authority is an essential
part of our national infrastructure. It, along with the Clean Energy Finance Corporation, is essential in creating the zero-carbon economy which we all must achieve if we are to continue our shared prosperity. We always believed, and we continue to believe, that the carbon package which was debated in this place under the previous government is an essential package of legislation which, if it continues to be implemented, will reduce carbon emissions and ensure that we have an economy able to grow into the future and develop our prosperity. It will also enable us to hold our heads up high as part of the global economy in the knowledge that we have a robust economy which can withstand the impact of climate change.

There is absolutely no doubt that climate change is already impacting on our economy, on our environment, on our health, on our agriculture and on our marine ecosystems. Every part of our existence will be and is being impacted by climate change. To know this you only have to look at the extreme weather events of this summer and see the number of people being impacted by them—the casualties of the heatwaves who have unfortunately passed away as a result of the excessive heat we are suffering. This century has seen the 13 hottest years on record.

The Climate Change Authority was established as part of the Clean Energy Future package of legislation, along with the Clean Energy Finance Corporation. They are both key to achieving the change that we need in this country. They are institutions that the Abbott government has targeted in its effort to wind back the clock—part of this government's denial of climate change and its impacts. It is irresponsible of this government to be getting rid of this essential infrastructure. We know that a five per cent reduction in emissions is totally inadequate; in fact, unless we recognise this, we are and will be for the future a global joke. The Climate Change Authority was set up to depoliticise the process of setting greenhouse gas reduction targets. Perhaps Mr Abbott thinks that, by getting rid of the authority, he will make climate change go away! The Prime Minister has not distinguished himself in his leadership on climate change. He continues to make Australia a pariah and a joke by his denial, by burying his head in the sand, and by dismantling institutions that are leading-edge in their ability to tackle climate change. The Prime Minister is crippling our economy with his denial of climate change and his denial of its impacts on our economy. He is putting the halters around the process of developing a clean green economy and our ability to be leaders in renewable energy. We are looking backwards by continuing to subsidise fossil fuel industries, and by continuing to believe they are the future. It should be recognised that they are fossil fuels—that is, fossils of the past. The future is investment in renewable energies.

We in this country used to be leaders in the development of renewable energy. My home state of Western Australia was a leader in solar research—until the Howard government came in, cut funding to that research, and took us backwards again. We are just getting back on the right track with that investment, just starting to get ahead in showing our leadership once again in the development of renewables—and we are being nobbled again by going back to the future, by burying our heads in the sand and by trying to undermine the clean green economy. And this is happening just at a time when we are losing some of that manufacturing base in Australia. Here we go again, let's undermine the very industries that can start leading our economy and developing our economy again.

The Climate Change Authority is, as many speakers in this place have articulated, an independent advisory body. It is a very difficult task—and they always envisaged that it
would be—to depoliticise this process. But, of course, it is the very independence of this body that is an anathema to the government. They do not want to hear the advice—because then they may need to take it on board and action it—about climate change and about how we could be really making a difference. We have the old industries that have a vested interest in continuing business as usual, while the government make their money from subsidies and wring out the last little bit of money they can from an economy that they are wrecking—because they are entrenching the old way of doing business, while hobbling what is going to be the new future for this country in terms of our economy. They have got those old big-business buddies in their ears saying, ‘Get rid of it, wind it back.’ It is winding us back. It is hobbling our futures and our children’s futures. That is what this process does: it undermines the future for our children and for their children.

The authority should be able to provide fearless advice based on the science. And that is the other area where we are having a problem: climate change is actually based on science. Not on what people think, not on what it is in their waters, but on the science. We now do not have a minister for science, and we have seen other examples of the failure by the government to look at the evidence and the science. It is almost as if science has become a dirty word in this country. But if it was not for our investment in science, where would we be? The CSIRO has been a world leader and has developed world leading technology based on— I hate to say it—science. And yet here we are again, ignoring and getting rid of the body that can provide that independent advice that is based on the science.

The authority exists to provide advice to the government, to the parliament and, through them, to the Australian people. The advice is independent, it is based on science, and it is given in the context of international action and responsibility. The authority's draft report said of the major parties' mutual pact for the five per cent reductions that it 'would require an implausibly rapid acceleration of effort beyond 2020'. It would also mean that Australia would have used 86 per cent of its national emissions budget at the halfway point to 2050. The authority is there to chart our country's course through the 21st century by issuing and helping to develop the level of capped emissions our economy can produce in any given year. They gave us a figure of total emissions Australia could produce to play our part in limiting global warming to less than two degrees: 10,100 million tonnes of carbon dioxide equivalent until 2050. That is one per cent of the global budget. Any future national discussion around so-called budget emergencies should be based on this figure provided by the Climate Change Authority. This is part of a budget. This is a true budget emergency. If we do not properly address climate change, we will be having lots of budget emergencies in the future. That is not being recognised.

Another crucial role the Climate Change Authority plays, which is completely absent in the government's Direct Action Plan, is the provision of investment certainty. The authority recommends emission caps in five-year blocks out into the future. This sets the number of permits for the market, ensuring that all players know exactly how to arrange their business affairs over those periods. With the Direct Action Plan, we will only have contracts that last for five years. Banks will not want to finance any investments over such short, finite periods. The Climate Change Authority is the bedrock for clean technology investors. These investors are the future of this country. They are the future of our economy. They have been thrown into deep turmoil. Investment has ceased because of the absence of certainty under this
government. The Climate Change Authority disappearing will entrench that turmoil and undermine investment in the development of renewable energy.

The Climate Change Authority also has responsibility for reviewing climate programs, such as the renewable energy target, as part of its legal obligation to provide independent advice. As I said, it is this independence that the government does not want. I think the whole business sector should be nervous that the government does not want this independent advice. This repeal bill hands renewable energy review powers over to the minister's department. It takes away that independence. Why is the government afraid of the independent advice the authority provides?

Getting rid of the Climate Change Authority will make us even more of a joke on the global stage. We set up these two bodies—the Climate Change Authority and the Clean Energy Finance Corporation—to be a critical part of the infrastructure we need for charting our way through climate change, for developing an economy that is robust in the face of climate change. We set up these two bodies as part of our package, as part of our legislative process to address climate change. The world thinks we are a joke for abolishing them.

This is all about the impact of climate change. While the coalition government continues to deny it, the reality is that businesses, farmers and others who are managing our natural resources are addressing climate change and managing its impact virtually every day now. In my home state of Western Australia, it is true that we have had a bumper harvest. You could look at that and think: 'All is well. This climate change stuff—what are they talking about?'

But, if you delve behind the headline figures, you see that there are at least 150 farmers who were, yet again, in drought this year. They did not get adequate rainfall and were not able to get a crop off—and this is not the first year this has happened to them. Some of them have had a bad run for the last three, four or five years. That is happening more and more.

We also have the drought in Queensland of course. Our Minister for the Environment says, 'You can't plan for drought—this is an exceptional circumstance.' Unfortunately, with climate change, droughts will not be an exceptional circumstance. Climate change means we will get much drier and more variable conditions and that we will get more and more extreme weather events. So our farmers and our agricultural sector have to plan for that—plan for droughts, plan for extreme weather events. We can no longer treat them as 'exceptional circumstances', because they no longer will be.

We are a long way behind the eight ball because we have not been adequately planning for the impact of climate change. We do not have in place the resilient agricultural systems we need. We do not have ready to go the new crop varieties that can adapt to climate change. We do not yet have the landscape scale models of land management that we need in order to address climate change. We do not have the investment in R&D to develop those systems. In the programs we are developing to address drought, we are not building in climate change issues. We are not building processes for working in partnership with the farming community to develop more resilient systems or to address climate change issues across catchment and farm boundaries.

Given this government's approach to climate change, I have no faith that, in the short term, we are going to be taking those messages on board. In fact it is quite clear, given Minister Joyce's comments, that we are ignoring the impact of climate change. That is not to say that we should not be helping those farmers affected by drought. We need to do that. But that
assistance needs to incorporate an investment in helping farmers build resilience into their operations over the long term. That is missing. But how can you expect such sensible policies from a government that is in denial over the impact of climate change?

I have spoken a number of times in this place about the impact of climate change on the marine environment. We have had marine heatwaves off the west coast of Western Australia. We are seeing the impact of climate change and warming oceans. Again, the science—I say that word again, although I am wondering if it will soon be one of those words you are not allowed to say in this place—is showing those impacts. We need to be putting in place systems that manage that climate change. But what do we see from this government? Just before Christmas we saw them abandon—axe—the management plans for the world's leading system of marine parks.

Debate interrupted.

MATTERS OF PUBLIC INTEREST

The ACTING DEPUTY PRESIDENT (Senator Furner) (12:45): Order! It being 12.45 pm, I call on matters of public interest.

Violence

Senator FAWCETT (South Australia) (12:45): The matter of public interest I wish to raise is the issue of violence fuelled by alcohol and drugs. Unfortunately this has been in the headlines again this year, and we have seen much discussion and even controversy about who is involved and how we should respond. I want briefly today to cover some of the current understanding of the scale of the issue, to touch on some of the groups who are responding, and to update the Senate on developments just in the last fortnight that I think are very positive in terms of developing a national holistic response to preventing some of these issues that we have seen unfortunately so recently, in Kings Cross on New Year's Eve.

New South Wales has suffered from this violence more than any other state, with over 88,000 men and women reporting over a year that their attackers, whether they be known or unknown, were affected by drugs or alcohol. Data from the ABS indicates that paramedics state that almost half of all attacks on men and 35 per cent of those on women come from complete strangers. Figures from 2011-12 show that over 70 per cent of those attacks were blamed on drugs or alcohol. There is a similar situation in Western Australia and Tasmania, where over 70 per cent of physical assaults are by strangers and, again, they are blamed on drugs and alcohol. In Victoria the figure is slightly less—67 per cent—and it is nearly 42 per cent in South Australia.

Whilst the total numbers of young people affected by this violence may be less than those affected by things like motor vehicle accidents, it is clearly an issue that is impacting on our communities across the nation. In the last 14 years some 91 lives have been lost to what is known as the king hit or coward's punch type of violence, but it is important to understand that for every one of those lives that has been lost there are many people who have been the victims of that kind of attack who, while they may not have lost their life, have lost their health and their confidence, and it has impacted on immediate and extended families and on peers and in workplaces. There is a significant burden from this kind of violence, and it is spread across our nation.
The Prime Minister picked up on this in a piece he wrote for The Daily Telegraph on 10 January: in years past young people went out for a few drinks on a Saturday night and occasionally some of them would have too many and fights and disturbances may have developed from that, but increasingly we are seeing a trend where people deliberately pre-drink before they go out, with the intention of getting absolutely blotto. Before they even hit the venues, many of them are well over the limit—they are well intoxicated and not necessarily in control of their actions. There is a stepped change in culture. If you overlay that with the impact of illicit drugs, you have a cocktail for a disastrous situation and a culture where in some cases people go looking for a victim as opposed to young men with too much to drink who may be spoiling for a fight.

Some of the research being done shows that more than half of alcohol consumed is consumed on weekends, with nearly a third being consumed during pre night out drinks. More than 40 per cent said that a typical drinking day started between 6 and 8 pm, with about a quarter going on until 2 am and 13 per cent continuing until around four in the morning. About 21 per cent admit that they go out intending to get drunk and, interestingly in terms of the issue of violence, around 20 per cent indicate that even if they saw a dangerous situation developing, particularly if it involved one of their friends, they would not walk away—they would not seek to extract themselves from the situation. This developing culture is leading to the scenarios where some of these violent incidents occur.

The response in New South Wales is understandable. Many people want to know why the legislative response of throwing the book at somebody and locking them up is not stronger. There is a case for laws to be punitive, hopefully providing a deterrent or at least taking people with that kind of tendency off the street. But it is not the full answer. By the time an event has occurred, the damage has been done. Our emergency wards are full of families in distress—the person has lost their life or their health or their confidence or their mental health. That damage has been done, and so prevention has to be a large part of dealing with the problem.

Across the states a number of foundations have started, often led by the families who have been most impacted by this violence, seeking to bring about change—whether that be legislative change, whether it be change in terms of liquor licensing or in response to illicit drugs, or in some cases whether it is looking at the longer term view of education. The Prime Minister highlighted this in his article in January when he acknowledged that, yes, we all want to see a legal response but he also highlighted the need to understand the impact of drugs—there is a need to tackle the problem in a comprehensive and considered way so there are not just knee-jerk reactions or actions that give the appearance of a response but do not have a long-term impact—and we need to get community solutions between the levels of government and police, pubs, clubs, locals and residents. I am glad to say that, to a large extent, that is starting to happen.

In South Australia in particular, the group that I would refer to that has a good reputation for this is the Sammy D Foundation. This foundation was established by Nat Cook and Neil Davis in 2008 after their son Sam Davis lost his life to a violent and unprovoked assault. What they have sought to do is change the environment so that we do not see more of these attacks take place. Whilst they acknowledge that there is a place for a legislative response around penalties and around liquor licensing, they have sought to work proactively in three
key areas— with governments, with the liquor industry but particularly with communities, families and high schools. They have reached some 25,000 young people in the five years that they have been operating.

Their program has three main elements. The first element is the impact. What is the impact that one punch can have? Many people who are exposed purely to the Hollywood version of violence do not understand what the reality of physical contact can do, so the aim of this program is to interact with young people and show both the emotional and physical impact that that violence can have. Some of the responses are showing that, even months down the track, there is still a very high percentage, 90-odd per cent, whose attitude has changed because of the awareness of the impact of that kind of violence that has been given to them.

They also recognise that some of the people who perpetrate this sort of violence are not connected to others. They do not have mentors in their life to provide guidance, to be role models or to be examples of how to responsibly engage with others—how to deal with conflict or stress or other issues in their lives. So they have a Connect program which is all about mentoring. Again, some thousands of young people in South Australia have benefited from this program.

The last area in which they work is informing schools, parents and organisations about how to run parties—the rights and responsibilities, the norms; how you can identify dangerous situations developing, how you can defuse them, how you can walk away from them and how you can avoid the escalation that results in violence. All of these are important parts of changing the culture by providing education so that more people have a motivation and are equipped to make wise life choices that will not see them in that situation.

Unfortunately, while the Sammy D Foundation have done a range of work in that area and, in fact, have done some research and much training, we do not see that replicated uniformly across the country. To date, there has not been an opportunity for these bodies to learn from each other, to learn what other foundations are doing. So I am pleased to be able to report to the Senate that, just this month, key organisations from different states came here to Canberra to meet and to look at ways that they collectively can pool their resources, their knowledge and their approaches so that we can benefit from each state's experience and have a more holistic national approach, whether that be in the liquor licensing area, in the area of law and punishment or, particularly, in the area of preventative work. The Step Back Think group from Victoria, the Sammy D Foundation from South Australia, the Matthew Stanley Foundation from Queensland, the Injury Control Council of Western Australia, the IF Foundation from Western Australia, STOP One Punch Can Kill from Victoria and the Queensland Homicide Victims Support Group were the groups that met, and I understand that, since then, there have been discussions with groups out of New South Wales. They came to an understanding that there was a real benefit in coming together and establishing a national framework for collaboration on research and best practice in terms of education, and in having a national strategy to make sure there is the best use of the resources that are applied.

As the Prime Minister indicated in his article and in subsequent comments, this is largely an issue that falls within the remit of state and territory governments because the laws to do with both crime and liquor are made at that level of government. But that should not stop us seeking to work collaboratively with the private sector and all three levels of government to
make sure that the groups who are doing this research and this education have the very best possible chance of applying best practice for the benefit of our children.

This new collective put out a document, *Stop the punch—a collective and national response to violence*, which sets out the three-phase program they are seeking to implement. One is to get evidence based national research which will underpin both the reactive and proactive approaches to violence. Another is to produce resources that can be drawn on nationally in terms of education and prevention programs. The approach would be similar to the National Drug Strategy, where there is coordination and a national view about how each state and territory will work towards controlling drugs. Certainly, COAG, through something like the proposed council on law, crime and community safety, may be one vehicle for bringing the states together from a government perspective to replicate or work in parallel with the work that these groups are doing.

I think it is important that as senators representing each state and territory in Australia we look at this issue and understand that this is an opportunity for us to support not only different levels of government through COAG but also the foundations that are working at the community level and bring together the best of their knowledge and best practice so that we can have a holistic approach that, where possible, will avoid rather than just punish the actions and consequences of alcohol and drug fuelled violence. I commend this new national collective to senators in this place and ask that, as appropriate and as possible, you get involved in supporting these types of groups in your state to make sure that we do indeed provide a better future for our children.

**Abbott Government**

**Senator O'NEILL** (New South Wales) (12:59): I rise today to talk about yet another broken promise from what appears to be an already tired and worn-out government. It is a government that is so bereft of foresight and vision that it has resorted to flailing around in search of any nasties that previous coalition governments had thought fit to hoist on the Australian people. One could be forgiven for feeling as though we have stepped into some sort of sad movie, a mixed-tape of coalition catastrophes of old that have besmirched our nation's history; or, a book of bad ideas, you might say, with a spoiler alert that says it all ends in tears.

We have had the 'hide the boats', the 'stop the boats' and the 'tow the boats' debacle from a government so inept at handling foreign policy that it has severely damaged our relationship with Indonesia—a relationship repaired and strengthened for years under Labor, only to be destroyed in just a few short months of this coalition's misadministration. No amount of censorship, secrecy or hiding behind our nation's fine servicemen in the name of political expedience can hide the shame that Prime Minister Abbott and Minister Morrison have brought on themselves for their ham-fisted attempt at gunboat diplomacy. On the upside, there are more Indonesian patrols on their southern approaches, but I doubt if they are in a very cooperative mood.

We have had the typical attack, which we have sadly come to expect from a Liberal coalition government, on those in our community who are without work, with a slated review to find ways to make already difficult lives a little harder. We have had the trademark coalition assault on our public broadcaster for daring to publish stories critical of the government, swiftly followed by the promise to cut a quarter of a billion dollars in funding.
and the launch of an efficiency review, which will no on doubt result in even more cuts. We have had billions of dollars cut from education, with the Prime Minister brazenly breaking his erstwhile promise to be on a unity ticket with Labor on schools funding, as well as cuts to vital support to parents with the slashing of the schoolkids bonus.

We are also currently witnessing an unprecedented attack on our public health care, with the coalition launching reviews and commissions of audit to look at how best to gut Medicare. The minister is on record stating that Medicare is 'unsustainable'. He has flagged cuts to Medicare, including front-line services; these are clearly in his sights. Medicare Locals, set up by the Rudd-Gillard government, are in the minister's sights. Labor set up 61 Medicare Locals to strengthen the provision of bulk-billing primary care services in our community and to take pressure off secondary care services and hospitals. Indeed, as the former member for Robertson, I was one of many members of the House of Representatives who wore a path to the minister's office to clearly identify where those Medicare local areas would be geographically and what they would consist of culturally to make sure that we created communities of concern, communities of care, that were practical and responsive to community needs. They are our front-line primary health undergirding and construction device to make sure that we get into the community.

Medicare Locals have enabled the federal government to identify and deliver specific needs for local services, as well as plan for the delivery of services to address inequities through the development of target preventative health initiatives, the deployment of additional medical staff and the provision of out-of-hours GP services. They have been incredibly effective in anyone's book. Medicare Locals have provided the framework for the Commonwealth to directly engage in the provision of local primary care and planning and to improve the overall health of our communities, thereby reducing pressures on our hospital networks, which are a significant part of the state governments' budgets.

In my local community, the Central Coast NSW Medicare Local has been ably led and is very much embedded in the community. It delivers fantastic health initiatives and improved health outcomes for that population. It has been providing this through high quality primary health care services since opening its doors on 1 July 2012. There are many areas on which I could speak about its contribution to the better health of the families of the Central Coast but I would like to highlight, particularly in this week of the Closing the Gap report, the many services it provides to our local Aboriginal community.

Also, on this day, I acknowledge in the gallery two fine aunts from the Central Coast, Aunty Di O'Brien and Aunty Anita, who are elders and well-respected in the community. They come from other lands around the country, down from the Murray; I think the Wiradjuri are there. They have made a wonderful contribution over very many years to the Central Coast. It is an honour to have you here with us today. I am pleased that you are able to be in the chamber to hear the Closing the Gap report, because your lives have witnessed such incredible disadvantage. I know from my conversations with you and the community on the Central Coast how powerful the Medicare Locals initiative has been in engaging and helping the health outcomes in the Indigenous community. There are a few indicators of the changes that have been achieved, including the 74 Aboriginal clients registered on the Central Coast with the CCSS program. I know from conversations with Di O'Brien that her outreach into the community has been particularly effective and that other communities around the nation...
have been seeking her guidance on exactly how she has been able to achieve so much in such a short period of time. Not only is Di a hero in our community, she is acknowledged nationally for her great contribution.

The Medicare Local is very much a front-line service, and one of the things that it provides is transport for Aboriginal people with health conditions who were isolating themselves from the community. These people were unable to move, unable to get to health care and unable to be connected to community. These things impact on not just physical health and wellbeing but mental health and wellbeing. That critical provision of transport has made a very, very big difference to the lives of many local people.

The increased awareness in our community of different Aboriginal health programs that are available, like the PIPiHI program and the Closing the Gap initiative, has meant that health awareness is growing and people are taking the opportunity to increase particularly their awareness about chronic disease. Support for people with chronic diseases, and those in danger of developing them, has been targeted with very specific programs and outreach.

It really concerns me when I hear furphies about Medicare Locals being perpetrated in a public place and conversations that say, 'These are only bureaucratic backroom workers.' It is not a backroom worker who puts an ill person into transport and reconnects them with the community and their health care, to which they have a right as a citizen of Australia. It is not a backroom person working on papers who goes out, picks somebody up and takes them to the doctor and gives them access to the support they need to manage their chronic health issue. These are front-line, highly skilled and culturally aware community workers who need to continue to do the work that they do. I have an incredible fear that in slashing and burning these great initiatives, which were described this morning at the Closing the Gap report breakfast as having established the foundations on which we will build to close the gap, we could lose the initiatives that we have so far put in place and lose the hard-won gains that we have achieved.

Medicare Locals also provided a cervical screening nurse at Mingaletta, which is their cultural home for health care on the Woy Woy peninsula. It is important that you go somewhere where you feel comfortable and safe if you are facing challenges and wanting to increase your sense of awareness. Going to have a cervical screening for the first time can be something that is very disconcerting. To go to somewhere where you know that you are going to be supported before and after is a really powerful way of increasing that health outcome.

We have also had great days out at the Gosford Showground with the Aboriginal unit attending many different community events, and, in particular, raising community awareness about health at an annual event. I am very pleased to say that today I am wearing a piece of jewellery that Aunty Colleen made for me, which I got in September—maybe August—at the event last year.

We are also finding that our front-line workers, supported by Medicare Locals, in the Aboriginal health area on the coast are visiting GP practices and providing real-time and in situ education about what it is to make the experience of going to a GP more culturally approachable for Indigenous people. There are visible signs and posters in practices, and staff are increasing their cultural awareness of engaging with Indigenous people. We know that GPs and practice managers have met at Mingaletta, and there are very many stories. I know that we have the Eleanor Duncan and Mingaletta health centres on the north and south of the
coast of the local health district, and they are working together. In some cases, and in some areas, it is for the first time. This is one of the critical things that cannot be overlooked about what Medicare Locals are doing. Where there were no connections, they have now been made because of the efforts of those engaged in Medicare Locals ensuring that preventive health access and education is being provided.

For a government that railed in opposition for an increase in front-line services, it stands to reason that this government should be looking to increase funding for a policy like Medicare Locals, which does exactly that. But, sadly, it seems you would be wrong. The Medicare Locals networks employ 3,000 front-line health workers, though according to Mr Dutton these positions are, as I said, bureaucratic. The guiding principle of the coalition, he said, will be ‘to take money away from bureaucratic wages’. Despite the Prime Minister promising before the election that they would not shut any Medicare Locals, the government has subsequently launched a review into the network. Asked repeatedly to rule out the closure of Medicare Locals, Minister Dutton has pointedly declined, hinting that cuts are on the cards. He has of course previously advocated for the abolition of all Medicare Locals, before having a poll-driven eleventh-hour conversion before the election. So it is little wonder that the government has chosen to backflip on its promise of convenience.

It is evident that in launching this review the Abbott government is looking to axe Medicare Locals across Australia. Clearly, Minister Dutton is on the record as showing contempt for them and he has recently added statements on the unsustainability of Medicare amid reports of a proposed introduction of a GP tax. The government, sadly, has already axed millions of dollars in funding for medical research and has abolished a number of preventive health bodies. I particularly want to note the abolition of the 50-year-old Alcohol and Other Drug Council. It is quite timely that I make this speech after the senator has just been speaking about issues of concern regarding drugs in our community and the one-punch laws that are now being mooted. If we do not want to get to a situation—as we have—where one-punch laws need to come in and where this becomes an issue of order, we must invest in health and education.

This is a matter of public interest because people all around the country in the last four years have had the benefit of finding that Medicare Locals are oiling the wheels that were so long neglected in terms of integrating all of the health infrastructure and capacity that was out there but was latent and not meeting community needs.

I do believe that you, Mr Acting Deputy President Smith, are on the record as supporting the GP $6 fee. That is of some concern. I hope that I stand corrected because certainly in the areas that I represent as a senator, and particularly on the Central Coast, which I know so well, the challenge of getting to a doctor was pretty big. We resolved much of that during the time Labor was in government. But for the people who have just begun to properly use their local doctors to support them in their personal health care, the impost of $6 for a potential visit would be just too much.

Assistant health minister Fiona Nash's chief of staff, we have found out, is married to the head of a lobbying outfit that works for the junk food industry. The Liberal Party took $107,000 from the tobacco industry in the last financial year alone. When we consider this, it is little wonder that we are sadly seeing this lack of regard for public health. It is the 30th anniversary year of Medicare, and, on this day of all days, when we are articulating our
shared commitment to Closing the Gap, I fear for what might happen with this government's continued decimation of Medicare Locals. *(Time expired)*

**Sri Lanka**

**Senator MILNE** (Tasmania—Leader of the Australian Greens) *(13:14)*: I rise today to draw to the attention of parliament the forthcoming meeting of the United Nations Human Rights Committee. A meeting will be held in March where a resolution by the United States of America will call for the support of a full independent inquiry into war crimes in Sri Lanka. I believe it is time that Australia stepped up and supported that call. In that context I seek leave to table the Public Interest Advocacy Centre's international report on the International Crimes Evidence Project entitled *Island of impunity? Investigation into international crimes in the final stages of the Sri Lankan civil war.*

Leave granted.

**Senator MILNE:** In talking about Sri Lanka, I want to point out that this is a country that I love. I first visited it in 1982 and was taken by the friendliness of the people, the rich culture, the fabulous food and the wonderful environment. It is a great country. I revisited it in 2012 after the end of the civil war and was horrified by what I saw. Sri Lanka is now an elected dictatorship. It is not a democracy as it would purport to be. It is controlled by the Rajapaksa family and the dictatorship is effective because of the 18th amendment that was passed which effectively gives that family control of the country into the future. It is worth noting that, in total, 29 members of President Rajapaksa's extended family hold senior positions within the government, civil service, media and industry. President Rajapaksa and two of his brothers, a defence secretary, Gotabaya Rajapaksa, and the Minister of Economic Development, Basil Rajapaksa, control at least 45 per cent of Sri Lanka's budget and manage five government ministries. The son of the President is currently in the navy and another brother is the Speaker of Sri Lanka's parliament.

What I saw there is a country where there is no longer a capacity for free or fair elections. The military effectively controls the north and the east of the country and, while peace is apparent, it is a facade, because the conflict goes on. There is the alienation of intellectuals throughout the country. People disappear in white vans and they are tortured. Many are never seen again. They are from all areas of life and ethnicity, and the reason they disappear is that they speak out against the government. There is no allowing of new political parties. In terms of the judiciary, you have the appalling situation that, since the end of the war, the Rajapaksa government has centralised power in the executive of the military, dismantled existing checks on presidential and military power and culminated in the impeachment of the Chief Justice.

The International Crisis Group has called this a fatal blow to the already slim opportunity to re-establish independent institutions and the rule of law. The International Crisis Group report further stated that the dismantling of the independent judiciary and other democratic checks on the executive and military will inevitably feed the growing ethnic tension resulting from the absence of power sharing and the denial of minority rights. But not only that; you now have the Rajapaksa regime effectively controlling propaganda throughout the country. There is repression of the Tamil minorities. There are billboards everywhere that advocate for the power of President Rajapaksa. It is evident that the media messages are controlled so that the rural poor in particular are kept in line with what the President wants. While I was there I

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**CHAMBER**
bought a painting called This is not a White Van. It is now hanging in my office in Parliament House. I bought it to draw attention to the disappearances.

The Australian Greens stood up strongly and urged the former government to not recognise the credentials of the current Sri Lankan High Commissioner to Australia, Thisara Samarasinghe. He was a commander in the Sri Lankan navy during the last days of the war when extreme atrocities were reported. The former government did accept his credentials, and I believe that he will be subject to investigation in terms of the atrocities that were carried out at the end of the war. He was the chief of staff of the Sri Lankan navy in 2009 when the navy carried out the shelling of Tamil women and children in designated safe zones. In my view, this government ought to review the recognition of those credentials. The Australian Greens also rejected the idea of Australia attending CHOGM in Sri Lanka. We called for a boycott because we did not believe Australia ought to be recognising that regime. It is really time that Australia took strong action.

I want to go particularly to the Public Interest Advocacy Centre's report, Island of Impunity? Investigation into international crimes in the final stages of the Sri Lankan civil war. It was developed with the intention of providing key decision makers with independent and credible analysis of allegations of international law breaches committed in the final stages of the Sri Lankan civil war, focusing primarily on the period September 2008 to May 2009. That report has now received substantial international coverage and deserves to. I have tabled it and seek the support of people to actually read it and come to understand how serious this is, that we have in our region a country in which there are people being tortured as we speak, where human rights abuses go on and where a blind eye is being turned by a number of people. It is suggested that one of the reasons the United States and Indian governments, in particular, have not taken on the issue as they might is that China has now moved in effectively to support the Rajapaksa regime. So it is because of the geopolitical context that this is being allowed to go on.

I will go through the allegations. During the armed conflict between the Sri Lankan government and the Liberation Tigers of Tamil Eelam, human rights abuses and violations of international law were widespread. It is alleged that in the final years of the conflict war crimes and crimes against humanity were committed by both government forces and the LTTE. In the aftermath of the conflict there was hope that the Sri Lankan government would investigate the serious allegations of war crimes and human rights abuses, but although the Lessons Learnt and Reconciliation Commission was established by the Rajapaksa government as a result of international pressure the promises of this action plan remain unfulfilled and no tangible action has been taken by the government in response to the allegations. Hence the report's title, Island of Impunity.

The Rajapaksa government has opposed an international inquiry into war crimes and abuses and has been backed in this stance by the main political opposition in Sri Lanka. The current situation has been described by Amnesty International as a 'persistent climate of fear'. While the Sri Lankan conflict might have ended in 2009, the high level of human rights violations in the country remain critically high. The Sri Lankan government shows no real will to account for past crimes and combines that with new attacks on those calling for accountability.
The report compiles a range of evidence that illustrates that an international investigation into war crimes and crimes against humanity is warranted. The available evidence suggests strongly that war crimes and crimes against humanity were committed. Although the evidence suggests that members of both the Sri Lankan security forces and the LTTE were responsible for serious violations of international law, including international human rights law, overwhelmingly the evidence gathered suggests the vast majority of crimes were committed by the Sri Lankan security forces. This includes allegations of attacks in and around civilian areas; restriction of civilian movement; denial of humanitarian assistance; killing, conscripting and enlisting of children; rape and sexual violence; torture and cruel treatment and enforced disappearances. The report also highlights ongoing post-conflict violations, including rape and sexual violence, torture and disappearances.

The United States, Canada and the United Kingdom have all led in their condemnation of the Sri Lankan government to investigate war crimes. In February this year, I am pleased to say, the United States announced that it would table a new human rights resolution against Sri Lanka. US Assistant Secretary of State Nisha Biswal said: There hasn't been sufficient action taken by the government to address the issues of justice and accountability.

The culture of deterioration of human rights gives us great concern when churches and mosques are burnt down and people feel that they cannot practice their faiths freely and without fear. … I believe the urgency that has gripped the international community is justified.

The British Prime Minister has also made some very strong statements, as has the Prime Minister of Canada, but where has Australia been in responding to these gross violations of human rights? The answer is: nowhere. That is simply to do with domestic politics, because the current Prime Minister is more interested in a domestic message about stopping asylum seeker boats than in dealing with the international disgrace that are human rights abuses and with the need for an independent investigation into war crimes in Sri Lanka.

Even though there is now proven to be corruption in the Sri Lankan navy, with regard to people smugglers giving advice to the Australians on the management of people smugglers, we have seen the Prime Minister give two patrol boats to the Sri Lankan navy to intercept asylum seekers. He has refused to criticise Sri Lanka's human rights record, praising Sri Lanka for bringing more freedom and more prosperity. He was praising President Rajapaksa. He went on to say that, while his government—that is, the Australian government—deplores the use of torture:

… we accept that sometimes in difficult circumstances, difficult things happen. That is the most disgraceful statement that an Australian Prime Minister could make, because it is a clear signal that Australia will turn a blind eye to human rights abuses in Sri Lanka. It is unacceptable, and I hope that this parliament will reject it.

The United States has announced its intention to move a resolution in the upcoming meeting of the United Nations Human Rights Council. Australia must follow that lead and co-sponsor the resolution. President Rajapaksa has largely ignored the previous two resolutions adopted by the UNHRC calling for Sri Lanka to investigate war crimes committed by the security forces and by the separatist Tamil Tigers. The fact that, five years after the conclusion of the war, we still have no serious attempt by the Sri Lankan government to
address the crimes proves that Australia should not back away from this. We need leadership now. It is essential that the world stand with Sri Lankans who have demanded full accountability for what happened during the war. I urge members and senators to read the case studies. They are appalling. There were shocking attacks on civilians; rapes and other forms of sexual violence were used to intimidate and destroy populations. In terms of post-conflict violations, there are several new witness testimonies alleging that after the conflict concluded the Sri Lankan security forces destroyed forensic evidence of international crimes, including that human remains from mass burial sites have been exhumed and covertly destroyed.

It is time for an independent and comprehensive international investigation into the allegations of breaches of international law. The Australian Greens put this to the parliament. We must support this. We must get behind the resolution coming up at the meeting of the UNHRC in March. More particularly, Australia must stop appeasing President Rajapaksa and his regime. It is effectively a dictatorship, carrying out human rights abuses and total restriction on democracy in that country. We in this nation cannot turn a blind eye. I call on the Prime Minister to stop the appeasement and instead take a stand for human rights in the international community.

(Time expired)

Sugar

Senator BOSWELL (Queensland) (13:30): On every occasion of our lives sugar has been a part of the celebrations. Those treasured memories of christenings, birthday parties, weddings and anniversaries, for example, have all featured a special cake which contained the ingredient of sugar. Sugar is often at the heart of life's celebration. Sugar is a safe ingredient. It is a natural part of our life and culture. It is a natural product made from plants and cultivated in soil.

The sugar industry is one of Australia's most significant rural industries. It supports some 4½ thousand farmers, who grow sugarcane on family-owned and-operated farms. Sugar is the second-largest export crop in Australia after wheat. We are the third-largest raw sugar suppliers in the world, with 80 per cent of Australia's sugar exported. The sugar industry generates more than 50,000 jobs directly and indirectly in Australia. The industry's total annual revenue is around $2 billion. It is the lifeblood of many coastal communities from northern New South Wales to Far North Queensland. This is an important rural industry that deserves to be supported.

Unfortunately, the sugar industry finds itself under constant attack and facing a barrage of antisugar propaganda. These attacks are often based on claims from unqualified, self-appointed, self-opinionated experts that sugar is causing health problems. In particular, there are claims that sugar consumption is responsible for Australia's increasing level of obesity and consequent problems like diabetes.

