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SITTING DAYS—2014

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FORTY-FOURTH PARLIAMENT
FIRST SESSION—FOURTH PERIOD

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

Senate Office holders
President—Senator Hon. Stephen Parry
Deputy President and Chair of Committees—Senator Gavin Mark Marshall
Temporary Chairs of Committees—Senators Christopher John Back, Cory Bernardi, Sam Dastyari, Sean Edwards, Alexander McEachian Gallacher, Susan Lines, Deborah Mary O'Neill, Nova Maree Peris OAM, Dean Anthony Smith, Zdenko Matthew Seselja, Glenn Sterle, Peter Stuart Whish-Wilson and John Reginald Williams
Leader of the Government in the Senate—Senator Hon. Eric Abetz
Deputy Leader of the Government in the Senate—Senator Hon. George Henry Brandis QC
Leader of the Opposition in the Senate—Senator the Hon 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 Opposition in the Senate—Senator the Hon Penny Wong
Deputy Leader of the Opposition in the Senate—Senator the Hon Stephen Conroy
Leader of the Australian Greens—Senator Christine Anne Milne
Leader of the Palmer United Party in the Senate—Senator Glenn Patrick Lazarus
Deputy Leader of the Palmer United Party in the Senate—Senator Jacqui Lambie
Chief Government Whip—Senator David Christopher Bushby
Deputy Government Whips—Senators David Julian Fawcett and Anne Sowerby Ruston
The Nationals Whip—Senator Barry James O'Sullivan
Chief Opposition Whip—Senator Anne McEwen
Deputy Opposition Whips—Senators Catryna Louise Bilyk and Anne Elizabeth Urquhart
Australian Greens Whip—Senator Rachel Siewert
Palmer United Party Whip—Senator Zhenya Wang
Deputy Palmer United Party Whip—Senator Jacqui Lambie

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

**PARTY ABBREVIATIONS**

AG—Australian Greens; ALP—Australian Labor Party;
AMEP—Australian Motoring Enthusiast Party; CLP—Country Liberal Party;
DLP—Democratic Labour Party; FFP—Family First Party; IND—Independent,
LDP—Liberal Democratic Party; LNP—Liberal National Party; LP—Liberal Party of Australia;
NATS—The Nationals; PUP—Palmer United Party
Heads of Parliamentary Departments
Clerk of the Senate—R Laing
Clerk of the House of Representatives—D Elder
Secretary, Department of Parliamentary Services—C Mills
Parliamentary Budget Officer—P Bowen
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<tr>
<td>Prime Minister</td>
<td>The Hon Tony Abbott MP</td>
</tr>
<tr>
<td>Minister for Indigenous Affairs</td>
<td>Senator the Hon Nigel Scullion</td>
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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 for Indigenous Affairs</td>
<td>Senator the Hon Michaelia Cash</td>
</tr>
<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>
</tr>
<tr>
<td>Minister for Infrastructure and Regional Development (Deputy Prime Minister)</td>
<td>The Hon Warren Truss MP</td>
</tr>
<tr>
<td>Apprentice 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>
</tr>
<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>
<td>Apprentice Minister for Employment (Deputy Leader of the House)</td>
<td>The Hon Luke Hartsuyker MP</td>
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<tr>
<td>Attorney-General</td>
<td>Senator the Hon George Brandis QC</td>
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<tr>
<td>Minister for the Arts (Vice-President of the Executive Council)</td>
<td>Senator the Hon George Brandis QC</td>
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<tr>
<td>Minister for the Arts (Deputy Leader of the Government in the Senate)</td>
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<tr>
<td>Minister for Justice</td>
<td>The Hon Michael Keenan MP</td>
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<tr>
<td>Treasurer</td>
<td>The Hon Joe Hockey MP</td>
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<tr>
<td>Minister for Small Business</td>
<td>The Hon Bruce Billson MP</td>
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<tr>
<td>Acting Assistant Treasurer</td>
<td>Senator the Hon Mathias Cormann</td>
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<tr>
<td>Parliamentary Secretary to the Treasurer</td>
<td>The Hon Steven Ciobo MP</td>
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<tr>
<td>Minister for Agriculture</td>
<td>The Hon Barnaby Joyce MP</td>
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<tr>
<td>Parliamentary Secretary to the Minister for Agriculture</td>
<td>Senator the Hon Richard Colbeck</td>
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<tr>
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<tr>
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<td>The Hon Bob Baldwin MP</td>
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<tr>
<td>Minister for Social Services</td>
<td>The Hon Kevin Andrews MP</td>
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<tr>
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<td>Senator the Hon Marise Payne</td>
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<td><strong>Minister for Defence</strong></td>
<td>Senator the Hon David Johnston</td>
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<tr>
<td>Minister for Veterans' Affairs</td>
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<tr>
<td><em>Minister Assisting the Prime Minister for the Centenary of ANZAC</em></td>
<td>Senator the Hon Michael Ronaldson</td>
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<td><em>The Hon Darren Chester MP</em></td>
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<td><strong>Minister for the Environment</strong></td>
<td>The Hon Greg Hunt MP</td>
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<tr>
<td><em>Parliamentary Secretary to the Minister for the Environment</em></td>
<td><em>Senator the Hon Simon Birmingham</em></td>
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<tr>
<td><strong>Minister for Immigration and Border Protection</strong></td>
<td>The Hon Scott Morrison MP</td>
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<tr>
<td>Assistant Minister for Immigration and Border Protection</td>
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The PRESIDENT (Senator the Hon. Stephen Parry) took the chair at 09:30, read prayers and made an acknowledgement of country.

DOCUMENTS

Tabling

The Clerk: Documents are tabled pursuant to statute and returns to order in accordance with the lists circulated in the chamber. 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

Environment and Communications Legislation Committee

Meeting

The Clerk: The Environment and Communications Legislation Committee was authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate today, from 1 pm.

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

BILLS

Racial Discrimination Amendment Bill 2014

Second Reading

Debate resumed on the motion:

That this bill be now read a second time.

Senator DAY (South Australia) (09:32): Today I continue my remarks on the Racial Discrimination Amendment Bill 2014 so that the Senate may have the opportunity to consider this crucially important matter. Freedom of thought, freedom of belief, freedom of opinion and expression, and freedom of the press are fundamental to the rule of law. For the rule of law to function properly, a country’s citizens must be able to observe, comment and critique the existence or non-existence of laws, the making of laws and the application thereof in the court system.

These freedoms are so critical to the very existence of a strong democracy and an acceptable way of life. They are recognised in international treaties and conventions, to which Australia is a party. At the same time these freedoms I refer to must be both well coupled and well balanced with protection against defamation, vilification, obscenity, sedition, copyright, commercial confidentiality, contempt of court and national security.

When the Racial Discrimination Act 1975 was originally passed by parliament, the intent of the legislation was obviously the prohibition of racial discrimination and, in particular, to make provision for giving effect to the International Convention on the Elimination of All Forms of Racial Discrimination. However, subsequent amendments to the act have in fact created a serious imbalance between freedom of speech and racial discrimination. In
particular, section 18C of the act restricts even objective and fair-minded opinion and expression.

The amendment proposed by the Racial Discrimination Amendment Bill is very minor. It simply removes the words 'offend' and 'insult'. Those other words 'humiliate' and 'intimidate' remain. If this bill is passed, the original intent of the act will be restored and both freedom of speech and the protection against racial discrimination will be able to coexist in proper equilibrium. Reasonable people do not support racial discrimination; however, reasonable people do support and defend their very precious freedom of speech, expression and opinion.

I would like to indicate that I intend to be the person moving conclusion of the debate, not one of my co-sponsors, and further indicate that it is my intention to adjourn debate at the conclusion of the allocated time today so that other senators may have the opportunity to speak on the bill at a later date.

Senator BERNARDI (South Australia) (09:35): Today I rise in support of the Racial Discrimination Amendment Bill 2014 which seeks to remove two words, 'insult' and 'offend', from section 18C of the Racial Discrimination Act.

The motivations behind my advocacy for this bill are mirrored in some of the strongly worded phrases from colleagues like Senator Brandis when he said:

Section 18C, as presently worded, has no place in a society that values freedom of expression and democratic governance.

And also these words by our Prime Minister:

Expression or advocacy should never be unlawful merely because it is offensive.

I agree wholeheartedly with them. It defies common sense for it to be illegal to make statements that are likely to insult or offend an individual or a group.

So I stand proudly here today knowing that I have devoted much of my time in public life to defending free speech. This defence has consisted mainly of my opposition to the toxic, destructive doctrine of political correctness. My co-sponsoring of this bill is a continuation of this fight. It is yet another episode in the battle to preserve the fundamental freedoms we so often see under attack in this country. These threats are sometimes well-intentioned but, despite this, they have damaging implications for our way of life and for the freedoms we enjoy.

Before those on the other side of this debate or the leftist commentariat dismiss my contributions as the ranting of some conservative, let's have a look at exactly who supports changing section 18C. I want to quote again:

My personal view is that 18C probably reached a bit far. The mere fact that you insult our offend somebody probably should not of itself give rise to legal liability—

they are the words of human rights lawyer Julian Burnside QC suggesting that 'speech which "insults a group" is arguably going too far' and that this part of the act might need 'a bit of finetuning'.

Let's look at another supporter, David Marr, a person who I would hazard a guess does not agree with conservatives on many things. Mr Marr has said:

… in a free and energetic society, giving offence is necessary.

… … …
Offence and insults are the everyday reality of free discourse.

And:

Hurt feelings should never attract the law as they do now under section 18C.

Even former AWU Secretary, Paul Howes, called the racial discrimination act an: Orwellian law that, probably, should not be there.

Then we have Jim Spigelman, the ABC chairman and former Chief Justice of the New South Wales Supreme Court, who says:

I am not aware of any international human rights instrument, or national anti-discrimination statute in another liberal democracy, that extends to conduct which is merely offensive.

And:

The freedom to offend is an integral component of freedom of speech. There is no right not to be offended.

Even ABC journalist Chris Uhlmann has said that 18C is:

... an insidious, creeping assault on free speech.

Mark Leibler from the Australian Jewish community has said that:

If all the government wants to remove the word offend, I think at the end of the day everyone could live with that.

Journalist David Penberthy wrote earlier this year:

The changes should be supported by people who believe in the importance of freedom of expression.

And:

There's a difference between being offended by a reasonably held view, and being the victim of a sustained and generalised campaign to smear your collective name.

I also recall Senator Bullock's opinions in his first speech in this place. He said:

To be tolerant of your views I do not need to pretend that you are just as right as I am but rather to accept that you have a perfect right to hold a view I believe to be wrong, even if I find your view offensive.

That is a brief and in no way exhaustive list of people who may disagree with Liberals and conservatives on something or all things, yet we have managed to find common ground on the need to reform section 18C of the Racial Discrimination Act in defence of freedom of speech. They join a list of people like Janet Albrechtsen, Piers Akerman, Nick Cater and John Roskam, just to name a few, who are joined together in seeking to strengthen free speech and bolster the ability of all Australians to get involved in the battle of ideas.

The broad political and public support for freedom of speech is also reflected in the co-sponsors of this bill: four senators from three different parties. I applaud my friend and colleague Senator Day for initiating this bill. I am grateful to Senators Leyonhjelm and Smith for their courage in co-sponsoring this bill along with me. It certainly reflects well on and it is a credit to this parliament and this chamber that representatives from three different parties can come together to protect every Australian's right to free speech.

I have to confess that, in all honesty, I was disappointed by the government's decision to drop its plans to repeal section 18C of the Racial Discrimination Act. Throughout 2012 and 2013, when Leader of the Opposition, the Prime Minister said that 'the coalition would repeal section 18C in its current form'—that we would 'change section 18C of the Racial
Discrimination Act so that merely giving offence is not a ground for a successful prosecution'. We took that to the Australian people at the last election. I do understand that governments have competing priorities to deal with and sometimes concessions have to be made and priorities realigned. But I did sincerely hope that our nation would be mature enough to handle discussions about counter-terrorism laws, on one hand, alongside honest debate about freedom of speech, on the other hand, and that one would not necessarily push aside the other to accommodate the due concerns of a small section of our community. But, in the end, that decision was made, and it has resulted in this private senators bill being debated today.

The bill being debated today does not go as far as what was originally proposed by the coalition. It provides some finetuning, if you will: the simple removal of two words—and I hope that the fact that it is so simple encourages more of my colleagues to support this bill should it come to a vote. Currently, section 18C goes beyond being a mere complaint. It goes beyond expressing one's outrage at something offensive. It actually makes it illegal to offend someone. It prohibits people saying things even if there is a likelihood that those words might cause offence to or insult another person. Again I quote the journalist David Penberthy. He said:

… it is possible for people to arc up about any comments which they find offensive, even if those comments are reasonably held and based on fact.

People can still find themselves taken before a legal tribunal or a court. It is simply absurd, to my way of thinking, that you could be hauled in front of a court and a judge because someone has taken offence at what you have said. It is grounds to hold someone accountable in law simply because someone else's feelings hurt.

I put it to you, Mr Deputy President, that section 18C of the Racial Discrimination Act has created an Orwellian environment. This is a climate in which the tyranny of political correctness has become the price of freedom. It has become a tactic of the socially progressive agenda to decry something as offensive merely to throw it out of the public arena.

I believe this bill provides an appropriate balance between free speech and social order. I say again: it only removes two words, 'offend' and 'insult'. It is does not touch other parts of section 18C—namely, that it is unlawful to 'humiliate or intimidate another person or a group' based on their race or ethnicity. Those provisions will remain in place. I just want to make that clear. It will remain unlawful to humiliate or intimidate someone based on their race or ethnicity.

What Senator Day has initiated here is, I think, an elegant solution that strengthens free speech while also addressing the concerns of those people who thought that the government's earlier attempts in this space went too far. I would like to imagine, and the evidence suggests, that most fair-minded people should accept this position because freedom of speech is one of our most fundamental rights. I will not, now or ever, walk away from defending a commitment to free speech in this country.

Through this bill, we are defending an essential principle of our democracy. People, whatever their background, whatever their culture, whatever their religious beliefs, should be free to say what they think, and this bill strengthens all Australians' ability to do that. The best way to counteract bad ideas, quite frankly, is to shine a light on them, and you do that best through free debate rather than by pushing them into the shadows. As Janet Albrechtsen put it:
… that's the point of free debate. It is the single most effective mechanism for disposing bad ideas.

So, if you are offended by what someone says, you can say so. You can call that person out and put your opposing views forward. Silencing opposing views and views that you might not like only serves to push unsavoury ideas underground, where they fester away and become a bigger problem later on. It is much better to shine the light on them right now and expose them for the garbage that they are, and that is a true virtue of a harmonious society.

Limiting free speech only hampers our right to hear others' opinions and decide for ourselves. That is why free speech is an essential characteristic of free expression—because it renders a diversity of debate. It renders debate vibrant and alive. It is healthy for any democracy. Without that debate, we cannot make informed decisions on policies, on values and on thoughts. And I do not want that for our country.

An editorial by *The Australian* late last year said:

A core duty of citizens in a free society is to welcome debate on contentious subjects. A mature country that is comfortable with its own laws, cultures and traditions would defend the right to express views that some of its citizens may not agree with.

I like to think that Australia is mature enough to defend free speech in this manner. After all, meeting challenges head on is the best way to deal with them, and that is why this bill is so important.

Australians simply should not be taken to court for simply offending or insulting someone. Other safeguards are in place within this bill, the Racial Discrimination Act and a myriad of other acts for more strident offences, but causing mere offence should not be grounds for hauling someone before a judge. The Prime Minister once said:

… if free speech is to mean anything, it's others' right to say what you don't like, not just what you do.

Today, with this bill, we want to put more meaning back into free speech. The Attorney-General has said:

By making the reasonable likelihood of causing offence or insult the test of unacceptable behaviour … section 18C is a grotesque limitation on ordinary political discourse.

Today, with this bill, we want to help end that limitation.

In conclusion, I again want to quote from the Prime Minister. He said:

A 'hurt feelings' test is impossible to comply with while maintaining the fearless pursuit of truth which should be the hallmark of a society such as ours …

With this bill, we seek to maintain that fearless pursuit of truth. The famous saying often attributed to Voltaire sums up the essence of what this bill is seeking to protect. It is one we hear often but one that rings just as true today as when it was first uttered many years ago: 'I disapprove of what you say, but I will defend to the death your right to say it.' This bill seeks to defend that great principle of our democracy, and I commend it to the Senate.

**Senator Jacinta Collins** (Victoria) (09:49): I rise to speak on the contained in the Racial Discrimination Amendment Bill 2014. I do not think any senator here holds the view that these issues do not warrant very careful consideration. As we have said in an earlier debate on these matters, the provisions have been in place for around 20 years. I am aware even before entering political life of some of the debate about whether the balance was quite right. So, Senator Bernardi, in part I take exception at the suggestion that the debate here is the tyranny of political correctness, because I hold a view contrary to yours and I support the
Labor Party's position that we should not attempt to weaken the provisions as they currently apply.

There is not a tyranny of political correctness occurring at the moment. Instead, we have a situation where, fortunately, the Attorney-General at the Press Club yesterday indicated a somewhat new perspective on these issues, which I think is important to highlight. He told the Press Club yesterday that, in the face of a rising risk of terrorism, there could be no greater error than for Australians to demonise our fellow Islamic citizens. While I accept that there is a genuine debate about these issues, unfortunately, at this time, there are those who are happy to use this debate as a means of fanning prejudice—and that is something we must not do.

As I said, in the past I have weighed these issues and concluded well in the past that we do indeed have the balance fairly right. I am a Victorian senator. I live in Melbourne. These issues have, as I said, flared in the past and we have addressed them. We have considered whether we have the balance right, and in my home and in my community I believe there is general acceptance of that. More recently, with the draft circulated by the Attorney-General, broader community debate concerned these issues, and that community debate, I believe, demonstrated well beyond the Melbourne community that there is a consensus that the current balance is correct. While I appreciate there are a handful of senators in this place wanting to redress these issues again, I take exception at the suggestion from Senator Bernardi that what we are dealing with is a tyranny of political correctness, because it is just not the case.

I will come in a moment to why it would be better to see some greater leadership in how we deal with some of these issues; but, before I do, I want to address one other issue raised by Senator Bernardi in his contribution, because he suggests to us that just removing ‘taking offence; is no big deal, that it is not an issue. I want to share with you an anecdote—gosh! it is almost 30 years old now—about taking offence. In my youth it highlighted to me that sometimes, indeed, the law is an ass. I was on my way to work one morning, taking a train in inner Melbourne, and there was a flasher near the station. I thought, 'That's a bit concerning.' I was not particularly offended by it, but I was aware that there had been reported rapes in the vicinity of that station. So I took time out that day to attend the police at Flinders Street Station, and I was astounded to hear from the police that they were not prepared to take a statement from me about this incident unless I was prepared to say 'I was offended'. So please do not pretend that simply removing 'taking offence' is insignificant in legal terms, as Senator Bernardi did, because it is not. The notion of taking offence moves through our laws in so many interesting ways and, on that occasion, it demonstrated to me that sometimes our law is an ass. We could not address personal safety and security issues for women without me being prepared to say 'I had taken offence'. That is simply bizarre.

So I thought that on this occasion I would go and look at some of the applications—perhaps those that are bit less notorious than the Andrew Bolt incident—and bring to the Senate's attention some of the uses of the provisions as they currently stand.

Before I do so, I will again reiterate the Labor Party's position: we indeed introduced section 18C and we will fight to retain it. We, along with many other Australians, have campaigned in the streets to protect it and we will vote in this parliament to oppose any attempt to weaken the vital protections it contains against the scourge of racist hate speech.

Section 18C is a critical element of Australia's antidiscrimination framework, which has served our country well for 20 years. It strengthens the rich fabric of Australia's successful
multicultural community. Section 18C appropriately balances freedom of speech with the right of all Australians to live in dignity, free from bigotry and the destructive, divisive effects of racially-motivated hate speech. This is the Labor Party's position, and we are proud of it. As I mentioned, coming from Melbourne, I am particularly proud of the balance that we are able to achieve amongst a very vibrant, diverse community. As I said before, we have never wavered on these provisions and we will not. Almost two decades of experience has convincingly demonstrated that this is the right policy for Australia, and the community response to the draft highlights that further.

As we have seen, the coalition's position, though, is much less clear. Indeed, numerous senators have co-sponsored this bill, and it is now before us. It is been reported, though, that as many as 10 coalition senators wished to add their names to this bill, only to be overruled by the Prime Minister's office. So perhaps I should highlight that this is perhaps more than the handful that I first indicated.

But we in the Labor Party believe that Australia's political leaders ought to focus their energies on bringing people together and protecting social cohesion that underpins our proud and successful multicultural community. It is disappointing that some voices from within the coalition seem to feel that their energies are better directed at prosecuting an agenda of intolerance, bigotry, fear and hatred. I am sure that is not all senators who are involved in supporting this bill. I am sure that for some they have not yet worked through the issues I have in the past in assessing whether we have the balance right. But then, equally, at this point in time they fall easily into the trap, as highlighted by Peter Hartcher today in *The Sydney Morning Herald*, of working with those who really are only interested in fanning prejudice. And that is an association that I would encourage senators to think carefully about. If coalition senators are going to vote in favour of this bill they should be honest with the Australian people about what they are actually voting for. The contribution from Senator Bernardi simply referring to 'a limited view' about what the impact of taking offence out of the provisions would be and glib comments about the 'tyranny of political correctness' does not indeed do that.

Section 18C has been used to combat the vilest forms of hate speech; behaviour which the Labor Party believes has no place, not only in Australian society but in any civilised society. In the case of Jones v Toben, section 18C was used to combat infamous Holocaust denier, Fredrick Toben, who sickeningly claimed that there is serious doubt about the Holocaust actually occurring. He also claimed that it is unlikely that there were homicidal gas chambers at Auschwitz, that Jewish people who are offended by and challenge Holocaust denial are of limited intelligence, and that some Jewish people, for financial gain, exaggerated the number of Jews murdered during World War II and the circumstances in which they were murdered.

The Labor Party does not believe that this sickening attack has any place in Australian society. If coalition senators want to vote to support Fredrick Toben and his ilk, then the Australian people will judge them accordingly. It is easy to say that we should out these sorts of views and their exposure will diminish them, but I think that is far less than clear.

In the case of Hobart Hebrew Congregation v Scully, a Hobart woman was restrained from distributing hate mail in letterboxes and at a public market which described Jewish people as 'leeches' who were involved in 'destroying white society' and using 'predatory tactics'.
In the case of Campbell v Kirstenfeldt, a Perth man was found to have breached section 18C by repeatedly calling his neighbour, an Indigenous woman, deeply offensive racists names and telling her to go 'back to the scrub where you belong'. The abuse was often made in the presence of Campbell's family and friends.

We, in the Labor Party, say that this sort of behaviour has no place in Australia. Senators who vote for this bill are compromising the strong standards that we currently have that have been demonstrated by the outcomes of these cases under section 18C. But they are also contributing to a broader concerning issue. In his address to the Press Club yesterday, Senator Brandis has perhaps moved away from the notion that you have a right to be a bigot. I hope he has. I hope he has seen the error in what was hopefully a glib question time expression from the comments he indicated yesterday. I do not believe there is a right to be a bigot and I would be interested to see the vote in this chamber on the actual question.

As I indicated previously, I have weighed up these issues in the past and I do believe that the current provisions have the balance right. Now that I have heard some of the argument about how innocuous it would be to remove the notion of taking offence, I will revisit this and I will have another look at that point. As I highlighted from my experience, the notion of offence is deep within the law's consideration of many matters and it is, I think, a bit deceptive to suggest that simply removing the taking of offence will not compromise the standards as they currently exist.

I want to conclude on one point and that is a point I alluded to earlier about leadership. Where is the political leadership on some of these issues? I was taken back to this point when I read The Sydney Morning Herald today and Peter Hartcher makes the point that Tony Abbott has implicitly endorsed, he says:

their dirty, divisive, dogwhistle politics to appease them—

referring to two government members' plans around, on this occasion, the issue of wearing a burqa in Parliament House. Peter Hartcher says:

Instead of winking at their intolerance, a real leader would have shut them down in a moment of crisis.

But he has not. He has not been able to shut them down. A real leader would be in that position. Instead, what we have seen from our current leader in relation to section 18 C was the fanning of this issue in the lead-up to the last election. It was deliberately fanned. Looking at the Bolt case, the Prime Minister was more concerned about Andrew Bolt than about those who felt they had been vilified.

The coalition indicated that in government they would deal with this issue, and the Attorney-General distributed the draft paper—and I think Senator Bernardi, in commending Senator Day on the current provisions in this bill, seemed to imply that even he accepted the draft paper went too far. And it did. As I said before, the community accepted that they went too far. This was not my narrow but somewhat proud experience of community life in Melbourne; this was a broad, cross-Australian cry that, in response to the Andrew Bolt case, this government on this issue was going too far.

So, Senator Day, I will be interested in looking at the broader implications of removing 'offend', because I am convinced it is nowhere near as simple as Senator Bernardi has suggested. But at the same time I decry the lack of genuine leadership in this area. I believe that your intentions are genuine but, over the last 18 months, I have seen this issue used solely
to fan prejudice—to fan prejudice to the extent that we saw in this place, in question time, the Attorney of all people say, 'People have a right to be bigots.' And we saw the outcry over that. Senator Day, I accept that there are genuine concerns about how these provisions have operated. I have watched them over the years, I have weighed them and I have assessed that we have generally got the balance right. I have not accepted reasonably glib contributions about how insignificant the removal of 'offend' would be and I am happy to look at those issues. However, my message to all of us is: be very careful; do not allow us to be used to fan prejudice here in Australia.

As I said, I decry the lack of leadership from our Prime Minister on this issue. He should shut down debates which will only fan prejudice, particularly as we look at issues around national security legislation. He should have shown stronger leadership earlier. He should not have fanned this debate. This should not have been an issue he campaigned on before the last election which has led to the situation where we were told we have 'a right to be bigots'. I hope to hear other senators in this debate disassociate themselves from that view. I do not believe any member of this Senate genuinely believes that here in Australia we have a right to be bigots.