Once upon a time the great demon was the amount of fat in food. Now some of these self-proclaimed experts have included sugar. Some people are desperately searching for a simple answer to a very complex question of why Australians are getting fatter. A small but very noisy minority blame sugar. Recently there was a leaked news story that the World Health Organization had received a report from consultants suggesting that the World Health Organization recommendation on the amount of sugar to consume every day should be reduced from 10 per cent to five per cent of daily calories. We have not seen anything official
as yet. I understand this is only a recommendation and that the figure of five per cent versus 10 per cent is an arbitrary one with very little scientific basis. The World Health Organization does valuable work around the world on massive health problems like starvation, malaria and immunisation, and I hope very much that it does not put itself in the position of feeling compelled to downsize the sugar recommendations just because of pressure from individuals desperate to find some simple answer to the complex question of increasing obesity and consequential health problems.

To bring this issue back closer to home, there is no doubt that for some people attacking sugar has led to media coverage, personal publicity and book sales. It has been a great little earner. While the facts do not support their case against sugar, they are not letting facts get in the way of a good story. For example, one thing that they cannot explain is this: if sugar is the reason for obesity levels rising in Australia then why have obesity levels risen at a time when sugar consumption has been falling? Sugar cannot be the culprit behind rising obesity levels if sugar consumption levels have actually been falling. It makes a nonsense of their argument.

It is not just me who says so. The Dietitians Association of Australia says exactly the same thing. The Dietitians Association of Australia is a professional organisation representing qualified dieticians—the very people who are trained to give advice on correct eating habits and the types and amount of food that we should be consuming. This is what the Dietitians Association of Australia says on its website in an item headed 'Sugar and Obesity':

Sugar has been blamed as the 'root of all evil' in Australia's obesity crisis. But the Dietitians Association of Australia believes it is simplistic and unhelpful to blame sugar alone for such a complex issue.

Remember, these are the words of the Dietitians Association and not mine. The Dietitians Association also says:

Despite claims in recently-popular diet books that sugar is the cause of Australia's obesity epidemic, large long-term studies in this area are currently lacking. Interestingly, sugar intake has decreased in Australia over the past 40 years—but as a nation, we continue to put on weight.

A 20-page report, Sugar consumption in Australia: a statistical update, was released last year by Green Pool Commodity Specialists, a private analytical firm based in Brisbane. They produced data on the consumption of sugar in Australia from 1938 to 2011 and showed that the long-term trend in sugar consumption is down, falling from about 55 kilograms per person per year in 1938 to about 42 kilograms in 2011. I do not know what the obesity rates were in Australia in 1938 when people were eating an average of 30 per cent more sugar than we are now, but I am certain it was a fraction of today's figure. One of the reasons, of course, was that people got far more exercise in the thirties. In those days sugar was an important part of people's daily diet, but issues like obesity and diabetes were nowhere near the issues they are today. Sugar is not the problem.

It does not stop people with an axe to grind criticising sugar, of course. One of the noisiest critics of sugar is David Gillespie, who wrote a book in 2008 called Sweet Poison: Why Sugar Makes Us Fat, where he blames sugar, particularly fruit sugar or fructose, for the obesity epidemic as well as many chronic diseases. To prevent or treat obesity as a chronic disease, Gillespie recommends avoiding all sweet-tasting foods other than two daily servings of fruit. This is what the nutrition professionals who make up the not-for-profit organisation Nutrition Australia have to say about his book:
Sweet Poison is based on a gross misinterpretation and neglect of the key aspects of nutrition-related scientific literature … In fact, Sweet Poison is replete with errors and dubious claims.

Nonetheless Sweet Poison: Why Sugar Makes Us Fat was followed by The Sweet Poison Quit Plan and The Sweet Poison Quit Plan Cookbook in both printed and e-book formats.

He followed this up with Big Fat Lies: How The Diet Industry Is Making You Sick, Fat & Poor. He has more recently moved on to oil seeds—what he calls vegetable oils—in another book, Toxic Oil: Why Vegetable Oil Will Kill You & How To Save Yourself. This book opens with the statement: 'Vegetable oils will give you cancer. Every extra mouthful of vegetable oil you consume takes you one step closer to a deadly (and irreversible) outcome.' He argues that seed oils are dangerous to health despite the fact they are recommended by the government health agency. In fact, seed oils—are referred to by nutrition experts as omega-6 oils—are classified as essential oils; they are essential because they are absolutely vital to good health. But our bodies do not manufacture them so we have to obtain them from food; therefore, it is essential that we include omega-6 in our diets. Yet Gillespie is saying that every extra bit of seed oil is taking us closer to cancer. That is just a plain nonsense, the same as his attacks on sugar. This is the level of the so-called science against sugar and seed oil that is attracting headlines in our media and frightening people away from making sensible, safe food choices in appropriate amounts. What is next—wheat because it contains carbohydrates and potatoes because they contain starch? This sort of criticism is a nonsense.

On the other side of the argument are well qualified people with academic qualifications and experience in the field. One of these is Professor Peter Clifton from the Baker IDI Heart and Diabetes Institute. Professor Clifton has been a high-profile clinical nutritional researcher for over 20 years with the CSIRO. Professor Clifton co-authored The CSIRO Total Wellbeing Diet, maintains a clinical practice in the specialty of fat management at Flinders Medical Centre and holds a clinical position at the Royal Adelaide Hospital specialising in the management of diabetes and cardiovascular disease. He is on the record as saying the health impacts of sugar have been overstated. In an interview with the ABC, Professor Clifton sensibly said:

Sugar is just another form of over-consumed calories, easily available and very palatable but no more metabolically deadly than starch or fat calories and certainly not equivalent to alcohol.

The sugar industry faces a lot of challenges. This is an industry that has had to withstand extreme weather, fluctuations on the world market, the strong Australian dollar and many other vicissitudes. Now adding to the challenges the industry faces is a re-energised antisugar lobby desperately stalking the industry and peddling mistruths and half-truths. It appears that 2014 will be the year of bashing sugar.

Just last month a United Kingdom based international antisugar campaign group called Action On Sugar hit the headlines with the statement that sugar is the new tobacco. Action On Sugar claims sugar is a major cause of obesity and that there is increasing evidence that added sugar increases the risk of developing type II diabetes, metabolic syndrome and fatty liver. It calls sugar a public health hazard. However, the UK government National Health Service, or NHS, pointed out in response that there is more than one factor associated with Britain's obesity problem—so the comparison to tobacco is not particularly helpful. The NHS said:

… unlike tobacco, it is possible to consume moderate amounts of sugar within a healthy balanced diet.
We need to dispel the myths that are being sold as truth. After over 150 years of growing and harvesting sugar in Australia, the sugar industry is once again under threat. The industry needs to be defended against this negative antisugar propaganda. This is an important industry supporting many families in Queensland and northern New South Wales, and it finds itself constantly on the defensive. North Queensland sugar grower Paul Schembri, who heads the Queensland industry group Canegrowers, told Mackay's Daily Mercury newspaper recently:

As an industry, we have recognised that in the last five years we have witnessed a very significant escalation in this campaign to demonise sugar … As you know, the basis of it is that a whole range of people are alleging that sugar is giving rise to a range of health issues. We strongly refute that. We are proud of the product we produce — we do not take kindly to having our brand trashed by a whole range of people.

Mr Schembri's view is supported by Nutrition Australia spokesperson Aloysa Hourigan, who points out that sugar is not the issue—the entire diet is the issue. 'It is not the fact we are eating sugar; it is the amount of sugar and the amount of food we consume in total,' Ms Hourigan said. 'It is our total energy intake that's the biggest problem. We need to cut our portions down.'

It is important we keep reinforcing the message that sugar in moderation can be part of a balanced diet. The opponents of sugar, unable to make the case based on science, turn to dramatic language, referring to sugar as 'toxic', 'poison' and 'addictive'. After a review of the scientific literature regarding sugar and addiction, Professor David Benton of Swansea University in the UK said:

There is no support from the human literature for the hypothesis that sugar may be physically addictive.

As a senator from Queensland, where sugar is the most significant agricultural crop, it is important for me to rally against the hype and sensationalism of these antisugar crusaders. I want to reassure consumers that sugar is a safe ingredient and a natural part of life.

**Closing the Gap**

Senator LINES (Western Australia) (13:44): I was proud today to attend Closing the Gap events in our parliament, to see many Aboriginal leaders and all major Aboriginal organisations represented here today and to hear the PM and the Leader of the Opposition deliver their first reports as Prime Minister and Leader of the Opposition on the Closing the Gap report. This demonstrates to all Australians that there is a bipartisan approach to closing the gap, not just here in the federal parliament but across major Aboriginal organisations. I sat in the House of Representatives as the PM and the Leader of the Opposition delivered bipartisan speeches around the release of this year's Closing the Gap report. It is a mixed report card. Unfortunately and sadly there has been little improvement in the literacy and numeracy rates of Aboriginal children. Efforts to halve the gap in child mortality and the target to improve year 12 attainment rates are on track.

It is important to remind ourselves just what the targets were that we signed up to in 2009. We want to halve the mortality gap within a decade. We want to provide access to early childhood education in remote communities in five years. We want to halve the gap in literacy and numeracy achievement within a decade. We want to halve the gap in the rates of year 12 attainment or equivalent attainment by 2020. We want to halve the gap in employment within a decade. We want to close the life expectancy gap within a generation. And the Prime Minister this morning added school attendance rates.
We need a much greater level of accountability of how states are meeting Closing the Gap targets. In my state of Western Australia we are failing Aboriginal people on every single level. In the area of public housing our record is shameful. Western Australia has a three-strikes policy in public housing, which means that if there are complaints about you or other members of your household, no matter who is staying there, you get just three warnings—three strikes: strike 1, strike 2, strike 3—and then you are evicted.

Of course nobody wants bad neighbours but WA’s public housing policy impacts disproportionately on Aboriginal tenants, who make up just 30 per cent of all public housing tenants yet represent 60 per cent of all evictions. There is discretion with this policy but it is rarely, if ever, exercised. You get three strikes and then the bailiff, the police and housing department officials give you just five minutes to vacate your home. Andrew O’Connor, an ABC journalist, reported in late December the plight of three women who were evicted under WA’s three-strikes rule. I want to share the story of one woman. Andrew O’Connor stated:

The 50-year-old Indigenous grandmother wasn’t sure what would come first—the eviction from her public housing home in the Perth’s northern suburbs or death from the cancer that was spreading through her frail and pain-wracked body.

This grandmother told the ABC that she had her left breast removed and when she went back for test results she was told the cancer had spread to her knee, her joints, her brain and her ribs. She was told it was spreading and there was nothing more that could be done. She thought the fact that she was dying would halt the housing department’s proceedings, but it did not. She was given just five minutes to get out of her home once the bailiff, the police and the housing officials arrived.

The grandmother said that it was not her behaviour that neighbours complained about, but the behaviour of visitors who came. The grandmother said she was unable to stop them as she was left weakened by the heavy sedative medication she was on to stop the pain of the cancer. She was evicted nonetheless and died a few weeks later on the streets of Perth a homeless woman, riddled with cancer. Her funeral was just a few weeks ago, on 17 January.

According to estimates by Professor Mary McComish, a lecturer at Notre Dame University in Perth, the three-strikes policy has left around 2,000 Aboriginal children homeless. There are 2,000 children living on the streets, 2,000 children jammed in overcrowded accommodation with friends and relatives, 2,000 children who will not even make it to first base on achieving any of the Closing the Gap targets. The Abbott government must call states to account over policies which disproportionately impact on Aboriginal people and Aboriginal families.

This is not the only policy failure of the Western Australian government in relation to closing the gap. Despite the evidence, the WA government would rather invest in jails than justice reinvestment. Again this disproportionately impacts on Aboriginal people, Aboriginal children and Aboriginal young people. Our rates of juvenile detention in Western Australia have been consistently higher than the national average since the early 1990s. A November 2013 report from the WA Department of Corrective Services stated that almost 80 per cent of children and young people in detention in Western Australia were Aboriginal. Even if the WA government will not be motivated by the fact that juvenile justice works, the cost of incarceration should capture their attention. It costs $624 a day to detain a young person,
compared with just $77 per day for programs which re-engage young people in programs that work.

One of these programs, run by Save the Children in Kununurra, was funded by the former Labor government and was cut just recently by the Abbott government. Despite their alleged bipartisan commitment to closing the gap, this demonstrates that bipartisanship is not just about words—the words we heard today from our Prime Minister—it is about words and actions. Save the Children were working with the Miriuwung Gajerrong preadolescents and teenagers. Save the Children was welcomed by the Kununurra community. The programs Save the Children had in place were working. Save the Children had successfully bid for National Crime Prevention funds to run the Kununurra program, but the coalition did not honour this commitment on taking government, and instead redirected all of that money, including the funds that were working in Kununurra, to a program that focused on CCTV cameras.

'So big deal,' you might say, but let me put on the record some of the appalling statistics for Kununurra. Kununurra is ranked 79 on the Indigenous relative socioeconomic outcomes index, which measures relative disadvantage across Indigenous areas. That ranking of No. 79 puts Kununurra in the lowest quartile not just in Western Australia but nationally. That means it is one of the poorest Aboriginal communities in the country, one of the most disadvantaged. The pooled Indigenous and non-Indigenous relative socioeconomic outcomes index, which measures inequality between Aboriginal and non-Aboriginal populations within the same geographic area, indicates that Kununurra is the most unequal town in Australia, and yet we saw that funding program cut by the Abbott government. A suite of Indigenous outcomes indices demonstrate that Kununurra is the worst ranked remote town in terms of income and the wealth of its Aboriginal population. So by any measure, any measure at all, Kununurra is a town in crisis, it is a town that had working programs and it is a town where the Abbott government simply cruelly cut funding to programs that were working.

In terms of education, Aboriginal children in Kununurra were developmentally vulnerable on two or more domains, double the national average. Poor school attendance and children not reaching national minimum standards for reading and numeracy are rife in Kununurra. Save the Children had the only program in town, so the fact that it is going means nothing will be there. It had the only program in town to tackle these issues. It is currently running 13 programs in Kununurra. Those programs have engaged 90 per cent of Aboriginal children and adolescents in Kununurra and the surrounding areas; almost all of the Aboriginal children in the region have engaged with those programs.

The programs are innovative and culturally relevant. They work with the local Aboriginal organisations to make sure the programs are culturally relevant. They focus on prevention and early intervention support for the Miriuwung Gajerrong children, and they work with teenagers who are at risk of or already experience family violence, child abuse and neglect. These programs are at risk. The Abbott government, despite cutting those programs, needs to match actions against the words of the Prime Minister this morning. These programs in Kununurra must get immediate priority from Mr Abbott, who told us this morning in the House of Representatives that his views had changed. He told us he was committed to closing the gap. Mr Abbott, you cannot ignore the situation in Kununurra any longer, and the Abbott government must ensure the ongoing provision of youth programs in Kununurra.
Without funding, Save the Children believe that there will be increases in the presence of children on the streets, youth crime and substance abuse, that there will be lower rates of school attendance and that youth suicide will increase. Save the Children urgently need funding for their 'chilling space' program.

As Senator Peris said this morning at the Closing the Gap breakfast:

Health equality will never be achieved without education equality. Every Australian child must have equal access to a quality education.

Senator Peris went on to say:

My grandfather once told me, 'Don't just talk about it, be about it'—and that she lives by those words each day. It is time that we saw the Abbott government not just talking about it—we heard those fine words in parliament this morning—but 'being about it', to actually make a difference to the Aboriginal children in Kununurra, to fund the Save the Children programs, to continue the funding of programs which, by any measure you would like to use, are working.

Senator Peris concluded her remarks by saying:

We must increase our efforts. We must sustain the course. We must never use Aboriginal peoples' disparity for political gain.

I urge the Abbott government to get on board with the Save the Children program in Kununurra and to put back the funding that they so cruelly ripped out of that town.

The PRESIDENT: Order! The discussion is now concluded.

QUESTIONS WITHOUT NOTICE

Automotive Industry

Senator KIM CARR (Victoria) (14:00): Mr President, my question is to the Minister representing the Treasurer. I refer to reports in the Australian Financial Review today detailing the contents of a private meeting between the Treasurer and Toyota's Mr Yasuda in Sydney on 3 December, attributed to 'sources familiar with the meeting'. I also refer to the confirmation of this report by the Treasurer on 3AW radio this morning. Is it this government's practice to not only politically disclose private conversations with major companies but also, clearly, misrepresent them in a blatant attempt to blame workers for the government's own policy failures?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:00): I will be answering this question on behalf of the government.

Opposition senators interjecting—

The PRESIDENT: Order! When there is silence on my left, we will proceed.

Senator ABETZ: Let's be perfectly clear: nobody on this side has ever blamed the workers for the demise of jobs.

Opposition senators interjecting—

Senator ABETZ: What we have sought to do on a regular basis, like Paul Keating, like the former Labor Prime Minister—

Opposition senators interjecting—
The PRESIDENT: Order!

Senator ABETZ: Just in case honourable senators opposite did not hear, let me repeat: the government has never blamed the workers for the loss of jobs in the auto sector. What we have done is, like the former Labor Prime Minister, Mr Paul Keating, who blamed the union bosses in the AMWU for the loss of 100,000 manufacturing jobs—not what we on the coalition side say, but what a former Labor Prime Minister said about the trade union bosses in the AMWU, so let's be very clear that politically we have a bipartisan ticket—

Senator Moore: Mr President, I rise on a point of order relating to relevance. In terms of the specific question asked by Senator Carr, I would ask the minister if it is possible that we could get back to that.

Senator ABETZ: Mr President, on the point of order, the question specifically addressed the issue, alleging that the government had blamed workers, and I am debunking that, and absolutely so.

The PRESIDENT: That is debating the issue—

Honourable senators interjecting—

The PRESIDENT: Order, on both sides! There is no point of order. The minister still has 58 seconds remaining.

Senator ABETZ: On 31 October 2013, Toyota issued a media release saying they needed to take 'urgent action' in relation to their workplace agreement to ensure the future viability of their operation in this country. They said:

… the proposed variation is needed if Toyota is to achieve its targets.

And:

… we need to modernise our work practices.

That is what Toyota said on the 31st.

Senator Wong: Mr President, I rise on a point of order. The question was in relation to a meeting between the Treasurer and Toyota on 3 December—

Government senators interjecting—

Senator Wong: The point of order is relevance. And it was in relation to the confirmation of the report in the Financial Review today by the Treasurer on radio. It was not in relation to an October press release. It was a specific question in relation to the Treasurer's confirmation today and the Treasurer's report on the front page of the Financial Review. I would ask you to ask the Leader of the Government in the Senate, who has taken this question in lieu of the minister representing the Treasurer, to return to the question.

The PRESIDENT: The minister has 28 seconds remaining. I remind the minister of the question.

Senator ABETZ: So it would not be inconsistent with Toyota's position if they repeated that which they had said on 31 October in a media release in a discussion in December, given that Toyota had made no decision to close in December. So, of course, Toyota would not have blamed the union for anything in December. (Time expired)

Senator KIM CARR (Victoria) (14:05): Mr President, I ask a supplementary question. I would refer the Leader of the Government in the Senate to Toyota's strongly worded and, I
would suggest to you, unprecedented statement today repudiating the Treasurer's version of events:

Toyota Australia has never blamed the union for its decision to close its manufacturing operations by the end of 2017, neither publicly or in private discussions with any stakeholders.

How can—and this is the crux of the issue, Minister—any company have confidence— (Time expired)

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:06): With all the hyperventilation by the senator opposite, he did not even get his question out. But I will try and get to the crux of what I think he was doing and do him a favour. The fact that Toyota Australia has never blamed the union is not disputed.

But, of course, in a discussion in December last year Toyota had not made its decision to close its manufacturing operations, so how could they have in December blamed something for something they had not even decided? I see the hyperventilation of those opposite, seeking to deal with a matter on which, when this former minister presided over the demise of Mitsubishi and Ford, we took a principled bipartisan approach, acknowledging the difficulties this sector was in. We are now dealing with a mess left by Labor.

Senator KIM CARR (Victoria) (14:07): Mr President, I ask a further supplementary question. Given the Treasurer's false comments today and Mr Abbott's false claims about the workers' conditions at SPC, does this not just confirm a pattern of deceit by this government, which refuses to take responsibility and blames workers and companies for its failures?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:08): The short answer is 'no'. In the event that—somehow, bizarrely and in a most convoluted manner—we are to blame the coalition for the closure of Holden and Toyota—

Senator Kim Carr: So you should!

Senator ABETZ: So we should? Should we then blame Labor for the closure of Mitsubishi and Ford?

Senator Kim Carr: No, because—

Senator ABETZ: 'No!' I love it! You've got to love him, don't you! You've got to love him: Labor—good, Liberal—bad! The same thing happening under the Labor Party is to be praised as something good; the same situation under us is supposedly to be condemned!

Senator Ronaldson: Another own goal!

Honourable senators interjecting—

The PRESIDENT: Order! On both sides!

Senator ABETZ: Can I just remind those opposite that from November 2007 to August 2013 employment in manufacturing alone fell by 127,600—or 12.1 per cent in trend terms—the largest fall of any of the 19 broad industries, whilst Senator Carr was— (Time expired)

Building and Construction Industry

Senator KROGER (Victoria—Chief Government Whip) (14:09): My question is to the Attorney-General, Senator Brandis. Can the Attorney-General please inform the Senate of the
advantages that a royal commission has over a police task force investigation into alleged trade union corruption?

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:10): I thank Senator Kroger for the question. I imagine that the honourable senator has in mind the very surprising remarks of the Leader of the Opposition, Mr Shorten, on Sunday that there ought to be a police task force into trade union corruption but that there should not be a royal commission.

Those remarks were very surprising for a number of reasons—first of all, because, on the very day that the News Limited papers foreshadowed that an announcement might be made the following day, all of a sudden, for the first time, Mr Shorten discovered that there might be a problem with trade union corruption!

Senator Johnston: Oops!

Senator BRANDIS: Oops! So he decided he might try and get in first and say, 'Let us have a police task force, not a royal commission.' Of course, Senator Kroger, as you would know, a royal commission is the very best mechanism for shining the light on widespread, systemic and ingrained illegality across a range of institutions. The police—

Senator Cameron: Give us some more adjectives!

Senator Jacinta Collins: I wonder if he's got his bookshelves yet?

The PRESIDENT: Order! On my left! Senator Brandis is entitled to be heard in silence.

Government senators interjecting—

The PRESIDENT: Order! On my right!

Senator BRANDIS: The police might, of course, investigate individual cases, but a royal commission is established for the very purpose of investigating a culture of corruption. It is not, by the way, an either/or—

Senator Mason: Like the Petrov royal commission!

Senator BRANDIS: Like the Petrov royal commission, I hear Senator Mason say! Of course, it is not an either/or proposition because royal commissions have worked with police task forces and had police investigative agents seconded to them, like the royal commission into institutional child abuse and like the Fitzgerald commission in Queensland, that you will remember from many years ago, Mr President, and, as Senator Mason says, like the Petrov royal commission half a century ago.

So this is the way to attack the problem, and for Mr Shorten—(Time expired)

Senator KROGER (Victoria—Chief Government Whip) (14:12): I thank the minister for that answer and I ask a supplementary question. Will honest trade unionists be able to provide evidence of slush funds, kickbacks, standover tactics and other alleged unlawful activities involving trade unions to the proposed royal commission into trade union governance and corruption?

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:13): Yes, indeed they will. In fact, this royal commission has been established for their benefit—to
The government is in discussions to establish the royal commission at the moment, and among the arrangements that it will have is an inquiry line by which members who have information about corruption and other misconduct referred to in the terms of reference will be able to provide information in confidence to the royal commission. In appropriate cases, they will also be able to provide information in camera.

Now, might I remind those who might be minded to interfere with the work of the royal commission that they do so at risk of committing criminal offences under the Royal Commissions Act.

Senator KROGER (Victoria—Chief Government Whip) (14:14): Mr President, I ask a further supplementary question. Is the Attorney-General aware of any impediments to the proposed royal commission's capacity to expose corruption, fraud and other alleged criminal conduct in the trade union movement?

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:14): Yes, I am. One of those impediments comes from Labor politicians placed in this parliament by those self-same trade union bosses, who speak weasel words and cry crocodile tears about the need for zero tolerance of corruption in the trade union movement. Yet, by their very acts in this parliament, they do everything in their power to prevent that corruption being exposed.

They are people like the former CFMEU official Senator Wong, in her speech to the chamber yesterday, when she said that the Labor Party would have no truck with those involved in corruption and then moved to prevent the chamber from debating the reintroduction of the Building and Construction Commission. They are people like Senator Stephen Conroy, the former Transport Workers' Union official, who said there should be zero tolerance and yet by his every step and every utterance he tries to prevent the investigation. (Time expired)

Assistant Minister for Health

Senator WONG (South Australia—Leader of the Opposition in the Senate) (14:15): My question is to the Assistant Minister for Health. I refer to the minister's answer in question time yesterday when she informed the Senate her chief of staff has 'no connection with the food industry'. I also refer to her additional answer in the Senate last night, when she informed the Senate that her chief of staff was the former chair of the food industry lobbyist Australian Public Affairs and 'because of that previous position, he has a shareholding in the company'. When and how did the minister realise that she had misled the Senate?

Senator NASH (New South Wales—Deputy Leader of The Nationals in the Senate and Assistant Minister for Health) (14:16): I can advise the chamber that at the time of Senator Wong's question yesterday I did not have every detail of information at hand.

Opposition senators interjecting—

The PRESIDENT: Order! The minister is entitled to be heard in silence.
Senator NASH: Thank you. In relation to the timing question that the senator asked me, having made further checks after question time yesterday, I advise the Senate at the first opportunity that my chief of staff was a shareholder of the company APA.

Opposition senators interjecting—

The PRESIDENT: Order! Order, senators on my left. When there is silence on my left I will ask the minister to continue.

Senator NASH: I advised the Senate at the first opportunity that my chief of staff is a shareholder of the company APA. As the Leader of the Opposition would know, I also did the opposition the courtesy of advising them of the matter that I was going to raise during the adjournment period. I can also indicate to the Senate that my chief of staff receives no income from that shareholding.

Senator WONG (South Australia—Leader of the Opposition in the Senate) (14:18): Mr President, I ask a supplementary question. Can the minister explain how her chief of staff maintaining a shareholding in a lobbying company that operates in the minister's area of responsibility is consistent with the statement of standards for ministerial staff?

Senator NASH (New South Wales—Deputy Leader of The Nationals in the Senate and Assistant Minister for Health) (14:19): My chief of staff fully complies with the standards. The shareholding in the company—

Opposition senators interjecting—

The PRESIDENT: Order! If you have asked the minister the question, the minister is entitled to answer it. If you wish to debate it, the time do so is after three o'clock. I am not going to let us proceed until there is silence. Minister, continue.

Senator NASH: As I have indicated to the chamber, there is a shareholding. There is no income received. The proper processes have been followed in terms of the statement of interests. My chief of staff fully complies with all of the requirements.

Senator WONG (South Australia—Leader of the Opposition in the Senate) (14:20): Mr President, I ask a further supplementary question. What contact did the minister have with the Prime Minister or the Prime Minister's office in connection with her statement in the Senate last night?

Senator NASH (New South Wales—Deputy Leader of The Nationals in the Senate and Assistant Minister for Health) (14:20): There were internal discussions that were had between my office and the Prime Minister's office yesterday.

National Commission of Audit

Medibank Private

Senator DI NATALE (Victoria) (14:20): My question is to the Minister for Finance, Senator Cormann. With the Treasurer's declaration that the age of entitlement is over, that corporate welfare is to be stopped and that auto manufacturers, SPC and others are to be turned away regardless of the consequences, is the National Commission of Audit closely examining whether other industry subsidies—such as the fossil fuel rebate to big miners—will be removed? If not, will the government be taking action in the next budget to stop this huge corporate handout?
Senator CORMANN (Western Australia—Minister for Finance) (14:22): I thank Senator Di Natale for that question. The Commission of Audit is doing some very important work for the government as we set out to repair the budget mess that we have inherited from the previous government. It is important to remember that we inherited a budget situation with $123 billion worth of cumulative deficits over the forward estimates—$123 billion worth of deficits. The previous government inherited a budget in very good shape—no government net debt, a budget surplus of $20 billion, cash in the bank—and in six short years they turned that into a situation where debt is now heading for $667 billion without corrective action. The previous minister for finance presided over $107 billion worth of budget blow-outs in just the three years that she was minister. I will outline what we have done so far. We took $42 billion worth of—

Senator Di Natale: Mr President, I raise a point of order. My question went specifically to the issue of industry subsidies such as the fossil fuel rebate. I did not ask for a lecture on the state of the budget position.

The PRESIDENT: You are now debating. You have taken your point of order.

Senator Di Natale: It is a point of order on relevance. We are now over a minute into the answer and we have not had any discussion on the question, which related to industry subsidies such as the fossil fuel rebate.

The PRESIDENT: There is no point of order at this stage. I am listening to the minister's response. The minister still has 56 seconds remaining to address the question. I call upon the minister.

Senator CORMANN: Senator Di Natale asked me about the work being undertaken by the Commission of Audit, and I was providing a very direct answer to exactly what is happening there. We did inherit a budget in a mess after six years of bad Labor government. We do have to turn a very serious situation around. What we have already done so far is implement the savings that we took to the last election. The work of the Commission of Audit will build on that. We have asked the Commission of Audit to look right across government for opportunities to improve the efficiencies of the government’s operation.

Senator Di Natale: Mr President, I raise a point of order on relevance. I asked very specifically whether the National Commission of Audit or the government would be taking action on the question of industry subsidies, such as the fossil fuel rebate. It was a simple question and it deserves a simple answer, and we have not got it yet.

The PRESIDENT: As I have said on numerous occasions from the chair, I cannot tell the minister how to answer the question. I believe the minister is addressing the question at this stage, and he still has 20 seconds remaining.

Senator CORMANN: I say it again: the government has inherited a budget in a mess, and right now the Commission of Audit and the government are looking right across government for opportunities to improve the efficiency of government, to identify savings and to build a stronger, more prosperous economy, which will drive improvements in revenue. (Time expired)

Senator DI NATALE (Victoria) (14:25): Mr President, I ask a supplementary question. The Minister for Industry, Mr Macfarlane, today spoke about the exciting new high-tech manufacturing opportunities that would be Australia's future and our world-class research and
development capability. If the Commission of Audit's razor gang recommends cuts to education, to R&D or to the CSIRO, will you commit to ignoring this counterproductive advice and instead increase investment in these areas?

**Senator CORMANN** (Western Australia—Minister for Finance) (14:26): The commitment that I can give Senator Di Natale and the chamber today is that the government is working very hard to build a stronger economy, to create more jobs and to repair the budget mess that we have inherited from the previous government. I am not going to announce here today our next budget, and no doubt Senator Di Natale would not expect us to do so. Our commitment is a stronger economy, more jobs and repairing the budget mess that we have inherited from the Labor Party with the support of the Greens. Of course, the budget will be released, in the usual course of events, on the second Tuesday in May. I commend Senator Di Natale to it.

**Senator DI NATALE** (Victoria) (14:26): Mr President, I ask a further supplementary question. Given the news that the privatisation of Medibank Private seems set to proceed, will the government commit to reinvesting the proceeds of that sale into the public health system so that ordinary people's access to a doctor is protected? If not, does that mean that, with $200,000 going to a PR firm to spruik the sale, the government cares more about spin doctors than it cares about real doctors?

**Senator CORMANN** (Western Australia—Minister for Finance) (14:27): The government cares about achieving the best possible outcomes for people across Australia. That is what we are focused on. The coalition has been committed to the sale of Medibank Private for a very long time. It is a commercial business operating in a competitive, highly regulated environment. There is no good reason why the government should continue to own a private health fund in those circumstances. I refer Senator Di Natale also to the findings of the esteemed ABC Fact Check, which indicated very clearly that the sale of Medibank Private would not lead to increases in private health insurance premiums. A highly competitive private health insurance market without the involvement of the government as a market participant will be good news for people across Australia that are privately insured. This is all part of the work that we are currently doing— *(Time expired)*

**Asylum Seekers**

**Senator BERNARDI** (South Australia) (14:28): My question is to the Assistant Minister for Immigration and Border Protection, Senator Cash. Can the minister outline to the Senate the problems associated with previous approaches to offshore processing and how the government has worked to remedy the situation?

**Senator CASH** (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (14:28): I thank Senator Bernardi for his question. The Senate will be well aware that offshore processing has always been at the centre of a coalition government's border protection policies. Offshore processing worked as part of the suite of measures under the former Howard government, and the results under the Abbott government are clearly showing that offshore processing is working again.

The former Labor government—or the former Labor governments; I keep having to remind myself that there were three of them—dismantled offshore processing. The Australian public are now left, quite literally, with the policy disaster that resulted: over 50,000 people arrived
here illegally by boat, over 1,000 confirmed deaths at sea; and a budget blow-out of almost $12 billion. I give those on the other side credit, though: they realised they made a huge mistake. We know that, because they had to side with us when we were in opposition to restore offshore processing. I do remember, however, that they were literally dragged kicking and screaming to this place in complete and utter embarrassment when they realised that they had to restore that which they had dismantled with such disastrous results. Unfortunately when we assumed office—even though offshore processing had been restored with the support of those who are now on this side—it was a dismal attempt to restore offshore processing. The former government underfunded offshore processing and refused to provide the necessary infrastructure to ensure that offshore processing would indeed work. It has been left to us—(Time expired)

Senator BERNARDI (South Australia) (14:30): Mr President, I ask a supplementary question. Can the minister advise the Senate how many illegal maritime arrivals have been transferred to offshore processing centres since the commencement of Operation Sovereign Borders?

Senator CASH (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (14:31): This government's commitment to offshore processing is resolute and it is reflected in the number of people who have now been transferred to offshore processing centres since the commencement of Operation Sovereign Borders. I am pleased to advise the Senate that since the commencement of Operation Sovereign Borders, this government has transferred a total of 1,527 illegal arrivals to Nauru and Manus Island.

Senator BERNARDI (South Australia) (14:31): Mr President, I ask a further supplementary question. Could the minister advise the Senate how many illegal maritime arrivals have been returned to their country of origin since the commencement of Operation Sovereign Borders?

Senator CASH (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (14:31): The government is continuing to remove illegal arrivals who are found not to be in need of Australia's protection. I can advise the Senate that as at 9 am on Friday, 7 February there were a total of 145 IMAs who had been removed from Australia and 149 IMAs had been removed from offshore processing centres.

Assistant Minister for Health

Senator McLUCAS (Queensland) (14:32): My question is to the Assistant Minister for Health. Can the minister confirm that the declaration of conflicts of interest is a standing item on the agenda of the Legislative and Governance Forum on Food Regulation? Can the minister confirm that she chaired a meeting of the forum, which was attended by her chief of staff in Melbourne on 13 December 2013? Can the minister also confirm that her chief of staff's interest in a food industry lobbying firm was not declared at the forum?

Senator NASH (New South Wales—Deputy Leader of The Nationals in the Senate and Assistant Minister for Health) (14:33): Yes, I can confirm it was an item on the agenda. Yes, I can confirm that I was chairing the meeting. Yes, I can confirm that my chief of staff did not declare an interest. I was fully aware of the relationship between my chief of staff, APA and

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his previous role with Cadbury and the confectionery industry. As stated in my speech to the
Senate last night, my chief of staff complies with proper internal standards under the
Statement of Standards for Ministerial Staff, as those on the other side would have heard me
advise the chamber yesterday. As I also said, in addition to complying with proper internal
standards, his spouse gave undertakings that both she and the company would not (a) make
representations to either myself or Minister Dutton; (b) make representations to the
Department of Health; or (c) make representations on behalf of any clients to other ministers
of the Commonwealth in relation to the health portfolio. My chief of staff took proper and
appropriate steps to prevent any conflict of interest with the private business of APA and by
withdrawing from any work from APA, and on that basis there was no conflict of interest at
that meeting.

Senator McLUCAS (Queensland) (14:34): Mr President, I ask a supplementary question.
Can the minister confirm that ministers, staff and officials are required to declare conflicts of
interest at meetings of the Legislative and Governance Forum on Food Regulation? Why did
the minister and her chief of staff fail to meet this requirement at the meeting she chaired on
13 December?

Senator NASH (New South Wales—Deputy Leader of The Nationals in the Senate and
Assistant Minister for Health) (14:35): Perhaps the senator was not listening to my previous
answer. I clearly answered all of those questions in my first response.