I accept that the balance of these provisions are something that it is appropriate for us to consider, but it is not a new debate. It is not something that has not been considered over the years and, in my view and in the Labor Party's view, we do indeed have that balance right. The Prime Minister should be exercising more leadership to promote social cohesion and fairness and the Australian way of life, rather than allowing coalition senators to join here and fan the prejudice—(Time expired)

Senator LEYONHJELM (New South Wales) (10:09): I speak in support of the bill to remove 'insult' and 'offend' from section 18C of the Radical Discrimination Act. Mr Abbott says we need to adjust the delicate balance between freedom and security. Let me give him a tip. When you make decisions that authoritarians such as jihadis would approve of, like preventing people from saying what they think, when you threaten to haul journalists before courts and into jail and when you introduce provisions that give your security organisations the power to snoop on your own people, you have got the balance wrong. In fact, whenever you throw away the freedoms others have fought and died for, you have got the balance wrong. Mr Shorten says this is not the time to be removing the government censorship that is 18C on account of maintaining national unity. Sorry, Mr Shorten, but free speech does not have a timetable. Either you believe that we are entitled to say what we think or you don't. Either you believe this is a free country or you don't. Either you get the first line of the national anthem or you don't. In times of trouble true leaders speak for a nation about what they stand for, not which freedoms they have decided to give away.

I fear that Mr Abbott and Mr Shorten are not true leaders. When they talk about freedom there is always a 'but' to be found nearby. They believe in freedom but not if someone might have their feelings hurt. They believe in freedom but not all the time. They believe in freedom but will vote the same way that barbarians would vote. A lot of people, I suspect, are sick of hearing about democracy's 'but'. Those, like Mr Shorten, who believe we need to keep 18C for the sake of national unity do not seem to understand that democracies were never meant to be places of unity. That is a feature of fascist and communist regimes and, dare I say it, Islamist regimes.
The difference that characterises a democracy is its greatest strength, because it means that propositions are put to the test of public deliberation. People who make national unity arguments in a democracy probably do not understand democracy at all. Unfortunately, when it comes to section 18C, opinions are protected from public deliberation, in part because people are considered too ‘weak’ or ‘vulnerable’ and somehow incapable of bearing too much reality. Of all the people in the world, surely Australians are not so fragile or so gullible.

Questions of Aboriginality and Australian identity are matters of great public importance. They should be debated on the basis of evidence. Likewise, the Palestinian question is a matter that also should be debated and assessed on its merits. The Andrew Bolt and Mike Carlton controversies illustrate the silliness of this uncommonly silly law. I have no time for racism and other types of vilification, but we cannot have a situation where important matters are closed off from debate because of the potential for someone to claim that they have hurt feelings. Both Bolt and Carlton may have made some errors, but the remedy for errors of fact is a correction, an apology or even defamation proceedings. Section 18C gives certain people an extra remedy based on an arbitrary characteristic, which is a departure from the rule of law. In short, it is not a bad time to repeal 18C in the name of national unity; rather it is a good time to repeal section 18C in the name of national diversity.

When the government first suggested changes to the Racial Discrimination Act much was made of the connection between offence and insult—words I wish to see removed from the act—and subsequent racial violence. But while vilification might incite violence, there is no evidence that to offend or insult someone is to incite violence against that person. Indeed what evidence we have shows the opposite effect, because words often serve to replace violence.

As the law currently stands, instead of issues being debated and ideas criticised, toxic attitudes are driven underground or through the wires of the internet. This implicitly justifies handing over increased powers to Australia’s security agencies so that the speakers of various nasty words can be watched over by the powers that be.

If people were free to speak, there would be less need for such surveillance. We would all know which imams think young Australian Muslims should fight in Iraq and Syria and we would also identify those who believe all Muslims to be terrorists.

Racial incitement and racial vilification are crimes, because it is possible for a reasonable person to identify them and for evidence of their effects to prevail in court. Offence and insult, by contrast, should not attract even a civil remedy because their effects are subjective, capable only of assessment by the person who chooses to take exception to them.

Last week there were repeated calls for Tony Abbott to pull his dissenting senators into line on section 18C. This strikes me as contradictory for the simple reason that many of those now making calls for party discipline will, when I introduce my marriage equality bill, demand that Tony Abbott grant a conscience vote.

I commend to my fellow senators Edmund Burke’s speech to the electors of Bristol. In it Burke points out that a political representative owes his party and constituents not only his industry but also his independent judgement. People are elected to this place on the understanding that they have their own minds. It is not possible in my view to engage your conscience selectively. You either use your mind or you do not. Senators and members, to
paraphrase Bourke, ought to be faithful friends and devoted servants of their parties and constituents but not flatterers.

With this bill, senators get a chance to not just vote on their position on government censorship but also reveal a bit about themselves. Some of you, I know, are passionate supporters of freedom of speech and will be voting to repeal 18C. I congratulate Senator Day for introducing the bill and I congratulate those who will show the courage of their convictions by crossing the floor.

Then we have those who oppose the bill, because they disagree with it. At least you have the courage of convictions, but under what authority can you constrain freedom of speech of others while being protected by parliamentary privilege? Why is it okay for you to enjoy freedom of speech but not for other Australians? Do you accept this privilege because you are a senator and your constituents are not; or do you think your constituents are too fragile or stupid to manage a debate amongst themselves? When you prevent someone from expressing their thoughts, you are, in fact, insulting them.

And then there are those who support Senator Day's bill but are voting against it anyway for the sake of expediency or some misguided belief in party loyalty. I would remind you that voting against this bill will not be an act of party loyalty but an act of betrayal on your electors.

I commend the bill to the Senate. I put it to you that if you are one of those people who vote this down, that maybe you do not believe in anything much at all. I commend the bill to the Senate. I seek leave to continue my remarks.

The ACTING DEPUTY PRESIDENT (Senator Gallacher): Senator Leyonhjelm has sought leave to continue his remarks which means the debate has been adjourned.

Senator LEYONHJELM: That was not my intention.

The ACTING DEPUTY PRESIDENT: In that case, Senator Smith has the call.

Senator SMITH (Western Australia) (10:20): I also rise this morning to speak on the Racial Discrimination Amendment Bill 2014, brought to this Senate by Senator Day, which I have chosen to co-sponsor. I do not think my decision to co-sponsor this bill will come as a surprise to those in this place or to those outside it who have closely followed the debate of reform of section 18C of the Racial Discrimination Act 1975. I do not doubt the sincerity of those who have spoken or those who have yet to speak. A serious issue like this requires a serious and sincere debate.

As I noted in my contribution to an urgency motion in this debate just some weeks ago, I was an enthusiastic supporter of the government's proposals to reform the law in this area. As can sometimes occur, unexpected developments in the international arena meant the priorities of the government had to change, and I accept that. However, an independent senator has now brought a bill to the parliament that presents an opportunity to achieve reform that I believe is important in underpinning and protecting one of our most cherished rights in Australia: the right of all of us to the freedom of speech. That is, as will be well known to us, a founding principle of our democracy. To put it simply, I do not believe that the most effective way to uphold your values is to loosen your principles. I do not believe you do not uphold your values by loosening your principles.
The right to live in freedom, to speak freely and to treat with respect and dignity those who may hold different views from ourselves is the key difference between ourselves and those who would wish to do us harm. As the Prime Minister has noted, those who now pose a security threat to Australia do not hate us because of anything we have done; they hate us because of what we are and who we are: a stable, a mature and a free democratic society that not merely tolerates but celebrates diversity in all its forms—racial, religious, political, sexual, cultural. This has long been the case. Our record is not perfect but no nation's is. But Australia's reputation as one of the world's freest and most tolerant societies goes back many decades, certainly before 1995.

Tolerance in Australia did not simply materialise with the advent of section 18C of the Racial Discrimination Act. Equally, it will not suddenly disappear if the words 'insult' and 'offend' are removed, which is what this bill seeks to do. I was bemused last week, when I agreed to co-sponsor this bill, to be described by Labor's spokesman as a radical senator. I have been called many things but that is a first. This is not a radical proposal. It is actually a minimalist proposal which highlights a simple point. In the end, our core philosophical difference in this place relates to the role of government. Many of those opposite believe that the government and legislation and regulation can and should cure all society's ills.

The simple fact is there are limits to what legislation can achieve. You cannot legislate to make people believe something or think a certain way, and that is certainly not the role of this parliament. That is the problem with section 18C as it currently exists. It criminalises the holding of an opinion and that is wrong. I may not like your opinion, but the idea that you can be taken to court and charged and fined for holding it is antithetical to that principle of freedom on which this nation and its core values are based.

I noted some comment last week in the media that retaining section 18C might be a way to combat hate preachers. Again, with respect, I do not find that argument especially compelling. If someone is so irrational and so filled with prejudice and hatred that they engage in the sort of preaching that urges the followers of a religion, a political party or some other organisation to physically attack or degrade those of a different view, I am not sure why anyone would think that two words in a piece of legislation are going to stop them. Irrational people—and that is what hate preachers are—do not sit down and think through the legal implications of their actions. It is much like those opposed to reform of section 18C arguing that change will lead to a torrent of racist abuse in our streets. Again, the thug who physically assaults someone because of their religious beliefs or launches into a racist rant generally will not be the type to pause and think, 'I better not do this because section 18C makes it illegal to offend and assault someone.' Those people are irrational and by definition are not capable of that logical thought process.

The ugly Cronulla riots in 2005 are often cited by supporters of section 18C as the sort of behaviour they are keen to stamp out but, as I have noted before, the Cronulla riots occurred 10 years after section 18C came into being. Section 18C manifestly did nothing to prevent those rights and those charged as a result of those riots were charged with criminal offences under different statutes, as they should have been.

The biggest problem with section 18C at present is it does not do anything to combat racism; it merely serves to hide it. Hiding the problem is not good enough. Our job in this parliament is not to create a better appearance but to create a better Australia. I want racists,
bigots and, dare I say, homophobes to air their ugly prejudicial views so that they can be shown for what they are. We can only defeat racism and prejudices through argument and a clear demonstration that the facts do not support the bigots. If we shut down discussion, if we use legislation to declare certain subjects somehow off limits, then we have not defeated the problem; we have merely hidden the problem. Pushed into the darkness, the ugliness will simply continue to fester.

I was also struck by the words of Senator Bullock, a Labor senator, who said in his first speech in this place:

To be tolerant of your views I do not need to pretend that you are just as right as I am but rather to accept that you have a perfect right to hold a view I believe to be wrong, even if I find your view offensive.

That is a crucial point. A free and mature democracy does not have to accord all views equal weight in public discourse but it does need to permit people the right to express them. President Obama, who I suspect knows a good deal more than many of us in this place about what it is like to be attacked on the basis of race, made his view very clear. He said:

When ignorant folks want to advertise their ignorance you don't really have to do anything—you just let them talk.

In preparing my contribution for this morning I looked at Hansard from the mid-1990s when the Keating government's racial hatred legislation was being debated. In the course of perusing that material I came across this contribution:

... under this bill all that is necessary to create a civil offence is for someone to feel offended, insulted or humiliated. In other words, all that is necessary to create a civil offence ...

It continues:

... the best argument against bad taste is not to make it illegal. What we need to combat racism is argument, not censorship; we need exposure, not suppression.

I would have applauded those comments in November 1994 as much as I do today. I thank the member for Warringah, the now Prime Minister, for making them.

As I have noted in some earlier contributions to Senate debates on this subject, tone is very important. We can disagree but we should do so respectfully. So it has been somewhat surprising that all the hectoring, finger-pointing, misrepresentation and name-calling in this debate has come from those who believe they are paragons of tolerance and virtue in our community, even in our parliament. During question time in the other place yesterday, the Leader of the Opposition said that I and others who support this bill are wanting to give the green light to racist, hate speech.

Let me make this plain, in terms even the Leader of the Opposition should be able to understand, I will not be lectured on racism and xenophobia by this man, I will not. I will not be lectured to about racism and xenophobia by a man who less than one month ago stood before a crowd of unionists on a flat-bed truck in Adelaide and gave the most disgraceful, racist and xenophobic speech any Australian political leader has given in decades. His speech that day was so appalling and so embarrassing that, at first, his own office refused to transcribe or distribute it. It was so disgraceful that one longtime Labor staffer described it as 'an inexcusable performance that stank with racist rhetoric'. The claims of those opposite to be
guardians of racial tolerance in Australia might ring a little truer if a single one of them had taken their leader to task over his disgusting contribution. Unsurprisingly, none of them have.

I said at the beginning of this debate that I fully accept that developments in relation to national security required the government to reprioritise its own plans to reform section 18C. Nonetheless, this Senate is now being presented with a bill that will enhance the right of all Australians, no matter what their racial or religious background is, to freedom of speech. As I have just shown, the view that the best way to combat offensive view is to expose rather than suppress is one that transcends the usual party political boundaries. I encourage, with all of my heart and with the greatest of sincerity, senators to demonstrate their confidence in the fundamental decency and intelligence of our fellow Australians by supporting this bill. I also seek leave to continue my remarks.