Senator McLUCAS (Queensland) (14:35): Mr President, I ask a further supplementary
question. What steps has the minister taken since yesterday’s question time to assure herself
that there are no further conflicts of interest involving the minister and her office?

Senator NASH (New South Wales—Deputy Leader of The Nationals in the Senate and
Assistant Minister for Health) (14:35): I am not going to inform the senator of internal
discussions within my office—

Opposition senators interjecting—

The PRESIDENT: Minister, please resume your seat. Those on my left, the minister is
entitled to be heard in silence. Order! Debate across the chamber at this stage is disorderly—
on both sides. The minister is waiting to continue her answer.

Senator NASH: On the issues that I have related to the Senate on previous occasions, I
am confident that there is no conflict of interest.

Asylum Seekers

Senator FAWCETT (South Australia) (14:37): My question is to Senator Johnston, the
Minister for Defence. Does the minister support calls for an independent, external
investigation into the claims that asylum seekers were deliberately burnt by Navy personnel?

Senator JOHNSTON (Western Australia—Minister for Defence) (14:37): I thank the
senator for his ongoing interest in this area. The answer very simply is: of course I do not.

Senator Cameron: How’s the anger management going?

Government senators interjecting—

The PRESIDENT: Order on my left! There are people on both sides debating this issue
across the chamber. The minister has the call.
Senator JOHNSTON: The answer to the honourable senator's question is: of course I do not. For the last four years, officers—men and women of Customs and the Australian Navy—have saved thousands of lives in the waters between Australia and Indonesia, particularly those between Christmas Island and the island of Java. At one time, nine Navy personnel—I should say Defence personnel, because some of them were Air Force people—were actually blown into the water. This happened when, as the coroner observed, one of the ship's company—one of the legal entrants—blew up the boat deliberately. I should say that most of those people were, in spite of the coroner's recommendation, given citizenship in this country.

ADF personnel have been—I reiterate—spat on, abused and treated like servants, and they have endured all of that to save thousands of lives on the water, particularly between Christmas Island and Java. They have had to endure the horror of many, many bodies being fished out of the water by themselves following the peril of many of these legal entrants. That task has been a shocking task caused by probably the historically greatest policy failure this country has ever seen.

Whom do you side with in the face of such allegations? I will side with the courage, the honesty and the integrity of the Royal Australian Navy at every turn of every corner. But there are some over there who will not side with them. (Time expired)

Senator FAWCETT (South Australia) (14:40): Mr President, I ask a supplementary question. Minister, the Labor frontbencher Mr Thistlethwaite has said that the claims of torture by a Sudanese asylum seeker should be independently investigated. Do you support Mr Thistlethwaite's call for an independent investigation?

Senator JOHNSTON (Western Australia—Minister for Defence) (14:40): Of course I do not support such a request for an inquiry. These allegations, made by someone who is currently in Indonesia, are the epitome of hearsay. They are made by someone who has wasted his money and lost his opportunity to surreptitiously enter this country. These are unsubstantiated and scurrilous allegations—hearsay and innuendo—made by someone who is completely disaffected, having lost all of the matters that I have put to you.

The fact that a former senator and Labor member would so quickly take the side of someone seeking to illegally enter our country in the face of the hard and heroic work of Royal Australian Navy personnel sickens me. (Time expired)

Senator FAWCETT (South Australia) (14:41): Mr President, I ask a further supplementary question. Minister, do you believe that Mr Thistlethwaite's call for an independent investigation into this allegation has been adequately dealt with by the Leader of the Opposition?

Opposition senators interjecting—

The PRESIDENT: Senator Fawcett, if you wish to rephrase that question I will give you the opportunity.

Senator FAWCETT (South Australia) (14:42): Mr President, my further supplementary question is: Minister, do you believe that this call for an independent investigation has been adequately dealt with given the role that the Royal Australian Navy plays and the adequacy of its own, internal, investigative processes?
Senator JOHNSTON (Western Australia—Minister for Defence) (14:42): I thank the honourable senator. I choose to accept the word of the Royal Australian Navy as to the real, factual events that have occurred.

We are on the path to successfully stopping the boats. The Prime Minister, both as Leader of the Opposition and currently, promised to stop the boats. What we are observing is something we have not seen in the Rudd-Gillard-Rudd merry-go-round over six years—a promise by a Prime Minister that is coming true. We have not seen such a thing in six years. Guess what? We are going to see the same sort of mayhem and broken promises if the current Leader of the Opposition comes to power, because he chooses to side with the aspersions cast upon the Royal Australian Navy. That is what the Labor Party is doing.

Senator Conroy interjecting—

Government senators interjecting—

The PRESIDENT: Order! Senator Madigan, you have the call.

Financial Services

Senator MADIGAN (Victoria) (14:44): In December last year, you announced reforms to the Future of Financial Advice legislation. It was asserted that the previous government's reforms went too far, creating unnecessary complexity, imposing significant burdens on industry, and reducing the availability and increasing the cost of advice to consumers. Can the minister outline how amending the existing grandfathering provisions to ensure that advisers can move between licensees whilst continuing to access grandfathered benefits will assist their current clients to receive the best returns on their financial investments?

Senator SINODINOS (New South Wales—Assistant Treasurer) (14:45): I thank Senator Madigan for his question, of which I did have some notice. For the benefit of the Senate, Senator Madigan is referring to the Future of Financial Advice reforms, to which this government is to introduce amendments in the near future. I announced those amendments before Christmas. Part of those amendments were to do with what are called the grandfathering provisions and related to conflicted remuneration. This is in relation to commissions and other such payments where there is a potential conflict of interest between the interests of the adviser and the interests of the person receiving the advice. Under the current legislation, adviser movements have been reduced. They have effectively been frozen in the market, because existing conflicted remuneration had been grandfathered. So advisers thought that by moving to work for someone else, or by setting up their own business, they would lose that trail of commissions. What we have done is to say that that will not happen. We will remove that particular provision. But this will not disadvantage consumers because in due course, as the financial circumstances of investors change, under what is known as the best interests duty, the adviser must put the interests of the investor first and change their advice, which means they may put the investor on a new financial platform or provide a new service. In that case, the commission ends and then they are on a purely fee-for-service arrangement.

In relation to what Senator Madigan is asking, we are seeking to promote mobility within the industry because there had been feedback—ever since the previous government's reforms—that mobility was being frozen within industry and that there was indeed a potential shortage of advisers starting to occur—(Time expired)
Senator MADIGAN (Victoria) (14:47): Mr President, I ask a supplementary question. Can the minister outline how the $190 million saving to industry through this legislation is considered to be reasonable, compared to the billions of dollars super members and consumers of financial products will have to continue to pay in commissions through the relaxation of the current laws?

Senator SINODINOS (New South Wales—Assistant Treasurer) (14:47): We are not relaxing consumer protections; we are removing some unnecessary red tape and costs. The industry itself had indicated that the costs of complying with the previous governments FoFA reforms would be in the vicinity of $375 million and an ongoing cost of $300 million. These costs are not a free lunch. Regulation is not a free lunch. Those costs would have been passed on to consumers. The impact of that would have been to actually reduce the availability and affordability of financial advice. Through our changes, we are reducing those costs of implementation by around $90 million a year and, on an ongoing basis, reducing compliance costs by around $190 million a year. That will actually promote the affordability and accessibility of financial advice. There is no point in having rolled-gold laws which actually make it harder for people to get the financial advice that they need.

Senator MADIGAN (Victoria) (14:48): Mr President, I ask a further supplementary question. Can the minister commit to not introducing any regulations relating to the Future of Financial Advice legislation within the next six months but, rather, allow the Senate to debate its merits through a standard legislative process?

Senator SINODINOS (New South Wales—Assistant Treasurer) (14:49): In the next month or so, the Senate will have before it the full panoply of regulations and legislation surrounding our amendments to the Future of Financial Advice reforms. We are going the way of regulation initially in order to provide certainty quickly to industry, but that will be backed up by legislation—

Senator Wong: Is it prospective?

Senator SINODINOS: which will mean, Senator Wong, that we will have an opportunity in this place to fully debate the legislation. Everybody will be consulted. There has been extensive consultation already. We are prepared to tweak the amendments in response to representations we receive, depending on the nature of those representations. I can assure Senator Madigan: in no way will the Senate be disrespected in this process.

Distinguished Visitors

The President (14:49): Before calling the next senator, I note the presence in the President's Gallery of former senator Grant Tambling. Welcome to the Senate!

Honourable senators: Hear, hear!

Questions Without Notice

Defence Personnel

Senator CONROY (Victoria—Deputy Leader of the Opposition in the Senate) (14:50): My question is to the Minister for Defence. I refer to the minister's comments last Friday, when asked about the Royal Australian Navy's involvement in Operation Sovereign Borders. The minister said he was 'not aware of operational matters'. However, the Chief of the Defence Force and the Department of Defence are responsible for the health and safety of
Defence Force personnel under the Work Health and Safety Act—a duty which, according to section 14 of that act, cannot be transferred. How can the minister possibly carry out his obligation to ensure the health and safety of our Navy personnel if he is not aware of what they are being asked to do as part of Operation Sovereign Borders?

Senator JOHNSTON (Western Australia—Minister for Defence) (14:51): I thank the senator for his question. The Chief of the Defence Force has sought and issued a declaration of exemption relating to personnel who carry out specific on-water activities under Operation Sovereign Borders. He has acted in accordance with his authority under the Work Health and Safety Act 2011. Illegal-entry vessels on the open ocean were already an inherently unsafe working environment; and, indeed, may I remind the senator that 50,000 people on 800 boats have underlined how unsafe. Our Navy personnel and our Customs personnel have had to deal with that level of safety due to the public policy failure of the former Labor government. A declaration of exemption will prevent personnel involved in specific on-water activities associated with Operation Sovereign Borders, who are therefore implementing government policy, from being subject to penalties for breach of Work Health and Safety Act provisions in appropriate circumstances. And I remain interested to see what the Labor Party’s attitude to that will be in due course. This—

Senator Conroy: On a point of order, Mr President: after a very specific question about section 14 of the act and the minister's claim that he is not aware of operational matters, he is canvassing a separate issue which is not relevant to the question. I ask you to draw his attention to the question and to direct him to respond to the question.

The PRESIDENT: I have been listening to the minister's answer. There is no point of order.

Senator JOHNSTON: This declaration does not absolve senior officers or the Department of Defence itself from responsibility for safety under the Work Health and Safety Act. The safety, protection and welfare of Australian Defence personnel are and will remain the highest priorities for me and the Chief of the Defence Force. The safety of life at sea is and will remain a paramount consideration in the conduct of all operations under Operation RESOLUTE, which is the Defence operation. It is very important to the men and women of the Royal Australian Navy that they have the support of the Australian parliament, which I think is very questionable given the current attitudes—

Senator CONROY (Victoria—Deputy Leader of the Opposition in the Senate) (14:53): Mr President, I ask a supplementary question. On Friday, the minister also said that he was concerned about nine-day turnarounds and post-traumatic stress for Navy personnel involved in Operation Sovereign Borders. But, when asked to explain incidents involving the Navy, the minister said, 'No, I can't—they are on-water matters that are not my responsibility.' All Australians are concerned about our Navy personnel, but the minister is the one who is responsible for their safety. When will this minister take that responsibility seriously?

Senator JOHNSTON (Western Australia—Minister for Defence) (14:54): The honourable senator should be in no doubt that I will at all times take responsibility for the safety of Royal Australian Navy personnel, particularly those involved in this phenomenal policy failure. I will deal with cases of post-traumatic stress in the way they should be dealt with. I will provide the resources, the professional personnel and all of the services necessary to ensure the recovery of affected personnel and to ensure they do not suffer any permanent
mental illness from what they have had to deal with because of the dysfunctionality and negligence of the previous government. All water operations related to Operation Sovereign Borders are the province of the Minister for Immigration. The fact is that the Navy has done an amazing job in dealing with more than 50,000 people on 800 boats. (Time expired)

Senator CONROY (Victoria—Deputy Leader of the Opposition in the Senate) (14:55): Mr President, I ask a further supplementary question. Hasn't the minister's refusal to take responsibility for the health and safety of Navy personnel in Operation Sovereign Borders—as demonstrated again here today—or to answer any questions about it, allowed a cloud to hang over our Navy personnel? Is it not time the minister allowed the Navy to respond and to clear up the mess that this government's secrecy is creating?

Senator JOHNSTON (Western Australia—Minister for Defence) (14:56): The honourable senator should be aware that my predecessor as Minister for Defence, Stephen Smith, in 2011 commenced a mental health support program for people involved in Operation RESOLUTE. So he too agreed that there needed to be a response inside Defence, supported by government, to deal with the problem his government had created. The program comprised—

Senator Moore: On a point of order, Mr President: the minister is not answering Senator Conroy's quite specific question. I ask you to draw his attention to the question.

The PRESIDENT: There is no point of order at this stage.

Senator JOHNSTON: The program, which I support and will continue to support, comprises a predeployment resilience brief, an annual mental health and wellbeing screening, a screening interview by a psychologist, specific tailored screening, and support in the event of combat or trauma exposure, including referral for further detailed clinical assessment and treatment as required. Until this policy failure, we did not require such treatment for our sailors. We do now because of you! (Time expired)

Veterans' Affairs

Senator EDWARDS (South Australia) (14:57): My question is to the Minister for Veterans' Affairs, Senator Ronaldson. Can the minister outline to the Senate the government's plans for veterans and their families?

Senator RONALDSON (Victoria—Minister for Veterans' Affairs, Minister Assisting the Prime Minister for the Centenary of ANZAC and Special Minister of State) (14:58): I thank Senator Edwards for his question. The government does have a very comprehensive plan for our veterans. Prior to the election, we released a comprehensive policy. My predecessor, Warren Snowdon, and the Labor Party did not release a policy for veterans prior to the last election.

Senator Edwards: You're joking!

Senator RONALDSON: No, I am not joking. Probably for the first time in history, the Australian Labor Party thought so little of Australia's veterans that they did not even bother to release a policy. What we will do during this term of government will be underpinned by four things. The first is recognising the unique nature of military service. The second is maintaining a stand-alone Department of Veterans' Affairs. The third is tackling the mental health challenges facing veterans, particularly contemporary veterans. The fourth is supporting veterans advocacy and welfare services. At the heart of our commitment will be
our promise to those veterans on DFRDB and DFRB that they will get fair indexation—the fair indexation they have quite rightly been demanding for a number of years.

We are also going to do something about Labor's withdrawal of advocacy funding. The glue that holds the ex-service community together is advocacy and welfare funding. Without any notice at all, a million dollars was ripped out of advocacy and welfare funding—

*Senator Ruston interjecting—*

**Senator RONALDSON:** There is an interjection over there from someone who has absolutely no idea about the roles or responsibilities—*(Time expired)*

**Senator EDWARDS** (South Australia) (15:00): Mr President, I ask a supplementary question. What are the government's plans for the fair indexation of military superannuation pensions?

**Senator RONALDSON** (Victoria—Minister for Veterans' Affairs, Minister Assisting the Prime Minister for the Centenary of ANZAC and Special Minister of State) (15:00): Mr President—

**Senator Lines:** How would you know?

**Senator RONALDSON:** I suggest to Senator Edwards that he keep a very close eye on those opposite when their heads start to droop. They had two opportunities to support the proper indexation of pensions—one in this place with the Fair Indexation of Military Superannuation Entitlements Bill that I introduced, which the Australian Labor Party voted against, and in the other place they could have voted for the fair indexation bill but again they refused to do so.

In an eleventh hour bid, a week out from the election, they brought in a half-baked attempt to address the issue. No-one was fooled by it. The veterans were not fooled by it. The veterans were not fooled by the former minister, Dr Kelly, and he lost his seat of Eden-Monaro. Of course, Senator Lundy cried crocodile tears for years about this issue but, when given the opportunity to come in here and support those 57,000 people and their families, she was left wanting. *(Time expired)*

**Senator Abetz:** Mr President, I ask that further questions be placed on the *Notice Paper.*
QUESTIONS WITHOUT NOTICE: TAKE NOTE OF ANSWERS
Assistant Minister for Health

Senator FAULKNER (New South Wales) (15:04): I move:

That the Senate take note of the answers given by the Assistant Minister for Health (Senator Nash) to questions without notice asked by the Leader of the Opposition in the Senate (Senator Wong) and Senator McLucas today relating to potential conflicts of interest for ministerial staff.

In last night's adjournment debate Senator Nash provided what she described as additional information to the Senate following a question that she was asked by Senator Wong about the removal of the Health Star Rating website. Of course, it was not additional information. Senator Nash had earlier misled the Senate in question time. She said in question time yesterday:

There is no connection whatsoever between my chief of staff and the company Australian Public Affairs.

She tried to correct the record last night by stating that her chief of staff 'was APA's chairman and because of that previous position he has a shareholding in the company'. In question time today we learnt more. It appears that the chief of staff has a shareholding in APA but receives no income from it.

The real questions here are: is there a conflict of interest and is there a breach of appropriate ministerial and ministerial staff standards and obligations? Of course, I have no personal animus towards Senator Nash at all, so I am genuinely disappointed to have to say that these revelations represent serious negligence in her conduct with respect to her ministerial responsibilities. We now know that the government's statement of standards for ministerial staff has been breached. It is an open and shut case.

In another life, as a minister, I established the first Code of Conduct for Ministerial Staff. I am pleased that, with very minor amendments, it has been retained by the Abbott government. Clause 4 of that code says that ministerial staff must:

Divest themselves, or relinquish control, of interests in any private company or business and/or direct interest in any public company involved in the area of their Ministers' portfolio responsibilities.

This just was not done. This critically important obligation has been ignored by Senator Nash and her chief of staff. The standards have been breached; they have not been enforced by those responsible for enforcing them. And we now know, from the response to Senator McLucas's question today in relation to Senator Nash's obligations at the Legislative and Governance Forum on Food Regulation that she and her chief of staff attended, that, again, there was no declaration of any interest held by her chief of staff, even though such a declaration is a standing item on the agenda of that forum and has been for a very long time.

This is a serious matter. This is a serious breach. I would strongly counsel, in these circumstances, that the minister, Senator Nash, make a ministerial statement to the Senate about these matters. She said in question time she was not going to inform the Senate of internal discussions in government. That is no longer good enough. What is required now from Senator Nash, and I hope that Senator Abetz and senior ministers in the government will ask her to do so, given these facts, is a full explanation. Nothing less than a full explanation is an option. (Time expired)
Senator COLBECK (Tasmania—Parliamentary Secretary to the Minister for Agriculture) (15:09): I concur with Senator Faulkner that issues of integrity around ministerial appointments and staffing appointments are indeed important, and I acknowledge the role that Senator Faulkner himself took in establishing the code of conduct for ministerial staff. Chief of staff is an important role, and I will come to that in a moment. But Senator Nash has, quite clearly, put on the public record important information in relation to the position of her chief of staff. She answered the question in respect of the information she had available to her at question time yesterday, and we were all here to hear that; and, at the first opportunity, which was during the adjournment debate last night—and I happened to be in the chamber—she provided additional information to ensure the chamber was fully informed of the circumstances in relation to her chief staff, as was appropriate. Obviously, she was asked to further clarify those circumstances today during questions asked of her in question time.

While it is appropriate that all of us who have responsibility in the ministry address potential conflicts of interest that we or our staff in those important roles may have, it is important that the responses that are given are given due consideration. Senator Nash has put on the public record that Australian Public Affairs is a media and public affairs company which is run by Ms Tracey Cain, the spouse of Minister Nash's chief of staff; and that, prior to working for Minister Nash, Mr Furnival was APA's chairman and, because of that position, he has a shareholding; but that, prior to his appointment to Minister Nash's staff, arrangements were put in place so that his previous business activities did not interfere with his obligations under the Statement of Standards for Ministerial Staff. Now, Minister Nash has clearly put that on the record and it is important that that be understood—that, prior to his employment, those provisions were put in place because, as Senator Nash said in question time today, she knew of Mr Furnival's previous activities working for Mondelez, which owns Cadbury, and other food industry clients prior to coming to work for her as her chief of staff.

But, in addition to complying with those proper ministerial standards, Mr Furnival's spouse gave additional undertakings that the business would not make any representations to either Minister Nash or Minister Dutton, would not make any representations to the Department of Health and would not make any representations, on behalf of any clients, to any minister of the Commonwealth in relation to the Health portfolio. So not only were there provisions put in place to distance the business from Mr Furnival in his role as chief of staff to Minister Nash, but the business itself made further provisions to remove the business from any potential conflict of interest in dealing with government. It actually constrained the business's activities in relation to that.

The opposition should, I think, take note of other concerns that have been raised in the past—for example, when David Epstein, the former chief of staff to Kevin Rudd, was appointed to the Canberra office of major lobbying firm Government Relations Australia.

Senator Conroy: What? You can't possibly think that's a parallel!

Senator COLBECK: Well, Senator, I—

Opposition senators interjecting—

The DEPUTY PRESIDENT: Order!

Senator COLBECK: I think a major lobbying firm who is—(Time expired)
Senator McLUCAS (Queensland) (15:14): I also rise to take note of the answers given by Senator Nash today. Senator Nash’s answers to questions today will give no confidence, no comfort, to the public health sector, and they will be of concern to those in the food manufacturing sector. At the heart of this concern is the confidence of the community in the decision-making process of Minister Nash and her office. This is a question of integrity in the process of decision making. It gives me no comfort to ask questions on this matter—but it is a question of integrity. It was very disappointing that the answers to questions had to be corrected by Senator Nash in the chamber yesterday.

Yesterday, Senator Wong asked a series of questions of Senator Nash, to which she said there was no connection with the food industry. Then, according to Senator Nash, at the first opportunity—which was many hours later—she came into the chamber, at around nine o’clock last night, and, in her terms, gave 'additional information'. She advised the Senate that her chief of staff did have a connection with Australian Public Affairs and that, because of that previous position, he has a shareholding in the company. As Senator Faulkner has quite rightly pointed out, the code of conduct requires a divestment of any shareholding—not a promise that says, 'We will not lobby you,' but a divestment of that shareholding. The question that we are addressing here today is, frankly, not one of remuneration but one of influence. The question goes to whether or not there was undue influence over the process of establishing the website that would assist consumers make better decisions about what food products they want to buy. That is the question at stake here.

I was particularly concerned today when Senator Nash said, in answer to my question, that in December last year she was fully aware of her chief of staff’s former activities. I may not be accurately quoting her—I tried to write it down—but that is the intent of what she said. This should have set off alarm bells, not at the Legislative and Governance Forum on Food Regulation in December last year but at the point he was employed. This is when she should have known that this gentleman had an absolute conflict in terms of his previous employment and that he had not divested his shareholding. She should have known everything about the relationship between her chief of staff and an advocacy company that was advocating on behalf of one section of the food industry. It should not have been something which, according to her yesterday, she did not have every detail of. She should have been absolutely across this. She knew this was potentially a problem. She should have been more diligent, firstly, in the employment of the gentleman and, secondly, in making sure that any conflict was completely removed.

I am concerned about what this means for the confidence of the public health sector in the delivery of food policy in our country. We need to have a system that ensures the best available evidence is provided to consumers, particularly about manufactured food on the grocery store shelves. Public Health Association head Michael Moore—and I am quoting from the Canberra Times—said it was 'inconceivable' that the website was only a draft. This was in response to the assertion that the Department of Health people said that it was only a draft and so it had to be pulled down. He said:

I looked at it very carefully, and there was nothing that struck me about it as being a draft. It just doesn't make sense.

(Time expired)
Senator IAN MACDONALD (Queensland) (15:19): First of all, I congratulate Senator Nash on the wonderful job she is doing as the Assistant Minister for Health. As someone who comes from a rural and regional area and who pays particular interest to rural and regional health ministers, I very much appreciate Senator Nash’s attention to detail here. Not only do I have admiration for her in the way that she is performing her ministerial job, but I particularly like the open and frank way in which she has addressed the questions that have been asked of her in the last couple of days. This is typical of the Labor Party: it did not take them long to get down into the gutter. But Senator Nash, in her response, was open and frank. She did what any minister should do: immediately she was aware of additional information, she returned to the Senate and made a complete and open statement about it, which is as required. I congratulate Senator Nash for the way she did that.

But the Labor Party are talking about standards? I said to Senator Conroy by way of interjection during his questions: remember Mr Mike Kaiser, the Labor Party member in the Queensland parliament who was thrown out of the Queensland parliament for electoral fraud and employed by NBN Co? According to the testimony of the head of NBN Co, he was employed because the minister suggested to the head of NBN Co that perhaps he should have a look at Mr Mike Kaiser as a recipient of the $450,000 government relations job in NBN Co—a government instrumentality that somehow needed a government relations officer to deal with its owner, who was the government! It was Senator Conroy who was asking these questions today. Time does not permit me to go through some of the indiscretions of Labor ministers from day one. I will not go into the fact that I know a number of former Labor politicians from Queensland who are in jail for electoral fraud. We will not go there.

When Senator Conroy, Senator McLucas and Senator Wong raise these questions, they open up a Pandora’s box that may well encourage a closer look at some Labor Party appointments. We all know about Mr Rudd’s former chief of staff, Mr David Epstein. His wife was appointed to run the Canberra office of the major lobbying outfit Government Relations Australia when Mr Epstein was the Prime Minister’s chief of staff, the most senior and influential person within the Rudd Labor government.

As I said, give me five hours and I can go on about these things. Senator Conroy and Senator McLucas have started resorting to these sorts of activities so early in their time in opposition, as they have demonstrated here. One could ask other embarrassing questions about Labor Party politicians. I was in the parliament when a group of people almost knocked down the front door of Parliament House. Anyone who has seen the front doors of Parliament House would wonder how anyone could possibly go close to knocking them down. They are made of steel and strong glass. If anyone bothered to go back and look at the TV footage of that, they may see an awfully exact likeness of a current senior member of the Labor Party amongst those who were trying to knock down—

Senator Fifield: Who was it?

Senator IAN MACDONALD: I do not want to mention names. I am not going to go into that, but once you start along this path, who knows where it might end. I am not sure what the repair to that door cost the taxpayers of Australia; I am sure it was substantial. The lawlessness of that activity would seem to, in my view, prevent those sorts of people from ever being in the chambers of the Parliament of Australia.
Congratulations to Senator Nash. She is doing a wonderful job. I particularly like the open and frank way in which she has addressed these questions and explained the situation, I think to the Senate's satisfaction. (Time expired)

Senator LINES (Western Australia) (15:24): I rise to take note of answers given by Senator Nash today. I find it quite extraordinary that Senator Macdonald cannot spend five minutes defending Senator Nash and has to resort to trying to insult Labor and pretend that there were various ills on our side. But he cannot spend five minutes defending Senator Nash because she is not defensible. This matter started last week, when a website went live and was then suddenly taken down. On Friday, Senator Nash had the opportunity to answer questions from the Fairfax Media and, guess what, she refused. If it was a mistake or if the website was somehow not quite ready, that is easily defensible. You can show someone a website that is not quite ready. Why would you not put that on the public record on Friday? You would not put it there because it is just not true.

Those in the industry have said that they looked at the website and saw that it was a fine, perfectly good website. Then, when Senator Nash was finally backed into a corner about it, she said, 'Oh, but I was worried that consumers wouldn't be able to understand it.' What an insult it is to suggest that consumers who have been calling for clear food labelling for a very long time suddenly, according to the Assistant Minister for Health, would not be able to understand it.

Senator Nash has now had three opportunities to put the facts on the record. Yesterday, Senator Wong asked three simple questions, one being: 'What did you and your chief of staff have to do with pulling the website down?' Senator Nash told us that she ordered it to be pulled down. Again, Senator Wong had to go back and say, 'You haven't answered the question in relation to what your senior staff member did.' So we finally get a little bit of information around that. But Senator Nash, like the rest of the government ministers, just could not help herself, she had to be condescending.

Then, last night at around nine o'clock, she made a statement saying, 'Oops, I made a mistake.' After trying to tell us she was above reproach and had got it all right, she comes in and suddenly admits that her chief of staff has shares in the company. But, Senator Bilyk: What time was it?

Senator LINES: I think it was around nine o'clock, a long time after question time. Today in questioning, she further tried to defend the fact that somehow it is all above board because the shareholding does not return any money. The fact, as she has provided rather unwillingly, is that there is a link between a company who lobbies on behalf of Cadbury and her chief of staff. But we have not gotten to the bottom of this yet because we have not quite gotten to all the truth. Today, as I said, she tried to defend the fact that, somehow, because it is not a monetary matter, it does not matter.

Today, she also told us that she has taken advice from the Prime Minister's Office. When we asked what that advice was about, we were suddenly told that she was not going to declare it. If the senator has nothing to hide, let us get the facts out, but so far we have had a refusal to
answer questions from the media. Simple questions put yesterday by Senator Wong were refused to be answered. Further questions put by Senator Wong and Senator McLucas today have again not been answered fully. So Senator Nash is not yet off the hook, and the government cannot defend a matter where we do not have the truth. What is the truth of this matter?

The fact is that her chief of staff should not be in a position that deals with the food industry and its representatives, who his wife represents. Senator Nash needs to come clean and tell us exactly what has been going on. We will not let this matter rest. You can insult us all you like, but the truth is there and we are out to uncover it. Senator Nash, you have been asked three times so far. Let us get to the truth of it. I wonder if there will be another statement tonight. Let us wait and see. (Time expired)

Question agreed to.

National Commission of Audit

Senator DI NATALE (Victoria) (15:29): I move:

That the Senate take note of the answer given by the Minister for Finance (Senator Cormann) to a question without notice asked by Senator Di Natale today relating to industry assistance.

I would like to respond to the answers given by Minister Cormann on the National Commission of Audit, or, as some people have described it, the 'Tony Abbott razor gang'. I actually welcome the comments by Minister Hockey that the age of entitlement is over, that we are going to see an end to corporate welfare and that we are going to have a discussion about whether it is sustainable in the current climate to continue with huge industry handouts. The government have made their approach clear when it comes to the motor vehicle industry. They have also made their priorities clear when it comes to SPC. The impact of those changes in those industries are obviously quite significant to the ordinary workers of Shepparton and, in fact, my part of the country in Victoria.

What we need is some consistency. We have to get some consistency because if we are going to talk about corporate welfare it is impossible to ignore the largesse that exists in the mining industry, for example, where we see a huge range of handouts and tax concessions that enable that industry to continue with its windfall profits. What about the diesel fuel rebate with $8 billion over the forward estimates, and what about accelerated depreciation of assets worth $1.8 billion over the forward estimates? What about accelerated depreciation on exploration worth $4 billion over the forward estimates? There are billions of dollars in the form of corporate welfare to the mining industry and yet we see a government completely silent on the question of how we deal with that, and how to enable us to make the move towards not just a fiscally sustainable but an environmentally sustainable economic blueprint for the future.

What we are seeing is what we have seen right through the debate around corporate welfare: when corporate welfare exists for one of your constituents, it is important for that industry to receive those handouts. Without them, our economy would go to rack and ruin but, if industry assistance is given to one part of the economy that you may not necessarily want to support, then it is corporate welfare and the age of entitlement needs to be over, and so on. We have no consistency in this debate. What tends to happen is that one side of politics chooses who they want to support, another side chooses who they want to support, and we do
not have a rational debate about the sort of country we want to be, what industries are

deserving of assistance and which industries need to compete on their own terms.

Of course, most of the language at the moment is based on the question of corporate
welfare and ensuring that we make substantial changes to expenditure, but it is a very one-

sided debate. Completely ignored in the Commission of Audit mandate is the question of
revenue. What we have heard through the inquiry into the Commission of Audit—an inquiry
that I chair—is that most of the submissions we have received indicate we have a revenue
problem; we do not have an expenditure problem. This is the great myth. In the terms of
reference of the Commission of Audit is the notion that spending is out of control, we are not
living within our means, and the Australian Public Service is bloated and inefficient, when in
fact the reverse is true. What we are seeing is an attack on some of the most important
services provided to vulnerable people in the country.

We have very low government spending by international standards. It has been stable for a
number of decades. The number of people employed in the public service has been declining
rather than increasing. In fact, if we have a problem it is on the revenue side of the ledger and
not on the expenditure side of the ledger. Instead, what we are seeing is that the idea to float
Medibank Private is a way of ripping more money out of the health system. Every cent from
that privatisation needs to be returned to the health sector. If we do not, we will end up
making cuts based on a lie and heading towards a two-tiered American-style health system
where you get one level of health care for the rich and another level for the people who cannot
afford it.

Question agreed to.

NOTICES

Presentation

Senator Di Natale to move:

That the following matter be referred to the Procedure Committee for inquiry and report:

That consideration be given to amending section 50 of the standing orders to replace the prayer with
the following: ‘Senators, let us in silence pray or reflect upon our responsibilities to the people of
Australia, to the states and territories which we represent, and to all future generations.’

Senator Wright to move:

That the following matters be referred to the Legal and Constitutional Affairs References Committee
for inquiry and report by 15 May 2014:

(a) responses by the Australian Securities and Investments Commission, the Australian Federal Police
and the Australian Crime Commission (the agencies) to allegations of corruption and of breaches of
Commonwealth laws, including allegations:

(i) concerning the Reserve Bank of Australia, Securency and Note Printing Australia,

(ii) in the Leighton group of companies and in the construction industry generally, and

(iii) concerning other entities;

(b) whether the agencies’ investigation of allegations of serious fraud, including bribery, and their
decisions whether to commence any prosecutions, were appropriate;

(c) whether the agencies appropriately communicated with each other and cooperated in a manner
which ensured the optimal effectiveness of law enforcement with respect to serious fraud;
(d) whether the relationship between the agencies is such that the Australian community can have confidence that serious fraud is being properly investigated and any breaches properly prosecuted;
(e) whether the agencies are appropriately resourced;
(f) whether Australia should have a stand-alone Commonwealth agency to investigate and prosecute breaches of laws regarding serious fraud;
(g) whether Australia should have an independent standing commission against corruption, at the federal level;
(h) recommendations for further action by the Commonwealth Government and its agencies; and
(i) any related matters.

**Senator Wright** to move:

That the Senate—

(a) notes the Queensland Premier (Mr Newman) has made recent public statements that:

   (i) any lawyer acting for a member of a motorcycling gang is part of what he described as a criminal gang machine, and will say and do anything to defend their clients,
   (ii) members of the legal community, including the judiciary, are living out of touch with society and do not understand what the community wants from the law, and
   (iii) the doctrine of separation of powers between the legislature, the executive and the judiciary is less applicable to Australia than other places;

(b) affirms that these comments do not acknowledge a lawyer’s duty to the court, the integrity of the judiciary or the application of the separation of powers in Australia’s parliamentary democracy, and so are incorrect; and

(c) calls on the Commonwealth Attorney-General (Senator Brandis) to acknowledge the integrity of the legal profession and the judiciary across Australia.

**Senators Scullion, Peris, Siewert and Xenophon** to move:

That the Senate—

(a) notes that 13 February 2014 marks the 6th anniversary of the National Apology to Australia’s Aboriginal and Torres Strait Islander peoples;
(b) recognises the significance of the apology and its meaning to Aboriginal and Torres Strait Islander peoples;
(c) confirms its support for the recognition in the Constitution of Aboriginal and Torres Strait Islander peoples as the first Australians; and

(d) confirms a multi-party commitment to work in partnership with Aboriginal and Torres Strait Islander peoples to Close the Gap on Aboriginal disadvantage.

**Senator Bishop** to move:

That the Economics References Committee be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate on Thursday, 13 February 2014, from 3.30 pm.

**Senator Fawcett** to move:

That the Joint Standing Committee on Treaties be authorised to hold public meetings during the sittings of the Senate, from 11 am to 1 pm, as follows:

(a) Monday, 3 March 2014;
(b) Monday, 17 March 2014; and
(c) Monday, 24 March 2014.

**Senator Sterle** to move:

That the time for the presentation of reports of the Rural and Regional Affairs and Transport References Committee be extended, as follows:

(a) future of beekeeping and pollination service industries in Australia—to 19 June 2014;
(b) grass-fed cattle levies—to 30 June 2014; and
(c) public transport—to 30 June 2014.