Senator BILYK (Tasmania—Deputy Opposition Whip in the Senate) (10:33): Earlier this week, a 26-year-old Muslim woman was bashed and thrown off a train at Batman railway station in Melbourne. The attack was vicious and completely unprovoked. The victim did not know the attacker, had not talked to the attacker and was attacked purely on the religious faith she held based on the clothes she wore. This is a reprehensible and disgusting act, and police are still looking for the person responsible. I hope they find them very soon. I believe that the fundamental purpose of government is to protect the weak from the strong, to ensure that we have a community where everyone can feel safe and contribute without fear of being vilified, where the circumstances of someone’s birth or religious beliefs do not affect the opportunities available to them or how they are treated. No-one should fear that they will be vilified when walking down the street, going to work, catching the train or listening to the radio.

The Racial Discrimination Amendment Bill 2014 is a debate on what values we as a nation hold as core values, on what we as a nation believe is important. Do Australians really believe it is more important to protect the so-called right of people to vilify others even when it comes at the expense of the right of people not to be vilified? I do not think they do.

One of the co-sponsors of this bill, Senator Leyonhjelm, has said previously that his political philosophy is grounded in the philosophical principles of John Stuart Mill:

That the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others.

I would argue that in this case section 18C as it stands would be thoroughly supported by John Stuart Mill, because it fulfils his requirement for the exercising of power. It prevents harm to others. Because it is harmful to others when they hear their names slandered on national syndicated radio. It is harmful to others when they are humiliated and insulted based on ethnicity or religion, and it is harmful to others to be demeaned because of the faith they practise or the garments that they wear to practise this faith.

Senator Leyonhjelm and others with his views will argue whether it is up to this place to regulate such behaviour. Once again, taking the views of his beloved John Stuart Mill, I would like to quote chapter four on liberty, where he states:
As soon as any part of a person's conduct affects prejudicially the interests of others, society has jurisdiction over it, and the question whether the general welfare will or will not be promoted by interfering with it, becomes open to discussion.

To hammer that point home: as soon as any part of a person's conduct effects prejudicially the interests of others, society has jurisdiction over it. That means it is a perfectly legitimate act of this place and the other place, even within Senator Leyonhjelm's own ideological framework, to legislate against despicable racist acts and slurs. Senator Leyonhjelm and others in this place cannot argue for the freedoms espoused by Mill if they do not also accept where he believes power should be exercised by the state. They cannot cherry pick from Mill when it serves their own interests.

As the body responsible for creating legislation as the duly elected, freely chosen body of the people, it is therefore this parliament's right, indeed its duty, to improve the general welfare by enacting laws that prevent people from prejudicing the interests of others. This is what this parliament has done. It is what this parliament did almost forty years ago when the Racial Discrimination Act 1975 was passed through this parliament during the government of Prime Minister Gough Whitlam. The act has served this nation well since that time.

Unfortunately, racism has not been eradicated completely but it is important that the fight against it is continued. Mr Whitlam gave an eloquent explanation as to why racism was so abhorrent in the 1972 debate in the other place when he said:

Racism is the ultimate violence because it begins and ends with the denial of man's basic humanity. Does Australia really want to be a place that espouses denying people's humanity through hate speech? Senators Bernardi and Smith are also co-sponsors of this bill and, Senator Smith, I was surprised that you were co-sponsoring this bill. You said you didn't think anyone was. Trust me: I was—not with anybody else, but with you I was.

Months ago Mr Abbott told us that changes to the Racial Discrimination Act were no longer being considered. Mr Abbott said:

It's off the table, it's gone, it's disappeared …

But now, Mr Abbott's own senators have come into this place and sought to make changes to section 18C that Mr Abbott promised would not happen. This is another broken promise by Mr Abbott and he really needs to get his house in order. If Mr Abbott really believes himself to be captain of Team Australia, then he should show some leadership and tell his forward line to stop attacking the other members of the team.

Senator Bernardi has told this place time and time again that he is in favour of free speech, that he believes in freedom; except Senator Bernardi also seeks to ban the religious garments of Islam. I find it hypocritical when senators come into this place advocating for the freedom to vilify and hate on the one hand but wish to deny freedom of religious practice for others. This is what freedom means to Senator Bernardi. People should be free to do whatever they like as long as Senator Bernardi approves.

Are senators really in this place to advocate for hatred and against tolerance? I think they need to have a good hard look at their conscience and realise that they are here to legislate for the benefit of all Australians. This bill has generated great interest from both sides of the debate; however, I believe that when we look at the bills in this place, we have to ask ourselves a number of questions: who will this change harm? Who would this change benefit?
Will this improve the general welfare? Why would a senator in this place support this legislation?

Looking at these questions, the answers seem quite clear. The changes in this bill will harm decent, upstanding law-abiding members of culturally and linguistically diverse communities. It will harm decent, upstanding members of our community who seek to practice their religion peacefully without harming others.

So, who will this change benefit? Unfortunately, this change would benefit those that seek to insult and offend people based on their religious beliefs or ethnicity. Will this bill improve general welfare? In addition to the harm to others, it also does great harm to our society. Radicalism rises when we tell people that they are not welcome and when we say that Australia has no issue with allowing our culturally and linguistically diverse citizens to be vilified based on race or religion.

Which brings us to our final question: why would a senator in this place support this change? I would just like to take a moment to quote from the then member for Isaacs, Mr Clayton, during the 1975 debate in the House, when he spoke of those who opposed the introduction of the Racial Discrimination Act. He said:

… I still have no possible explanation of why he is really opposed to this legislation except to conclude that what he really seeks is to perpetuate in this country the existing situation in which people can and do commit acts which discriminate against people of particular races and hide behind supposed rights at law in order to protect themselves from being brought to justice for committing these acts.

And that is the crux of this bill and this debate.

We, too, must conclude that senators Bernardi, Day, Smith and Leyonhjelm, through the sponsorship of this bill, seek to allow people to commit acts which discriminate against people of particular races and hide behind supposed rights at law in order to protect themselves from being brought to justice for committing these acts.

I know that some senators do not always necessarily treat this place as they should but I do have to say that I find this bill quite disgusting.

Debate adjourned.

Environment Protection and Biodiversity Conservation Amendment Bill 2014

Second Reading

Senator WHISH-WILSON (Tasmania) (10:42): I read a very disturbing set of newspaper articles in the Australian press several months ago under the title 'The ocean is broken'. It was an account by a very experienced Australian sailor, Ivan Mcfadyen from Newcastle, who had done a number of sailing trips across the ocean. He retraced his journey from Melbourne to Osaka in Japan—a journey that he had done 28 years before. When he spoke to the Australian media he said that 'the ocean is broken'. He talked about his journey and said:

IT was the silence that made this voyage different from all of those before it.

Not the absence of sound, exactly.

The wind still whipped the sails and whistled in the rigging. The waves still sloshed against the fibreglass hull.

... ... ...
What was missing was the cries of the seabirds which, on all previous similar voyages, had surrounded the boat.

He said that over 28 days they had been fishing, as they always did catch the daily food and they caught two fish for the entire trip.

This got me thinking about how bad the state of our oceans is. Then I saw another evocative title only recently and that was a report called, 'The world's oceans are dying'. That is actually something that Paul Watson had said in a letter, which I passed onto the Japanese Prime Minister Shinzo Abe in Paul Watson's appeal to the Japanese Prime Minister not to kill whales in the Southern Ocean. But this is the exact title of a report from the Global Ocean Commission, which is chaired by David Miliband, the leader of the opposition in the UK. It is also championed by John Kerry, who of course we are all very familiar with in US politics.

But the Global Ocean Commission reports on the state of the world's oceans. Sadly, the report was very depressing. They actually said in the report that the ocean is dying. It is dying because of overfishing, it is dying because of marine pollution and it is dying because of the effects of climate change—ocean acidification, changes to winds and changes to currents.

In the context of what is going on around the oceans, which has been recognised internationally—this is a side point but I think it is an important one to make—it seems as though other countries have very high profile ocean champions in their political spheres. I am not sure who fills that gap in Australia. Of course, it should be Greg Hunt given that he is the environment minister. It seems that politicians have taken this very seriously in other countries—as have celebrities. They have stood up in the limelight and said, 'I'm going to champion the cause of protecting the world's oceans'.

I do not think anyone in this country who knows anything about fishing would disagree that we have seen significant problems with the overfishing of our global oceans. One very obvious point is that supertrawlers, huge industrial factory fishing vessels, have been fingered by the same experts—and this is well accepted—for a lot of the destruction and overfishing in the world's oceans. This occurs in not only the territorial zones of different countries but also on the high seas, which are very hard to police. When the world's largest supertrawler, the Margiris, arrived in Australian waters it was no surprise to me and others that it caused significant controversy in this country. When the Veronica, an Irish based supertrawler, came to Australia in 2008 there was a massive campaign right around the country. That supertrawler was banned by individual state parliaments from entering their waters. So when the Margiris arrived here—it was brought here by Tasmanian company Seafish—it was no surprise that it caused similar controversy.

The issues around supertrawlers are well understood. They are able to stay out at sea for potentially months and catch fish and put them in their freezers. Freezing capacity is everything to these industrial scale vessels. That is the reason they can catch so many fish and that is the sole reason recreational fishers in this country have a significant issue with supertrawlers. Environment groups, who worked hand-in-hand with rec fishing groups to stop the supertrawler, had other issues around local depletion and the impacts on ecosystems in areas around the supertrawler and of course issues related to bycatch. The nets these trawlers use are enormous and bycatch is an issue that has been identified by the Australian government as a problem that needs to be fixed in our fisheries—and I will get onto that in a second with one of the recommendations of the Borthwick review.
Local depletion was the key reason that this supertrawler was stopped—nobody could even define what it meant. And there was no science around these vessels going to an area whose ecosystem and ocean life is rich—for example, off Pedra Blanca in Tasmania—and spending months there catching small pelagic fish. And that is what this vessel had come over to do—catch low value small pelagic fish. And when I say 'low value' I mean low economic value. But the environmental and ecosystem value of these fish is enormous. Small pelagic fish like jack mackerel are what larger fish and seals eat. Any impact on these iconic species would be really obvious if their food source disappeared. This was the problem that rec fishers had.

This same fishery in south-east Tasmania that the *Abel Tasman*—formerly the *Margiris*—came over to fish went into significant decline 12 years ago where the small pelagic fishery was fished by a number of boats out of Triabunna. There is still debate as to what caused that collapse in the fishery. Some scientists say it was the changing ocean currents; others say it was overfishing. Either way, this fishery has not been fished for nearly a decade. Because of that, off the south-east trawl area or anywhere around this country, stock assessments of the targeted species of this supertrawler have not been done. So there was also no surprise that there was considerable uncertainty around the science. It was not about any lack of quality in the science. One report was done in 2012. From listening to Professor Meeuwig, a very good marine biologist at the University of Western Australia, we now know that fecundity and other parameters that were fed into this model in the study in 2012 were based on fish from the North Sea, not Australian jack mackerel. There was only one report. I do not think there is any disagreement now, in hindsight, that not enough science was done.

The Greens were the only party who stood up in this parliament to try to stop this supertrawler. There were some Labor senators—Senator Bilyk and Senator Singh, who are in the chamber today, and former Senator Thorp—who stood up for the Tasmanian community in relation to this boat. But there were very few voices. This boat was stopped because of an enormous campaign—a spontaneous campaign, a real campaign right around this country—to make sure it could not do any damage to a fishery that was very valuable to the marine ecosystems. This had potential implications right up the food chain—to the tuna that our rec fishermen catch and the salmon—and of course for divers and conservationists with issues around seals and the broader spectrum in the marine ecosystem.

The good thing that has come out of this is that we have now done more science and we have got the Borthwick review into how fisheries are managed in this country—and that is what I want to focus on. From my recent questions at estimates I know that, nearly two years after its report was handed down, none of the recommendations of the Borthwick review has been implemented yet.

I will go through those recommendations very quickly: giving clearer ministerial direction to AFMA by setting out an overarching fisheries management policy framework; changing the objectives in the fisheries acts to reflect more equally the range of commercial and environmental issues to be addressed; reaffirming the primacy of revamped fisheries management plans, with greater analysis of options and consequences; and leveraging off the above measures to accredit a new framework to develop fisheries management plans. One of the key things that review went into, in terms of recasting AFMA's objectives, was to give more equal weighting to ecosystem science rather than fisheries science. The review, in its
redrafted objectives, proposed that AFMA be required to have regard to the interests of recreational and Indigenous fishers.

In a nutshell, the Borthwick review said: 'We do fisheries science. We do that well. We are one of the best in the world at our fisheries science. But that is commercial fisheries science. We look at sustainability issues in fisheries—of course, that has environmental implications—but we need a lot more science done on the impacts on ecosystems of our fisheries plans and fisheries management plans.' That was looking at things like bycatch and local depletion.

What worries me is that this government has said that there will be no more supertrawlers. Apart from the fact that we have seen so many broken promises from this government that I would not hold them to account on the fact that we will not see another supertrawler in this country, what worries me is that this root and branch review, the Borthwick review, has not been implemented yet. In that environment, if we have not changed our approach to fisheries and learnt from the supertrawler campaign that other interests are critical in fisheries management, apart from just the fishing industry itself, then what certainty do we have that we will be able to stop these boats and potentially destructive fisheries' behaviour into the future?

Currently the government has no powers to declare a prohibited fishing vessel and implement a review. The aim of the legislation that is being debated is to remove the sunset clause, which means that the powers of the Minister for Environment to respond to new fishing operations do remain in place. But what this critically means is it gives the current environment minister discretion to declare a prohibited fishing activity and declare another sunset clause. So let us be very clear about this. This does not stop supertrawlers—it may temporarily put them up for review—and it certainly does not ban supertrawlers. It maintains the status quo and means that these boats can still come here and be assessed. But we need to be very clear about that.

The Greens have put up an amendment to ban supertrawlers and vessels with freezing capacity over 2,000 tonnes. That is a globally recognised tonnage of fish that is being looked at by groups right around the world. We consider that we need separate legislation for any size over that. This is a very serious issue and it has not been flushed out in this bill. We would ask that Labor, through Senator Ludwig, who brought this forward, consider a proper amendment that will ban this type of fishing activity in this country once and for all. This is what millions of rec fishermen across this country want. This is what people who are worried that the ocean is broken and is dying want. We want to see this type of destructive fishing activity stopped. We do not need it. We have not had supertrawlers in this country before. We are doing very well, thank you very much. We do not need to see them back. This government needs to hold to its promise that it will not allow supertrawlers back into Australian ports. (Time expired)

Senator BILYK (Tasmania—Deputy Opposition Whip in the Senate) (10:56): I would like to thank Senator Ludwig for introducing the Environment Protection and Biodiversity Conservation Amendment Bill to the Senate. It has been on the list for quite some time, so I am pleased to be able speak to it today.

In introducing this bill, Senator Ludwig is seeking the parliament's approval for measures to address a threat that faces Australia's oceans and the sustainability of our fisheries for future generations of commercial and recreational fishers. That is the threat of the large
factory trawlers fishing in our oceans when little certainty exists about their impact on our marine environment. The Abbott government has done nothing to address this issue or to allay the fears of the thousands of recreational fishers in my home state of Tasmania or the fears of concerned Tasmanians who care about the future preservation of our marine life.

My Labor colleague in the other place the member for Franklin, Julie Collins, received more constituent correspondence on this issue in the lead-up to the last federal election than on any other issue. Literally thousands of voters in Ms Collins's electorate of Franklin in southern Tasmania contacted her to express their concerns about the future preservation of our fisheries for environmental and recreational purposes.

My Tasmanian Labor Senate colleagues and I also received representations from thousands of concerned constituents from across our state who want to see our fisheries sustainably managed for future generations. Without revealing any names, I will just read a few lines from some of the correspondents who have written to me about this issue. This one is from a recreational fisherman: 'As a recreational fisherman, ex-commercial fisherman and marine farm owner-operator, I have an above average awareness of the marine environment from which many seek recreational enjoyment and employment. I have lived, fished and farmed in Tasmania for over 40 years. I am supportive of a permanent ban on supertrawlers in Australian waters for many reasons.' From another constituent, I received this:

Despite its crucial importance for the survival of humanity, marine biodiversity is in ever-greater danger, with the depletion of fisheries among biggest concerns.

According to a Food and Agriculture Organization (FAO) estimate, over 70 percent of the world's fish species are either fully exploited or depleted.

The dramatic increase of destructive fishing techniques worldwide destroys marine mammals and entire ecosystems.

FAO reports that illegal, unreported and unregulated fishing worldwide appears to be increasing as fishermen seek to avoid stricter rules in many places in response to shrinking catches and declining fish stocks.

And I will read one more to you: 'I implore you all to put in a permanent ban on supertrawlers which take unsustainable fish quotas and bycatch which will inevitably lead to the decimation of fish species and harm, if not destroy, entire ecosystems in our oceans. Other countries have already done this—their fishing industries are ruined and may never recover. That is why they are now attempting to fish here. It is not just the fish that we lose—it will impact our corals, our reefs, birds and ultimately our climate when we destroy the links in the food chain. We need to protect our oceans and understand the way they work so we can sustain them into the future. We need to look beyond the short term gains sought by some.' The common themes in these letters and emails included concerns about employment in the fishing industry, concerns about the marine environment, and an observation of the impact that large factory trawlers have had on the fish stocks in other countries.

Many of the constituents who have written to me are recreational fishers who have spoken of the joy they have of fishing with their children or their grandchildren. Indeed, although I am not a fisher, I have a number of family members who love going out with their children or their grandchildren to go fishing. They all talk about how they want to ensure that that joy can continue to be preserved for generations to come, so that their children and grandchildren will also be able to enjoy fishing with their kids.
There are often issues where commercial and recreational fishers are at odds with marine conservationists, but what is unusual about this issue is that it has brought industry, environmentalists and the broader community together. Several of the community groups in these sectors who are opposed to supertrawlers came together to form the Stop the Trawler Alliance. They include Environment Tasmania; Greenpeace; the Tasmanian Conservation Trust; the Tuna Club of Tasmania; the Australian Marine Conservation Society; the Australian Conservation Foundation; Ocean Planet Tasmania; Game Fish Tasmania; the Wilderness Society; Humane Society International; the Surfrider Foundation Australia; the conservation councils of Western Australia, New South Wales and South Australia; the Victorian National Parks Association; and Fishers For Conservation. This alliance of environment and fishing organisations is calling for a permanent legislated ban on supertrawlers, backed in Tasmania by the state branches of the three major political parties—Liberals, Labor and the Greens.

So, in introducing this private senator's bill to this place, I believe that Senator Ludwig and the Labor caucus are on the right side of public sentiment and, hopefully, the right side of history. Senator Ludwig's bill would amend the Environment Protection and Biodiversity Conservation Act, the EPBC Act, to repeal a sunset provision, and to enable the Minister for the Environment to establish an independent expert panel to conduct an assessment of the potential environmental impacts of a declared commercial fishing activity and prohibit the declared commercial fishing activity while the assessment is being undertaken. Basically, this means that any supertrawler that seeks to operate in Australia would be treated in the same manner as the first supertrawler.

The bill would enable the minister, with the agreement of the minister administering the Fisheries Management Act 1991, to declare a commercial fishing activity to be a 'declared commercial fishing activity' on an interim basis if both ministers agree that: there is uncertainty about the environmental impacts of the commercial fishing activity; it is appropriate to consult with fishing concession holders who consider themselves to be detrimentally affected by the making of a final declaration for the same fishing activity; and the declared commercial fishing activity should be prohibited while consultation occurs.

The ministers, by agreement, could also issue a final declaration, declaring the activity to be a 'declared commercial fishing activity' for a period no longer than 24 months if: there is uncertainty about the environmental impacts of the commercial fishing activity; it is appropriate to establish an expert panel to conduct an assessment of the commercial fishing activity; and the declared commercial fishing activity should be prohibited while the expert panel conducts its assessment of the commercial fishing activity. The minister must first make an interim declaration about a commercial fishing activity before issuing a final declaration. To ensure procedural fairness, the minister must consider written submissions from persons affected before making a final declaration.

The bill contains civil penalty and offence provisions to give force to the minister's declarations. The bill also provides for the publication of the expert panel's report and its tabling in parliament.

To understand why this bill is important, I think it helps to examine some of the history of the issues and how we got to the point we are at now. It started with a proposal by Tasmanian company SeaFish Tasmania to bring a Dutch vessel named the FV Margiris—a 9,500-tonne,
142-metre trawler—to Australia from overseas to fish in an area known as the Small Pelagic Fishery. Seafish Tasmania intended to use the *Margiris* to catch pelagic fish, such as redbait and jack mackerel, for sale to overseas markets, using her onboard freezing capability to extend the range of their fishing activities into waters that other fishing vessels could not practically reach.

The agency responsible for approving commercial fishing activities in Australia, the Australian Fisheries Management Authority, approved Seafish Tasmania's proposal and its 18,000-tonne quota. In August 2012, the Stop the Trawler Alliance delivered a petition with 35,000 signatures—each one written on a paper fish, I might add—to Senator Ludwig in his then role as Minister for Agriculture, Fisheries and Forestry.

In September 2012, the then environment minister, the member for Watson, Mr Tony Burke, announced on ABC's *Q&A* that he had imposed tough conditions on the *Margiris* to deal with the taking of other marine species which should be preserved—a concept known as bycatch. He explained on *Q&A* that he was not empowered by current legislation to ban the supertrawler. By this time, the *Margiris* had been reflagged as an Australian vessel and renamed the FV *Abel Tasman*.

Later that month, Minister Burke introduced legislation to parliament to give him new powers to stop the supertrawler. The bill provided a power whereby the environment and fisheries ministers could declare that a fishing activity could not take place for up to two years while further scientific work was undertaken to assess the impact of that activity. The bill passed both houses of parliament and then Minister Burke issued the interim declaration on 20 September 2012, followed by a final declaration on 24 November.

Then, on 6 February, Minister Burke announced the appointment of a four-member expert panel to assess the environmental impacts of large midwater freezer vessels in the Small Pelagic Fishery under national law. The expert panel comprised people with strong experience and expertise across a range of fisheries management disciplines. The members of the panel are: the chair, Ms Mary Lack, director of fisheries management consulting company Shellack, with 25 years' experience in Australian and international fisheries management and governance; Professor Peter Harrison, who has more than 30 years' experience in marine science research; Associate Professor Simon Goldsworthy, who has been undertaking research in marine biology for more than 20 years; and Dr Cathy Bulman, a senior fisheries biologist with CSIRO Marine and Atmospheric Research.

The expert panel is due to report to the Minister for the Environment by 22 October 2014. Seafish Tasmania launched a Federal Court bid to have the Commonwealth ban on the supertrawler overturned and lost their appeal on 21 February this year. The FV *Abel Tasman* left Australian waters on 6 March 2013 and has now resumed her original name of *Margiris*. The two-year ban on the supertrawler is due to expire in November 2014.

There was good reason to subject Seafish Tasmania's proposal to further scrutiny, as Labor chose to do. There is significant uncertainty around fishing in the small pelagic fishery. We lack accurate and up-to-date estimates of the population or biomass of the species. The latest estimates for the biomass of small pelagic fish are about a decade old. The latest data for jack mackerel was taken as early as 2003. We are unsure about the potential for recovery of the species from localised depletion.
There is also some doubt as to the effectiveness of exclusion devices that are added to large trawler nets to minimise bycatch. It is worth noting that, even if bycatch was not a threat to marine mammals such as dolphins and seals, localised depletion would be. Small pelagic fish are a key species in the food chain and therefore depletion of their biomass could place pressure on species such as bottlenose dolphins, Australian fur seals, sea birds and other fish such as sharks and bluefin tuna. While there are some marine scientists who have defended the sustainability of the supertrawler, others have raised serious doubts.

Professor Jessica Meeuwig, Director of the Centre for Marine Futures at the University of Western Australia, said in an article for The Conversation in August 2012 that the scientific case for introducing a supertrawler into Australian waters was weak. She noted that while pelagic fish tend to be more resilient to exploitation because of high growth rates, short life span and high reproductive output, the species targeted by the supertrawler are typically twice as large, grow 30 per cent more slowly and have maximum life spans 60 per cent longer. She also pointed out that there is increasing evidence that many species are not as mobile as previously thought, which means there is a greater threat of localised depletion.

Dr Susan Lawler, head of the Department of Environment Management and Ecology at La Trobe University, noted that there was a lot of guesswork involved in trying to determine the yields of the fishery sought by the Margiris. Dr Lawler agreed that more research on the issue was a good idea, noting that similar activities had led to the collapse of pelagic fisheries in other countries. It is because of this scientific uncertainty that deep concern has arisen in the community about supertrawlers, concern that is shared by recreational fishers and marine conservation advocates, but extends beyond these communities to the broader Australian community to ordinary Australians who care about our future.

You see, Australia's marine environment is one of our nation's greatest economic, cultural and environmental assets. This is why Labor has worked so hard to defend our marine environment, by establishing the world's largest network of marine parks and taking action on climate change to preserve the Great Barrier Reef. It is also why the issue of supertrawlers has so much potency. That is why Australians, particularly Tasmanians—the residents of Australia's only island state—are so passionate, so vocal and so concerned about this issue.

For those in the community who have concerns, Labor has the runs on the board when it comes to protecting our marine environment from supertrawlers. Let us not forget that those opposite—the Liberal and National parties—opposed Mr Burke's bill in 2012. By contrast, it was Labor that put in place strong protections against supertrawlers in 2012. It was Labor that sought clarity over the very uncertain science before allowing this proposal to go ahead. And it is Labor today, through Senator Ludwig's bill, that is taking action to put protections in place against any other supertrawlers that would seek to operate in Australian waters.

By contrast, the coalition voted against the legislation which allowed the original supertrawler ban and it was the coalition who said, through Senator Colbeck, that they would not rule out allowing the Margiris to return to Australia to fish in Australian waters. It is interesting that Senator Colbeck has been described by recreational fisher and Stop the Trawler Alliance member, Todd Lambert, as being the 'last man standing' in supporting supertrawlers.

Senator Colbeck was even contradicted by the Prime Minister, Mr Abbott, who said in the other place—those on the other side should listen very carefully—that the supertrawler was...
banned and would stay banned, although we know we cannot necessarily rely on the Prime Minister's words. On this side, we are curious as to what the true position of those opposite is on supertrawlers or whether it is yet another case of the coalition saying different things to different audiences.