**Senator Whish-Wilson** to move:

That the Senate—

(a) notes:

(i) the conditions of the Gunns Pulp Mill approval (EPBC 2007/3385) by the then Minister for the Environment, on 10 March 2011, which requires ‘no wood sourced from native forests will be used by the Bell Bay pulp mill’,

(ii) the Minister for the Environment (Mr Hunt) has confirmed the Government has asked the United Nations Educational, Scientific and Cultural Organization’s World Heritage Committee to delist 74 000 hectares of Tasmanian forest,

(iii) that with the support of the Liberal and Labor parties, the Tasmanian Parliament passed legislation in January 2014 to remove doubts about the validity of the permit for the Bell Bay Pulp Mill project; and

(b) calls on the Government to commit to maintain the environmental requirement in the Gunns Pulp Mill approval (EPBC 2007/3385) that excludes wood sourced from native forests being used as feedstock.

**Senator Whish-Wilson** to move:

That there be laid on the table by the Minister representing the Minister for Trade and Investment, the modelling and associated reports referred to by the Prime Minister and the Minister for Trade and Investment that outline the economic costs and benefits of the Korea–Australia Free Trade Agreement.

**Senator Rhiannon** to move:

That the Senate—

(a) notes:

(i) the recent Senate inquiry into the impacts on health of air quality in Australia recommended health impact assessments for new mining developments and the covering of coal trains that spread dust in populated areas,

(ii) the New South Wales’ Environment Protection Authority has, under pollution reduction programs administered by the Australian Rail Track Corporation (ARTC), which manages the haulage of coal in the Hunter Valley, directed ARTC to assess whether coal trains contribute to increased pollution particulate emissions,

(iii) that documents released under Freedom of Information requests have shown that the reports from ARTC aimed at meeting these requirements were misleading as they failed to recognise uncovered coal wagons as causing the spike in particulate concentrations,

(iv) that during 2012 the network of 17 Hunter Valley air quality monitoring stations recorded levels of PM$_{10}$ over the national standard on 115 occasions—more than 30 000 Newcastle residents live within 500 metres of the coal corridor, and
a number of peer reviewed reports have highlighted this problem, which was not addressed in the final report; and

(b) calls on the ARTC to:
   (i) require all coal wagons during transport operations to be covered when loaded and unloaded,
   (ii) ensure that future reports on particulate pollution it is responsible for producing are subject to thorough methodological scrutiny, and
   (iii) publicly disclose all data and peer revision arising from any of its reports into particulate pollution resulting from its operations.

Senators Xenophon and Madigan to move:
(1) That the following matter be referred to the Economics References Committee for inquiry and report by 15 June 2014:
   The current and urgent challenges facing Australia’s food processing and manufacturing sector, and in particular the impact on the sector of:
   (a) current laws relating to dumped imported products and the effectiveness of Australia’s anti-dumping scheme, including the applicability and effectiveness of emergency safeguard measures, and whether the onus of proof ought to be reversed where consistent with World Trade Organization guidelines;
   (b) introducing similar measures as set out in the United States Byrd Amendment, which redirects revenue from dumping duties to affected local industries;
   (c) food safety standards and testing regimes for imported products, including Australia’s biosecurity arrangements;
   (d) the challenges it faces in the context of Australia’s food security;
   (e) current food labelling laws;
   (f) the industrial relations environment;
   (g) taxation and government regulation, including research and development incentives;
   (h) Australia’s competition environment and food supply chain issues;
   (i) the closure of food manufacturing businesses on jobs and farmers’ viability, including produce prices;
   (j) the concentrated ownership of the grocery retail sector; and
   (k) any related matters.
(2) The inquiry should have regard to the report and findings of the former Select Committee on Australia’s Food Processing Sector.

Senator Carr to move:
That the Senate—
(a) condemns:
   (i) the failure of the Government to:
      (A) articulate a comprehensive innovation policy so that Australia has the high skill, high wage jobs of the future, and
      (B) fight for Australian jobs,
   (ii) the deliberate and hostile actions of the Government in bringing about the end of Australia’s automotive manufacturing sector threatening a further 50 000 jobs directly reliant and the 200 000 jobs that rely on it indirectly, and
(iii) the cowardice of the Government for blaming job losses on workers to distract from its own inaction and lack of any plan to deal with the crisis facing Australian manufacturing due to the strong dollar; and

(b) calls on the Government to immediately outline:
   (i) its plans to support the 50,000 Australian workers who have lost their jobs since the election,
   (ii) the industries in which it expects these workers to find new jobs, and
   (iii) its plans to attract the billions in new investment, new jobs, new skills and new technologies to replace those lost in the automotive sector.

**Senator Milne** to move:
That the Senate—
(a) notes:
   (i) with deep concern, the charges the Egyptian Government has laid against Australian citizen and journalist, Mr Peter Greste, and fellow Al Jazeera journalists,
   (ii) calls by the White House, the United Nations, and global news agencies for their release
   (iii) the excellent support Australian consular officials are providing to Mr Greste and his family; and
(b) calls on the Prime Minister (Mr Abbott) and the Minister for Foreign Affairs (Ms Bishop) to make direct contact with the Egyptian Government to seek the immediate release of Mr Greste and the other 19 individuals detained.

**Senator Carr** to move:
That the Commonwealth Scholarships Guidelines (Education) 2013, made under section 238-10 of the Higher Education Support Act 2003, be disallowed [F2013L02070].

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

**Senator Carr** to move:
That Amendment No. 1 to the Commonwealth Grant Scheme Guidelines 2012, made under section 238-10 of the Higher Education Support Act 2003, be disallowed [F2013L02078].

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

**Senator Milne** to move:
That the Senate—
(a) notes:
   (i) that on 3 January 2014, a peaceful protest of garment factory employees in Cambodia for increased wages became violent when government security forces opened fire on the demonstrators, killing five people and injuring more than 30,
   (ii) that a number of incidents followed, in which peaceful protesters were forcibly arrested, and reportedly beaten and tortured, resulting in a ban on demonstrations,
   (iii) that this decision is reflective of a broader suppression of those who speak and act in defence of human rights in Cambodia, including the Cambodia National Rescue Party leaders Mr Sam Rainsy and Mr Kem Sokha, and
   (iv) the ongoing dispute over the July 2013 election and electoral processes, including alleged voter fraud and corruption;
(b) condemns the use of violence and excessive force by the Cambodian Government, and implores it to protect and strengthen human rights, including a repeal of the ban on demonstrations; and
calls on the:
(i) Cambodian Government to accept an international, independent investigation into allegations of fraud and corruption during the July 2013 election, and
(ii) Australian Parliament to affirm its commitment to the protection of human rights and democracy in Cambodia.

Senator Milne to move:
That the following matters be referred to the Environment and Communications References Committee for inquiry and report by 15 May 2014:
(a) the natural world heritage values of the Tasmanian Wilderness World Heritage Area minor boundary extension passed by the World Heritage Committee in June 2013;
(b) the interaction between the Department of the Environment and the Prime Minister and other ministers’ offices, and the process followed in the department’s review of the 2013 extension that led to a lesser minor boundary extension being submitted for consideration at the 2014 World Heritage Committee meeting;
(c) any action the Department of Environment has funded, directed and overseen to rehabilitate any degraded areas within the World Heritage Area identified in the department’s 2013 review, as per the requirements of the World Heritage Convention;
(d) the extent and description of any areas of degraded forest included in the 2013 boundary adjustment and the World Heritage Committee’s rationale for including them;
(e) implications for the World Heritage status of the Tasmanian Wilderness World Heritage Area of the Government’s request to withdraw the 74,000 hectares for logging; and
(f) any related matter.

Senator Ludlam to move:
That the Senate—
(a) notes that:
(i) the Australian Broadcasting Corporation (ABC) is Australia’s most trusted news and current affairs broadcaster,
(ii) the ABC is an extremely well-loved national institution, and that independent opinion polls regularly reveal high levels of public satisfaction with the broadcaster, and
(iii) the Coalition has cut funding for the ABC in the past, including an 11 per cent cut in 1998 under Prime Minister John Howard;
(b) calls on the Government to:
(i) commit to protecting funding to the ABC in the forthcoming budget, and
(ii) cease threatening the ABC’s editorial independence; and
(c) orders that there be laid on the table, by the Minister representing the Minister for Communications (Senator Fifield) by 3 March 2014, the 2006 KPMG report into the adequacy and efficiency of ABC funding commissioned by the Howard Government.

Senator Moore to move:
(1) That the order of the Senate of 4 December 2013 relating to estimates hearings for 2014 be amended as follows:

2013-14 additional estimates, add:
and, if required, Friday, 28 February (Groups A and B)
2014-15 budget estimates, add:
and, if required, Friday, 24 October (supplementary hearings—Groups A and B)

(2) That, for the purposes of that order, an additional hearing of a committee considering estimates is
taken to be required where any 3 members of the committee notify the chair of the requirement, in
writing.

(3) That paragraph (2) operate subject to the restriction in standing order 26(3) that not more than 4
committees shall hear evidence on the estimates simultaneously.

Senator Waters to move:
That the following bill be introduced: A Bill for an Act to amend the law relating to the Great Barrier

Senator Moore to move:
That there be laid on the table by the Assistant Minister for Immigration and Border Protection no
later than noon on Friday, 21 February 2014, a copy of the report of the Review of Operation Sovereign
Borders Vessel Positioning December 2013—January 2014 and accompanying documents identified in
part 10 of the review terms of reference.

Senators Wright, Hanson-Young, Ludlam and Waters to move:
That the Senate—
(a) notes:
   (i) the concern of communities in South Australia and Western Australia about their land and water
being threatened by shale and other unconventional gas mining,
   (ii) that landholders lack the legal right to refuse shale and other unconventional gas mining on their
land, and
   (iii) the scientific uncertainty surrounding the environmental and health implications of hydraulic
fracturing (‘fracking’) for shale and other unconventional gas mining; and
(b) calls on the Federal Government to:
   (i) ban the use of fracking by the unconventional gas industry across Australia, and
   (ii) support the Australian Greens’ bill to give landholders the legal right to refuse shale and other
unconventional gas mining on their land.

Senator Hanson-Young to move:
That the amendments to the Migration Regulations 1994 made by the Migration Amendment
(Unauthorised Maritime Arrival) Regulation 2013, as contained in Select Legislative Instrument 2013
No. 280 and made under the Migration Act 1958, be disallowed [F2013L02104].

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

Senator Hanson-Young to move:
That the following matter be referred to the Legal and Constitutional Affairs References Committee
for inquiry and report by 30 April 2014:
An inquiry into the security incident involving Papua New Guinean authorities at the Manus Island
Detention Centre on 18 October 2013, and in doing so, the committee must consider:
(a) the sequence of events that led to the incident;
(b) a chronology of events;
(c) evacuation processes and procedures for internal and external threats at the time of the incident;
(d) protocols and procedures observed by agencies in the detention centre;
(e) any documents, including incident reports and emails, as well as briefings involving staff, employees and contractors involved in, or responding to, the incident;
(f) allegations that shots were fired during the incident;
(g) any communications between Commonwealth agencies, including, the Department of Immigration and Border Protection, regarding the incident;
(h) any communications between the Minister for Immigration and Border Protection and the Government of Papua New Guinea regarding the incident;
(i) safeguards that have been put in place to prevent future incidents; and
(j) any other related matters.

Senators Stephens, Moore and Rhiannon and Milne to move:
That the Senate—
(a) notes Australia’s co-sponsorship of the:
   (i) 2012 United Nations (UN) General Assembly Human Rights Council (HRC) resolution calling on the Sri Lankan Government to implement the recommendations of the Lessons Learnt and Reconciliation Commission of Sri Lanka and to take credible and independent actions to ensure justice, equity, accountability and reconciliation for all Sri Lankans, and
   (ii) 2013 UN General Assembly HRC resolution expressing concern at continuing reports of violations of human rights in Sri Lanka, and reiterating the call on the Government of Sri Lanka to implement the Commission’s recommendations and to fulfil its commitment to conduct an independent and credible investigation into allegations of violations of international human rights law and international humanitarian law;
(b) notes:
   (i) continuing reports of violations of human rights in Sri Lanka, and international concerns about insufficient progress by the Government of Sri Lanka in addressing justice, reconciliation and accountability, and
   (ii) the forthcoming update to the HRC 24th session on the progress of the 2012 and 2013 resolutions;
(c) calls on the Australian Government to:
   (i) maintain Australia’s strong record of support for human rights at the 24th session of the HRC, including in relation to Sri Lanka,
   (ii) support the United States in its call for the ‘international community to establish an independent international accountability mechanism to evaluate reports of war crimes, crimes against humanity, and other human rights violations committed by both sides during and after the war in Sri Lanka’,
   (iii) co-sponsor any United States resolution at the UNHRC in March 2014 regarding Sri Lanka’s progress on accountability and human rights, and
   (iv) urge the Government of Sri Lanka to:
      (A) allow unimpeded access for media, international aid agencies, and human rights groups into all regions of the country, as well as to detention sites that may hold political and war prisoners, and
      (B) end its media restrictions, including the obstacles to the flow of information in the north and east, and bring to justice those responsible for attacks on journalists and newspaper offices.
Postponement

The following items of business were postponed:

General business notice of motion no. 106 standing in the name of Senator Rhiannon for today, proposing the introduction of the Commonwealth Electoral Amendment (Reducing Barriers for Minor Parties) Bill 2014, postponed till 4 March 2014.

General business notice of motion no. 107 standing in the name of Senator Rhiannon for today, proposing the introduction of the Live Animal Export (Slaughter) Prohibition Bill 2014, postponed till 6 March 2014.

COMMITTEES

Finance and Public Administration References Committee

Reporting Date

Senator KROGER (Victoria—Chief Government Whip) (15:36): At the request of Senator Lundy, I move:

That the time for the presentation of the report of the Finance and Public Administration References Committee on its inquiry into Commonwealth procurement procedures be extended to 30 June 2014.

Question agreed to.

Australian Commission for Law Enforcement Integrity Committee

Meeting

Senator KROGER (Victoria—Chief Government Whip) (15:36): At the request of Senator Furner, I move:

That the Parliamentary Joint Committee on the Australian Commission for Law Enforcement Integrity be authorised to hold a private briefing during the sitting of the Senate on Thursday, 13 February 2014, from 10 am, followed by a public hearing to take evidence for the committee's inquiry into the 2012-13 report of the Australian Commission on Law Enforcement Integrity.

Question agreed to.

Law Enforcement Committee

Meeting

Senator KROGER (Victoria—Chief Government Whip) (15:36): At the request of Senator Singh, I move:

That the Parliamentary Joint Committee on Law Enforcement be authorised to meet during the sittings of the Senate, as follows:

(a) on Wednesday, 12 February 2014, from 5.30 pm, for a private briefing; and
(b) on Wednesday, 5 March 2014, from 5.30 pm, for a public meeting to take evidence for the committee's inquiry into the 2012-13 report of the Australian Crime Commission.

Question agreed to.

Legal and Constitutional Affairs Legislation Committee

Reporting Date

Senator KROGER (Victoria—Chief Government Whip) (15:36): At the request of Senator Macdonald, I move:
That the time for the presentation of the report of the Legal and Constitutional Affairs Legislation Committee on the Criminal Code Amendment (Misrepresentation of Age to a Minor) Bill 2013 be extended to 27 March 2014.

Question agreed to.

**Public Accounts and Audit Committee**

**Meeting**

*Senator KROGER (Victoria—Chief Government Whip) (15:36):* At the request of Senator Smith, I move:

That the Joint Committee of Public Accounts and Audit be authorised to hold public meetings during the sittings of the Senate, from 10.30 am, as follows:

(a) Thursday, 13 February 2014;
(b) Thursday, 6 March 2014;
(c) Thursday, 20 March 2014; and
(d) Thursday, 27 March 2014.

Question agreed to.

**National Disability Insurance Scheme Committee**

**Meeting**

*Senator KROGER (Victoria—Chief Government Whip) (15:36):* At the request of Senator Gallacher, I move:

That the Joint Standing Committee on the National Disability Insurance Scheme be authorised to hold private meetings otherwise than in accordance with standing order 33(1) during the sittings of the Senate, from 10.30 am, as follows:

(a) Wednesday, 5 March 2014;
(b) Wednesday, 19 March 2014; and
(c) Wednesday, 26 March 2014.

Question agreed to.

**Environment and Communications Legislation Committee**

**Meeting**

*Senator KROGER (Victoria—Chief Government Whip) (15:36):* At the request of Senator Williams, I move:

That the Environment and Communications Legislation Committee be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate on Thursday, 13 February 2014.

Question agreed to.

**MOTIONS**

**Human Rights**

*Senator McEWEN (South Australia—Opposition Whip in the Senate) (15:36):* At the request of Senator Stephens, I move:
That the Senate—

(a) notes:
   (i) the ongoing humanitarian crisis in Syria, Jordan and Lebanon,
   (ii) the former Labor Government’s contribution of $100.8 million to humanitarian assistance, and
   (iii) the Abbott Government’s contribution of $12 million to humanitarian assistance; and

(b) calls on the Government to immediately increase its humanitarian aid commitment to people affected by the Syrian conflict.

Senator RHIANNON (New South Wales) (15:37): by leave—I move:
   After subparagraph (iii), insert:
   (iv) the contribution of other international donors such as the United States of America (AU $420 million), the United Kingdom (AU $181 million), Kuwait (AU $553 million) and Norway (AU $235 million); and

Omit paragraph (b), substitute:
   (b) calls on the Abbott Government to immediately increase its humanitarian aid commitment to people affected by the Syrian conflict in line with Oxfam Australia’s call for an additional $96 million.

Question agreed to.


The DEPUTY PRESIDENT: Leave is granted for one minute.

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (15:38): The Australian government is deeply concerned by the tragic loss of over 130,000 lives in the Syrian conflict. At the Geneva II conference, Australian ambassador Peter Woolcott called on parties to agree to end the violence and establish a transitional governing body. At the Second International Humanitarian Pledging Conference for Syria, in Kuwait, in January, Australia pledged the same amount that it did at the Kuwait conference in 2013—namely, $10 million. In addition, we have also provided $2 million for the destruction of Syria’s chemical weapons. Australia will certainly continue to play an active role in assisting the people of Syria to address humanitarian concerns and find a political solution to the conflict.

Original question, as amended, agreed to.

Australian Curriculum

Senator WRIGHT (South Australia) (15:40): I move:
   That the Senate—
   (a) notes:
      (i) the Australian Curriculum was developed over 6 years, involving input from thousands of educators, parents and academics, and was negotiated with, and agreed to by, state and territory governments,
      (ii) the Australian Curriculum is still in the process of being implemented by state and territory governments,
      (iii) there is widespread concern among educators and the public about the timeframe, scope and transparency of the Federal Government’s review of the Australian Curriculum, and the objectivity and expertise of the panel;
(b) recognises:
   (i) the importance of a non partisan perspective in the development of the curriculum for Australian students, and
   (ii) the need to appoint proficient and independent experts to oversee reviews of Commonwealth programs; and
(c) calls on the Government to immediately restore the established system of appointing independent education experts to oversee the development and implementation of the Australian Curriculum.

Question agreed to.

Tasmanian Wilderness World Heritage Area

Senator SIEWERT (Western Australia—Australian Greens Whip) (15:40): At the request of Senator Milne, I move:

That the Senate—

(a) condemns the Abbott Government for its attempt to reduce the size of the Tasmanian Wilderness World Heritage Area by 74 000 hectares to enable logging of high conservation value forests;
(b) supports the findings of the World Heritage Committee that the areas proposed for excision satisfy World Heritage criteria;
(c) notes that commercial markets reject timber products from primary native forests as unsustainable and uncertified;
(d) understands that the Abbott Government's proposed boundary adjustments are not based on evidence that this area does not contain world heritage values;
(e) supports the 2013 boundary modification; and
(f) calls on the World Heritage Committee to reject the request to reduce the size of the World Heritage Area.

Question agreed to.

International Day of Zero Tolerance for Female Genital Mutilation

Senator CASH (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (15:41): I, and also on behalf of Senators Kroger, Moore and Waters, move:

That the Senate—

(a) notes that:
   (i) Thursday, 6 February 2014, marked the International Day of Zero Tolerance for Female Genital Mutilation (FGM),
   (ii) the day has been designated by the United Nations to raise awareness amongst the general public about this practice which violates the human rights of women and girls, and
   (iii) approximately 140 million girls and women worldwide are currently living with the consequences of FGM;
(b) recognises that FGM in Australia is prohibited by specific legislation in every jurisdiction;
(c) congratulates the New South Wales Government for moving to increase the maximum penalty for performing FGM from 7 to 21 years; and
(d) supports and encourages ongoing domestic and international efforts to support and empower women and girls affected by FGM and to eliminate the practice of FGM.

Question agreed to.
Ovarian Cancer Awareness Month

Senator CASH (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (15:41): I, and also on behalf of Senators Moore and Waters, move:

That the Senate—

(a) notes that:

(i) February 2014 is Ovarian Cancer Awareness Month,

(ii) Ovarian Cancer Awareness Month is run each year by Ovarian Cancer Australia, its purpose to raise awareness of the signs and symptoms of ovarian cancer and to offer support for the women, their families and friends affected by ovarian cancer, and

(iii) Wednesday, 26 February 2014, is Ovarian Cancer Australia’s Teal Ribbon Day, a day when Australians are invited to purchase and wear a Teal Ribbon to show support for ovarian cancer awareness, support and research and recognise those affected;

(b) recognises that:

(i) according to Ovarian Cancer Australia, one woman dies every 8 hours from ovarian cancer,

(ii) the organisation also reports that each year more than 1,400 Australian women are diagnosed with ovarian cancer and around 1,000 will die from the disease, equating to an average of four Australian women being diagnosed every day, and

(iii) early detection of ovarian cancer is key, as when ovarian cancer is detected in the early stages, the majority of women will survive; and

(c) commends Ovarian Cancer Australia for the work that it has done in raising awareness of the signs and symptoms of ovarian cancer and to reduce its impact on Australians.

Question agreed to.

Sharks

Senator SIEWERT (Western Australia—Australian Greens Whip) (15:42): I move:

That the Senate—

(a) notes that

(i) the Minister for the Environment has granted an exemption to Western Australia, under section 158 of the Environment Protection and Biodiversity Conservation Act 1999 (the Act), from all of the provisions of part 3 of the Act, to allow the setup of baited drum lines off the West Australian coast with the intent to catch and kill great white sharks, tiger sharks and bull sharks over 3 metres,

(ii) the Western Australian Government has broken its commitment to minimise the environmental impact of these drum lines by failing to reduce the chance of small shark by-catch,

(iii) there is a lack of public reporting by the Western Australian Government on the number of sharks and other marine life, caught, killed or released, and

(iv) Communities and Surf Life Saving WA reports indicate that at least 36 sharks have been caught since the drum lines were set, 32 of which were smaller than 3 metres, contravening clause 17 of the exemption;

(b) condemns the Catch and Kill Shark Policy of the Western Australian Government; and

(c) calls on the Minister for the Environment to revoke the exemption of the drum lines given to the Western Australian Government under section 158 of the Act.

Question agreed to.
BILLS

Adelaide Airport Curfew Amendment (Protecting Residents' Amenity) Bill 2014

First Reading

Senator WRIGHT (South Australia) (15:42): I move:
That the following bill be introduced: A Bill for an Act to amend the Adelaide Airport Curfew Act 2000, and for related purposes.

Question agreed to.

Senator WRIGHT: 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 WRIGHT (South Australia) (15:43): I move:
That this bill be now read a second time.

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

Leave granted.

The speech read as follows—

ADELAIDE AIRPORT CURFEW AMENDMENT (PROTECTING RESIDENTS' AMENITY) BILL 2014

• As an Australian Greens Senator for South Australia, I have introduced this simple bill to protect residents beneath the flight path of Adelaide Airport from night-time aircraft noise.
• It will amend an existing federal law to protect residential amenity from the noise impacts caused by late night and early morning take-offs and arrivals at Adelaide Airport.
• Adelaide's airport lies in the suburbs just west of its central business district.
• Like Sydney's airport, the resulting convenience comes with the need to protect the amenity of the many people who live nearby, particularly those beneath the flight path.
• This is in contrast to other airports, such as Tullamarine in Melbourne, which lie much further from built-up residential areas, and can operate 24 hours per day with less impact on local residents.
• In relation to Adelaide Airport, the balance has been struck by the imposition of a night-time curfew, applicable to large planes including international passenger jets.
• The details of the curfew are set out in the Adelaide Airport Curfew Act 2000 and associated regulations.
• That Act is a strong piece of legislative protection for the residents of Adelaide against constant noise pollution from large planes.
• Section 6 provides a clear legislative ban on large passenger jets taking off or landing at Adelaide Airport during the curfew period of 11pm to 6am.
• There are reasonable exceptions for small planes and emergency situations outside those hours.
• However, that ban is then qualified by sections 7, 8 and 9 of the Act, which provide a regime for the approval by the Minister for certain international aircraft to take off and land during the curfew's
'shoulder' periods, which are the hours either side of the curfew, namely from 11pm to midnight, and from 5am to 6am.

- This means that the Minister, by executive action, can effectively shrink the size of the curfew from 7 hours down to 5 hours, subject to any provisions in the regulations.
- This is precisely what happened in December last year, when the Transport Minister approved a Cathay Pacific application for four international flights per week to arrive in Adelaide at 5.10am, between April 6 and October 4.
- This Bill seeks to strengthen the curfew, by repealing Division 1 of Part 3 and thereby reserving to Parliament the ability to vary the curfew in relation to international aircraft.
- The Bill does not affect the provisions of the Act in relation to low noise, heavy freight aircraft movements during curfew periods, or to other designated propeller or jet aircraft that are currently permitted to use Adelaide Airport during the curfew period.
- The amendments in this Bill apply to a take-off or landing which occurs after the Bill commences, regardless of whether the relevant Ministerial approval was granted prior to commencement.
- I urge Senators to support this Bill, to protect the integrity of the Adelaide Airport curfew.

I seek leave to continue my remarks later.

Leave granted; debate adjourned.

MOTIONS

Great Barrier Reef

Senator WATERS (Queensland) (15:44): I move:

That the Senate—

(a) notes:

(i) the World Heritage Committee has expressed extreme concern about industrialisation of the Great Barrier Reef coastline, as have Queensland fishers and tourism operators, and the broader Australian community,

(ii) the Federal and Queensland Governments are currently undertaking two strategic assessments which will decide how the Great Barrier Reef's coast will be protected into the future, and

(iii) there has been a public submission process on the draft strategic assessments, however submissions have not been made public, denying the public the ability to scrutinise submissions made by experts and industry; and

(b) calls on the Federal Government to promptly publish all submissions received on the two Great Barrier Reef draft strategic assessments.

Question agreed to.

Sport

Senator HANSON-YOUNG (South Australia) (15:44): I seek leave to amend general business notice of motion No. 108, standing in my name for today, relating to the 2014 Sochi Winter Olympic Games.

Leave granted.

Senator HANSON-YOUNG: I move the motion as amended:

That the Senate congratulates the members of the Australian Olympic team competing at the 2014 Sochi Winter Olympic Games who have shown their support for the Lesbian, Gay, Bisexual,
Transgender and Intersex community and expressed their deep concern for Russia's discriminatory and homophobic laws.

Question agreed to.

NOTICES

Postponement

Senator HANSON-YOUNG (South Australia) (15:45): by leave—I move:

That business of the Senate notice of motion no. 1 standing in my name for today, proposing a reference to the Legal and Constitution Affairs References Committee, be postponed till 13 February 2014.

Question agreed to.

MOTIONS

Economy

Senator McEWEN (South Australia—Opposition Whip in the Senate) (15:46): At the request of Senator Carr, I move:

That there be laid on the table by the Minister representing the Minister for Industry, no later than Thursday, 13 February 2014, a copy of the report produced by the high-level panel, comprised of Ms Catherine Livingstone AO, Mr Richard (Dick) Warburton AO LVO and the Honourable Greg Combet AM, established in December 2013 to advise the Government on assistance to SPC Ardmona.

Question agreed to.

Asylum Seekers

Senator McEWEN (South Australia—Opposition Whip in the Senate) (15:47): At the request of Senator Carr, I move:

That there be laid on the table by the Minister representing the Minister for Immigration and Border Protection, no later than noon on Thursday, 13 February 2014, documents detailing the number and cost of the lifeboats purchased by the Australian Government for use in border protection operations, including the cost of any upgrades or alterations; the number of lifeboats remaining in the Australian Government's possession; and details of the procurement process for these lifeboats in accordance with the Commonwealth Procurement Rules.

Senator CASH (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (15:47): Mr Deputy President, I seek leave to make a short statement.

The DEPUTY PRESIDENT: Leave is granted for one minute.

Senator CASH: The government will not be supporting this motion. The communication protocols around Operation Sovereign Borders have been made clear by this government and are working. As I confirmed yesterday in the Senate, there has not been a successful people-smuggling venture to Australia by boat since 19 December 2013.

We know that the people smugglers are looking to obtain any information that will assist them in selling their product to potential customers. This government will not support them in this endeavour. I would implore those opposite to understand and support this approach, to recognise the significant success we are having in destroying the people smugglers' business model and to recognise the lives that are being saved as a result.
After five years of chaos on our borders, Australians voted for a better way. The Australian people have spoken very clearly on an issue that dominated the last federal election. As a government, we are delivering on our promise.

**The President:** The question is that general business notice of motion No. 109 moved by Senator McEwen on behalf of Senator Carr be agreed to.

The Senate divided. [15:53]

(The President—Senator Hogg)

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<tr>
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Majority 9

**AYES**

| Bilyk, CL | Brown, CL |
| Cameron, DN | Carr, KJ |
| Collins, JMA | Conroy, SM |
| Dastyari, S | Di Natale, R |
| Farrell, D | Furner, ML |
| Gallacher, AM | Hanson-Young, SC |
| Hogg, JJ | Lines, S |
| Ludlam, S | Ludwig, JW |
| Lundy, KA | McEwen, A (teller) |
| McLucas, J | Milne, C |
| Moore, CM | O’Neill, DM |
| Peris, N | Polley, H |
| Pratt, LC | Rhiannon, L |
| Siewert, R | Singh, LM |
| Stephens, U | Sterle, G |
| Thorp, LE | Urquhart, AE |
| Waters, LJ | Whish-Wilson, PS |
| Wright, PL | |

**NOES**

| Back, CJ | Bernardi, C |
| Boswell, RLD | Boyce, SK |
| Brandis, GH | Cash, MC |
| Edwards, S | Eggleston, A |
| Fawcett, DJ | Fierravanti-Wells, C |
| Fifield, MP | Heffernan, W |
| Johnston, D | Kroger, H (teller) |
| Macdonald, ID | Mason, B |
| McKenzie, B | Nash, F |
| Parry, S | Payne, MA |
| Ruston, A | Scullion, NG |
| Seselja, Z | Sinodinos, A |
| Smith, D | Williams, JR |

**PAIRS**

| Faulkner, J | Ryan, SM |
| Marshall, GM | Cormann, M |
PAIRS

Tillem, M
Wong, P

Colbeck, R
Ronaldson, M

Question agreed to.

*Senator Mark Bishop did not vote, to compensate for the vacancy caused by the resignation of Senator Joyce.*

COMMITTEES

National Capital and External Territories Committee

Meeting

Senator KROGER (Victoria—Chief Government Whip) (15:56): by leave—I move:

That the Joint Standing Committee on the National Capital and External Territories be authorised to hold a private meeting otherwise than in accordance with standing order 33(1), followed by a public meeting, during the sitting of the Senate on Thursday, 13 February 2014, from 10 am to 11 am, to take evidence for the committee’s biannual review of the National Capital Authority.

Question agreed to.

MATTERS OF PUBLIC IMPORTANCE

The DEPUTY PRESIDENT (15:56): A letter has been received from Senator Moore:

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

The decisions of the Abbott Government that have led to the loss of more than 50,000 jobs in the past five months.

Is the proposal supported?

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

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

Senator CAMERON (New South Wales) (15:57): I rise on what is the most important issue facing the Australian public for many years—that is, the decisions that the Abbott government have made that have led to the loss of 50,000 jobs in the past five months and that would lead to the loss of tens of thousands of jobs in the future. The genesis of many of these job losses was the policy decision of the then opposition to abandon workers, to abandon families and to abandon communities in the vehicle-manufacturing industry of this country.

Former shadow minister Sophie Mirabella developed a policy to rip $500 million out of co-investment funding for the industry. According to every analysis that you see from the industry itself, this created instability and uncertainty. On top of that we saw the new government, the Abbott government, goading GMH to make a decision as to whether they were going to stay or go. They made it quite clear to GM that they actually did not care about the jobs of manufacturing workers in the Holden plants around this country. They knew that once that decision was made the capacity for Toyota to maintain production in this country
was massively diminished because of the loss of components-manufacturing jobs and because the ability to produce cars in this country would diminish as a result of this push.

They then went on to verbal Toyota workers—blame the workers—for defending their wages and conditions. The Toyota workers have got decent wages and decent conditions, but let me tell you, if what happens elsewhere in the world and what has happened here in the past, when they lose their jobs, those workers at GM and Toyota will have on average about eight to 25 per cent less in take-home pay in the jobs they moved to from the car industry. So they will lose lots of money; they will lose lots of security; and they will have many, many problems as time moves on because of this decision of the Abbott government.

The others decision that the Abbott government made was to refuse to assist SPC, and we all know that Dr Sharman Stone said the arguments put forward by the coalition in defence of their refusal to help families and communities in Victoria were lies. This was not what the Labor Party said; this is what our senior experienced Liberal politicians said about the decision to refuse to assist SPC. Mr Abbott previously said that manufacturing jobs were important; but when he said that you have to remember it was before the election. It was when he was running around in his high-vis vest and his hard-hat, trying to tell workers that he was the friend of workers. He actually addressed the Victorian Liberal party in 2011 and this is what he said:

Let the message go out from here in Melbourne, the manufacturing heart of our country, that we must be a country that continues to make things.

The Sydney Morning Herald reported that:

Speaking on Melbourne radio after a visit to the Ford motor plant in Geelong Abbott waxed lyrical: "It's an iconic Australian plant. It's been opened since 1925 and it's one of the many major Australian manufacturers which would be at risk under a carbon tax.

It was not at risk under a carbon tax, but certainly at risk under an Abbott government. He then went on—and remember this was prior to the election—to say:

I think any government which makes it harder to manufacture cars is making it harder for us to continue to be a First World economy because without cars, without steel, without aluminium, without cement, we don't have these manufacturers in Australia, we are not really a sophisticated economy any more.’

So, this is what the Prime Minister, that then Leader of the Opposition, said to Ford workers prior to the election.

The message to all car manufacturing workers was: 'You have got nothing to fear under the coalition,' but the reality was that, when the high-vis vest and hard-hat came off and when he was sitting with his colleagues, they were looking at ripping $500 million of co-investment out of the industry, fully cognisant that that could mean the end of car manufacture in this country.

What have we seen? We have seen that the car-manufacturing industry is no more, because of the decisions of the coalition—decisions driven by the Liberal government. This is a problem for the economy generally, because, if you start ripping away high-paid, decent jobs in manufacturing, then you become more and more reliant on service-industry jobs with lower wages, casualisation and lack of rights for workers. That is what this is about. It will deskill the economy and devalue the economy. It will force wages and conditions in this country down, as we do not have a strong manufacturing base to drive wages and conditions around
the country. When Abbott says that, the important thing is to remember that while some businesses close, other businesses open; while some jobs end, other jobs start. Sure! You see workers get the jobs but those jobs are much less skilled, much less well paid and much more insecure.

That is the problem that workers in the manufacturing industry have because of the economic incompetence of the coalition and the uncaring position of the coalition. The next thing you will see is further attacks on workers in the shipbuilding industry. We had shipbuilding workers feted by the opposition. Enter Senator Johnston, the now Minister for Defence, bringing the workers in and telling them that he is sympathetic to their position and that he will look to assist their position. And yet when they try to get a meeting with the same minister to talk about their job security and their future, they cannot get a meeting with the minister.

Again, it is a pattern of behaviour of the coalition: before the election they are the friends of blue-collar workers, but after the election they have no time for blue-collar workers. They do not want to know them. I am saying that the government should ensure that the shipbuilding industry—the Australian naval shipbuilding industry—is looked after in this country, that we cannot afford to lose the 4,000 skilled workers in that industry, that the government should be making decisions about building Australian ships in Australia. The government should also be making a decision to ensure Australian skills are kept here. Stop deceiving people; start looking after Australian jobs you have failed so far.

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (16:07): Today's matter of public importance debate is yet another own-goal by the Australian Labor Party, concentrating on their greatest policy failure—namely, the economy. The unemployment statistics we are facing today are the residue—the flow-through—of six years of Labor-Greens dysfunction and incompetence.

Let us do a quick review of the unemployment statistics in this country. When we left government—I think it was in November 2007—there was a flow-through of about four months into the term of new Labor government. As a result of this flow-through, we saw unemployment continue to decline to 3.9 per cent in March 2008. Thereafter it steadily climbed. The coalition had, by the time it left office, got unemployment down below four per cent. We have now regained office, and the trajectory is heading north. In the May budget of last year—Labor's last budget—they predicted employment would be 5.75 per cent. They were budgeting for an increase in unemployment and a decrease in economic activity. In August last year, just before the federal election, Treasury put out a new assessment of unemployment. Between May and August, a period of three months, the predicted figure of 5.75 per cent had become 6.25 per cent. Unemployment went further north and economic activity further south.

So if there has been a loss of jobs—and indeed there has been—who predicted it would happen under their economic management? The Labor Party did. Yet Senator Cameron has the audacity to come into this place and say that this loss of jobs, which Labor itself budgeted for, is somehow the coalition's fault. I remind those listening that Senator Cameron used to be the national secretary of the AMWU, a union which unfortunately has a history of throwing up union bosses who have a unique capacity to ensure that they lose members their jobs. But
it is not just me as a coalition minister who is saying so; former Labor Prime Minister Paul Keating also said so in blaming Senator George Campbell, former secretary of the AMWU, for the loss of 100,000 manufacturing jobs in this country. You are not listening to coalition spin. You can accuse the coalition of all sorts of things, but Labor said similar things in talking about the loss of 100,000 manufacturing jobs.

Senator Cameron cried crocodile tears when he talked about Toyota and Holden. The closure of their manufacturing operations is a devastating loss to our nation—very, very disappointing. The workers who now face great uncertainty will be provided every assistance by my portfolio area to try to obtain alternative unemployment. During question time, the proposition was put to Labor: if the coalition are somehow responsible for the closure announcements by Holden and Toyota during the term to date of the new coalition government, who is to blame for the announcement by Mitsubishi and Ford of their closure during the Labor government's term? It was not Labor's fault! It must have been the coalition's fault as well, even though we were not in government at the time! The hypocrisy, the duplicity and the crocodile tears of the Labor Party are palpable, and the Australian people know it. That is why they rejected the Labor Party at the last election.

I am absolutely delighted that the Prime Minister made the title of the ministry he gave me 'Minister for Employment'. Employment is a fundamentally important social and economic activity. Government needs to create the right environment for job creation. A job is the best possible social security for any individual. We know the statistics: if you have a job, you and those in your household are likely to have better mental health, better physical health, better educational outcomes and better self-esteem. Trying to get people into jobs is the best possible social and economic policy of any government.

Having seen what Labor left us in the last budget, we said we would make jobs a top priority. That is why at the last election we developed Our plan—real solutions for all Australians to help increase employment. Our plan contained the abolition of the carbon tax which we predicted would absolutely destroy jobs in the manufacturing sector. More jobs are leaking from the manufacturing sector than from any other sector. Exactly that which we predicted is, unfortunately, unfolding before our very eyes. People are losing jobs in the manufacturing sector each and every day. Is it only because of the carbon tax? Of course it is not. But does the carbon tax make a difficult situation even worse? Absolutely it does—and everybody knows it, including those opposite. Yet when we put forward a proposal in this place to abolish the carbon tax, for which we got an absolute mandate from the Australian people in order to help create jobs, who stands in our way? The Labor-Green alliance in this place stands in our way. Senator Doug Cameron comes into this place proclaiming his support for manufacturing workers when he knows that the carbon tax he voted for—in breach of his election promise—is destroying jobs each and every day. Each and every day the carbon tax continues, more jobs will be destroyed.

In our plan to restore employment in the Australian economy we said, 'Get rid of the carbon tax.' We have got a mandate for it but those opposite, the Labor and Greens senators in this place, resent the decision of the Australian people and will stand in the way of this place giving expression to the will of the Australian people by abolishing the carbon tax. We also said we need to get rid of the mining tax, because we know the resources sector is beginning
to flag, and flag very seriously. We need new projects. We need to create a willingness in the resource sector to explore in this country and develop new projects. We got a mandate to abolish the mining tax. Who stands in the way of job creation in that sector? Yet again, it is the Labor and Greens senators, who simply resent the decision of the Australian people to give the management of this nation to the coalition. We have said we wanted to get rid of red and green tape—and, yet again, no cooperation from the Labor and Greens senators in this place.

We have also said that, to get job creation happening, we have to stop the corruption, the thuggery, the intimidation and the delays on construction projects right around our nation, and therefore we have to re-establish the Australian Building and Construction Commission—a policy we took to the 2013 election with a full three years notice. Yet again, the Labor-Greens alliance in this place, resenting the decision of the Australian people, refused to give us the opportunity of implementing our policy. Last time the Australian Building and Construction Commission was in place, there were literally billions of dollars of economic savings. Projects were coming in on time, on budget. The taxpayers' dollar was being driven so much further. We were getting more roads constructed for fewer dollars, we were getting hospitals built—more for less. Great economic drivers in a very job-rich sector.

But what does Mr Shorten want to do? He wants the construction sector to continue to be dominated by the CFMEU and the outlaw bikie gangs with which they associate. And, when confronted by this, the Labor Party's attitude is: 'Oh yeah, bikies wearing their leathers ain't a good look on these sites and in these protests. Why don't we just tell them not to wear their colours?' Forget about the characters wearing the colours, they can still go there! The characters can still go there and they can still intimidate—just as long as they don't wear their bikie colours. Really, this is Mr Shorten's vision for job creation in Australia!

We in the coalition are very serious about jobs growth. We put forward a comprehensive plan to the Australian people to grow jobs because we know the importance of jobs. It is fundamental for the household budget and for the independence of the family unit, and so vital for our future economic development, to be able to have a proper economy that underpins the services we want without having to borrow, day after day, thousands of millions of dollars from overseas—the legacy of the Australian Labor-Greens government that we are now patching up.

We had a plan. We have a plan. We put those plans to the Australian people and they endorsed those plans overwhelmingly. But what Senator Cameron did not tell us was where the biggest pockets of unemployment are. They are in the state of Tasmania and the state of South Australia. Now, I wonder what the common feature is between those two states. It would not happen to be the Labor-Greens government in Tasmania and the Labor government in South Australia? Well, yes it is. And that is why I hope the people of Tasmania and South Australia vote for job creation on 15 March by electing Will Hodgman and a majority Liberal government in Tasmania and Steven Marshall and a majority Liberal government in South Australia—so that we can work with all the states to help create the right environment for job creation. We need the states on board because this Senate, dominated as it currently is by Labor and Greens senators, simply will not allow this coalition government to implement its mandate and its plan to create jobs in this country—as I said, a plan which is vital for the
social and economic development of this country, a plan that is designed to help this economy which is in transition.

Referring back to Senator Cameron’s remarks, I was the shadow industry minister when Mitsubishi closed. I did not seek to throw stones at the Labor Party and blame them for it—because the company said, ‘No matter what, we’re leaving.’ Ford said exactly the same. We did not blame Labor. Isn’t it a pity that the Labor Party cannot adopt the same maturity and bipartisanship as we did when we were in opposition by acknowledging that, in a nation’s economic history, certain unpalatable events occur for which a government cannot be blamed. The hypocrisy and duplicity that we witnessed at question time today! Of the four car manufacturers that this nation had, two closed under Labor, which was not at all Labor’s fault; but then the next two closing under the coalition government is all the coalition’s fault! I think it is that duplicity, that hypocrisy, and those crocodile tears, that tell you everything you need to know about how Labor is playing politics with jobs and job creation in this country. Labor blames us for job losses that were already well and truly in the pipeline but, most perversely, blocks the initiation of our policies that would allow jobs growth in this nation.

We believe the coalition has a great record and we will continue—(Time expired)

Senator RHIANNON (New South Wales) (16:22): It is always interesting to follow the responsible minister, Senator Abetz in this case. We have heard him deliver yet again a speech that he is so familiar and at ease with—a speech of excuses and insults, a speech full of anti-union rhetoric and very damaging plans for Australia. He tells us that his government has a plan for this country. It is a plan that would drive down wages, see fewer jobs and make things harder for people on welfare.

Life is getting tough. What I found in January, a time when you can get out and meet more people both as part of work and at social engagements, was that the issue of jobs came up time and time again. People were concerned about their job security. If they did not have a job, they were concerned about where they would find one. But the biggest issue was the concern of parents wondering what the future for their children would be. They wondered whether there was any hope and questioned who was going to come up with a plan for the transition that Australia is currently going through, with the resources boom starting to recede. Sadly, however, we have a government that is locked into just looking after the big end of town, something that they do so well and something that Senator Abetz is well acquainted with.

Loss of jobs, the subject of this matter of public importance, is certainly a very critical issue for New South Wales, where the loss of jobs has been considerable. Over the last 13 years, the loss of manufacturing jobs in New South Wales has been enormous—more than 18 per cent. Some 53,000 jobs have been lost in the manufacturing sector. That plays out in such a damaging way.

I was recently in Smithfield, in Western Sydney, where I met people from the Latin-American community. Many people live there. I met fathers who no longer have work. They were very worried about the impact that has on their families—not just the lost income and the fact that they cannot provide for their families, as they are so obviously committed to doing, but also the implications for their role in the family and the example it sets for their children. These men came to this country with great hopes for the future for their whole
family. Many of their children are in higher education. But now, at a time when they really want to be helping their children, these men are unemployed.

Another very distressed area in New South Wales is the Illawarra. I understand that, at 15.3 per cent unemployment, which is three times the national average, it has the highest unemployment rate of any region and that youth unemployment there is well over 20 per cent. I often travel by train when I am working in or visiting that area. Even sitting at the railway station, you can feel the depressing impact the high levels of unemployment are having. It is very serious. This is what the Abbott government is pushing more and more people into.

We do need a new plan. We need a big shift because this lack of vision is doing so much damage. Today we, the Greens, announced our south-east stimulus package to address the very problems this debate has at its heart: how to create jobs in our communities, whether in the outer western suburbs, in regional Australia or in rural Australia. We need that plan and we are looking very closely at what can be done in south-eastern Australia. We can achieve a skilled, clean and thriving economy.

The issue of employment needs considerable attention because, as I have just mentioned, we are in the midst of a transition. If we do not address that in a constructive way, in a planned way, we will see the loss of even more jobs. But instead we are seeing that the Abbott government's agenda, so clearly and worryingly articulated by Senator Abetz, is to drive down wages and conditions. Our stimulus package is a practical solution which can be funded from the $12 billion this government is handing out every year in subsidies to the fossil fuel industry. This is at a time when much of the world is already turning its back on the coal industry and on many aspects of the fossil fuel industry more broadly. A responsible government would be planning for the transition of our economy away from reliance on those fossil fuels and towards clean energy. But instead we see a government just wanting to pour more corporate welfare into these dying industries. (Time expired)

Senator URQUHART (Tasmania—Deputy Opposition Whip in the Senate) (16:27): This new government has been a disaster for working Australians. Since the election in September, 50,000 full-time jobs have been lost. Worse, there are thousands more people set to be unemployed as a result of this government's policies and inaction. It is a government that is more concerned with attacking workers than growing jobs; a government that still thinks it is the opposition and whose agenda is to blame the previous government for everything, despite having been in charge of the country for months; a government whose purpose is to cut jobs, cut services and cut living standards for working Australians, all the while blaming workers and making it harder for people to retrain and find new opportunities; a government that went to the election promising the world on jobs—promising one million new jobs—but whose policies and inaction have seen 50,000 jobs lost in the first five months of its term; a government that promised support for programs before the election only to silently cut them while no-one was looking.

On the last point, you need look no further than the Wage Connect program, designed by the Labor government to get long-term unemployed into work. The federal government provided companies with $6,050 after they had employed an eligible job seeker for six months. This was a very successful program, run by the former government, with many thousands assisted into work. What did the new government do? They cancelled the program. In early December, the Assistant Minister for Employment, Luke Hartsuyker, cut the program
despite the obvious fiscal benefits of reduced assistance payments and increased income tax receipts. Miraculously, two weeks later, the assistant minister's boss, Senator Eric Abetz, ventured up to the north-west of Tasmania and brought forward his election policy, the Tasmanian Jobs Program. The Tasmanian Jobs Program provides only $3,250 to an employer—and only to Tasmanian employers of course.

Minister Abetz claimed that halving the wage subsidy would provide a much needed boost to the Tasmanian job market. Minister Abetz is no doubt aware that his halving of the Wage Connect subsidy effectively imposes a 10 per cent increase in the cost of employing a long-term unemployed jobseeker on the minimum wage in Tasmania. Despite the rhetoric from those opposite about Australia now being 'open for business', short-term decisions like this only make it harder for businesses to put on more staff and get more Australians into work. There is no intention for the program to work. It is a trial program for two years that is halving assistance and only providing it to Tasmanian jobseekers. This political trickery is exactly what Labor warned Australians about before the election. This new government, driven solely by an agenda to cut services to working Australians and to Australians doing it tough, slashed Wage Connect in half, rebadged it, and had the gall to pat themselves on the back.

The removal of Wage Connect will have negative impacts on employment across the country. Despite their rhetoric, this government are all about making it harder for those Australians who are doing it tough. They are blaming workers, and their unions, at every turn. I am a proud member of the AMWU and was the state secretary in Tasmania for a number of years before my election to this place. A number of members of the AMWU’s shipbuilding division are in Canberra today, trying to build support for the Australian shipbuilding industry. The union has put together a comprehensive plan for Australian naval shipbuilding, outlining the employment consequences if the government fails to act now.

I would like to highlight the work of Senator Carol Brown; Jane Austin, the Labor candidate for Denison; Mike Kelly, the former Minister for Defence Materiel; the AMWU; and local industry. They have all been involved in the proposal for a naval shipbuilding hub for Prince of Wales Bay near Hobart in Tasmania. The hub was to build on the tremendous work of Incat, Liferaft Systems Australia, CBG Systems and Taylor Brothers and grow the shipbuilding industry in Tasmania. Central to this proposal was a commitment from the then Labor government to procure the next round of Australian naval fleet purchases from Australian shipyards, including those in Prince of Wales Bay. So far, the new government have not committed to this plan. To the AMWU shipbuilding delegates from across the country, I welcome you to Canberra and I wish you well in your campaign to secure high-skilled shipbuilding jobs for Australian workers.

I implore government ministers to sit down with these workers, listen to their ideas and work together to sustain this industry that is vital for both our national security and our economy. To do this, government ministers need to end the blame game and stop these ridiculous attacks on workers. Unfortunately, I do not hold out much hope. On the front page of today's Australian Financial Review the Treasurer seeks to blame workers for Toyota's decision to cease manufacturing. That claim has quickly been exposed as complete fiction. Toyota's media statement, issued this morning, reads:
Toyota Australia denies the allegations in today's front page Australian Financial Review story … Toyota Australia has never blamed the union for its decision to close its manufacturing operations by the end of 2017, neither publicly or in private discussions with any stakeholders.

This is a sign of the government's desperation—they are fabricating third party statements to blame workers for their own policy failures. Rather than blame the workers and misrepresent meetings with senior management from major employers, the government should be focused on its election commitment to create one million jobs in its first term—an election commitment that is already set at negative 50,000, after a disastrous start to this government's term.

This is a government whose leader fabricated the financial circumstances of SPC Ardmona in trying to justify his reasons for turning his back on workers and farmers in Central Victoria. His own backbencher Dr Sharman Stone denounced the Prime Minister's attack on the workers. The company released a statement refuting each of Mr Abbott's claims point by point. One of his claims, that the workers were paid a wet places allowance and that this payment was overgenerous, showed his complete lack of understanding of Australian enterprise. This payment, of a few cents an hour, was paid when an employee provided their own uniform because their clothes were wet for a significant period. As the company has disclosed, a number of years ago the decision was made to provide the workers with appropriate clothing, and this wet places allowance has not been paid for some time.

It is easy to blame the workers. Mr Abbott, Mr Hockey and Senator Abetz are getting good at it. But, as this government is discovering, it is much harder to put in place policies that actually create jobs in Australia. Or at least it is hard to not be completely hypocritical when doing so. In the lead-up to last year's election, both SPC Ardmona and Simplot approached the government and the opposition for co-investment assistance for their operations in Shepparton, Bathurst and Devonport respectively. The then Labor government sat down with both companies and worked out packages that would see significant investments by both industry and government in upgrading facilities. Of course, the opposition made no such commitment.

However, the line in the sand had not yet been drawn. During the election campaign, the now Prime Minister visited Cadbury's chocolate factory in Hobart, a site with a significant AMWU membership, to announce a $16 million co-investment promise. One of the purposes of this co-investment was to 'increase chocolate production to 70,000 tonnes a year.' Of course I welcomed this announcement; I welcomed investment in the Claremont site and the government's support for the workforce. But this announcement came out of the blue. There was no immediate concern about Cadbury closing up. There was no immediate investment required to modernise the factory to save jobs. The then Opposition Leader was rejoicing at the expected increased production at the factory, while the Liberal candidate for Braddon, Mr Brett Whiteley, took to social media with a Cadbury chocolate bar to highlight the extra demand for milk and the resulting boon expected for Tasmanian dairy farmers. Clearly this grant, this election commitment, was about increasing production at the chocolate factory—not tourism.

After the decision on providing assistance to SPC Ardmona, the Prime Minister was asked why Cadbury's was more deserving of government funding. His response was that the funding was to build tourism infrastructure at the site; it was different because it was a tourism grant.
This comes from a Prime Minister that has abolished the tourism ministry and slashed the tourism infrastructure grants established by the previous government to assist small and medium tourism enterprises; this comes from a Prime Minister whose parliamentary secretary with responsibility for tourism has been given the job of ending federal government involvement in the domestic tourism industry. Rather than blaming workers, this government needs to outline exactly how it is going to meet its promise of creating one million new jobs.

(Time expired)

Senator RUSTON (South Australia) (16:37): Today's MPI reads:

The decisions of the Abbott Government that have led to the loss of more than 50,000 jobs in the past five months.

It seems to me that probably the first thing we need to do is establish the validity of such a comment. What facts is this based on? At this stage, we have no idea what the change in the employment numbers is going to be over the forward period. If we look at the figures that are currently around, for the last five months, there is every reason to think that particular statement is based entirely on political motives and has nothing to do with the facts. If I wanted to sit here and list the reasons I refute it, I would probably need about three hours. I contest that this statement is a false, baseless and cheap political stunt.

Let us start with the facts. Fact: since September 2013, employment has fallen by 5,500 jobs, not 50,000. Fact: market expectations are that the January employment figures will see an increase in employment of 15,000 jobs—although I do accept that we do not know until we see the actual figures; they are sometimes subject to some level of fluctuation and uncertainty. Fact: Labor's pre-election economic statement budgeted for an increase in the unemployment rate to 6.25 per cent. Fact: the December unemployment rate was 5.8 per cent. Fact: under Labor, one manufacturing job was lost every 19 minutes. The basic fact underlying all this is the overregulated, overtaxed environment that has been created over the last period of time, and that is the main reason for the lack of business confidence and why we are seeing, as a consequence, the unsatisfactory employment figures. We admit that any fall in employment is an unsatisfactory result. Anybody sitting opposite, even those who are shaking their heads, has to admit that there is a lag in the marketplace. Anybody who suggests that any employment losses have occurred because of a knee-jerk reaction to something that happened yesterday is living entirely in fairyland.

Let us look at some of the policy examples that have had a major impact on business and of course jobs. Let us look at the minerals resource rent tax. In my home state of South Australia, the home state of the Leader of the Opposition in the Senate, who is at the table, BHP Billiton made the decision last year not to continue with the expansion of their mine at Roxby Downs. At the time they certainly did not blame the minerals resource rent tax, but it has to be the combination of the environment that they found themselves in and the sovereign risk that this country is exposed to—

Senator Wong: It doesn't apply to what they mine.

Senator RUSTON: by the actions and policies of the government—

Senator Wong interjecting—

The ACTING DEPUTY PRESIDENT (Senator Sterle): Senator Wong.
Senator Wong: Well, it doesn't apply.

Senator RUSTON: The fact of the matter is that the sovereign risk environment in which international businesses found themselves in Australia is the fundamental reason, we believe, and I certainly believe, that the confidence businesses had to proceed was such that they did not proceed. We can talk about whether or not it was exactly the minerals resource rent tax—and I point out that I did acknowledge that that was not specifically the reason, that the minerals resource rent tax did not necessarily apply to it, before I was interjected on. But the fact of the matter is that it creates a sovereign risk environment that makes it very difficult for international businesses to invest in Australia—because the reasons just do not stack up—when they have opportunities to invest elsewhere.

Then there is the carbon tax. One can hardly stand here without mentioning the carbon tax. There has been a 0.3 per cent decrease in carbon emissions since the carbon tax was introduced at a cost of $7 billion to the Australian economy. Now, nobody can tell me on the basis of that result that the introduction of a carbon tax to our economy has been successful. That is $7 billion to achieve very little and $7 billion taken out of the economy. It does not stack up that it is going to be good for jobs. So let us be realistic about why these things are happening.

The topic of the moment is of course the car industry and the decisions by Holden and, more recently, Toyota to close their doors, which I assume is the reason why we have this MPI today. The fact of the matter is that, for every car, there was an increase in the cost of production by $400 completely and utterly as a direct result of the introduction of the carbon tax. Whilst $400 might not have been the straw that broke the camel's back, it certainly would not have helped, because it was just another cost burden added to the business when they are trying to be competitive in the global market that is the car industry.

I think it is totally ridiculous to blame the Abbott government for the potential loss of jobs in this industry and for car manufacturing moving offshore from Australia in the near future, particularly when, in an article in The Australian, the head of GM's international operations is quoted as saying:

It is impossible to build cars in Australia competitively and no amount of government incentives could have saved Holden …

That really does suggest to me that Mr Stefan Jacoby was not of the belief that the Abbott government had in any way influenced their decision to leave Australia. He went on to say:

'I initiated this decision as the leader of these markets and it was driven purely by business rationale, and not by any direction this government or any future government would give for their auto industry in Australia,' …

The funds could not add up regardless of the level of public funds involved, he said.

So, quite obviously, Mr Jacoby and Holden did not believe that the Abbott government was to blame for the loss of any jobs in the car industry.

The promises made by previous governments in funding the automotive industry were that the funding was going to increase jobs. We have seen so much money poured into the automotive industry and we have not seen an increase in jobs. So I think to suggest that the decisions made by the Abbott government have in any way affected the decision of Holden, or Toyota for that matter, is completely ridiculous.
By way of an example of the cost of doing business in Australia and the overregulated and overburdened market that businesses find themselves in, a company I was talking to today said that it cost them $2 million annually just to comply with the ACCC. There are certain requirements with the ACCC which no-one would ever suggest that they do not need to comply with, but a $2 million burden on a business is an awful lot of money straight off the bottom line. So I would suggest that the best thing we can do as a government to ensure the long-term sustainability of business and industry and that everybody in Australia who can have a job does have a job is to actually get out of their way. Subsidies, protection, regulation and interference in the marketplace are not the answer, because the fact of the matter is that the market is the best and most efficient mechanism there is to deliver an outcome.

The Abbott government promised the people that we would do a number of things to assist business. We promised to repeal the carbon tax, we promised to repeal the minerals resource rent tax and we promised to reduce the regulatory burden by having dedicated days of repeal in this place. The problem is that those opposite have yet to accept the fact that on 7 September 2013 the Australian people elected an Abbott government, believing that an Abbott government would do these things. The Abbott government wants to do these things but those opposite seem to have forgotten about the fact that they did not win the election and that the current government has a mandate to do these things. I think it is time that those opposite realised that the people of Australia actually have the right to expect that the things that they voted for are carried out in this place.

The public of Australia elected us all to get on with the job of governing this country, and stupid and spurious comments such as 'the Abbott government has caused the loss of 50,000 jobs in the past five months' do nothing to increase the level of confidence that the Australian public have in us and in this place. The best thing that we can do is to let business get on with the job of running the economy. Guess what. They do a much better job of running business than we do, or can ever hope to do. We should be constructive and helpful and stop wasting everybody's time with these baseless and silly statements. We should get on with growing the economy so that everybody in Australia can have a job.

Senator MADIGAN (Victoria) (16:47): 'Innovation'—that is the buzz word here on both sides of the house, as our manufacturing sector potentially enters its death throes. 'Business needs to innovate,' we heard from the opposition when it was in government. 'We need more innovation in business,' we hear from the government as another car manufacturer pulls up stumps and announces its intention to leave our shores. But there is one group of people who are failing to innovate, and it is the group of people sitting on both sides of this chamber and in the other place. You are incredibly good at attributing blame. The government today quoted how many jobs were lost during the previous government's term. Well, I think the current government has a pretty good score on that issue also.

What has been done and what is being done in terms of innovation? All I have heard so far are bandaid statements. I want to hear from all of you what your grand plan is and how you are going to respond while our manufacturers potentially die. And what about the previous government? You had plenty of experience in job losses also. Where are your answers? When the current government was in opposition, surely it had the luxury of time to come up with one or two ideas to answer our current crisis. In my view, both sides of the Senate are fiddling while Rome burns. While you are both currently prevaricating and bickering, the banks will
be looking, for example, at components manufacturers and their ability to keep up the repayments on their mortgages and on their equipment.

Go and ask any farmer how 'understanding' the bloody banks are when 'the proverbial' hits the fan—poor commodity prices, drought, fire and flood. Ask farmers what it is like when they are told by us: 'We're looking into it. We'll help you.' Of course, we have got complicated assistance packages for farmers. I bet we will get complicated assistance packages for the manufacturers and their employees when they find themselves in a terrible position. It will not be easy, it will not be simple, it will not be quick and it will not come fast enough. But you can be sure of one thing: it will be unbelievably bureaucratic. Instead of blaming workers, instead of blaming the unions and instead of blaming each other, why don't you people practise what you preach and innovate support and encouragement for our manufacturing sector and the families who are now thinking about the crisis that they are potentially facing? Why don't you come up with some quick and effective ways to respond to the current crisis?

Federal and state governments need to get together now—but not to come up with more pie charts, more ledgers and more motherhood statements. We need an action plan and we need it now. We are talking about people here: Australian workers, Australian small and medium business owners—people who have invested their life's work and effort into their businesses. They often say to me that their most valuable asset is the people working for them. The decision to sack is not made lightly, easily or flippantly. Don't think because it will happen in 2016 or 2017 that the tsunami is not already on its way. It is already having an effect on families and businesses, such as the working people in the western suburbs of Melbourne and across Victoria and elsewhere. These are some of the unseen people—the nightshift workers and the 60-hour-a-week labourers. Whacking on a hard hat, safety glasses and a hi-vis vest and then shedding crocodile tears does not cut the mustard.

Here is a novel idea: how many of you here have consciously gone out this week to buy something Australian? How many? How many of you just assume a product is Australian made, or do you make the effort to call up and ask whether a product is Australian made? The problems our manufacturers face are partially attributable to successive governments of all persuasions. Just get on with it and stop bleating about it.

**Senator LINES** (Western Australia) (16:52): So 50,000 jobs have gone since the election of the Abbott government. This is a government who said they were open for business, who said they wanted to cut red and green tape, and who made a promise of one million new jobs. All they have done is cut the jobs of Australian workers. The Abbott government has no idea how to run an economy which supports jobs, our living standards and vulnerable people in our communities. Not only that, the Abbott government does not understand the nature of the jobs in our economy, or the level of their complexity, and that we dumb down our economy when we allow the car manufacturing industry to collapse and other industries, which rely on complex technologies, to just disappear. The Abbott government is asleep at the wheel when it comes to jobs.

In the car industry, Holden was goaded out of the country by Treasurer Hockey, and, now, Toyota has announced that they will close Australian manufacturing by 2017. But the PM has told us not to worry and that workers will go 'from good jobs to better jobs'. When pushed on that question, the Prime Minister of our country had no idea where those better jobs might come from. Undeterred, the Abbott government then went on to blame the workers and their
unions for negotiating wages and conditions. It shows their complete ignorance about how the Fair Work laws work in this country when employers and employees sit down, bargain, negotiate and come up with an agreement. But again, despite not being asked, the Abbott government went on to try and interfere in SPC, Holden and Toyota by asking whether they needed help negotiating. Well, actually, no they do not; and none of those companies blamed their workforce.

Still undeterred, the Abbott government last week, and the week before, went on and on about the outrageous wages and conditions in the SPC agreement, telling us that 'the age of entitlement was long gone'. And guess what? They got the SPC agreement wrong. But they will not admit that they made a mistake and they will not apologise. They just keep steadfastly moving on, with their blinkers well and truly on, about how to read an agreement—in fact, how to read the right agreement.

Yesterday in this place I had the pleasure of meeting with Australian Metal Workers Union delegates who came to tell us about the shipbuilding industry. They are great delegates who are experts on the shipbuilding industry and proud members of the union. Again, the Abbott government is completely asleep at the wheel when it comes to shipbuilding. There has been no action yet on the white paper. We have 4,000 jobs and a technical, complex and highly skilled workforce in that industry. What are we going to do—just buy ships from overseas? Are we going to let that industry go the way of the car making industry? That would seem to be the case to me because the Abbott government does not understand jobs, does not understand our economy and does not understand the complex technologies required in many of these jobs. It wants to see a dumbed down economy where it can control the workers and keep wages at poverty levels.

Well, guess what. All the research says that is not how you build a smart economy. We are still waiting to see the beginning of the million jobs. In fact, it is more than that now if you deduct what we are losing in this country. The shipbuilding delegates have some good ideas. They are the experts in their sector. Why don't you sit down and meet with them, have a look at the white paper they have put together about their sector, and make sure that, into the future, we retain highly skilled workers in this country, are ahead of our game and have a government, unlike the Abbott government, who absolutely understands how important skilled jobs are to our economy. The Abbott government is asleep at the wheel and has no understanding.

The ACTING DEPUTY PRESIDENT (Senator Sterle): Order! The time for this discussion has expired.

COMMITTEES
Parliamentary Joint Committee on Intelligence and Security

Report

Senator FAWCETT (South Australia) (16:57): On behalf of the Chair of the Parliamentary Joint Committee on Intelligence and Security, I present the report on the review and listing of Jabhat al-Nusra, the re-listing of six terrorist organisations, and the review of the listing of al-Qaeda in the Arabian Peninsula.

Ordered that the report be printed.
Senator FAWCETT: I move:

That the Senate take note of the report.

The regulations for this were tabled on 12 November and 2 December in 2013. I would like to take this opportunity to outline the committee's findings in relation to each organisation. As mentioned, this is the first listing of Jabhat al-Nusra. Jabhat al-Nusra plans and conducts attacks in Syria against individuals and groups who they perceive to be supporting the regime of President Bashar al-Assad. Its attacks include security and military targets, using improvised explosive devices, sniper and small arms attacks as well as kidnapping and torture. Jabhat al-Nusra targets urban areas resulting in indiscriminate civilian attacks. The group has been responsible for numerous attacks since it announced its existence via a video statement on 6 January 2012. We have seen numerous examples of where, in particular, minority groups have been victim of these indiscriminate and, in some cases, quite targeted attacks.

Of particular concern to the committee were reports of Jabhat al-Nusra's recruitment of Australians to fight in Syria as well as a suggestion that it is deliberately recruiting and training foreigners to go back and conduct terrorist attacks in their own countries. The committee therefore supports the listing of Jabhat al-Nusra as a terrorist organisation and does not recommend disallowance of the regulation.

With regard to the organisation's being relisted, this is the fifth relisting of al-Qaeda, Jemaah Islamiah, al-Qaeda in the lands of the Islamic Maghreb, Jamiat ul-Ansar and the Abu Sayyaf Group, and the first relisting of al-Qaeda in the Arabian Peninsula. In each case, the committee was satisfied that the groups continue to engage in terrorist activities which could be a threat to Australians, or to Australian interests, either here or overseas. The committee therefore supports their ongoing listing as a terrorist organisation and does not recommend disallowance of the regulation for each of these groups.

I would also particularly like to mention the Islamic State of Iraq and the Levant. This group has been listed since 2005 under different names, including most recently al-Qaeda in Iraq. In December 2013, the government took the decision to relist the organisation under the name Islamic State of Iraq and the Levant. The committee was informed that this was to reflect the expansion of the group's activities into Syria with the change of name not reflecting a change in leadership, membership or methods of operation. Described to the committee as one of the world's deadliest and most active terrorist organisations, the Islamic State of Iraq and the Levant conducts daily and often indiscriminate attacks. It targets crowds and public gatherings to maximise casualties and gain publicity. Again, of concern to the committee were reports that the group actively recruits Australians that have travelled to Syria to fight.

The committee notes that the regulation reflecting the change of the name to the Islamic State of Iraq and the Levant is to be tabled this Thursday. The committee supports the relisting of this organisation and does not recommend disallowance of the regulation. As I said, the committee is concerned about the involvement of Australians with these groups. Members of the Senate would be aware of media reports just this week of more Australians who have lost their lives in Syria as well as the number of passports that have been cancelled as our security agencies take steps to prevent people from—and I emphasise this—breaking the laws of this country to travel to fight in conflicts such as in Syria. Even for those who travel there for humanitarian purposes, which is the stated intention of some, the committee...
does note the concern expressed by the government that, due to the ongoing conflict, kidnappings and terrorist attacks, their presence in Syria exposes them to extreme danger, of injury or loss of life.

We are particularly concerned about those who travel with the stated intention, as glorified on some websites and blogs here in Australia, of becoming a martyr or to train and return to Australia. That is illegal. For people who are tempted to do that, I refer to the Australian citizenship pledge that says:

From this time forward …
I pledge my loyalty to Australia and its people, whose democratic beliefs I share, whose rights and liberties I respect, and whose laws I will uphold and obey.

I commend the report to the Senate.

Question agreed to.

Publications Committee

Report

Senator BUSHBY (Tasmania—Deputy Government Whip in the Senate) (17:03): At the request of Senator McKenzie, the Chair, I present the second report of the Publications Committee.

Ordered that the report be adopted.

Regulations and Ordinances Committee

Report

Senator BUSHBY (Tasmania—Deputy Government Whip in the Senate) (17:03): At the request of Senator Edwards, the Chair, I present the Delegated Legislation Monitor No. 1 of 2014.

Public Works Committee

Report

Senator BUSHBY (Tasmania—Deputy Government Whip in the Senate) (17:03): On behalf of Senator Boyce of the Parliamentary Standing Committee on Public Works, I present two reports of the committee as listed at item 11 on today's Order of Business and move:

That the Senate take note of the reports.

Senator GALLACHER (South Australia) (17:04): I rise to take note of the reports of the Parliamentary Standing Committee on Public Works. I have been on the Public Works Committee since I arrived in this place. It is a very hardworking and diligent committee, as the reports show. I want to place on the record a comment that was made in the debate on the establishment of the Public Works Committee in the chamber on 11 September 1913. It said: 'Huge sums are being and have been spent for years past without proper inquiries and without that information to which the House is entitled. No big public work ought to be undertaken until this House has passed judgement upon it.' That is one of the prime functions of a legislative assembly anywhere and always. Indeed, this proposition goes to the very basis of
our system of responsible government and parliamentary control. I commend the reports to the Senate.

One of the interesting features that has come to the Public Works Committee is the post-implementation report. Projects come to the committee, they are approved, they go through the House and the work is undertaken. In all cases it has been my observation that there has been a considerable amount of contingency funding in those approvals. In order to satisfy the committee that the prudent and valuable work that is done is in the public interest and represents true value for money for the taxpayer, we have asked that they submit these reports back to the committee saying, 'The project is finished. This is what we spent. It was within budget and we drew on no or all of the contingency.'