Today the coalition are being presented with an opportunity, through this bill, to show where they stand on supertrawlers. Do they really stand for the protection of Australia's marine environment? If their record to date on other marine issues is anything to go by, the indication so far would be no. After all, this is the government which sneakily reversed the management plans for the world's largest marine park network. Twenty years of work through governments of both persuasions went into the creation of the Commonwealth Marine Reserve network—20 years of work, started by the Keating government, continuing through the Howard government and ending with the previous Labor government. This Abbott government has managed to unravel that in the blink of an eye and has failed to take serious action to address climate change, has failed to protect our world-class marine environment from the threat of climate change and has failed to protect the Great Barrier Reef, one of the seven natural wonders of the world, which has suffered from coral bleaching because of rising ocean temperatures.

This government pretends to care about business, to care about the economy, yet the Great Barrier Reef was estimated by a recent report to contribute over $5 billion annually to Australia's economy with the creation of 69,000 full-time equivalent jobs. If their record on the marine environment is not bad enough, marine research has taken a hit with 18 research jobs to go at Hobart's Marine and Atmospheric Research Division as a result of the Abbott government's savage cuts to the CSIRO. With their poor record so far on the marine environment, this is the chance for the Abbott government to redeem themselves. It is a chance for them to stand up for recreational fishers, for the sustainability of our fisheries and for the thousands of Australians who care very deeply about preserving our marine ecosystems. I commend the bill to the Senate.

Senator IAN MACDONALD (Queensland) (11:14): For those listening, this debate on the Environment Protection and Biodiversity Conservation Amendment Bill 2014 highlights Labor's absolute incompetence, hypocrisy and failure to make any decision on anything. It is typical of Labor. The previous speaker said that Mr Burke—on Q&A, mind you; not in the parliament by way of a formal announcement as the then minister—announced that there would be no more supertrawlers in Australia. Senator Bilyk, is that the same Mr Burke who actually encouraged the supertrawler to which you refer to come into Australia a couple years previously? This is what the same Hon. Mr Tony Burke MP, when he was agriculture minister, said in 2009. I quote his words:

There are considerable economies of scale in the fishery and the most efficient way to fish may include large-scale factory-freezer vessels.

There we are, the former agriculture minister, Mr Burke, saying to these large-scale freezer vessels, 'Welcome to Australia.' This is the sort of vessel that Senator Bilyk and, I suggest, Senator Whish-Wilson have been talking about. Then the same Mr Tony Burke, not in any formal sense but on a media show—which, I might say, is watched by very few people—said he was going to actually ban the same vessel that he personally had encouraged into Australia.
This debate is all about Labor’s incompetence, their inability to make any decision but, when they do make decisions, they are completely contradictory.

Again, I wish to contradict Senator Bilyk and I have personal knowledge of this, because it involved me as former fisheries minister. Back in, I think, 2004—I do not have the details in front of me, but they are all available on the public record—there was a suggestion of the Veronica coming into Tasmania. At the time, we had not done the science.

Senator Bilyk: Clearly, whenever the truth comes out and it hurts Senator Bilyk, she will do what she can to drown me out in this debate. But it will not stop the facts, Senator Bilyk. The MV Veronica supertrawler was reportedly coming into Australian waters. Back in those days, we had not done the research, we had not done the science. So I as fisheries minister at the time said—and I might add that this was before the vessel came anywhere near Australia—‘We should delay this and get the experts, not Senator Bilyk or Senator Whish-Wilson, but scientists who understand fisheries management, fish stock and how fisheries work. We’ll get them to have a look at it to see what should or should not happen.’ So, prudently, the government of the day said, ‘Hold on a sec—we’re not saying no, we’re not saying yes—but let’s do the science. Let’s not rely on the Greens political party and Senator Bilyk, who know nothing about fisheries.’ They know a lot about political campaigns, most of them completely dishonest, but they know nothing about the science of fisheries.

Senator Bilyk: Mr Acting Deputy President, I rise on a point of order. I think it is—

The ACTING DEPUTY PRESIDENT (Senator Williams): What is your point of order, Senator Bilyk? It is not a thought session.

Senator Bilyk: Belittling another senator in this place.

The ACTING DEPUTY PRESIDENT: There is no point of order, Senator Bilyk. Continue, Senator Macdonald.

Senator IAN MACDONALD: Thank you. If I say the Greens and the Labor Party are very good at dishonest political campaigns, I will stand by that until the day I die.

Senator Bilyk: Mr Acting Deputy President, I rise on a point of order. Senator Macdonald used my name. He did not say, ‘The Labor Party’; he said, ‘Senator Bilyk.’ I would like him to retract that.

The ACTING DEPUTY PRESIDENT: There is no point of order. Names of senators have been mentioned around here for as long as the six years that I have been in this place.

Senator Bilyk: No—

The ACTING DEPUTY PRESIDENT: Senator Bilyk, I am speaking. Please resume your seat. There is no point of order. You have the call, Senator Macdonald.

Senator IAN MACDONALD: Thank you, Mr Acting Deputy President. Dishonest political campaigns are the hallmark of the Greens political party and, lately, regrettably, the Labor Party and all of those in it. They are good at that, but they are not much good at the science of fisheries. This debate today is about how the Greens and the Labor Party deal with environmental matters. They are incompetent in making decisions.

I want to come back to the point I have just been making. On the wider issue of the management of the environment by the Greens and the Labor Party, can I simply refer the
Senate to one of the most disgraceful acts I have ever seen in relation to the environment in recent times. A couple of days ago a deal was struck between Labor and the Greens to block the job-destroying green tape initiative, the one-stop-shop initiative, which, it was indicated, would get the nod by this parliament. But the Greens and the Labor Party went to the Palmer United Party and said, 'If you roll over on this one-stop-shop proposal for sensible environmental management, we will support the Palmer United Party on its disgraceful, dishonest and unconstitutional inquiry into the Queensland government.' There are no high principles involved here, just a matter of bribery using the environmental legislation to give Mr Palmer his opportunity for a vindictive, irrelevant, untruthful and unnecessary inquiry into another government in our nation. This demonstrates the point I have been making. When you leave it to Labor and the Greens to deal with environmental matters, they are not so interested in environmental matters and will trade those sorts of things and, more importantly, jobs—and I will come back to that—just so they can get Mr Palmer's support to stop this one-stop shop inquiry.

The one-stop shop, which was proposed by the Commonwealth government, was initially, I understand, supported by the Palmer United Party. I can well understand why Mr Palmer might have supported it. His Queensland nickel refinery in my home base city of Townsville has been held up in many of its instances for years by duplication of state and federal environmental legislation and by approvals processes and inquiry processes—so it was to be a good idea to have this one-stop shop. But one of Mr Palmer's goals in life is to take whatever political action he can against a government which refuses him what he wants. He thought he could buy any government and get them to do whatever he wanted, but the Queensland government said, 'We are an honest government and we will do this by the rules and we'll do it on the basis of what is right.' Mr Palmer did not like that, and so, since that time, he has conducted this vicious personal, political, dishonest campaign against Campbell Newman. And who is supporting it? The Labor Party and the Greens.

We all know that when Senator Milne was not here, the Greens decided, quite properly, to have an inquiry into the previous Labor government—who, I might say, Senator Whish-Wilson, actually introduced the coal seam gas legislation in Queensland that you are so concerned about. But are we looking at the government that introduced the coal seam gas activities in Queensland? No, of course not, because it is a Labor government—it is a left wing government. It is the sort of thing Senator Whish-Wilson froths at the mouth about when he thinks about another Labor government.

Most people these days understand the absolute dishonesty of the Greens, but for once I thought the Greens had done the right thing. It happened to be a time when their leader, Senator Milne, was—regrettably for her from her personal point of view—not in the chamber. Without their leader, the Greens made a decision that, 'If we are going to have an inquiry into this Queensland government, we will include the previous Queensland government'—the Labor one; the one that actually introduced the coal seam gas legislation which Senator Whish-Wilson is now 'so' concerned about. But did the Greens political party support it when it came up the second time? Oh, no, they had done a deal—because they do not like this one-stop shop. They want to put everything in their power in the way of Australian industry and, more importantly, Australian jobs.
Senator Whish-Wilson: Mr Acting Deputy President, I rise on a point of order. The second motion did include an analysis of the previous government. The senator is misleading the chamber.

The ACTING DEPUTY PRESIDENT (Senator Williams): There is no point of order. Continue, Senator Macdonald.

Senator IAN MACDONALD: I take Senator Whish-Wilson's point of order. That is not the way I read it. But, if that is correct, I am sure Senator Whish-Wilson will join with the one representative from the coalition on that committee and when they ask for documents and people from the previous Labor government to be included in that inquiry—when they are summonsed before that inquiry—I will expect Senator Whish-Wilson to support the one coalition member on that committee. And if we seek to bring along the Australian reporter by the name of—

Senator O'Sullivan: Hedley Thomas.

Senator IAN MACDONALD: When we seek to bring Hedley Thomas along to give evidence to this inquiry, I am sure—from Senator Whish-Wilson's comment—that Senator Whish-Wilson will again support me. I bet you everything I own that, when it comes up, the Greens will not do that.

Senator O'Sullivan: They'll flip-flop.

Senator IAN MACDONALD: Well, not flip-flop; they will just take their normal political party approach of dishonesty. They will go with Labor and they will stop anything that looks into the disgraceful previous Queensland government—the one that had a cabinet minister who is now serving time in jail for bribery. Are we going to look into that and all the other people around that?

Senator Whish-Wilson: Yes.

Senator IAN MACDONALD: Okay; there are now three motions that you are going to be able to support us on, Senator Whish-Wilson: an inquiry into—

Senator O'Sullivan: I hope that got onto the Hansard.

Senator IAN MACDONALD: I hope it is in the Hansard now. An inquiry into Ms Bligh and all of your corrupt ministers and officials, the Tahitian prince—

Senator O'Sullivan interjecting—

Senator IAN MACDONALD: I might even get Senator Whish-Wilson to move the motion at this committee and we will have them along. Senator Whish-Wilson, you have almost made my day. But I am absolutely sure that when it comes down to it—when the chips are on the table—you will back down as you always do, because you will not do anything that in any way brings any accountability to any Labor government.

But I have been distracted from the point I was making. This one-stop shop is not about having a one-stop shop for the sake of having a one-stop shop; it is about jobs in Australia. It is about our fellow Australians who currently are unemployed. You only have to look at the newspapers today and over the last couple of days to see that those who should know are
clearly indicating the impact that this dual environmental system has on jobs on Australia. Regrettably, time will not allow me to go through this in any detail, but I will read from the first page of one daily newspaper, which says:

THE nation's largest business groups have accused Clive Palmer and the Greens of risking 70,000 jobs and harming housing affordability with their pact to block environmental approval reforms in return for a Senate inquiry into the Queensland government.

I have said before that I do not fear an inquiry into the Queensland government—in fact, I would almost welcome it. I know the Queensland government—I am a Queenslander. I know what a fabulous job it has done in correcting Labor's mismanagement over the previous 20 or so years. But I would not agree to that inquiry, or to an inquiry into the previous Bligh Labor government, with ministers who are now serving time in jail for bribery, if I knew it was going to cost my fellow Australians—70,000 of them—their jobs. That in itself is a disgrace. It is this Labor Party—allegedly the workers' party, allegedly the party for the poor and the disadvantaged, allegedly the party that sticks up for blue-collar workers—that, because of its rotten deal with the Palmer United Party and with the Greens, will cost 70,000 of my fellow Australians their jobs.

I just cannot understand where the unions are when this is coming to bear. We read all about union corruption—most of us have known about that for a long time. It is all being put on the record now with the royal commission. But there are, I suggest, many unionists who are genuine in their job and genuine in their desire to look after the rights of workers and to get workers the best right they can ever have—the right to have a job. Here is an opportunity for those honest members of the union movement to say, 'We are more interested in jobs for our members rather than a dirty, dodgy deal between the Greens, the Palmer United Party and the Labor Party over an inquiry into Queensland that will go nowhere.' And it will go nowhere. I suspect the High Court might well have something to say about that. We have so many issues before this parliament at the moment, and here are the Greens, the Labor Party, and the Palmer United Party sending a number of senators and all the Senate staff and all the Hansard staff on a wild witch hunt around Queensland, taking evidence from any disaffected person who has a grudge and wants to defame someone under parliamentary privilege. That is what this government has come down to.