I have had a couple of roles outside of the parliament in my working life, as a director of an industry super fund, a director of a motor accident committee, chair of an investment committee, and on a national transport committee. The only thing that I got in all of my training and in all of my observations in performing those roles and responsibilities was the simple ethos: with any project that comes before you, if you are not prepared to put a dollar of your own money into it, you should not be prepared to back it in the expenditure of anybody else's money. That is particularly relevant with respect to the taxpayer.

There are projects that come to the Public Works Committee which in my view are very complex funding arrangements, and they are all properly done through the Department of Finance and through respective departments, but they do challenge a committee which meets for one hour every sitting week and is expected to approve these projects. I make no apology for being very inquisitorial, for being very straightforward, in what I see as the pursuit of value for money in the expenditure of taxpayers' dollars. We are talking about significant amounts of funds: the 77th report may well have expended $1.6 billion in 12 months.

I wanted to place on record a couple of those issues. If there is either in the media or in the committee any sort of reaction, particularly to my contribution, I want it to be fair and square on the record that if I were not prepared to put in a dollar of my own money the taxpayer should not be anywhere near it either.

Question agreed to.

**Scrutiny of Bills Committee Report**


Ordered that the report be printed.

**MINISTERIAL STATEMENTS**

**Closing the Gap**

*Senator SCULLION* (Northern Territory—Minister for Indigenous Affairs and Leader of The Nationals in the Senate) (17:08): I table the report and statement of the Prime Minister on Closing the Gap. I seek leave to move a motion relating to the consideration of documents.

Leave granted.
Senator SCULLION: I move:
That the time for consideration of the documents today not exceed 60 minutes.
Question agreed to.

Senator SCULLION: by leave—I move:
That the Senate take note of the documents.

This morning the Prime Minister tabled in the House of Representatives the sixth annual Closing the gap report. Today we pause and focus our attention on how we are performing as a nation in reducing the disadvantage faced by too many Aboriginal and Islander Australians. The report is a sobering read and it is a demonstration of why we need targets. We cannot gloss over the poor results. There has been some progress but we are still failing in most areas since the targets were set some six years ago:

- Indigenous life expectancy has improved a little—but we are not on track to close the gap by 2031;
- there has been little or no progress on the employment target;
- literacy and numeracy rates are below target; and
- from 2008-2013, of the 16 NAPLAN Closing the Gap areas only 6 have shown a statistically significant improvement. In remote areas it is far worse than that.

We do need to have targets - but in the end it is results that count.

The emotions and expectations raised in the national apology that we will commemorate at tomorrow's anniversary mean that we must deliver results. We need a new approach and the groundwork is being laid. We now have a Prime Minister for Indigenous Affairs and, in me, a cabinet minister whose sole responsibility is Indigenous Affairs. We have moved most of the confused multitude of Indigenous programs into the Prime Minister's department, where they will be streamlined. We have established the Indigenous Advisory Council, led by Warren Mundine. These changes and others that will flow put Indigenous Affairs front and centre of government policy and program implementation. Our aim is to achieve long-term generational change. This government has three policy priorities that underpin the closing-the-gap targets:

- getting children to school;
- getting adults into work; and
- providing safe communities.

Progress in these areas will undoubtedly help to close the gap in all indicators.

A recent COAG Reform Council report showed that there has been no improvement in school attendance over the last five years. In fact, sadly, it is going backwards in some areas. This is a disgrace and a profound challenge for all of us. The Prime Minister today announced a new target of 90 per cent and to close the gap in school attendance within five years. We have a long way to go—some of these schools are only half of that. But if we fail, all the words expressed in this place will come to nothing, leaving our nation so much the poorer for it. More of the same will not do it and we need action more than words.

If we are to achieve this national goal, it is my strongly held view that strategies for change must directly involve Aboriginal and Islander people. I have been taking this approach with
our Remote School Attendance Strategy. In 30 schools on day 1 of first term this year, there were over 420 more students at school than on day 1 of first term last year. It would have been more but, unfortunately, a cyclone interfered significantly and affected the results on Palm Island. These results were achieved because we engaged local people, local people with the support of their communities. The results are fantastic and they are their results. After all, responsibility for ensuring children go to school lies with local mums, local dads and the local community. Governments and bureaucrats alone cannot solve these questions; that should be clear to all of us by now.

In all government activities we must credit Aboriginal and Islander people with being able to devise their own solutions to suit their particular circumstances and their particular community. I take this opportunity to particularly commend and thank Yolgnu elder and clan leader, Rev. Dr Djiniyini Gondarra. He is part of Makarr Dhuni; he is effectively the equivalent of a cabinet minister in Arnhem Land. Dr Gondarra has taken the significant step of declaring that parents’ cultural responsibilities should extend to sending their children to school.

As you would know from your experience, Acting Deputy President Sterle, this is a very significant issue in Aboriginal communities. The key, I believe, is to empower locals to engage real cultural authority, as demonstrated by Dr Gondarra. I have had the same conversations with other cultural leaders in other communities. This is the sort of approach I would like to see across all programs and services.

We must redefine the relationship between Aboriginal and Islander people and this government—in fact, this parliament. Of course, we do not resile from our commitment to provide Indigenous families with the support they need at the time to regain control over their own lives. Certainly when it comes to parents, we know that if they are not in control of their own lives it is very difficult to provide the support to get kids to school. We understand this no matter what environment you are in, whether it is metropolitan, outer metropolitan or very remote areas—we know that we are going to need to support those families. So I call on Aboriginal and Islander leadership across the nation to join us in empowering local people.

Much has been said today about bipartisanship. To truly cross the bridge of partisan politics, I think we have to accept our own failures. Let us congratulate ourselves only when there is true reconciliation in this country. This year’s Closing the Gap report shows that there has been far too little progress since the Closing the Gap targets were introduced. This should not be seen as a report card on the previous government. We all know this is a difficult area and that there are no easy answers. We do know that we must be prepared to challenge the status quo and to be courageous in doing so. We need to be smarter about how we target our efforts. Closing the Gap performance must be viewed with an eye to the varying results in regional and remote and very remote Australia. So today I commit to regularly making publicly available Closing the Gap results by remote, regional and urban areas where they are available.

Acting Deputy President, when you read the Closing the Gap report, whilst it is an excellent report, having broad figures tends to mask the real circumstances. In education, in NAPLAN results, for example, other results that I am aware of indicate that they are doing a lot better in the cities and far worse than that in the bush. So the disaggregation of results is going to assist us as a parliament to ensure that we are making the right decisions in this area.
More than anything else this national endeavour must unite us in this place. The way we have worked together on the path towards constitutional recognition of Indigenous people has been a great example. Today I was puzzled when the Leader of the Opposition in his detailed commentary on what might be included in a change to the Constitution appears to have perhaps departed from the carefully developed process that was agreed in a spirit of goodwill across parties. I trust that is not the case and have asked to be reassured that the process that was agreed to to take this important matter forward remains in place.

There is much work to be done and we need to focus on results. Aboriginal and Islander Australians can make it with our support and our encouragement. In this place, as I know, people of good heart, let us recommit to the task of Closing the Gap on Aboriginal and Islander disadvantage.

Senator WONG (South Australia—Leader of the Opposition in the Senate) (17:18): Let me first pay my respects to the traditional owners of the land on which we gather and pay my respects to elders past and present.

I welcome the Prime Minister's Closing the Gap statement today and I also acknowledge those who have delivered previous statements. I think it is worth recalling from where we have come to this, the sixth, Closing the Gap statement.

We recall that this in many ways began—to give credit where credit is due—with former Prime Minister Rudd, who at the opening of the 42nd Parliament made a formal apology to the Indigenous peoples of Australia and then a year later delivered the first Closing the Gap report. But, of course, the journey to where we are now is a much longer story and in many ways a much more tragic story. It is a story of dispossession, disadvantage and inequality. It is a story of unacceptable gaps in infant mortality and life expectancy. It is the story of the only developed nation among 57 listed by the World Health Organization that still had blinding trachoma. It is the story of much, much more.

I think it is important when we have the discussion, as we should and do today, for us to understand what we are engaged in as members of this parliament. In this place we are privileged as senators, as people elected to come to this place, to be part of what might broadly be described—and I think the Prime Minister described—as the national conversation. That is one way of talking about how it is that parliamentarians can be part of, as all Australians are in different ways, a discussion, an imagining, of how we see ourselves, of how we look at and how we speak of our history and, importantly, of how we imagine our future.

In many ways how we have come to this place has been one of the most important contributions to that national conversation of which we are all privileged to be a part. There are many things which are important in the conversation and the imagining of the Australian nation and we have debates about those things in this place all the time. But I do not think it is being overblown to say that if you want to go to the heart of who we are as a nation, if you want to go to the heart of how we must imagine our future and how we must reconcile our past, we must do what is right when it comes to our first peoples, and we must do what is right both in terms of how we talk about ourselves and how we structure our laws, what our Constitution says to us about who we are, and we must do what is right in terms of the detailed and practical measures which are referenced in the Closing the Gap targets. We must do both.
As Mr Shorten said in the other place, Labor is committed to working with the government on the task of recognition because our Constitution should recognise all Australians, including our first Australians. I do not believe—as some, perhaps not in this place, have said—that this is a theoretical debate. This is a discussion about the document that in many ways gives form to what this nation is and who we are. That document should properly respect and recognise our first peoples.

There are a great many aspects of the Closing the Gap targets which have been discussed today. I went back to the first Closing the Gap statement and reminded myself of some of the disparities that we were confronted with as a parliament but most importantly that our first peoples—our Indigenous peoples—are and continue to be confronted with. For example, in 2009 we discussed that Indigenous males die on average 18 years earlier than non-Indigenous males. Indigenous females lived to 65, on average, compared to 82. And in many ways the saddest of facts is the mortality rate of Indigenous Australian babies, which in 2009 was a rate nearly three times that of non-Indigenous infants.

Those few facts explain why it is so many people in this place, and I do believe this applies across parties, have such a personal commitment to the process of reconciliation and creating real equality. There has been a lot of talk about bipartisanship as well and I welcome that. I welcome that we are no longer in a debate about whether or not we should be saying sorry. I welcome that we are no longer in a frankly dry and unhelpful, and at times painful, debate about the difference between symbolic and practical reconciliation. I genuinely welcome the commitment from all parties in this place to the Closing the Gap framework and to reconciliation and equality.

But the fact of bipartisanship ought not to mean that we cannot say when we believe we cannot speak—when we believe that the actions do not measure up to the rhetoric. We will have debates and discussions in this place, as we should, about what the best way forward is—about what the path to equality and true reconciliation is. I say to the government: we will, as an opposition in this place, be saying to you that we believe your actions should live up to your rhetoric. We have raised concerns in this place before about the effect of legal aid cuts and cuts to Aboriginal legal services—not to make a partisan point but because of all that has been written, all that is known and all that has been experienced about the rates of incarceration of Indigenous peoples and what that means.

This topic of discussion often does, and I hope will continue to, bring out some of what is great in our parliament. Despite the bad press that a lot of politicians get, the overwhelming majority of people who come here—disagree as much as we do at times—come here with a genuine desire to improve our nation. We differ greatly on what that path should be, but that is the desire with which we come. There are a great many matters that we ought to debate; a great many issues that go to who Australians are, what this country is, what it means to be Australian, how we envisage our rich history and how we imagine our future. But in many ways none of them is more difficult, nor more central to Australia's identity and future, than reconciliation with our Indigenous people.

I am very pleased to have the opportunity to lead off for the opposition and make some comments in relation to this important statement. As Mr Shorten has said, we continue to commit ourselves as an opposition to the Closing the Gap framework—to working with all parties to try to bring about real equality with a policy approach that is built on consultation,
empowerment and consensus; to providing Aboriginal and Torres Strait Islander people with the tools and resources to complement the solutions they own; and to building reforms that reach well beyond the life of this parliament, because in doing so we will truly create a more just, a more equal and a more reconciled Australia.

Senator SIEWERT (Western Australia—Australian Greens Whip) (17:28): It gives me great pleasure to be able to rise again to talk about the progress—and there has been a little bit—we are making in closing the gap. I would first like to pay my respects to the traditional owners of the land on which we meet, the Ngunawal and Ngambri people. I pay my respects to their elders past, present and future and recognise this always was and always will be Aboriginal land.

As my colleague and the Australian Greens leader, Christine Milne, said this morning at the Closing the Gap breakfast, the Australian Greens have been strong supporters of the Closing the Gap campaign and the Closing the Gap initiative. Even before that was adopted by the government we were campaigning for this process. It is important to remember that tomorrow is the sixth anniversary of the apology, something people had been working on for decades. We need to remember and be careful that we do not repeat the mistakes of the past. I express my deep concern about the number of Aboriginal children that have been taken into care in certain states around this country. I think we will potentially face the same situation again. It is very important that on this day we remember that and make sure we put policy provisions and programs in place to ensure that the number of children being taken into care is urgently reduced and we put in place programs that support and nurture parents.

We welcome the government's statement today outlining the progress made. We welcome the opportunity each year to focus on what progress we are making. On that point I welcome also the report of the Close the Gap Campaign Steering Committee. It used to be called the shadow report, but it is not called that anymore. I recognise its importance in informing what Aboriginal and Torres Strait Islander organisations and communities think about progress against the targets to close the gap. As I do every year, I seek leave to table the progress and priorities report of 2014 of the Close the Gap Campaign Steering Committee. I have given the whips from the coalition and the ALP copies of the report.

Leave granted.

Senator SIEWERT: This is an important day to draw attention to the progress that has been made and particularly highlight the areas where we still need to make progress. Whilst there is unity in purpose and commitment to close the gap amongst politicians and the political parties in this place, that does not mean and should not mean that there is unity and agreement with the approach. In fact, it would be a failure of this process if we were not being rigorous in our analysis of the approaches that are being taken to the policies that seek to close the gap. I, like other members of the Australian Greens, have been critical of some of the approaches. I continue to be critical of approaches that are top down, paternalistic and punitive. Our concerns about income management, which is an example of that, are well known.

While we absolutely share and acknowledge the need to increase school attendance, I flag the concern here that, unless we ensure that education is delivered in a way that meets the needs of Aboriginal and Torres Strait Islander children, it will fail. There is no use just sending truancy officers to get kids into school if those kids do not have the right curriculum
and there is not a bilingual approach. It will not ensure that more children complete their education. I have outlined my concerns in this place many times about children not being able to hear. Unless we address that fundamental issue, we will not address the literacy and numeracy concerns and skills of Aboriginal and Torres Strait Islander children. Yet I see very little moves to fund that area.

It is essential that we have long-term investments and long-term commitments. We need to remember that we are in this for the long haul. Senator Milne this morning, the Prime Minister, the Leader of the Opposition and speakers here in this chamber just now have highlighted there is still a much higher burden of disease—2½ times that of the non-Aboriginal population. This for a start clearly shows we have a long way to go. While there has been some progress with decreasing mortality rates in Queensland and the Northern Territory, there have been no significant changes in the other states.

Clearly, we need to keep going. At this stage, unfortunately, the National Aboriginal and Torres Strait Islander Health Plan and the National Partnership Agreement on Closing the Gap in Indigenous Health Outcomes have expired. Despite our supposed commitment to these targets, we in Australia have been unable to reach agreement at COAG and the states and territories still have not completed their commitments to the next health plan for 2013 to 2023. If we were serious about this, we would have signed on as those programs expired. Unfortunately, we are still hanging out for that agreement. I suspect we will still be hanging out for the agreement on early childhood development for Aboriginal children as well, which has just expired as well. How long are we going to have these gaps in these programs and in reaching agreement? I am very pessimistic about how soon we are going to sign off and properly implement these programs.

We are pleased to see that there has been some move, but we are picking up on the call from the steering committee, who were very clear in their report that they need to see the Abbott government set out a clear time frame of 12 months for the national implementation of a strategy for the delivery of the health plan. Prime Minister Abbott has promised to focus on Aboriginal and Torres Strait Islander issues in his first term as Prime Minister. He obviously needs to make sure that the states and territories are also on board and that everybody is committed to delivering those outcomes.

We cannot be serious about addressing closing the gap unless we have signed off on that issue. It is clear from the steering committee report that getting sign-off and implementing the health plan are absolute priorities, so we endorse those moves. We also are concerned, as is the steering committee, about potential cuts to funding, like the PBS's, that had been canvassed by the Commission of Audit. The PBS and those sorts of services are very important to Aboriginal and Torres Strait Islander communities.

The Prime Minister mentioned some new targets in his statement to the parliament this morning. The target that he missed out is the justice target. We need this if we are to close the gap in this country. It is the shame of Australia that we have such a high rate of incarceration of Aboriginal and Torres Strait Islanders across the board, but in particular young Aboriginal and Torres Strait Islanders. When are we going to see a commitment across Australia to a justice target and to ending this atrocious record of incarceration in this country? One of the programs that we should be investing in is justice reinvestment. We have had an inquiry into it—Senator Penny Wright led that inquiry—and the evidence is clear: we need to be investing
in it. And what will drive that investment is having a target as part of the Closing the Gap targets. It is absolutely critical. I repeat: unless we address this issue, we will not close the gap. The Greens will continue to support the Closing the Gap campaign. (Time expired)

Senator NASH (New South Wales—Deputy Leader of The Nationals in the Senate and Assistant Minister for Health) (17:38): In his speech to the House of Representatives earlier today, the Prime Minister, the Hon. Tony Abbott MP, noted that significant improvements have been made towards meeting the target of halving the gap in mortality rates for Indigenous children under five within a decade. During the period between 1998 and 2012, the Indigenous child mortality rate declined by 32 per cent, outpacing the decline in non-Indigenous child mortality. These changes mean that we are currently on track to meet this target by 2018. Of course the reduction in the infant mortality rate will eventually provide the platform for addressing long-term health in Indigenous Australia, particularly in remote areas. To this end, we remain committed to health services from birth and before birth.

Maternal and child health is a key focus for investment. There is a substantial body of evidence that the experience of the child—in utero, at the time of birth, in infancy and in childhood—has the potential to impact on health throughout life. High quality antenatal care provides opportunities to address health risks and support healthy behaviours throughout pregnancy and into the early years of childhood. Improving the health, social and environmental factors of babies and young children is likely to have positive flow-on effects for the remainder of the life cycle. The government remains committed to improving maternal and child health through the New Directions: Mothers and Babies Services program. This program provides increased access to antenatal and postnatal care, practical advice and assistance with breastfeeding and nutrition, and health checks for children before starting school.

Despite the success in moving towards the child mortality target, there has been a negligible difference to the life expectancy gap within a generation. Over the last five years there has been a small reduction in the gap of 0.8 years for males and 0.1 years for females. It is clear that more needs to be done if this target is to be met by 2031. Senators will be aware that Indigenous Australians have higher rates of chronic disease, including diabetes, coronary heart disease and respiratory disease than other Australians. They have higher rates of high blood pressure and cancer, and they typically have earlier-age onset of these diseases. Chronic disease contributes to two-thirds of this health gap between Aboriginal and Torres Strait Islander peoples and non-Indigenous Australians. The majority of deaths between 2006 and 2010 were due to chronic diseases. The leading cause of death was circulatory disease with rates of the disease in Indigenous Australians at 1.7 times that of non-Indigenous Australians, contributing to 17 per cent of the burden of disease in Indigenous Australians.

Smoking levels are high among Indigenous adults, although evidence shows a small reduction in the most recent period. Levels of physical inactivity, obesity, diabetes and high blood pressure are much higher than for non-Indigenous Australians. Additionally, low socioeconomic status is associated both with greater risk of developing circulatory disease and with lower chance of receiving appropriate treatment. At the same time, we see worrying rates of diseases which are virtually unknown in contemporary non-Indigenous Australia, including the consequences of rheumatic fever and the returning scourge of tuberculosis.
The government remains committed to addressing chronic disease and to funding activities through the Aboriginal and Torres Strait Islander Chronic Disease Fund and Practice Incentive Payments in Indigenous health, as well as expenditure under both the Pharmaceutical Benefits Scheme and Medicare. These activities sit alongside efforts to reduce the factors that contribute to chronic disease, such as smoking, drug and alcohol abuse, and work to ensure access by Indigenous Australians to comprehensive and coordinated primary health and hospital care that is provided by a culturally competent health workforce within a broader health system.

I am pleased to note that we have had success in recent years in the area of smoking cessation. In 2008, 47 per cent of Indigenous Australians were current smokers, down from 51 per cent in 2002. This is the most recent data, but there is strong evidence that the rate continues to fall, and I would pay particular tribute to Aboriginal medical services in delivering these programs, and to so many of our other health services who are delivering care to Indigenous Australians.

The Aboriginal community controlled health organisations provide the valuable infrastructure platform for chronic illness care and maternal and child health programs in particular. The government funds over 170 Aboriginal community controlled health organisations across Australia. In some remote locations, the Indigenous-specific system is the only one available to the local population. The task ahead is to build on this strength by maintaining momentum for improvement in the best-performing organisations and programs across both the Indigenous-specific and mainstream systems, and encouraging other providers to achieve at the same levels. It is clear, however, that provision of high quality accessible health services alone is not sufficient to improve overall health outcomes. Between one-third and one-half of the health gap is driven by social determinants such as socioeconomic status, education, employment and income.

The coalition government, as you have heard from my colleagues today, is committed to getting kids into school and adults into work and to ensuring that the ordinary rule of law applies in communities. This cannot be achieved without a continuous focus on health. Healthy kids can take advantage of education, and healthy adults are better placed to take up employment opportunities. We also know that better schooling, better employment opportunities and safer communities create better health outcomes. This is an important two-way relationship.

This government remains fully committed to achieving health equality between Indigenous and non-Indigenous Australians within a generation, for these reasons. We cannot continue to see the disparities in Indigenous health outcomes such as life expectancy, age-standardised death rates and chronic disease. We want to work closely with the community controlled health sector in order to tackle long-term problems with long-term solutions.

Senator PERIS (Northern Territory) (17:45): I rise to respond to the Prime Minister's statement on this nation's effort to close the gap on Aboriginal and Torres Strait Islander disadvantage. I want to talk about areas where we are making progress but also address some concerns I have about areas where we are going backwards. The Closing the Gap report reminds us that, while we have made a start, we still have a long way to go. The aim is to have closed the gap by 2030. It might seem a long way off, but if we have any chance of succeeding we have to be making gains now. I am proud that the Northern Territory is leading
the way. The Northern Territory is the only jurisdiction on target to meet the Closing the Gap targets by 2030. This is due to the long-term investments of policies of both the Northern Territory and the federal Labor governments.

There have been clear improvements in life expectancy and a reduction in Aboriginal infant mortality. Across Australia the Indigenous child mortality rate has dropped by 32 per cent. This is an achievement to be proud of. There has been a dramatic increase in the life expectancy of renal patients. The life expectancy of an Indigenous renal patient is now the same as that of a non-Indigenous patient—a real achievement that is clearly the result of an expansion of renal dialysis facilities into remote communities.

Under the previous government, investments and policies in health, education, housing and community safety all helped to improve life expectancy. However, I am worried that some of these investments and policies are being undone, particularly in relation to stopping the rivers of grog and in relation to education. On coming to government in August 2012 the CLP, the Country Liberal Party, government in the Northern Territory scrapped the Banned Drinker Register. For those that do not know, the Banned Drinker Register was an electronic identification system installed right across the Northern Territory that prevented problem drinkers from purchasing takeaway alcohol. When it was scrapped there were around 2,500 problem drinkers on the register.

This time last year, former Prime Minister Julia Gillard spoke out against the scrapping of the Banned Drinker Register. To his credit, the opposition leader at the time, Mr Tony Abbott, stated that he shared her concerns. Tragically, their mutual concerns were ignored by the Country Liberal Party government, and the consequences have been devastating. In the last year, alcohol related violent assaults have increased by 15 per cent right across the Northern Territory. Domestic violence has increased by 21 per cent across the Northern Territory. Aboriginal women are bearing the brunt of this violence. Dr Howard Bath, the Children’s Commissioner in the Northern Territory, has graphically outlined that Aboriginal women are 80 times more likely than other Territorians to be hospitalised for assault. This is a shocking statistic, and one that no Australian should accept. When you travel to the Northern Territory, you can see this violence on the streets. Towns like Katherine and Tennant Creek are awash with alcohol. In Tennant Creek, alcohol related assaults are up by 54 per cent, and domestic violence is up by 70 per cent—in just one year.

None of the Closing the Gap targets can possibly be met while this continues. Until the sale of alcohol is controlled at the point of sale, the rivers of grog will flow and the violence will continue to grow. I have met with doctors in our emergency departments. Alcohol admissions in hospitals have gone through the roof in the last year and a half. Emergency departments are full of the victims of alcohol related violence. The costs of this are enormous. Such an enormous amount of our vital health resources is being spent dealing with a crisis that can be avoided.

Under Labor, alcohol sales in the Northern Territory declined for six straight years. But now they are increasing. The increase coincided with the scrapping of the Banned Drinker Register. It is beyond argument that the scrapping of the Banned Drinker Register has compromised our capacity to reach the Closing the Gap targets in the Northern Territory. Doctors, police, lawyers, judges, Aboriginal health workers and many others have called for
the return of the Banned Drinker Register. Even some of the CLP's own members of parliament have called for its reintroduction to be considered.

The Prime Minister's Closing the Gap report states:

All Australians have a right to live in a community where they can be safe.

For many Aboriginal women and children, this right is not currently fulfilled. The Prime Minister says his government will continue to support tough alcohol regulations, but, unfortunately, he is passively sitting back while alcohol regulations that worked are being undone. I call on the Prime Minister and the Minister for Indigenous Affairs, as a matter of urgency, to use the influence they have with the Country Liberal Party government to bring back the Banned Drinker Register. I urge the Minister for Indigenous Affairs to proactively work to get the 23 alcohol management plans being prepared to be finalised. I urge him to not just wait until they are developed but ensure that they are developed, approved and implemented as soon as possible.

Another area I am extremely concerned about is education. Improved education is essential if we are to close the gap in the long term. Equality in education is essential. Every Australian child should have access to a quality education. As I said this morning at the Closing the Gap breakfast, my grandfather told me, 'Don't just talk about it; be about it.' To be about it, a child needs an education. A child without a proper education will miss out on opportunities for the rest of their life. The education outcomes in the Closing the Gap report are disappointing. The cuts to education in the Northern Territory are hurting the bush. Remote schools are starting this year with fewer teachers and less resources than they had last year.

Just last week I was in a remote community, and the school in that community has an attendance rate of 90 per cent, which is very high for a remote community. It is due to the hard work over 30 years of one individual teaching assistant at that school. The Country-Liberal government has just cut back his position to half time. He went from 8:30 to 3:30 and now the position has gone back to 8:30 to 11:30 after 30 years of success. The Prime Minister and the Minister for Indigenous Affairs have been busy talking about the truancy officer plan as a method of getting kids to school. This plan will not work while teachers like this man are being cut back.

I welcome the Prime Minister's commitment to include school attendance as a Closing the Gap target, but I urge him to look at the effects that current education cuts are causing. Picking up the kids and taking them to school is actually the easy bit. Keeping them at school is the hard bit—and only dedicated teachers with the resources they need can get this done.

Indigenous incarceration rates are higher, and we need to address this. The Commonwealth's decision to cut funding to Aboriginal legal services is wrong. These organisations do not just provide legal representation; they work with their clients to try and make sure that they do not reoffend. This is the area where the funding cuts will hurt the most, and incarceration rates will continue to increase.

As the deputy chair of the Joint Select Committee on Constitutional Recognition of Aboriginal and Torres Strait Islander Peoples I will be working hard this year alongside the chair, the member for Hasluck, Ken Wyatt, to promote this issue. The referendum is an opportunity to unite all Australians. We will be working to raise public awareness and to
demonstrate the importance of this to Aboriginal Australians, but we also need it to be a positive step for all Australians.

I welcome the bipartisan nature of the Closing the Gap targets. But that does not mean I will not speak out when government policies are wrong. If I believe that any government decisions compromise our capacity to reach the Closing the Gap targets then I will speak out.

Finally, I would like to thank the many people who work so hard to close the gap: our teachers in our schools, the medical professionals working hard with our Aboriginal health services, the alcohol service providers and everyone who is in a community, working with their families and children and striving to improve lives. I commend them for the terrific job in an often challenging environment.

I welcome the Closing the Gap report released today and I urge everyone in this parliament to continue to work hard to ensure we close the gap on Indigenous life expectancy.

**Senator LUDLAM** (Western Australia) (17:54): I just want to acknowledge this afternoon that we are standing on Aboriginal ground: the traditional country of the Ngunawal and Ngambri people—country and sovereignty which was never ceded from colonial days right up to today.

I am proud to add my voice to that of Australian Greens senator Rachel Siewert, who has spent years travelling across this country listening to communities to effectively bring their views into this place. I am reminded of the words of a friend of mine in the Top End, who noted that one of the gaps we are trying to close here is the gap in understanding. This gap exists initially in our minds: the gap between the lived experience of Aboriginal people across this continent and the mostly white politicians from far away, who set about designing bureaucratic structures to address the aftermath of racism, discrimination and inequality in this country.

At its best, closing this gap of imagination and experience leads to some of the community controlled service delivery that we celebrate today—services that are making a meaningful difference to people’s lives. And at its worst, we get things like mandatory sentencing and the NT intervention, which saw the worst kind of disempowerment levelled at vulnerable people in order to provide white politicians with a cheap photo opportunity.

Today I want to join my voice to those who have spoken in this debate so far to acknowledge the people across all parts of this spectrum of understanding who have sought, against the odds, to wrench back meaningful service delivery and community self-determination in the areas where they are needed most, and to confront directly the epidemic of youth suicide, the indiscriminate imprisonment of Aboriginal people, and the chronic health conditions which needlessly cut short so many lives.

This morning as I joined colleagues, activists and service providers to hear the Prime Minister, the opposition leader and the Leader of the Australian Greens renew our commitment to Closing the Gap, I allowed myself a moment of optimism. There are gains recorded in this year's annual report. They were hard-fought and, if anything, they highlight how much further we have to go.

Senator Siewert has ably described the big picture and the role that the Greens play in working to secure lasting improvements in health and wellbeing for Aboriginal people. I want to focus on one example of the kind of organisation that we should be supporting if we want
to see the gap in life expectancy and health close in a meaningful way. Senators may be aware of the Dumbartung Aboriginal Corporation, which operates in Perth's southern suburbs. Director Robert Eggington, project officer Selina Eggington and their colleagues over many years have built the unique and important organisation. Dumbartung welds together crisis care and culturally-appropriate healing services with an unrivalled collection of artwork and cultural materials, referral services and political advocacy.

I particularly want to acknowledge Dumbartung's work in taking on youth suicide, surely the most tragic consequence of the multiple challenges faced by Aboriginal families. The organisation proposes a break from old habits. It envisages an Aboriginal task force and the establishment of a three-tier safety net of safe places that begins with culturally-appropriate services delivered by Aboriginal people. It is designed to move people in crisis through a sequence from crisis response to a referral service to mainstream health providers.

Western Australian premier Colin Barnett has acknowledged that even as funding to mainstream service providers has gone up so the tragedy of youth suicide has increased. We need a new approach, because what we are doing at the moment is not working. We do not need the continuation of an approach that originates in the premier's office or even in this parliament but one that arises from the communities most affected and best placed to identify the kind of help they need. That means changing and channelling the direction of some of the funding streams. Dumbartung and advocates like Robert and Selina should not have to spend half their days on the scrounge, looking for funding to continue the kind of work that they do from month to month. It sucks up so much time that could be so much better spent.

I want to add my support to the justice reinvestment approach that Senator Siewert mentioned, and to thank my colleague Senator Penny Wright from South Australia for championing this initiative. Anybody who has heard the former Human Rights Commissioner Tom Calma speak out about justice reinvestment will know that this is the way to go for Australia. We need to build communities, not prisons.

I also add my voice to those of Senator Nova Peris and Senator Siewert in condemning the closure of the Aboriginal legal services. If anything, we should be increasing the funding to these stretched community legal services, which do extraordinarily important work in preventing people from being incarcerated in the first place.

To Robert, to Selina and to everyone who works for the protection of kids, country and culture: may your campfires burn forever.

_Senator McLucas (Queensland) (17:59):_ Tomorrow will be the sixth anniversary of the apology to Aboriginal and Torres Strait Islander people for the stolen generation that was given in this parliament. It was a symbolic day and much has been said about that. It was an important day in history for Aboriginal and Torres Strait Islander people, but in my view it was also a very important day for non-Indigenous Australians. We all recall that day. It was an important day and one of the days that I think all of us will remember long after we leave this place. It was a day of tears and reflection, but it was a day of hope and a day of focusing on the future.

I think it is a day when many non-Indigenous Australians, potentially for the first time, truly engage in issues that affect our first peoples in this country. It is a day when some of the divisions of the past—some of the very unpleasant, horrid and hurtful divisions of the past—
are put aside. It was a day when the Prime Minister, Prime Minister Rudd, committed to the Closing the Gap strategy as well. He laid out a strategy that would identify targets and strategies to achieve those targets. That is the way we will close the gap.

It is important today, on the sixth anniversary, that we actually do receive the sixth report on Closing the Gap. I think it is important to recognise that a single target and a single strategy on its own will not close the gap. It has to always be a coordinated approach, where the strategies complement each other, and where we are not doing one thing with one hand and on the other affecting the community with another strategy that does not work. It is really important that this work be designed with Aboriginal and Torres Strait Islander people. If we do not do that, there will not be ownership. It will not feel as if this is a shared vision and a shared goal to achieve equality across all Australians.

I also want to say that the type of engagement that we have with Aboriginal and Torres Strait Islander people has to be local; it has to be open and honest. I really do urge people against the use of the word 'consultation'. I am a former primary school teacher. Attendance at school is a necessary condition of getting an education. You simply cannot learn if you do not go to school. Children have to go to school to learn. In that vein, Labor welcomes the target to achieve improved school attendance.

But in saying that, I want to reserve my opinion about the strategy that will achieve that. School attendance officers—some of them are in Queensland—are in place now. I have been a schoolteacher; I have gone and got kids too. But you have got to have a relationship with children and their families in order for those children to come into your classroom. I hope that this strategy works. I hope that this strategy will mean that our children will come to school and want to come to school. I think that we probably need to look a little bit deeper into some of the reasons why those children are not attending school.

We have to look at what is happening in our schools. In saying that, I want to commend the many, many fantastic teachers who work in Indigenous schools and with Indigenous children, and who are achieving great results. I particularly want to commend the work of Indigenous teacher aides, as they are called in Queensland. Without them, we could not do our jobs.

But I am concerned, as our opposition leader Bill Shorten identified this morning, that today—school started a couple of weeks ago—we are hearing reports that we have fewer teachers in our remote schools and, as Senator Peris has identified, fewer teacher aides. We all know that the relationship between a teacher, the teaching staff and a child is the biggest indicator of a fantastic educational outcome. We have got to build on that relationship to get the results that we are looking for. I commend all those who work in that space.

I also want to identify in the health space that increasing life expectancy is the ultimate goal. That is where we have all got to focus. To get there, we have got to focus first of all on children. I am pleased that the report identifies that there has been a reduction—and, in some states and territories, a massive reduction—in child mortality. That is great and that will achieve great results. I also want to note the work that is being done to reduce tobacco use by Aboriginal and Torres Strait Islander people. That is a great outcome. We know that the use of tobacco by Indigenous peoples is at a far higher rate than non-Indigenous peoples. We know that that directly results in a decreased life expectancy.
Like Senator Peris, I am concerned that if alcohol is not managed all of the work that we do—this is the point of coordination that I am talking about—to focus on child health and to focus on reducing tobacco usage will be for nought, particularly in our remote communities. The figures that Senator Peris quoted in the chamber are horrifying. We must work better to control alcohol use by Aboriginal and Torres Strait Islander people.

In saying that, can I commend the people who work in Aboriginal health and the people who work in our Aboriginal medical services. Particularly, I want to commend Indigenous health workers. There is a lot of research that shows that employment of Indigenous health workers will result in fantastic outcomes or much improved outcomes for Indigenous people. Indigenous people, unsurprisingly, want to get health advice from people they trust—we all do. They want to get their advice about their health outcomes from a person who understands their circumstances.

I join with Shayne Neumann, the shadow minister for Indigenous affairs in the House of Representatives, when he identifies that we must be looking at incarceration rates of Aboriginal and Torres Strait Islander people. Particularly in remote areas, they are—the word is almost hard to find—unconscionable. We cannot sit around knowing that 80 per cent of the people in some of our prisons are Aboriginal and Torres Strait Islander people. Therefore I am very concerned about the cuts that we have seen to Aboriginal legal aid. I think there is absolutely a direct link between people who are not getting quality legal aid services and more Aboriginal and Torres Strait Islander people in our jails.

The target that Labor proposed, which we should put into place along with a strategy to achieve it, of improving access to disability services for Aboriginal and Torres Strait Islander people is one that I would commend to the government. From the work that has been done we know that access to services by Aboriginal and Torres Strait Islander people with disability is much lower, for a whole range of reasons. There are cultural reasons and there are access reasons. Unless we put a target in place and a strategy to address it then we will not to achieve equity and fairness for Aboriginal and Torres Strait Islander people who have a disability. In that sense I commend the First Peoples Disability Network, a new peak body in the disability space, for the work that they are doing to educate in many respects disability service providers about the way they need to engage with the Aboriginal and Torres Strait Islander people and make sure that their services are culturally appropriate.

Finally, I do believe that constitutional recognition is an essential part of achieving not only the practical outcomes, the real outcomes, the on-the-ground outcomes that will change people's lives, but also the sense of inclusion that Aboriginal and Torres Strait Islander people will feel when they are finally recognised in the Constitution. Congratulations to Reconciliation Australia for the work that they are doing to pave the way for that outcome to be achieved. As Mr Shorten said this morning, this is a responsibility not just of the parliament but of the whole community.

Question agreed to.

AUDITOR-GENERAL'S REPORTS

Report No. 19 of 2013-14

The ACTING DEPUTY PRESIDENT (Senator Gallacher) (18:09): In accordance with the provisions of the Auditor-General Act 1997, I present the following report of the Auditor-

**DOCUMENTS**

**Tabling**

*The ACTING DEPUTY PRESIDENT (Senator Gallacher) (18:10):* On behalf of the President, I table the following document:

Supplement to the 13th edition of Odgers' Australian Senate Practice

**Tabling**

*The Clerk:* Documents are tabled pursuant to statute. Details will be recorded in the *Journals of the Senate* and on the Dynamic Red.

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

**COMMITTEES**

**Finance and Public Administration Legislation Committee**

**Membership**

*The ACTING DEPUTY PRESIDENT (Senator Gallacher) (18:10):* The President has received a letter from a party leader seeking variations to the membership of a committee.

*Senator SINODINOS* (New South Wales—Assistant Treasurer) (18:11): by leave—I move—

That Senator Seselja replace Senator Bernardi on the Finance and Public Administration Legislation Committee for the consideration of the 2013-14 additional estimates on Friday, 28 February 2014.

*Question agreed to.*

**Joint Select Committee on Northern Australia**

**Appointment**

*The ACTING DEPUTY PRESIDENT (Senator Gallacher) (18:11):* The President has received a message from the House of Representatives informing the Senate of the appointment of Ms ML Landry as a participating member to the Joint Select Committee on Northern Australia.

**BILLS**

*Education Services for Overseas Students Amendment Bill 2013*  
*Migration Amendment Bill 2013*  
*Private Health Insurance Legislation Amendment Bill 2013*  
*Therapeutic Goods Amendment (2013 Measures No. 1) Bill 2013*  
*Veterans' Affairs Legislation Amendment (Miscellaneous Measures) Bill 2013*

**First Reading**

Bills received from the House of Representatives.

*Senator SINODINOS* (New South Wales—Assistant Treasurer) (18:12): I indicate to the Senate that these bills are being introduced together. After debate on the motion for the
second reading has been adjourned, I will be moving a motion to have the bills listed separately on the Notice Paper. I move:

That these bills may proceed without formalities, may be taken together and be now read a first time.

Question agreed to.

Bills read a first time.

Second Reading

Senator SINODINOS (New South Wales—Assistant Treasurer) (18:13): 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—

EDUCATION SERVICES FOR OVERSEAS STUDENTS AMENDMENT BILL 2013

The key to Australia’s competitiveness in providing world-leading education services to overseas students will rest on how well we promote our institutions and enhance both their quality and the experience of students who come to our shores. We must also act decisively to minimise the constraints of unnecessary regulatory burden on education providers to support a vibrant international education system into the future. The successful and efficient operation of the Education Services for Overseas Students Act 2000, or ESOS, and its associated legislative framework is an important element in enhancing international education in Australia.

Australia’s reputation for quality in international education is built on the excellence of our universities, higher education institutions, schools and technical colleges, both public and private. ESOS supports the integrity of our student visa system, which is fundamental to our international education provision. It gives students who come here the assurance that their rights as consumers are respected and their needs in adjusting to life in Australia are met. It ensures they are supported to pursue an outstanding educational experience here. We warmly welcome international students, and this government will do everything we can to encourage them to choose Australia first when they are considering an international education.

There are currently around 1,000 providers of international education in Australia, from large universities and TAFEs to small private colleges and English language providers, as well as public and private schools. Under the Labor government, there was an alarming decline in income earned by Australian international education from its peak in 2009-10. This government is acting decisively and quickly to ensure a much more prosperous future for international education.

This is why the government will respond positively to the advice of the International Education Advisory Council in its report, Australia: Educating Globally, widely known as the Chaney Report, and release a draft national strategy for international education for consultation in early 2014.

In delivering on our support for international education this government has announced an approach that will encourage growth in international student numbers by allowing flexibility in Australia’s approach to allocating student visas.

The previous government limited access to streamlined visa processing to universities only, when it was introduced in late March 2012. No other higher education providers were offered access to streamlined visa processing. This government is rectifying what we consider to be a serious impediment to the growth of international education in Australia.

On 29 October 2013, the government announced that it would extend the offer of streamlined visa processing arrangements to 22 degree awarding non-university providers of higher education that
present a low immigration risk. The government also announced the simplification of the Assessment Level Framework. Education providers who are not being offered the opportunity to participate in streamlined visa processing arrangements at this time will benefit from these significant improvements to the Assessment Level Framework.

The reforms to streamlined visa processing and the Assessment Level Framework, and the work we commence here today with the ESOS Amendment Bill, are the kinds of reforms we need to strengthen our international education system. They are integral to our plan for safeguarding and enhancing Australia's status as a world-leading provider of education services.

The ESOS Amendment Bill I introduce today will begin the essential adjustment to the regulatory settings for international education to align and simplify our current legislative framework. The amendments are necessary because of unintended consequences arising from the implementation of amendments to the ESOS Act in early 2012 under the previous government. The amendments today will increase the certainty and fairness for our overseas students, and are an important change to ensure the current legislative framework operates effectively.

The amendments to the ESOS Act to be made by this bill will ensure that the refunds registered providers are required to make to their overseas students are appropriate. That is, the amendments ensure refunds encompass tuition fees paid by students both before and after the commencement of their period of study, where those fees are unspent at the time that a default occurs.

These important clarifications to a core function of the ESOS Act are to be delivered through an amendment to the use of the term 'pre-paid' fees, which will be replaced with 'tuition' fees in Division 2 of Part 3 of the ESOS Act. This is consistent with the original intention of the amendments to the ESOS Act in 2012. Importantly, these changes are technical in nature and do not place new or extra requirements on providers. Rather, the requirements on providers and protections for students are being clarified and simplified, and will benefit both.

In addition, the bill will clarify the situation relating to refunds in cases of student defaults caused by a visa refusal. This can be a complex area for providers to navigate, where often several pieces of legislation apply, and it can be difficult for overseas students too. This bill will give the minister the power to make a Legislative Instrument under the ESOS Act that will stipulate how a refund to a student is to be made in instances of student default for visa refusal, and also in cases of student default where there is no written agreement in place between the provider and the student. This Legislative Instrument is intended to take effect at the time these provisions take effect.

The bill will also amend the 'National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007' to remove reference to 'Registration Authorities'. Requirements previously imposed on Registration Authorities by the National Code are now contained in the ESOS Act. The removal of the reference to Registration Authorities will ensure that the title of the National Code properly reflects its content. This minor amendment precedes a more substantial review of the National Code overall. The Department of Education will be consulting in the coming months with key stakeholders on ways in which the National Code can be improved in the context of the government's deregulation policy, specifically its review of higher education regulation.

This bill is the first legislative step the government is taking to build a new architecture for international education so that the industry can grow and achieve its enormous potential. The government will continue to introduce more reforms to improve the competitiveness, sustainability and quality of Australia's education system into the future.

MIGRATION AMENDMENT BILL 2013

The Migration Amendment Bill 2013 amends the Migration Act 1958 to address a number of recent court and tribunal decisions that significantly affect the operations of my Department, including the processing of visa applications made by asylum seekers and other non-citizens.
When a decision is made and meaning of 'finally determined'

The first Schedule to the bill will put beyond doubt that a decision on review, or a visa refusal, cancellation or revocation decision by the minister or his delegate, is taken to be made on the day and at the time when a record of it is made, and not when the decision is notified or communicated to the application or the former visa holder.

The amendments address the decision of the Full Federal Court of Australia in Minister for Immigration and Citizenship v SZQOY [2012] FCAFC 131, in which the Full Federal Court found that the RRT's decision making power in respect of a review is not exercised or 'spent' until the review decision is notified irrevocably and externally.

They also address the Full Federal Court's decision in Minister for Immigration, Multicultural Affairs and Citizenship v SZRNY [2013] FCAFC 104, in which the Full Federal Court extended the judgment in SZQOY and found that an application is 'finally determined' (that is, no longer subject to a form of merits review) only when the review decision of the RRT is notified to both the review applicant and the Secretary of the Department of Immigration and Border Protection according to law. It was immaterial that the review decision had been notified externally and that the review applicant had actually been notified of the review decision despite any error in the notification itself.

These findings cause potential difficulties and risks in the administration of the Act. For example, the concept of an application being 'finally determined' is crucial to liability for removal under section 198 of the Act. The amendments will therefore remove any doubt as to when a decision by the minister, delegate or tribunal is made and an application is 'finally determined'.

Statutory bar against further Protection visa applications

The second schedule to the bill clarifies that a person in the migration zone who has previously been refused a protection visa, or who held a protection visa that was cancelled, is prohibited from making a further protection visa application. This applies regardless of the basis upon which the earlier protection visa application was made or granted.

The amendment addresses the decision of the Full Federal Court on 3 July 2013 in SZGIZ v Minister for Immigration and Citizenship [2013] FCAFC 71. In that case, the Full Federal Court found that section 48A of the Migration Act only prohibited the making of a protection visa application that relied on the same ground as the previously refused protection visa application.

For example, if a non-citizen previously made a protection visa application raising claims under the Refugees Convention, section 48A of the Migration Act would not prohibit a new protection visa application based on complementary protection claims.

By restoring the intended operation of the statutory bar in section 48A of the Act, the amendment will preserve the integrity of Australia's protection visa program and avoid its abuse, by preventing non-citizens without meritorious claims for protection from delaying their departure from Australia by making repeat protection visa applications on different grounds each time.

Protection visa applicant not assessed to be a risk to security by ASIO

The third schedule to the bill addresses the decision made by the High Court in Plaintiff M47/2012 v Director-General of Security & Ors [2012] HCA 46. In October 2012, the High Court of Australia found that the use of the public interest criterion 4002 in the Migration Regulations 1994 was not a valid criterion for the purposes of a Protection visa application.

Public interest criterion 4002 states that the applicant is not to be assessed by the Australian Security Intelligence Organisation (ASIO) to be directly or indirectly a risk to security within the meaning of section 4 of the Australian Security Intelligence Organisation Act 1979 (the ASIO Act). In the absence of PIC 4002, the Protection visa assessment process for persons with an adverse security assessment is currently problematic as each case requires individual consideration as to whether the person does or does not pass the character test in section 501 of the act.
The bill will amend section 36 of the Migration Act to insert a specific criterion for a Protection visa that the applicant is not assessed by ASIO to be directly or indirectly a risk to security, within the meaning of section 4 of the ASIO Act. The new criterion in section 36 reflects the wording of PIC 4002.

In addition, the amendments in the bill also put beyond doubt that the Migration Review Tribunal, the Refugee Review Tribunal and the Administrative Appeals Tribunal will not have the power to review a decision to refuse to grant or to cancel a protection visa on the basis of an adverse security assessment by ASIO that the applicant for, or holder of, a Protection visa is directly or indirectly a risk to security within the meaning of section 4 of the ASIO Act.

The amendments will also reflect current paragraph 500(4)(c) of the Migration Act by confirming that the Refugee Review Tribunal does not have the power to review a decision to refuse to grant or to cancel a Protection visa made on the basis of one or more of Articles 1F, 32 or 33(2) of the Refugees Convention or paragraphs 36(2C)(a) or 36(2C)(b) of the Migration Act. Paragraph 500(13)(c) provides only the AAT has the jurisdiction to conduct a merits review of those decisions.

The amendments ensure that to meet community expectations, the government must not only have the ability to act decisively and effectively, wherever necessary, to protect the Australian community, but also to have the legislative basis to refuse a protection visa or to cancel a protection visa, for those non-citizens who are a security risk.

We must prevent and deter any threats posed by those who are a risk to the security or our nation and must implement legislative amendments such as those to section 36 of the Migration Act to ensure the security and safety of the Australian community.

I commend the bill to the chamber.

PRIVATE HEALTH INSURANCE LEGISLATION AMENDMENT BILL 2013

This bill seeks to redress implementation concerns with legislation introduced by the previous government. As part of the 2012-13 Mid-Year Economic and Fiscal Outlook, the former government announced that from 1 April 2014, the government's contribution to an individual's private health insurance rebate would be capped and effectively reduced over time as a proportion of the premium.

The previous government's legislation caps the Australian Government Rebate by setting a base premium for every type of insurance product on the market, and then indexes the rebate payable for every type of private health insurance product subgroup by the lesser of the increase in the Consumer Price Index or the increase in the commercial premium for each product subgroup.

It was the third measure introduced by the previous government to reduce rebates available to people with private health insurance, but it also introduced additional complexity.

Industry has expressed concern that the planned administration of the Base Premium Act at a product level was unduly complicated, difficult and costly to implement and would be difficult for consumers to understand. Industry has advised that there are over 34,000 policies on the market and the burden placed on private health insurers to comply with the application of a unique rebate for each policy type is estimated to be more than $15 million in implementation costs alone.

The Private Health Insurance Legislation Amendment Bill 2013 simplifies current implementation arrangements for indexing the government's contribution to the Rebate by amending the Private Health Insurance Act 2007 to create a single adjustment factor under a legislative instrument. The rebate will be adjusted uniformly across all insurance policies each 1 April by a factor, to be determined in accordance with the Private Health Insurance (Incentives) Rules made under section 333-20 of the Private Health Insurance Act 2007. The adjustment factor will be a ratio representing the proportion of the increase in the consumer price index compared to the average private health insurance premium increase. The adjustment will apply to premiums that are paid or payable in the 12 months starting on that 1 April.
This arrangement will be easier for consumers to understand and for insurers to implement. Industry has advised that this bill will result in administrative savings of around 80 per cent below the costs to implement the Base Premium Act.

The bill is also making a minor amendment to the *Private Health Insurance Act 2007* to clarify that a restricted access group can include one or more classes of people as defined within the *Private Health Insurance (Registration) Rules*.

Private Health Insurance is an important pillar of Australia's health system. The previous coalition government introduced a range of measures, including the private health insurance rebates that successfully arrested the decline in private health insurance and resulted in a significant uptake in hospital cover today. The government remains committed to supporting private health insurance and those that make the sacrifice, often on modest incomes, to provide for their own healthcare.

The bill today alleviates a considerable administrative burden with the implementation of the previous government's measure. It reflects the government's determination to reduce unnecessary regulation and red tape wherever possible.

**THERAPEUTIC GOODS AMENDMENT (2013 MEASURES NO. 1) BILL 2013**

I am pleased to introduce the Therapeutic Goods Amendment (2013 Measures No.1) Bill 2013, which amends the Therapeutic Goods Act 1989.

The purpose of this bill is to make a number of changes that will contribute to a reduction in regulation or in potential health risks to the public, improving the transparency of the regulatory scheme or providing greater clarity and certainty about the operation of the Act.

An important measure included in the bill, which is the power of the minister to remove products from the operation of the Therapeutic Goods Act in appropriate circumstances, will provide a basis to address the growing trend of therapeutic claims being made for all manner of products to appeal to health conscious consumers. Jewellery, bedding and even clothing may be marketed for their claimed health or wellbeing benefits, and because of such claims, may draw those products within the regulatory scheme for therapeutic goods, a scheme which is primarily directed at the regulation of goods designed specifically to, among other things, ameliorate, prevent, treat or influence ailments, disease or injuries.

This has come about because the definition of "therapeutic goods" in the Act is very wide, and may capture goods in respect of which any claim is made that it could, for example, influence or modify a physiological process in persons. Claims made that a good will influence a person's wellbeing, physical attributes or mood could well bring those products within the description of "therapeutic goods" and attract regulation under the act.

New Section 7AA will allow the minister to remove such products from the regulatory scheme for therapeutic goods, and reduce unnecessary or inappropriate regulation of goods that are caught by the act only because of claims made about them, particularly where any concerns about the nature and extent of those claims may be more appropriately dealt with under other existing regulatory schemes, such as under consumer protection laws.

In making decisions to remove products from the operation of the Act, the minister must consider a number of factors, including whether it is likely that the goods in question—if not regulated under the act—might harm the health of members of the public, whether it is appropriate in all the circumstances for the goods to be regulated under the act, and whether the goods could be more appropriately dealt with under another regulatory scheme. The new section will provide the first opportunity for particular goods to be removed from the regulatory constraints of the act where those goods, for instance, do not represent a health risk, or where there may be other sound reasons for not regulating the products under therapeutic goods legislation. The Australian public should be assured that there is no intention to use this power to remove from the regulatory oversight of the Therapeutic Goods Administration medicines
and medical devices in relation to which standards, level of assessment for marketing approval and post market monitoring and compliance under the act is appropriate.

Any decision to exclude particular goods from the operation of the act will be by way of a legislative instrument, and will be subject to parliamentary scrutiny and where appropriate will involve industry and public consultation.

Consistent with this approach of ensuring that the focus of regulation under the act remains directed at products that have a genuine public health focus, the bill also includes a power for the Secretary to remove goods from the Australian Register of Therapeutic Goods where they are not, in fact, therapeutic goods.

Such goods can find their way into the Register where sponsors of low risk products, such as complementary medicines, include goods that may be, for instance foods, into the Register by means electronic listing without pre scrutiny by the TGA.

A new power will allow the Secretary to remove those products from the Register but only after the sponsor has been afforded an opportunity to make submissions and any decision is subject to internal and review by the Administrative Appeals Tribunal.

Another measure that will have the effect of reducing regulation is the removal of the offence provisions directed at applicants seeking marketing approval for their therapeutic goods who fail to provide information required by the TGA about their goods. The application of these offence provisions to such applicants is unnecessary because if an applicant fails to respond to a requirement to provide information this could lead to a refusal to grant marketing approval for the applicant's goods, and this will mean that the goods may not be lawfully manufactured or supplied.

Other measures that reduce regulation include expanding the scope of the definition of a 'kit' which will allow a greater range of products to be subject to a simpler regulatory approval process, and amendments to allow the reversal of cancellation decisions done at the request of sponsors and holders of licences thus avoiding review procedures or the need to seek new marketing approval or licences.

To assist industry with complying with current regulatory requirements, a number of changes have been made to clarify the operation of existing provisions in the act.

One of these is the reference to the obligation to comply with requirements relating to advertising applicable under the Act and Regulations. An amendment has been included to clarify that these advertising requirements include complying with applicable provisions the Therapeutic Goods Advertising Code, a document that sets out rules for the advertising of therapeutic goods. Among other things, this requirement to comply with 'advertising requirement' forms one of the criteria for determining whether goods should be included in the Register and whether goods should be removed from the Register because of non compliance with this requirement. Information about compliance with advertising requirements may also be required from sponsors of therapeutic goods applying to include their goods in the register or who already have goods already included in the Register.

The process by which higher risk medicines are registered in the register has been made clearer, with changes to the act that clarify under which provisions of the act decisions to approve Product Information, and decisions to approve an application to register medicines, are made. Both decisions are interrelated, and the amendments clarify that where a decision to approve an application and a decision on Product Information have both been made, additional administrative steps that are already required under the Act must be followed before the medicine may actually be included in the Register, from which time the sponsor of that medicine may then lawfully market it.

To assist with clarity and provide greater consistency, amendments have been included to address a legal anomaly to ensure that the offence for publishing or broadcasting an advertisement about therapeutic goods to the public containing a prohibited representation for a low risk medicine (eg a reference to the treatment of cancer) does not apply where the sponsor of the goods has been given the
TGA’s permission under the act to use the representation in particular circumstances. This will ensure that a sponsor with such permission will be able to use the representation in accordance with the permission without fear of committing an offence.

To reduce potential health risks to the public, two new grounds for cancelling goods from the register have been included in the bill. One of these grounds enables the TGA to cancel products from the register where the presentation of therapeutic goods is no longer acceptable. Presentation includes how the goods are named, how they are labelled and packaged, and any advertising or other informational material associated with the goods. Presentation is one of the matters that is relevant to a decision whether to include medicines and biologicals in the register. The effect of the new ground of cancellation is to ensure that this important pre-condition to the inclusion of goods in the register continues to apply while they remain in the register but will not increase the regulatory burden on compliant sponsors and is aimed solely at safeguarding public health. It should be noted in this context that the TGA already has the power under the act to cancel medicines from the register that do not comply with applicable standards such as the standard on medicine labelling and packaging.

The second ground of cancellation of goods from the register relates to a failure by a sponsor to comply with a request to provide information about its medicines after the medicine has been included in the register. This information may be required to inform the TGA about whether the medicine in question should remain in the register, or whether regulatory action should be taken in relation to that medicine because of any concerns about its safety, efficacy or quality. Again, this measure would not increase regulatory burden for compliant sponsors who respond to requests for information about their products within the required time.

Sponsors have a right to both internal and external review about decisions the TGA makes to cancel products from the Register.

Currently, it is an offence or a breach of a civil penalty provision for a sponsor of complementary medicines to give false or misleading information in response to a request by the Secretary for information about their goods. An amendment has been included in the bill to extend this offence to also cover all sponsors of registered goods and other persons such as applicants for registration or listing to whom such requests for information can be made.

The bill also introduces offences and a civil penalty provision where sponsors of therapeutic goods give information that is false or misleading in a material particular in a request for approval of changes to their goods. The kinds of information that may accompany such requests can include complex and extensive scientific data about the goods, for example clinical trial results or the incidence of adverse reactions to prescription medicines. This information will often only be known to the sponsor, and can be critical to determining the quality, safety or efficacy of the goods. It is therefore important that the act contains an effective deterrence against providing false or misleading information to the TGA about goods that are being used by the Australian public.

These measures will not increase the regulatory burden on compliant sponsors but are rather aimed solely at safeguarding public health.

An amendment has become necessary to support the current transition arrangement for the reclassification of hip, knee and shoulder joint implants from Class IIb medical devices to Class III. These products were reclassified following the November 2011 Inquiry by the Senate Standing Committee on Community Affairs on ‘Regulatory Standards for the Approval of Medical Devices’. The proposed amendment will allow for an alternative number of days (to be prescribed in the Regulations) to the current 20 working days for the secretary to decide whether to audit an application for marketing approval for a Class IIb device seeking up-classification to Class III and what information is required from the applicant for the purposes of undertaking that audit.

A large number of these transitional applications are expected in the lead up to the end of the transition period on 30 June 2014. Allowing more time to determine whether an application should be
audited will help ensure that the TGA can manage all the application efficiently but will not adversely affect sponsors because their Class IIb devices will remain on the Register, allowing these to continue to be marketed, until their application for up-classification has been processed, providing their application is lodged before 30 June 2014. It will also help ensure that resources are not diverted from consideration of applications for other kinds of medical devices during that period.

Finally, measures that will require the TGA to publish details of cancellations of medicines on the TGA’s website or in the Gazette, and measures to allow the publication of decisions currently required to be published in the gazette to be published on the TGA’s website, plus a new requirement for TGA to publish the outcomes of any internal review decision where the effect is to overturn a decision to suspend or cancel a product from the register, will improve transparency of the regulatory scheme established under the act.

In conclusion, the measures contained in this bill will make improvements to the regulatory scheme by making a contribution to reduction in regulation where appropriate and in potential health risks to the public, create greater transparency about decisions made under the act and assist industry by providing greater clarity, certainty and consistency in relation to the operation of the act.

VETERANS’ AFFAIRS LEGISLATION AMENDMENT (MISCELLANEOUS MEASURES) BILL 2013

I am pleased to present legislation that will improve and update Veterans’ Affairs legislation.

The bill will clarify the approval and authorisation arrangements for travel for treatment for eligible persons and attendants under the Veterans’ Entitlements Act and the Australian Participants in British Nuclear Tests (Treatment) Act.

In 2012-13 the Department processed over 165,000 claims for reimbursement for travel expenses for treatment purposes.

Travel expenses can include costs for transport, meals and accommodation for eligible persons and where necessary an attendant to accompany the eligible person.

Amendments to the Veterans’ Entitlements Act and the Australian Participants in British Nuclear Tests (Treatment) Act will make it clear that the Repatriation Commission may approve or authorise travel for treatment, before or after the travel has been undertaken.

Further amendments in the bill will enable special assistance under the Veterans’ Entitlements Act and the Military Rehabilitation and Compensation Act to be delivered in a more timely manner.

This will be achieved by enabling special assistance to be provided by legislative instrument instead of by regulation.

The result will be a more streamlined and therefore quicker process for providing special assistance to veterans, members, former members and their dependants.

Amendments in the bill will update the Military Rehabilitation and Compensation Act as a consequence of the enactment of the Legislative Instruments Act, and will replace obsolete references to pharmaceutical allowance and telephone allowance in the Military Rehabilitation and Compensation Act.

These allowances were replaced by MRCA Supplement in 2009.

Minor amendments will ensure that the Veterans’ Entitlements Act debt recovery provisions will be applicable to all relevant provisions of the Act, the Regulations and any legislative instruments made under the act.

Other amendments in the bill will rationalise and align the maintenance income provisions of the Veterans’ Entitlements Act with the Social Security Act.

The remaining amendments in the bill will make minor technical changes to Veterans’ Affairs and related legislation.
Although relatively minor, the amendments in the bill will clarify, update and improve the accuracy of Veterans' Affairs legislation.

Debate adjourned.

Ordered that the bills be listed on the Notice Paper as separate orders of the day.

COMMITTEES

Environment and Communications Legislation Committee
Legal and Constitutional Affairs Legislation Committee

Report

Senator McKENZIE (Victoria—Nationals Whip in the Senate) (18:14): Pursuant to order and at the request of the chairs of the respective committees, I present reports on legislation from the Environment and Communications Legislation Committee and the Legal and Constitutional Affairs Legislation Committee, as listed at item 16 on today's Order of Business, together with the Hansard records of proceedings and documents presented to the committees.

Ordered that the reports be printed.

The list read as follows—


3 – Legal and Constitutional Affairs Legislation Committee – Report – Migration Amendment Bill 2013 [provisions] (pursuant to Selection of Bills Committee report)

BILLS

Climate Change Authority (Abolition) Bill 2013

Second Reading

Debate resumed on the motion:

That this bill be now read a second time.

to which the following amendment was moved:

At the end of the motion, add "but the Senate expresses concern over the impact of the abolition of the Climate Change Authority on the provision of independent advice to Government and the public on carbon pollution reduction targets and actions".

Senator McEWEN (South Australia—Opposition Whip in the Senate) (18:15): I am pleased to be able to contribute to this debate today on the government's legislation, entitled the Climate Change Authority (Abolition) Bill 2013. This bill is part of a package of bills intended to undo all of the good work done by the previous Labor government to reduce Australia's carbon emissions—to reduce the amount of pollution that we put into the atmosphere, pollution that causes global warming and that global warming adversely affects our climate and results in things like extreme weather conditions. It affects our weather so that our agricultural and horticultural industries are severely affected by pests and diseases that once occurred in one area of our nation and now turn up in other areas because the climate is warming.
There is no good to come from carbon pollution and there is only good to come from reducing carbon pollution. Personally, I thought the whole issue of carbon pollution—how it causes global warming and the effect of that on how a nation lives its life—was fairly simple, but then I am influenced by science and experts in this field. I do not pretend to be a scientist or an expert myself, and so I am happy to take the advice of those who know what they are talking about. I am happy to take that advice because I do not want to see our nation riven by bushfires and floods or our crops or industries devastated. It is disappointing that every time we talk about carbon pollution reduction here, we again have to acknowledge that, unfortunately, the Abbott government has been hijacked by ideologues who do not believe the science and do not believe in climate change. The government is led by a person who himself does not believe in the science or climate change and is dismissive of those who do. It is extraordinary that we have to keep pointing that out. The rest of the world understands well and truly what the science is and accepts it. We have a government that thinks they know more than the scientists and hence we have this package of bills of repeal legislation before us. The Prime Minister is arrogant in thinking that he knows more than scientists.

This particular bill dismantles the independent Climate Change Authority. That authority was set up by the Labor government to provide advice independent of government—advice from scientists and experts to government on matters like meeting carbon emission targets and the appropriate level for the RET. It was set up with Professor Tim Flannery as the initial chair; he is certainly independent of any government. People who know Professor Flannery would be prepared to say that it was a statutory body intended to provide strong and independent advice to governments. The Abbott government immediately wanted to shut it down because it was a strong and independent authority and because they do not like to take advice from experts when that advice conflicts with their own ideology. It was interesting that, when the Climate Change Authority was targeted for demolition by the Abbott government, the reaction of Australians was one of horror. Professor Flannery and others associated with the authority acknowledged the reaction of the Australian people and embarked on a process to recreate, if you like, the Climate Change Authority. Knowing that they would never get any money from the Abbott coalition government, they sought crowd funding to continue the organisation—with extraordinary success, I understand. They raised their target of $1 million within a fortnight. It goes to underline and demonstrate that, while the current government might not be committed to climate change, many Australians certainly are and are prepared to put their hands in their pockets to help.

That was a great response, as was the response of ordinary Australians to the various climate rallies, which a number of senators from this side attended in November last year. There was a very well-attended rally in my home state of South Australia, in Adelaide. It was especially great to see so many young people turning up there and speaking about how devastated they were that the new government was not committed to addressing climate change and was going to undo all the good work that the Labor government had done.

The coalition government are mindful of the fact that not all Australians share in their ideology and that not all Australians are in the camp of the loony right who think that climate change is some sort of conspiracy concocted by the left. The coalition realise that, to have any kind of credibility, they have to make a token effort to indicate that they still support the carbon emissions reduction target—that is, reducing emissions by 2020 over year 2000.
emissions levels—to which Australia is committed. So they have come up with their ridiculous Direct Action Plan. Mirroring the minister who concocted the plan and who is trying to introduce it in Australia, the plan is lightweight, without substance and ineffective; it is what you would expect from the Minister for the Environment, Mr Hunt.

Anyone with half a brain knows that the best way to stop behaviour which causes pollution is to put a price on pollution. That is the fundamental economic basis of the emissions trading scheme to which Labor wanted to move. It is a sad truth that, if you put a price on doing something, people think twice about doing it. Every credible economist in Australia and elsewhere in the world knows that an emissions trading scheme—in particular, a global emissions trading scheme—is the most appropriate way to reduce harmful carbon emissions. It works. Not only does it work but also it can be done on a global basis. It institutionalises in a society such as ours the mechanisms to make sure that carbon emissions reductions are done on a continuing basis in a way which: spreads the cost across the whole community; enables income to be generated to compensate industries which do not pollute; encourages polluting organisations not to pollute; and encourages companies to embark on energy efficiency measures and new technologies which will replace the dirty, carbon-emitting fuel technologies on which we rely at the moment.

The Labor government was committed to an emissions trading scheme; the current government is committed to a Direct Action Plan which nobody credibly supports. The former Treasury secretary Mr Ken Henry called it ‘bizarre’, and that is how it is viewed by pretty much every credible economist, environmentalist and scientist who works in the area of climate change. The Direct Action Plan is still fairly light on detail from the current minister, but we do know a couple of things about it. One of them is that its centrepiece is carbon sequestration in the soil. Basically, the Direct Action Plan sets up a fund providing money to people who own property to grow trees and sequester carbon. Hopefully, this method will work; realistically, it is still unproven. There is uncertainty about its viability in the long term. Is it the right thing to do to invest so much money and effort into this particular method of abating carbon when forestry can be so vulnerable to climate change or pests or other things which might affect the ability of trees to sequester carbon? Any reading of the science about carbon sequestration reveals that it says, ‘We hope it works, but at the moment we're not really sure it's going to be the answer—and, of course, it's not a broad, far-reaching method for reducing carbon emissions, as an emissions trading scheme would be.’

Another thing we know about the Direct Action Plan is that part of its focus is to provide funding to organisations to introduce energy-efficiency measures—for example, green buildings and similar measures. Such measures aiming to reduce carbon emissions are incredibly expensive. You have to ask: where is the government going to find the money to pay for this Direct Action Plan? They are fairly silent about that. They will have to either increase taxes or cut spending somewhere else. We know that the government is good at cutting spending, so you would have to worry about that.

We also know that the Direct Action Plan will increase costs to Australian households by approximately $1,200 per year. When the Labor government introduced the carbon tax, we were very careful to ensure that the additional costs to households arising from the implementation of the carbon tax were offset by various measures—which are, of course, going to be undone, not by this particular bill but by the associated package of legislation. But
there is no indication from the government how they intend to compensate ordinary families for the costs of their so-called Direct Action Plan.

What they are going to attempt to do is replace the potential for an emissions trading scheme with a direct action plan that is light on detail, unproven, and not supported by any credible economist or decent environmental scientist. Overall, you have to question the commitment of this government to Australia's target for reducing carbon emissions. You have to question their commitment to direct action at all, given, as I said earlier, that the coalition is stacked with people who do not actually believe that carbon emissions caused by human beings are causing damaging climate change. The Direct Action Plan of the government is currently subject to an inquiry by the Senate Environment and Communications References Committee. I had a look today at some of the submissions that that committee has received as part of its deliberations. I looked very hard to try and find a submission that actually supported the Direct Action Plan, but I could not find one. I think that is fairly indicative of what people who really understand what they are talking about think about the Direct Action Plan.

I would like to make note of some comments made in one of the submissions to that Senate inquiry. Those comments are from another independent and very well regarded organisation, the Climate Institute. I would recommend people read the submission by the Climate Institute, because it is very comprehensive and also very balanced. It says, for example, that 'no independent analysis to date has shown that the policy framework as outlined'—by the coalition government—'can achieve Australia's international obligations and emission commitments'. No independent analysis at all supports what the coalition government's so-called climate change Direct Action Plan purports to do. The submission also says that 'international and Australian experience bears out concerns that a central policy mechanism of the nature proposed by the government will not drive substantial absolute emissions reductions'—so, it will not work. It goes on to say that 'under all scenarios Australia's emissions continue to increase to 2020 and beyond'—again, it will not work. And worse, carbon emissions will continue to increase. You have to ask: is there anything salvageable out of the Direct Action Plan? The Climate Institute says that 'to achieve domestic emissions reductions that would deliver the five per cent target, the government's policy requires additional taxpayer expenditure of at least $4 billion to 2020'—for it to meet even the modest emissions reduction targets that Australia has signed up to would cost us an extra $4 billion.

So it does not work—under the plan, emissions will increase—and it is going to cost more money. You would have to say that the Direct Action Plan is not worth the paper it is written on—but we knew that, because it is a document prepared by a government that is not really serious about addressing carbon emissions, or pollution, or the terrible impact that climate change is having on Australia right now and, if not addressed, will continue to have. I can only say I wholeheartedly oppose this particular bill in this package of legislation. It is unnecessary, and it will do nothing to address the issue of pollution and the importance of tackling climate change in Australia.