I return to the subject of the debate. As I have been indicating all along, this is really a debate about the incompetence of the Labor government and its inability to make any decision about anything and its susceptibility to dodgy, dirty deals of the type we have seen lately. As I mentioned earlier, the coalition, when it decides on matters like fish stocks and harvest strategies, relies not on politicians like Senator Bilyk and Senator Whish-Wilson, who frankly know absolutely nothing—we get people who are trained in fisheries science to make the decisions. We are waiting for an expert panel report and we have asked for additional science on fish stocks. We want to build public confidence in the fishery and we will not support Labor's bad legislation. When this legislation came forward last time it was so bad that it needed amendment within hours of introduction. Labor clearly do not understand fisheries or fisheries management. They were so hopeless that their bill banned all recreational charter fishing vessels—that is how good Labor was. That had to be amended almost before the ink had dried.
I repeat that on this issue of fisheries we will make decisions based on science, not on the uninformed drivel and twaddle of Senator Whish-Wilson or Senator Bilyk or anyone else in the Labor Party. We have asked for more data to address criticism regarding the age of the data used to establish fish stocks. We want Australian fisheries to be the best—as they have been. We have a reputation for having the best managed fisheries in the world, bar none. That will continue because we have, under Liberal and National Party governments, placed the decisions we make on science from experts who know what they are talking about. We do not make decisions on the basis of temporary political advantage that the Greens and the Labor Party can organise in their dishonest campaigns on this and many other matters. This bill should be sent where it belongs—the rubbish bin.

Senator SINGH (Tasmania) (11:35): Labor supports Senator Ludwig's private senator's bill—the Environment Protection and Biodiversity Conservation Amendment Bill—because this government cannot or will not take action on this issue of national importance. I remember that the powers that Labor used to stop the first supertrawler were opposed by Tony Abbott and the coalition, and I note that Australia's fisheries are still threatened by this government's inaction on supertrawlers. Despite that, the Prime Minister had the gall to say, when he did not support the original bill proposed when we were in government, that it was banned with the support of members on this side of the house.

Senator Macdonald comes into this place full of vitriol, in his usual aggressive, emotional style of contributing in the Senate. Heaven help anyone listening on the radio or on the internet. It was a complete tirade, although I am not sure that Senator Macdonald was aware of the bill before us. The bill does talk about science—it does talk about the need for more scientific research. The fact that Senator Macdonald is even referring to science for the first time in his life is surprising in itself. Because we know that when it comes to climate change and areas of global warming and the environment—and we are talking about the environment of our oceans in this bill—that Senator Macdonald completely denies any science on the record. He does not want to accept the science. We have heard him through many hours of budget estimates and many times in this place where his contributions have denied the science, yet today he wants to use science as a reason to continue allowing the activities of supertrawlers in our ocean areas.

Australia needs to be able to control the activities of future supertrawlers. Why? Because we need to ensure that our oceans, our recreational fishers and businesses are protected and that they have certainty. The fishing groups, environmental groups and the community at large—thousands upon thousands of them, who Senator Macdonald chooses to ignore—made their objection to this issue very clear. Of course Labor listened to their concerns at that time, but we went further to say that we need to have more scientific review and more research into these issues. That is why there was a two-year ban on supertrawler activity. We know there is a gap in the system when it comes to the powers of the environment and fisheries ministers to consider new commercial fishing vessels before they arrive and begin to fish.

This bill, for the knowledge of Senator Macdonald and those on the other side, will restore those tough powers to the environment minister to act where new types of fishing operations seek to work in Australia and where uncertainty exists about their conduct and their impact. Goodness knows the environment minister needs some new powers, because he certainly has not shown that he has any power in any other part of his environment portfolio. In fact, he has
been missing in action when it comes to renewable energy, climate change, threatened and endangered species, marine reserves and basically every single component of his portfolio.

This bill actually gives the environment minister a little bit of power, so that he can start to act in his own portfolio. It focuses very much on addressing that uncertainty that is related to so-called supertrawler vessels. It provides for a scientific process to occur for up to two years, providing for an expert panel to consider the impacts of the new venture if it is declared. This will provide the community, recreational fishers and businesses alike with a certainty if these declared activities are to operate in Australian waters.

This is a very sensible, precautionary approach. It will allow community and environment groups, together with business, to work with the scientific experts' panel to assess the true impacts of new and large-scale fishing operations—a very sensible approach as a means of dealing with supertrawlers. These amendments give the government of the day the power to declare a particular type of fishing activity which has not been used in Australia previously and around which some uncertainty exists to ensure proper and thorough expert scientific work is conducted. This very necessary legislation will allow the government to stop new supertrawlers before they come to Australia, as Labor did in office. In government, Labor introduced those strong powers to protect the environment, to respect the rights of recreational fishers and to provide that certainty to business. I note that Senator Whish-Wilson drew upon the work of the Global Ocean Commission, and I think that it is important to recognise its report on the state of the world's oceans in the context of this bill. The state of the world's oceans is significant when we talk about climate change, and that again has an impact on our fishing stocks. However, I was slightly disappointed that, at the recent UN climate change summit, oceans did not feature as significantly as they should have in talking about climate change and its effects on our oceans.

When Labor introduced these sensible powers in September 2012 to act against new commercial fishing vessels, the amendments were opposed by both the Liberal and National Parties. I have welcomed reports that the New Zealand fishing company, Sealord, has retreated from its plan of sending the 104-metre factory trawler Meridian 1 to my home state of Tasmania's deep-sea fisheries this summer. I think these are positive reports, and very good news for Tasmania's recreational fishing community, local fishing companies and of course the marine environment organisations, as well as the Blue Grenadier fishery. The fish itself has only one known spawning ground off western Tasmania, and its range is predicted to contract due to that region's global warming hotspot—where ocean waters are warming at three times the global average. Again, that is noted in some of the work that the Global Ocean Commission is doing. It has also been reported that Sealord remains determined to send the Meridian 1 to Tasmania next summer, where it will equal the record of the biggest—I repeat, the biggest—vessel ever to fish in Australian waters, so I remain concerned that this reprieve will only be temporary. However, if the Prime Minister listens to the rogue parliamentary secretary, Senator Richard Colbeck, who wants the government to revert to its original position in favour of supertrawlers but who clearly is not representing Tasmania—

Senator Back: On a point of order, Mr Deputy President: I think Senator Singh is reflecting on her parliamentary colleague Senator Colbeck when she uses the word 'rogue'.
The DEPUTY PRESIDENT: I am listening carefully. At this point in time, I do not think there is a point of order, but I remind all senators to observe the standing orders when making their contributions in the chamber.

Senator SINGH: There are a number of adjectives from the Macquarie and Oxford dictionaries frequently used in this place that, as colourful as they may seem, are often very appropriate when describing senators on the other side—and on many occasions you use them about us, Senator Back.

In June this year, Senator Colbeck went on the record as a strident cheerleader for factory vessels, despite the promises made in March by his Prime Minister and by Senator Eric Abetz to maintain their government's support for the ban on supertrawlers in Australian waters. Clearly, then, there is division within the coalition on this issue—even amongst Liberal senators from my home state.

Senator Bushby interjecting—

Senator SINGH: I am not sure what Senator's Bushby's position is—whether he is with Senator Abetz or Senator Colbeck on this issue—but clearly they are all over the place. Some members of the government disagree with Senator Colbeck and say that they support the ban on supertrawlers, but unfortunately their lack of action belies their words.

The government have refused to act to protect our fisheries, stand up for recreational fishers or provide industry with any certainty, so it is up to Labor to act. It does surprise me how the government can ignore the pleas from recreational fishers, the community and environment groups. I am sure the government have heard from thousands of community members and have seen the Facebook pages protesting against these supertrawlers. It is similar, I think, to the way they ignored community protests about their proposed changes to the Racial Discrimination Act: the 5,000 submissions and the thousands of expressions of concern from the community. They were willing for some time—until it suited them not to—to ignore community wishes on that issue as well.

Overfishing in the North Sea and the South Pacific has been well documented for some time, and it is supertrawlers that have caused that overfishing. I urge senators to watch, if they have not already, a very important documentary by Rupert Murray called The End of the Line. It highlights the devastating effect that overfishing has had on the world's fish populations—the fact that fishing is occurring at an unsustainable rate. A lot of research has demonstrated that trawling is severely damaging fishing stocks. I think this film was the first major documentary to look closely at the impacts of overfishing on the world's oceans. It highlighted that a quarter of the world's fish stocks are being exploited to extinction and that a further half of the world's fish stocks are under significant pressure. It also highlighted that well-known species, such as cod and bluefin tuna, were likely to be extinct by 2048—and once they are gone, they are gone. That is why we need more scientific research before we just open the door and let supertrawlers come into the Bass Strait. We need to recognise what has already occurred in the North Sea and the South Pacific—and probably elsewhere around the world.

That is why we have this bill before us and that is why Labor is urging the government to support it. The current ban is due to expire on 11 November. The pressure is growing on the government to make good the Prime Minister's words and to support Senator Ludwig's bill—
to put those strong powers to protect the environment in place before any more supertrawlers come to Australia. The indecision of the Prime Minister is risking a high-value commercial fishery in south-east Australia, a fishery with an estimated gross annual production of $11 million. Given the government has failed to act and given its frightening inability to keep its word—on anything, I have to say—it is sensible for these powers to be restored.

Labor understands that a healthy Australian environment will always be the basis of a growing, well-managed Australian economy, and only Labor will protect our oceans, respect our fisheries and provide certainty to the fishing community, the environment and business. That is why this bill is before us. We know the history; we know the journey. I have related some of the history of what has occurred with supertrawlers in other parts of the world. We do need further research and we do need to invest further in the science before we just allow open slather, before we open the door for supertrawler access to our seas and oceans. It is the right thing to do for our environment, the right thing to do for our fishing community and the right thing to do for business and our economy.

The DEPUTY PRESIDENT: Order! The time for this debate has expired.

NOTICES
Withdrawal

Senator LAZARUS (Queensland—Leader of the Palmer United Party in the Senate) (11:52): I withdraw general business notice of motion No. 450 standing in my name for today.

Presentation

Senator Rhiannon: To move:

That the Senate—

(a) notes that:

(i) the New South Wales Coalition Government policy of increasing public housing sell-offs is causing stress and uncertainty for public housing tenants across New South Wales,

(ii) the planned redevelopment of the Cowper Street development in Glebe will result in a net gain of only 19 public housing units, with no units catering for families,

(iii) the Glebe Community Development Project (the project) supports a range of organisations that foster community cohesion and improve life opportunities of residents and the New South Wales Government is currently defunding the project, and

(iv) the 1970s Green Bans organised by local residents and the Builders Labourers Federation saved considerable housing stock in Glebe from demolition when they stopped the construction of an inner city motorway; and

(b) calls on the New South Wales Government to reverse its policy of selling off public housing and continue funding the project.

COMMITTEES

Selection of Bills Committee

Report

Senator BUSHBY (Tasmania—Chief Government Whip in the Senate) (11:52): I present the 13th report for 2014 of the Selection of Bills Committee and I seek leave to have the report incorporated in Hansard.
Leave granted.

The report read as follows—

SELECTION OF BILLS COMMITTEE

REPORT NO. 13 of 2014

1. The committee met in private session on Wednesday, 1 October 2014 at 7.16 pm.
2. The committee resolved to recommend—That—

(a) contingent upon its introduction in the House of Representatives, the provisions of the Parliamentary Entitlements Legislation Amendment Bill 2014 be referred immediately to the Finance and Public Administration Legislation Committee for inquiry and report by 24 November 2014 (see appendix 1 for a statement of reasons for referral); and

(b) the provisions of the Social Security Legislation Amendment (Strengthening the Job Seeker Compliance Framework) Bill 2014 be referred immediately to the Education and Employment Legislation Committee for inquiry and report by 24 November 2014 (see appendices 2 and 3 for a statement of reasons for referral).

3. The committee resolved to recommend—That the following bills not be referred to committees:

- Australian Education Amendment Bill 2014
- Australian Transaction Reports and Analysis Centre Supervisory Cost Recovery Levy Amendment Bill 2014
- Australian Transaction Reports and Analysis Centre Supervisory Cost Recovery Levy (Collection) Amendment Bill 2014
- Marine Safety (Domestic Commercial Vessel) National Law Amendment Bill 2014
- Migration Amendment (Humanitarian Visa Intake) Bill 2014
- Racial Discrimination Amendment Bill 2014.

The committee recommends accordingly.

4. The committee deferred consideration of the following bills to its next meeting:

- Albury-Wodonga Development Corporation (Abolition) Bill 2014
- Freedom of Information Amendment (New Arrangements) Bill 2014
- Mining Subsidies Legislation Amendment (Raising Revenue) Bill 2014
- Motor Vehicle Standards (Cheaper Transport) Bill 2014
- Save Our Sharks Bill 2014.

(David Bushby)

Chair
2 October 2014

APPENDIX 1

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee:

Name of bill:

Parliamentary Entitlements Legislation Amendment Bill 2014
Reasons for referral/principal issues for consideration:
To ensure proper scrutiny of all aspects of the legislation including its compliance with the Constitution

Possible submissions or evidence from:
Department of Finance
Former Parliamentarians

Committee to which bill is to be referred:
Finance and Public Administration Legislation Committee

Possible reporting date:
24 November 2014
(signed)
Senator McEwen

APPENDIX 2
SELECTION OF BILLS COMMITTEE
Proposal to refer a bill to a committee:

Name of bill:
Social Security Legislation Amendment (Strengthening the Job Seeker Compliance Framework) Bill 2014

Reasons for referral/principal issues for consideration:
To scrutinize and ascertain implications of the Bill in practice
To scrutinize the significant Budget savings measures contained in the Bill
For assessment of the inclusion of 55-50 year old job seekers in activity tests; and
To make sure there are no unintended consequences of enacting this legislation

Possible submissions or evidence from:
Employment Services Providers;
Peak bodies such as Jobs Australia and National Employment Services Association (NESA); and
Not for profit organisations such as the Australian Council of Social Service (ACOSS)

Committee to which bill is to be referred:
Senate Education and Employment Legislation Committee

Possible reporting date:
24 October 2014
(signed)
Senator McEwen
APPENDIX 3

SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee:

Name of bill:
Social Security Legislation Amendment (Strengthening the Job Seeker Compliance Framework) Bill 2014.