Senator RHIANNON (New South Wales) (18:35): Again the arrogance of the Abbott government is on display for all to witness—and what an ugly sight. Winding back action on climate change at a time when we should be stepping up our efforts to reduce greenhouse gas emissions is highly irresponsible—possibly one of the most irresponsible acts that any
government could be involved in. And what a reminder we have had that we need much more action to reduce greenhouse gas emissions: this summer, so many people have experienced sweltering heat, fires and record temperatures. This has been the case across the country and in many extreme weather events across the globe. We have seen fires last year in the Blue Mountains, in New South Wales. Tragically, so many homes were lost. The good news was that lives were not lost, but the hardship and the trauma were considerable. There have been fires and extreme weather events in so many places across this country.

Yet, despite this year's record-breaking heat and unprecedented scientific certainty about the impacts of global warming, the Abbott government is trying to tear down the price on pollution—our best defence against future extreme storms, droughts and fires. We have acknowledged that more work needs to be done on this, but to dismantle what has been achieved is highly irresponsible. It beggars belief that, while Australians across the country are feeling the effects of climate change, the Prime Minister is so obsessed with sticking to an ideological position that flies in the face of the hard, clear facts. At every turn, we see this government adopting a neoliberal approach—blocking policies that would bring relief to people experiencing hardship, blocking policies that would drive greater action on climate change, and blocking policies to assist with the transition that our society is going through and must go through.

The world is starting to turn its back on the coal industry. Coal prices go up and down, but more countries are moving to clean, renewable energy and Australia is being left behind. Our clean energy laws are already reducing greenhouse gas pollution in this country and creating real jobs that will last well into the future. For all the talk from the coal industry—and from those in this place who back it—if you look at the figures, you can see that the industry is not generating jobs growth. Even when coal production goes up, as it does periodically, the high levels of automation in the industry mean that that does not necessarily translate into more jobs. The coal industry is not the job creator that so many make it out to be. More and more, it is in fact becoming a job killer in many regions.

I look at the impacts of global warming on our community very closely in New South Wales. We see these impacts very clearly in many areas of Sydney, and a number of local councils have studied this closely. Their reports provide a real reminder why these bills should not go through and why we in fact need more action on climate change. It has been identified that Sydney will experience more variable rainfall and stronger winds and that the result will be droughts and more extreme weather events. Between 43,900 and 65,300 residential buildings in New South Wales are at risk of inundation from a sea level rise of 1.1 metres. Interestingly, it is homes in Rockdale, a Sydney local government area, which face the highest risk in Australia of such inundation. Each year, there are 176 heat related deaths in Sydney. It is estimated that this could rise to 417 a year by 2020 and to 1,312 by 2050. Further, it has been identified that Sydney's water supply is at risk. We have already had the experience in recent times of our water supplies falling to very low levels, but now it is forecast that climate change is likely to cause a decrease in annual rainfall and run-off into inland catchments by 2030.

Against the backdrop of the Abbott government's irresponsible failure to take meaningful action on climate change, it is interesting to see how they interact with the mining industry. We now know that they have been taking increasing amounts of money in political donations
from some of the big coal industry companies and from some of the big resource industry companies. Each year, the Australian Electoral Commission releases data for the preceding financial year on political donations to the various parties. The data for the 2012-13 financial year came out at the beginning of February. It shows that donations from the mining and resource companies to the federal coalition increased by 60 per cent in the lead-up to the last election.

It is worth noting that we do not have the data for the current financial year, 2013-14. Given that the election was in September, the data for July, August and the first week of September—that part of the election period which did not fall into the 2012-13 financial year—will not be available until the AEC publishes it at the beginning of 2015. That is an area where we need reform. People have the right to know who is donating to political parties in the lead-up to an election; but, as things stand, they will not know that for another 12 months.

However, from what is available, that overall 60 per cent increase in mining industry donations to the coalition is not the only interesting piece of information. There were also some very interesting individual donations. Gina Rinehart's two companies, Hancock Coal and Hancock Prospecting, donated $163,130 to the coalition and Labor in 2012-13. Hancock Coal and Hancock Prospecting are set to make massive profits out of the decisions of various governments—they now have the contract for the new coal terminals at Abbot Point. Then there is GVK, another resource company set to benefit from that same Abbot Point coal project. They donated $55,000 to federal Labor in 2012-13.

This is not a healthy situation. The mining industry has benefited for well over a decade from very favourable decisions made by successive state and federal governments. We saw this in New South Wales with the former Labor government weakening planning laws and weakening laws protecting landholder rights—making it easier for mining companies to get going. We have seen some of that play out in front of the ICAC. But there is so much more. We saw not only outright corruption but also the corrupting influence of donations—acting through the weakening of the planning laws, making it so much easier for mining companies to get approvals. The likes of the disgraced minister, Mr Ian Macdonald, and representatives of the various mining companies would often say: 'It's only exploration. That's all we're doing. It's just exploration to see what's there.' But it is hard to find any examples of proposals for new mine sites in New South Wales that did not go ahead. Time and time again—this is how the law worked—exploration was the first stage of full-scale mining, mining that has been deeply destructive. The mining industry in Australia is one of the most extreme examples of corporate welfare one could ever find—$12 billion a year in government money goes to assisting this industry. Part of the reason this industry can make record profits is that so much of its infrastructure is underwritten.

The problems here are playing out in many ways, and I want to return to the point I made about some of the damage we are seeing in New South Wales because of climate change. I give these examples because they are such a clear reminder why the bills before us are so deeply wrong, why we must be doing more and not less with action on climate change. This is quite personal for me because I spent much of my life at Bondi Beach—world-famous but it obviously means a great deal to locals. It is estimated in Waverley local council studies and the latest IPCC work that came out in September last year that sea level rises will be much
greater than had been previously estimated. The IPCC study has estimated that the rise will be 80 centimetres greater by the end of the century than previously estimated, and Waverley council's own research shows that the beach would recede by 20 metres by 2050 and 45 metres by 2100.

It is worth sharing this with the Senate because these are factual reports. My Greens colleague in the New South Wales state parliament, David Shoebridge, who has responsibility for planning issues, announced this research while on Bondi Beach and advocated the need for more action on climate change. Lo and behold the council, which is Liberal controlled these days—the mayor is Sally Betts—demanded that he have a permit if he was going to be on Bondi Beach talking about these issues. He was just with a few colleagues at the start of this campaign. The fact that the Liberal council in Bondi, clearly with a responsibility to look at a beach that is not just famous locally or nationally but globally, is trying to intimidate people who are out there speaking about local council reports and the need to do the right thing. So what we saw with the mayor, Sally Betts, is in keeping with what we are seeing from this Liberal government—ugly tactics.

Senator Sinodinos: Mr Acting Deputy President, I rise on a point of order. Sally Betts runs one of the most environmentally conscious councils in New South Wales—the Waverley council. I put that on the record.

The ACTING DEPUTY PRESIDENT (Senator Bernardi): There is no point of order.

Senator RHIANNON: I do note the comments of Senator Sinodinos—he is trying to excuse some embarrassing behaviour that he has seen from some of his colleagues. It is useful to have this on the record. What we saw that day from the Liberal council was wilful blindness, when they have a clear council report as well as, obviously, all the work that has been done by Australian and international scientists. It is a further reminder that there are some cashed-up political forces that are going to great lengths to stop real action on climate change. We are seeing it play out in this parliament at the moment.

Senator McKenzie: Mr Acting Deputy President, I rise on a point of order. I would like the learned senator to refer to the bill we are debating.

The ACTING DEPUTY PRESIDENT: On the point of order on relevance, there has been a tradition of allowing free-ranging debate.

Senator RHIANNON: The set of bills before the Senate should never even have been drafted. They are extremely irresponsible and will come to dog this government as this country faces more extreme weather events. We should be pulling together to deal with what is obviously a very challenging issue. But we know that challenge can be met. It can be met in a way that reduces greenhouse gas emissions and creates jobs that will last well into the future.

The carbon price package is a platform on which stronger action can be built. That is what we should be working on together right now. The new Climate Change Authority, led by independent experts, has the opportunity to build on this package with further measures. I am repeating myself but it needs to be said in the face of these very ugly tactics of the opposition: we need to be looking at the next age. We know that renewable energy projects are now commercially and industrially viable—we just need governments with the political will to put the money in. At times there would be the necessity to borrow money to build those
projects—large-scale projects; many such projects have already been built in other countries as the world transitions. China have brought in legislation to increase the amount of renewable energy by 2020, and they are far ahead of their targets. They have leapfrogged us in terms of the amount of solar panels produced and the number of wind turbines produced. They are all industries where we should be leading the world.

Debate interrupted.

**DOCUMENTS**

*Mid-Year Economic and Fiscal Outlook 2013-14*

Senator LUDWIG (Queensland) (18:50): I move:

That the Senate take note of the document.

Budgets are more than just economic statements; they are more than just collections of numbers and lines on a page; they are more than collective totals of spending against collective totals of income. Budget documents are statements of values. They are statements of choices and behind every dollar spent and every dollar of revenue gained is an active choice by a government. The Mid-Year Economic and Fiscal Outlook presented this evening is a clear statement of the choices taken and of the values held by the Abbott government. The government's choices could not be clearer—a budget debt blow-out, stagnant employment and the pathway to more and more cuts.

This document is the strongest piece of evidence that this is not the government that Australia voted for. This document represents one of the greatest and fastest budget blow-outs I have seen. In just the 101 short days the government has been in office their deficit has grown by $167 million a day. When the true state of the books was released during the caretaker period—prepared not by politicians but by public servants—the deficit was over 50 per cent lower. This stunning $17 billion deficit explosion has been fuelled by hasty spending, tax breaks to millionaires and a cash payout of billions to the Reserve Bank. All of these were decisions purely by the Abbott government. These are not decisions that the government can try and sheet home to the Labor Party. These are their decisions and their decisions alone. The government are responsible for their own actions.

There are some things you will not find in the MYEFO. You will not find a plan to invest in our domestic car manufacturing sector. You will not find a plan for a new jobs program in Shepparton or a plan to support workers who are now out of a job. The government did not tell the Australian people before the election that, just months into their first term, they would push Holden over a cliff, daring them to leave the country, and then sit back on their hands and let Toyota shut up shop. They did not tell us that 7,000 jobs linked to the car sector would be put at risk because of their reckless behaviour.

The hapless Minister for Industry did not tell his own electorate of Groom that 400-odd jobs in the car industry in the electorate would be at risk under the Abbott government. In fact, just this morning the hapless industry minister was on the ABC, on Fran Kelly's program, and it took him just until the second sentence of his first answer to blame the Labor Party for his own disregard for the car manufacturing sector. This is from a minister who has lost every cabinet battle he has walked into. He has yet to find an industry that he did not let fail or an Australian job that he did not let fall on his watch. There was one moment, though, where the minister did get it right. He was asked if there would be more investment in skills.
and training, and for TAFE and apprentices, in the budget. And what was his answer? It was: 'Look, sorry, but you're talking the Labor way.' That I agree with 100 per cent.

It is the Labor way to invest in jobs and skills. It is the Labor way to grow and support our technical colleges, to boost the skills base of the nation, to see the national workforce develop new skills and to modernise jobs for the future. We are a country of high technical industry, of engineers, of resource managers. We are a nation of scientists and creativity. We are a nation of architects and big thinkers alike. We are a nation that believes in a fair go for all, and a government should reflect that by investing in and supporting those values, not rejecting them.

What you will not find in the MYEFO are those values—not for this Abbott government. This is a government that wants to be so hands off that it has no culpability and no involvement in running the nation. Worse than wanting to be a government full of management-speak for fussy bureaucrats, this government wants to be a government on holidays. 'You've got to go and build it,' they say, but it is up to you to go and get a job. In short, what the Abbott government are saying quite clearly is, 'You're on your own, sport.' I seek leave to continue my remarks later.

Leave granted; debate adjourned.

ADJOURNMENT

The ACTING DEPUTY PRESIDENT (Senator Bernardi) (18:56): Order! I propose the question:

That the Senate do now adjourn.

Bushfires

Senator BACK (Western Australia—Second Deputy Government Whip in the Senate) (18:56): At this time of year in southern Australia, in a Mediterranean climate dominated by long, hot summers, we have the annual circumstance, as we all know, of bushfires. We saw them in the areas to the west of Sydney in the month of October, when the Blue Mountains were the subject of conflagration. We now see the same circumstances in Victoria, as we do in South Australia and Western Australia. Indeed, it is only 12 months ago that we endured the fires in Tasmania.

It is almost five years to the day that I gave my first speech here in the Senate. I reflected at that time on the superb efforts of our bushfire fighters and support groups recognised in the then recent tragic events in Victoria. They of course were the Black Saturday fires in February 2009. I also went on to say at that time, because history only repeats itself, that the information available to me from my Western Australian associates who visited and attended at the Victorian fires—as you know, Mr Acting Deputy President Bernardi, I was the chief executive of the Bush Fires Board of Western Australia at one stage and I had the opportunity to speak to the firefighters who went to Victoria to assist—was that, whilst the conditions on the day were unprecedented, what was most alarming were the high levels of fuel or flammable material that the firefighters confronted, and I want to address that this evening. In that first speech, I made the observation:

This is not the last we will hear of this issue in this place.
I also said:

We in the Senate have an obligation to the Australian community to ensure that those charged with the responsibility to protect life and property have the tools, the legislative capacity and the will to so do.

This evening, I am trying to honour that commitment.

I had the privilege of working with the Australian Permanent Mission to the United Nations over the last few months, between September and December, and I was disappointed to hear a regrettable statement by the UN climate chief, Christiana Figueres. She made the observation that, in her opinion, the wildfires around Sydney, Australia, were the result of climate change. At that time, I made it my business through the Australian mission in New York to approach climate change officers at the UN to seek a meeting, which subsequently we had, in which I was able to share with them that the fires to the west of Sydney, the Blue Mountains fires, were indeed not associated with climate change; they were part of the normal process that we see when the management of lands in bushfire prone areas is less than what is required. I had the opportunity to meet with those people and share with them the sorts of circumstances that we experience in Australia.

What is disappointing is that year after year we seem to reflect on the same issues, yet we are back here in the February of the following year reflecting on the fact that we have not achieved any success in bushfire management or control. The point to be made is that Australia’s eucalypt forests accumulate dry matter at a higher rate than they decompose it. In our Western Australian Jarrah forests—and they are probably typical of most eucalypt-dominated forests—that accumulation year to year is of the order of one tonne per hectare of flammable material on the forest floor. It does not take anything more than simple mathematics to realise that, for each year an area is left with no protection and with no attempt made to remove that fuel, we are going to see an accumulation of fuel.

I return to the Victorian situation. From our own experience over many years in Western Australia, we would say that about five to eight tonnes per hectare is the upper safe limit at which we would send in firefighters to an area to protect it. Indeed, our recent experience with water-bombing aircraft is that its greatest effectiveness is when the fuel is at around five to eight tonnes per hectare. In the Victorian circumstance, they were often looking at 50 to 80 tonnes per hectare, and even more. I have made the observation in the past in this place that I was sure the fuel on the forest floor in the Blue Mountains region of New South Wales would have been at a level at which, if a decent conflagration had got underway, they would have had great difficulty in controlling it. Indeed, from afar, with all of the reading and the watching that I did, it certainly seemed to be the case.

I make the point again that the fire triangle is simple. It requires oxygen, it requires a source of ignition and it requires fuel. We know very well that oxygen in the air is always going to be with us. We know that we are seeing increasing levels of deliberate lighting of fires by children and by adults, and so a source of ignition is readily at hand. All that is left is fuel. We can control the level of fuel that is likely to be involved in bushfires. It is probably the only natural disaster that we can control. We cannot prevent cyclones, we cannot prevent floods, but we can protect the community against the impact of devastating fires.

I have made the comment before in this place that those of us associated in the fire world talk of the DEAD cycle: disaster followed by enquiry, followed by apathy, followed by the next disaster. The only time differential around Australia is the length of time between each of
those two disasters, and we are seeing it yet again. We are faced with a dilemma or a prospect in our Mediterranean climate, which is dominated by long, hot dry summers and a build-up of fuel on the floors of forests and other areas, with one of two circumstances. We can have low intensity, cool season controlled fuel reduction burns at relatively frequent intervals—that is probably about five to eight years, depending on the locality, and at a time when humidity levels are high; in other words, when we can control fires—or we can have highly dangerous, uncontrolled wild fires when there is a dry season, with hot winds and low humidity. Let me give you an example from only the last few days in my own home city of Perth. On 4 February we were faced with very similar circumstances to the north and to the south of the city. In one particular area there were devastating fires, with houses being burnt and people being put at risk, yet to the north of the city, in the city of Wanneroo, the chief fire operations officer had identified an area where fuel levels had been too high over the last couple of years. He had attended to fuel reduction burning at a safe time in the year. On the same day that the areas to the south of Perth, around the areas of Banjup, were the subject of such severe bushfires, Wanneroo had a very minor fire which was controlled by one brigade in a matter of a few minutes. This points to the fact that we do have tools at our disposal which we can utilise in these circumstances.

It was in August 2010 that we reported to the Senate on the incidence and severity of bushfires across Australia. Remembering, realising, accepting and not wanting to change the fact that land management, including bushfire control, is the province of the states and the territories, the Commonwealth will always be involved when it comes to major disasters of the type we are talking about. The points and the recommendations that we made in that report pointed to the involvement of the Commonwealth and to the need for prevention rather than suppression.

What we have seen in the last few years has been an increasing expenditure in fire suppression. When it comes to the use of aircraft, I can say with some pride that it was whilst I was chief executive of the Bush Fires Board in Western Australia that we introduced water-bombing aircraft. Unfortunately, the fear is that so much expenditure is now being placed on fire suppression that we are failing to look at the measures and the mechanisms of fire prevention. There are those who do not accept the argument of fuel reduction burning. Whilst time does not permit me to go through the many recommendations that we made in that report, one of the recommendations was that we undertake a good, long, strong, independent study so that we can resolve the question of fuel reduction burning. The challenge lies with us, and the Senate has got a role to ensure it is undertaken.

Abbott Government

Senator BILYK (Tasmania—Deputy Opposition Whip in the Senate) (19:06): One of the most hypocritical things I find about the new government is their use of the word ‘review’. Reviews are something they abhorred when they were in opposition. They railed against them and described them as a waste of time and money. But what a hypocrite the Abbott government have turned out to be. Now they love reviews! They have found it is a great way to pay their mates large sums of money to get the answers that they want. When they want to cut something they order a review into it. They pay their mates a bunch of money and, miraculously, the report comes back saying that they should cut whatever it was the review was about.
We have a major review of workplace awards to hack away the pay and conditions of hardworking Australians. We have the Commission of Audit, which will recommend wholesale cuts across the board. We have a review into the efficiency of the ABC and SBS to slash funding and make the government's mates in News Corp happy. Would you believe that at least 50 reviews have been commissioned within this government's first few months? But, worst of all, we now have a review into the welfare system—not the whole welfare system of course, just the disability support pension, or DSP, which costs $15 billion a year, and Newstart, which takes $7.5 billion out of the welfare budget of $90 billion.

The 'acting government' would have you believe that welfare is growing out of control and that all the taxation dollars raised by this country go straight to Newstart recipients. This, of course, is not true. Of the 35 OECD countries, Australia in 2013 ranked a mere 30th on welfare spending. We spent around 8.57 per cent on all welfare payments—less than the United States. If you look back 10 years, Australia was ranked 24th out of the then 28 OECD countries. The number of people receiving welfare has dropped from 24.9 per cent of the population in 2002 to 22.1 per cent in 2012. This is slightly higher than the low of 21.6 per cent in 2008; however, it is not the dramatic growth that those opposite are claiming requires a review—and over 70 per cent of that small increase came from people claiming the age pension.

This six month review into welfare, headed by Patrick McClure, is estimated to cost $1.7 million. Mr McClure started this review, interestingly, on 17 December, weeks before the government even announced that there was going to be a review. Funnily enough, he did a similar report in 2000—and, although I had difficulty locating it on a government website, I did eventually find it. It is available at www.brianwilliamson.id.au, if anyone is interested in having a read. It will be interesting to see whether this new $1.7 million review is substantially different from Mr McClure's previous report. I am sure that it will also report a need for compulsory mutual obligation and more stringent assessment for people on the disability support pension. If I were cynical, I would think of it as a review to justify all the cuts the Abbott government have always wanted to make to Newstart and the DSP but did not have the guts to tell the public before the election.

Those on the government benches do not like people on Newstart or the DSP. They think they are selfish. They think they are bludgers. This was so helpfully illustrated by Mr Ken O'Dowd, a Liberal National Party member in the other place, at a community forum recently. As reported by Fairfax, Mr O'Dowd said:

You won't get anyone on dole coming to these sorts of meetings, because they don't care about the community. They care about themselves and how they can screw the system.

That is a despicable attitude for those on the other side to have. To think that people on Newstart only 'care about themselves and how they can screw the system' is a disgusting attitude and is typical of this government.

I know that there are thousands of organisations that support our communities and that many people on Newstart and other government benefits volunteer millions of hours every week to these organisations. They do so because they are active in their communities and they care about their communities. To say that people on Newstart do not care about their community does a great disservice to many people. It vilifies a section of the community merely for being on a certain kind of payment. It vilifies a section of the community because
they might have worked in a sector that has slowed down; or because they live in a regional area where there are limited opportunities; or because the Australian dollar is higher and their business could no longer compete; or because the Abbott government did not realise the importance of supporting car manufacturing at Holden and Toyota or canning facilities at SPC Ardmona.

Australians are a caring and generous people. It is in our national conscience to help a mate. So why is it that when conservative governments are elected they want to destroy these values? Why do they constantly attack those in our society who have had less opportunities and who have faced unlucky circumstances? Why do they seek to place the blame onto them? Is it because they are the least powerful and do not have the resources to kick back? Of course it is. Mr O'Dowd is also reported to have said that he hoped Mr Andrews would drill right down into the hole and stop people scamming the system. Very few people try to scam the Australian welfare system, just as very few CEOs embezzle and defraud the companies that they work for. Mr O'Dowd continued his attacks with comments against those on the disability support pension. Once again, quoting Fairfax, Mr O'Dowd said:

With the disability and the NDIS, no-one wants to deny anyone with a disability any taxpayer money, but it's a fact that there are a lot of people on disability that should not be on it.

I would like to point out that these are not only ignorant, intolerant and judgemental statements but also completely inaccurate—and I do not believe Mr O'Dowd has any medical training to comment on that sort of thing. Perhaps Mr O'Dowd needs to spend more time with his constituents and talk to people with disability and carers groups about how difficult it is to get on the disability support pension and to access appropriate care and support.

I am disappointed that those opposite have already named the NDIS launch sites as 'trial sites'. I am concerned that soon they will launch a review into the NDIS. Those opposite are developing a pattern of vilifying those on Newstart and the disability support pension. Mr Andrews is proposing to hold more reviews of younger people on the DSP and he also wants new recipients to be assessed for how long they might need it if their disability is deemed temporary. The minister is also considering establishing a specialist panel of doctors to provide advice on how long someone is likely to need the DSP before they can return to work.

Those opposite are trying to make it seem like the number of people on the DSP is spiralling out of control—but, in reality, it is falling. According to figures published widely, in 2011 there were 832,000 people on the DSP, in 2012 that number fell to 827,512 and in 2013 it dropped to 824,082. That's right, the number of DSP recipients is falling. So either Kevin Andrews—

The PRESIDENT: Order! You need to refer to people in the other place correctly.

Senator BILYK: So either Mr Andrews does not know what he is talking about or, as cover for a savage round of cuts, he is deliberately spreading falsehoods. I wonder which it is. We have to ask ourselves why those opposite would want to cut the welfare system. Handily, Mr O'Dowd gives us the answer to that as well. He is reported to have said—note this, Mr President—that Ms Gina Rinehart told him: 'Ken, you blokes in Canberra have got to stop the welfare system. There is 60 per cent of Australians on some sort of welfare payment. They can't be all that badly off.' So now we know the real reason for this review. Mr Abbott's corporate overlords think that too many people are on welfare and the system should be
stopped, and those opposite just lie down and comply. We know Gina wants to import labour from overseas. Now she wants to destroy the social safety net to drive down wages.

It is disappointing that the Abbott government deliberately targets those in our community who are most vulnerable through so-called reviews that only give the results the government wanted all along. The government needs to start governing for all Australians and stop targeting people on Newstart and the Disability Support Pension in order to pay for their wasteful, ridiculous policies like their Paid Parental Leave scheme for millionaires and their direct action policy.

Mining

Senator RHIANNON (New South Wales) (19:15): One of my most enjoyable days when I was a New South Wales MP was when farmers from Liverpool Plains, Gloucester and the Upper Hunter bussed to Sydney to protest on Macquarie Street in support of my bill to ban mining on agricultural land. A highlight of that protest in support of the Greens bill was that farmers lined up their produce beside the parliamentary gates. It was impressive in diversity and a reminder of what we stand to lose if we do not protect our farming land and the water resources they rely on.

I was reminded of that event on a recent trip to the Pilliga State Forest and the Leard State Forest in north-west New South Wales, where a number of controversial mining projects are currently being pushed forward. This region is traditionally a farming one, producing cotton, beef and wheat, as well as a range of specialist vegetable and fruit crops. I saw grapes, olives and honey being produced. The rich volcanic soil makes it ideal for a range of agricultural produce. This land and the hard work of farmers contributes approximately $332 million to gross domestic production annually, but that is under threat.

Over the years the region has felt the encroachment of the mining industry. In 2006 the Boggabri and Tarrawonga mines began operation. Now the coal industry's appetite has grown as both mines are in the process of expanding and a new mine at Maules Creek has been approved. The three mines will increase coal production from the region fivefold, to 23 million tonnes per annum, and will make a major contribution to our climate change footprint. The mines sit in the Leard State Forest. This is a unique area and I recommend people visit. The forest is the largest remnant of forest left on the Liverpool Plains and is home to several endangered ecological communities, including the critically endangered white box gum woodland and 34 threatened species, which include the regent honeyeater, the spotted quoll and the koala. I have been lucky to see a koala in the area and I hope to see the regent honeyeater and the spotted quoll.

The biodiversity impacts of mining in the region are dramatic. Out of the 1,500 hectares of the box gum woodland that remains, 1,100 hectares would be cleared if these projects continue. Farmers are not allowed to clear this woodland, but the mining industry can. That is just another example that shows how the mining industry is given so much assistance in many forms by government. So we need to ask: how has this occurred? Whitehaven Coal, the Maules Creek mine proponent, has proposed to offset the woodland. Offsets have been riddled with controversy. The use of offsets is the basis for the approval of a project like this. There is another report about this project that found that the dominant vegetation mapped out by Whitehaven does not even contain white box, but still that approval went through on the basis of inaccurate information. Because of this, it is highly questionable that the offset
woodland will produce the quantity of nectar required to support threatened species, such as the swift parrot and regent honeyeater.

I am a keen birdwatcher. I have not seen the swift parrot. It is an amazing bird that migrates from Tasmania and stops at various woodland gum forests, particularly in New South Wales and some in Queensland. It is quite an amazing migratory bird. The regent honeyeater is absolutely exquisite. It is black and yellow with scalloped wings. Again, the habitat of these birds is under threat.

There has been a further independent review of the offsets, which the federal government and Whitehaven are refusing to release. That document should be available to the public. This is despite a recent court decision recognising that the forest could be cleared without sufficient offsets in place. All this again shows how broken the offset system is. I would question that it ever really worked. It has been used as a justification for projects that are highly environmentally destructive.

In addition, the mine could drop the water table by between five and seven metres. Understandably, the community are alarmed. The systems in place to protect the community, the land and the water have failed. Activists and community members have lobbied the New South Wales and federal governments, but their concerns are falling on deaf ears. They have taken the mine to court and essentially lost because the laws around offsets are inadequate, like so many of the laws are inadequate for concerned communities.

I recently visited the area and joined the protestors. There have been many protestors at a camp for over 500 days. I arrived at the local farmer's land where people were camping late on a Monday night. I knew there was considerable opposition, but I was surprised to see more than 100 people camping out. A number of the local farmers visited us. There were local people and also people from Queensland and across New South Wales. It was most impressive.

There were people like Bill Ryan and his son, Colin. This is a very impressive father and son team. Bill is 91 years of age, legally blind and a Kokoda veteran. Together with Colin, concern over the rampant growth of the coal industry and the damage it is doing to both the environment and communities has led the two to spend much of their time supporting campaigns like this one to save the Leard, and they have been arrested for their efforts. This is real direct action—not subsidising corporations to reduce their footprints, which is what they should be doing anyway—by taking time out from their lives, their families and their jobs, and sometimes even putting their liberty at risk to prevent the damage that the industry is causing.

The following day I visited the Pilliga, just on the other side of the Kamilaroi highway. I met many community members who were protesting for the first time. The Pilliga is the site of a massive coal seam gas project for gas giant Santos. Local farmers are again concerned about the potential for water contamination from this site. At the Pilliga there were about 30 locals, most of whom had never been to a protest before. There was a mix of teachers, farmers, local business owners and young locals, all of whom were deeply concerned. Some of the women were keen bushwalkers, who knew the forest—as we know, often called scrub in a fond way. It has been listed nationally as one of 15 biodiversity hot spots and it could become an industrial landscape if this project is allowed to proceed.
While the company emphasises the jobs that the mines are supposed to bring, one farmer I spoke to listed a number of local businesses that have closed down. As the mining kicks in it gets harder for the small local businesses to find workers. Jobs with these businesses in town would last much longer than the ones in the mining industry.

The protest was held at the camp and it has been building. I have heard in recent days that people have been locked onto machinery as the company tries to move the operations to extend the drilling it is undertaking. The many people I met out at Leard State Forest and Pilliga would say that these operations are very damaging. The types of jobs they are creating—the fly in-fly out jobs, with their destruction of local communities—are not providing a secure future and are not providing real jobs that will last and bring benefits to all.

Instead of investing in handouts for the mining companies we clearly should be investing in renewable industries. That is a question I was asked time and time again when people found out that I was a politician. They asked what was happening in Canberra with the climate change plans. They would say to me: why aren't we supporting local jobs and businesses? That is where we should be building a diversified economy rather than this one industry that is destroying valuable agricultural land that we simply cannot lose any more of.

Overall, my sense of the region is that it is a community that is feeling hemmed in by these industries. But they are coming out in strength. They are showing their resilience and they are not backing down. I would like to relay this to my colleagues, my fellow parliamentarians, in this place: this is real direct action on climate change. I commend all of the community members, the environmentalists, the visitors, the grey nomads and the many other people who are showing real community spirit, real leadership, on this most crucial issue.

Parliament House: Security

Senator HEFFERNAN (New South Wales) (19:25): Mr President, it is with your indulgence and, I realise, maybe with some anguish, that I rise tonight to talk about something I think is quite serious for the wellbeing of this parliament. I do so with great regret. It has come to my attention—it has been publicised through certain circles—that, due to budgetary constraints and pressures, there is a proposition to reduce the perimeter security on this building to allow for budget savings, based on a budget risk analysis of the benefit of the reduced security. The proposition has been held off temporarily, because I certainly intervened.

A lot of people—certain classes of pass holder, including politicians—enter this building without having their baggage screened. I express my deep concern that if the Australian federal parliament cannot afford, due to budgetary restraints, to have the security we now have then we ought to shut the building down. If you cannot secure the perimeter of the building then why the hell would you worry about internal security? I am informed reliably that, if you want to control the budget, you could perhaps look at 2 January or 3 January this year. There was no-one here but there were a heap of people on the X-ray machines et cetera. Even with budgetary restraints there has to be a better way to manage the security of this building than getting rid of some of the security as you enter the building. I would be able to demonstrate that I could breach the security. Sure, you can slip something under one of the gates or throw something over the wall, now, but a person with something mischievous on their mind would be able to get something into parliament under what is proposed.
Certain classes of people will go through the usual security. I know there are some people in this building who think it is beneath their dignity—beneath their role in life, shall I say—to have to go through security, to go through the X-ray and all of that. I think that what is good for the goose is good for the gander.

I congratulate the department and yourself, Mr President, on the upgrades to the building and on the reforms you have brought to its efficiency. We have to maintain the building. We have to worry about future maintenance budgets so the building does not fall down. But there has to be a way, and if it means doing what I am doing tonight and adding pressure on the decision makers in the Department of Finance or elsewhere for them to make an actuarial assumption that you can reduce the security and the risk benefit is in the positive that perhaps nothing will go wrong. Presently, if someone is planning to do something wrong, in theory, they, like everyone who comes into the building, would have to have whatever they are carrying—their luggage, their bags et cetera—put through the X-ray. I think that should continue to be the case for everyone, without exception.

So my appeal tonight, through the Senate, and to you, Mr President, is that we find the saving of $400,000 we are talking about. There has got to be a way to find the money to secure the building. I am sorry, but if I was even halfway mischievous—I will not say what I said the other day about how you could do some of this stuff. There are people who would be opportunistic, who would take advantage of any reduction in the security of the perimeter of this building. I think we should negotiate things like the tariff for the water, the tariff for the electricity or the deal with the AFP—I will not go into the detail. We should negotiate the costs of the building. But at the same time I think it is damn outrageous to have to put the proposition—

Senator Pratt interjecting—

Senator HEFFERNAN: this is not a laughing matter—to reduce the security of the building for, for god's sake, a budgetary restraint when I can think of millions of dollars that get, as they say, up against the wall, if you know what I mean. We really need to appeal to the Department of Finance for a quarantine from the pressures. I realise that the government has got a lot of pressure on it and all departments have to have restraint.

The most primary thing in this building is that at least you can come in here and know it is very difficult to do anything that could cause a catastrophe. My appeal simply is to alert people to the fact that we have got to have the argument. We have got to find a way to maintain the budget and to maintain the security so that everyone, despite some people thinking it is beneath their dignity, can be put through security along with everything they bring in. Thank you very much.

Senate adjourned at 19:31

DOCUMENTS

Tabling

The following documents were tabled by the Clerk:

[Legislative instruments are identified by a Federal Register of Legislative Instruments (FRLI) number. An explanatory statement is tabled with an instrument unless otherwise indicated by an asterisk.]
Commissioner of Taxation—Public Rulings—
  Class Ruling CR 2014/15.
  Goods and Services Tax Determination GSTD 2014/2.
  Product Ruling—Addendum—PR 2013/16.

Migration Act 1958—
  Statements under section 46A—1 July to 31 December 2013 [15].
  Statements under section 48B—1 July to 31 December 2013 [2].
  Statements under section 91L—1 July to 31 December 2013 [6].
  Statements under section 91Q—1 July to 31 December 2013 [9].
  Statements under section 195A—1 July to 31 December 2013 [73].
  Statements under section 198AE—1 July to 31 December 2013 [7].
  Statements under section 351—1 July to 31 December 2013 [67].
  Statements under section 417—1 July to 31 December 2013 [69].


Tabling

The following government documents were tabled:
  Mid-year economic and fiscal outlook—2013-14—Statement by the Treasurer (Mr Hockey) and the Minister for Finance (Senator Cormann).

Migration Act 1958—Section 486O—Assessment of detention arrangements—
  Personal identifiers 1001135, 1000971, 1000960, 1001121, 1000979, 1000981, 1000972, 1001150, 1001178, 1001171, 1000571, 1000766, 1000644, 1000677, 1000656, 1000768, 1000794, 1000712, 1000783, 1000664, 1000826, 1000680, 1000770, 1000675, 1000784, 1000772, 1000990, 1001145, 1001146, 1001139, 1000746, 1000794, 1000712, 1000783, 1000664, 1000826, 1000680, 1000770, 1000675, 1000784, 1000772, 1000990, 1001145, 1001146, 1001139, 1000746, 1001138, 1001123, 1001153, 1001156, 1001046, 1001196, 1001206, 1001143 and 1001140—
  Commonwealth Ombudsman’s reports, dated 12 February 2014.
  Government response to Ombudsman’s reports, dated 3 February 2014.

Departmental and Agency Contracts

The following document was tabled pursuant to the order of the Senate of 20 June 2001, as amended:
  Departmental and agency contracts for 2013—Letter of advice—Communications portfolio.
  Departmental and Agency Appointments and Vacancies—Order for Production of Documents—Documents
Departmental and Agency Appointments and Vacancies
The following documents were tabled pursuant to the order of the Senate of 24 June 2008, as amended:
Departmental and agency appointments and vacancies—Additional estimates—Letters of advice—Attorney-General’s portfolio.
Foreign Affairs and Trade portfolio.