Reasons for referral/principal issues for consideration:
Concern over the impact of measures on jobseekers, including older Australians on Newstart.

Possible submissions or evidence from:
National Welfare Rights Network, Council of the Ageing, ACOSS, industry organisations

Committee to which bill is to be referred:
Senate Education and Employment Legislation Committee

Possible hearing date(s):
24 October 2014

(signed)
Senator Siewert

Senator BUSHBY: I move:
That the report be adopted.
Question agreed to.

BUSINESS

Rearrangement

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (11:52): by leave—I move:
That:
(a) the government business order of the day relating to the Australian Transaction Reports and Analysis Centre Supervisory Cost Recovery Levy Amendment Bill 2014 and related bill be considered from 12.45 pm today; and
(b) government business be called on after consideration of the bills listed in paragraph (a) and considered till not later than 2 pm today.
Question agreed to.

Rearrangement

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (11:53): by leave—I move:
That the order of general business for consideration today be as follows:
(a) consideration of a motion relating to the government’s education policy, as circulated in the chamber; and
(b) orders of the day relating to government documents.
Question agreed to.
Leave of Absence

Senator McEWEN (South Australia—Opposition Whip in the Senate) (11:54): by leave—I move:

That leave of absence for personal reasons be granted to Senator Lines for today, for personal reasons.

Question agreed to.

NOTICES

Postponement

The following items of business were postponed:

General business notice of motion no. 472 standing in the name of Senator Wright for today, relating to the South Australian renewable energy industry, postponed till 28 October 2014.

COMMITTEES

Community Affairs Legislation Committee
Economics References Committee
Rural and Regional Affairs and Transport References Committee

Reporting Date

Committees have lodged notifications of extensions of time for the following committee reports:

Community Affairs Legislation Committee—Aboriginal and Torres Strait Islander Amendment (A Stronger Land Account) Bill 2014, extended to 3 December 2014.
Economics References Committee—Affordable housing, extended to the first sitting day in March 2015.
Rural and Regional Affairs and Transport References Committee—
   Agricultural sector levies, extended to 30 June 2015.
   Australia's sugar industry, extended to 30 April 2015.
   Current requirements for labelling of seafood and seafood products, extended to 4 December 2014.
   Grain export networks, extended to 4 June 2015.

MOTIONS

National Rugby League Grand Final 2014

Senator RHIANNON (New South Wales) (11:55): I, and also on behalf of Senators Payne, Moore and Lazarus, move:

That the Senate—

(a) notes:
   (i) That the National Rugby League (NRL) grand final, to be held on Sunday 5 October 2014, between the two great clubs, South Sydney and Canterbury-Bankstown, will bring outstanding entertainment to thousands of supporters around the world,
   (ii) the importance of family friendly scheduling for future grand finals, and
   (iii) the importance of sport to the good health of the nation; and

(b) thanks the NRL players for another outstanding season of exciting football.
Question agreed to.

**BUSINESS**

**Consideration of Legislation**

**Senator FIFIELD** (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (11:56): I move government business notice of motion No. 1:

That the provisions of paragraphs (5) to (8) of standing order 111 not apply to the following bills, allowing them to be considered during this period of sittings:

Australian Transaction Reports and Analysis Centre Supervisory Cost Recovery Levy Amendment Bill 2014


Question agreed to.

**COMMITTEES**

**Economics References Committee**

**Reference**

**Senator McEWEN** (South Australia—Opposition Whip in the Senate) (11:56): At the request of Senator Dastyari, I move:

That the following matter be referred to the Economics References Committee for inquiry and report by the first sitting day of March 2015:

Digital currency, with particular reference to:

(a) how to develop an effective regulatory system for digital currency that:
   (i) ascertains the most appropriate definition of digital currencies under Australian tax law,
   (ii) promotes competition and growth of the digital currency industry,
   (iii) ensures ongoing stability in the financial services industry,
   (iv) secures protection of consumers and businesses against illegal activity,
   (v) incorporates digital currencies into Australia's national security framework, and
   (vi) ensures the financial stability of the industry;

(b) the potential impact of digital currency technology on the Australian economy, including the:
   (i) payments sector,
   (ii) retail sector, and
   (iii) banking sector;

(c) how Australia can take advantage of digital currency technology to establish itself as a market leader in this field; and

(d) any other related matters.

Question agreed to.
MOTIONS
Australian Hearing Services

Senator McEWEN (South Australia—Opposition Whip in the Senate) (11:56): At the request of Senator Cameron, I move:

That the Senate—

(a) notes that:

(i) Australian Hearing Services has provided affordable hearing care services since 1947 and continues to provide services to over 450,000 children, young adults, Indigenous Australians, ex-service personnel and the elderly each year,

(ii) Australian Hearing Services provides affordable hearing care services at 468 hearing services centres and visiting sites throughout Australia, including regional and remote areas,

(iii) in the past 5 years Australian Hearing Services has paid the Government dividends totalling $22.8 million,

(iv) the National Commission of Audit recommended that Australian Hearing be privatised, and

(v) the 2014-15 Federal Budget provides an appropriation for funding a scoping study on the privatisation of Australian Hearing, of which $437,500 has already been spent on consultancies;

(b) acknowledges that:

(i) government funding and support for the Australian Government Hearing Services Program and the role in its delivery carried out by Australian Hearing are necessary for the provision of affordable hearing care services to Australians who might not otherwise be able to afford hearing care, and

(ii) privatisation of Australian Hearing would place the effectiveness of the Australian Government Hearing Services Program in jeopardy; and

(c) calls on the Government to:

(i) reject the National Commission of Audit recommendation to privatise Australian Hearing,

(ii) provide adequate funding to ensure that the Australian Government Hearing Services Program continues at current capacity or greater,

(iii) ensure the research functions carried out by the National Acoustical Laboratories continue at current capacity or greater,

(iv) provide guarantees that the high standard of service delivery under the Australian Government Hearing Services Program is maintained and enhanced, and

(v) provide certainty to Australians living in regional and remote areas that their access to high quality, affordable hearing care services will not be diminished.

Question agreed to.

Abbot Point

Senator WATERS (Queensland) (11:57): I move:

That the Senate—

(a) notes that:

(i) the Queensland Government has announced that it will use Queensland taxpayer funds to pay resource companies and port developers to dump dredge spoil in an area which would affect the nationally significant Caley Valley wetlands near Abbot Point,
(ii) this proposal would shift the costs of building the world's largest coal port in the middle of the Great Barrier Reef World Heritage Area from mining companies and port developers to Queensland taxpayers, and

(iii) the Queensland Government has indicated that it will ask the Federal Government to contribute to the cost of paying resource companies and port developers; and

(b) calls on the Federal Government to rule out allowing federal taxpayer funds to be used to pay resource companies or port developers to meet their obligations under environmental approvals, including at Abbot Point.


The DEPUTY PRESIDENT: Leave is granted for one minute.

Senator FIFIELD: The previous, Labor-Greens alliance government developed a proposal for Abbot Point to the tune of 38 million cubic metres of dredge spoil. Where were the critics and outrage then, one might ask. This is yet another example of the Greens moving the goalposts for their own purposes. Crying foul since the day this government assumed office, they cannot abide the fact that this government is on track to deliver better environmental outcomes than the government that they were in league with.

This government has been listening to the public and is taking action to minimise impacts on the Great Barrier Reef. Both the Queensland and Commonwealth governments have been working with ports along the Queensland coast, including at Abbot Point, to hear about and develop better approaches. The government is not aware of any approach by the Queensland government to use federal funds.

The DEPUTY PRESIDENT: The question is that general business notice of motion No. 459 moved by Senator Waters be agreed to.

The Senate divided. [12:03]

(The Deputy President—Senator Marshall)

Ayes ........................15
Noes ........................36
Majority.................21

AYES

Di Natale, R
Lambie, J
Leyonhjelm, DE
Mline, C
Rhiannon, L
Siewert, R (teller)
Waters, LJ
Wright, PL

Hanson-Young, SC
Lazarus, GP
Ludlam, S
Muir, R
Rice, J
Wang, Z
Whish-Wilson, PS

NOES

Bullock, J.W.
Cameron, DN
Carr, KJ
Colbeck, R
Day, R.J.

Bushby, DC (teller)
Canavan, M.J.
Cash, MC
Dastyari, S
Edwards, S
Question negatived.

**Electricity network companies**

Senator MILNE (Tasmania—Leader of the Australian Greens) (12:05): I seek leave to amend Business of the Senate notice of motion No. 1 standing in my name proposing a reference to the Environment and Communications References Committee relating to electricity network companies.

Leave granted.

Senator MILNE (Tasmania—Leader of the Australian Greens) (12:06): I move the motion as amended:

That the following matter be referred to the Environment and Communications References Committee for inquiry and report by the first sitting day of March 2015:

(a) the manner in which electricity network companies have presented information to the Australian Energy Regulator (AER), and whether they have misled the AER in relation to:

(i) their weighted average costs of capital,

(ii) the necessity for the infrastructure proposed,

(iii) their regulated asset valuations, and

(iv) actual interest rates claimed against actual borrowing costs;

(b) how electricity companies, including state government owned electricity companies such as Energex, have calculated the weighted average cost of capital and how this measure has changed over time;

(c) where anomalies are identified in relation to price structuring or allegations of price rorting by electricity companies, such as Energex, are raised, the possibility of these matters being investigated by a national independent body created by the Federal Government with the required powers and reach to investigate and prosecute, where necessary;

(d) to ascertain whether state-owned network companies have prioritised their focus on future privatisation proceeds above the interests of energy users;

(e) whether the arrangements for the regulation of the cost of capital are delivering allowed rates of return above the actual cost of capital;

(f) whether the AER has actively pursued lowest-cost outcomes for energy consumers;
(g) whether network monopolies should have the right to recover historic overspending that has delivered unwanted and unused infrastructure;
(h) how the regulatory structure and system could be improved;
(i) whether the arrangements for the connection and pricing of network services is discriminating against households and businesses that are involved in their own electricity production;
(j) whether the current system provides adequate oversight of electricity network companies; and
(k) any other related matter.

The DEPUTY PRESIDENT: The question is that Business of the Senate notice of motion No. 1 as amended be agreed to.

The Senate divided. [12:11]

(The Deputy President—Senator Marshall)

AYES

Bullock, J.W. Cameron, DN
Carr, KJ Collins, JMA
Conroy, SM Dastyari, S
Di Natale, R Gallacher, AM
Hanson-Young, SC Ketter, CR
Lambie, J Lazarus, GP
Leyonhjelm, DE Ludlam, S
Ludwig, JW Lundy, KA
Madigan, JJ McEwen, A (teller)
McLucas, J Milne, C
Moore, CM Muir, R
O'Neil, DM Peris, N
Polley, H Rhiannon, L
Rice, J Siewert, R
Sterle, G Urquhart, AE
Wang, Z Waters, LJ
Whish-Wilson, PS Wong, P
Wright, PL Xenophon, N

NOES

Back, CJ Bernardi, C
Birmingham, SJ Bushby, DC (teller)
Canavan, M.J. Cash, MC
Colbeck, R Day, R.J.
Edwards, S Fawcett, DJ
Fieravanti-Wells, C Fifield, MP
Johnston, D Macdonald, ID
McGrath, J McKenzie, B
Nash, F O'Sullivan, B
Payne, MA Reynolds, L
Ronaldson, M Ruston, A
Ryan, SM Scullion, NG
Taxation

Senator MILNE (Tasmania—Leader of the Australian Greens) (12:13): I move:

That the Senate—

(a) notes:
   (i) the recent release of the *Who Pays for our Common Wealth?* report by Tax Justice Network and United Voice, and
   (ii) that the report found that of Australia’s largest 200 companies, 29 per cent have an effective tax rate of 10 per cent or less, and 14 per cent have an effective tax rate of 0 per cent;
   (b) recognises that instead of targeting the poor, the sick and the young with its cruel budget, the Government could raise billions in revenue if companies paid the full 30 per cent tax rate; and
   (c) urges the Government:
      (i) to act on corporate tax evasion in Australia immediately, rather than unnecessarily waiting for the G20 in November 2014, and
      (ii) introduce legislation that requires Australian corporations to disclose all foreign subsidiaries in their financial statements.

The DEPUTY PRESIDENT: The question is that general business notice of motion No. 465 be agreed to.

The Senate divided. [12:15]

(The Deputy President—Senator Marshall)

Ayes ....................34
Noes ....................28
Majority.................6

AYES

Bullock, J.W.  Cameron, DN
Carr, KJ  Conroy, SM
Dastyari, S  Di Natale, R
Gallacher, AM  Hanson-Young, SC
Ketter, CR  Lambie, J
Lazarus, GP  Ludlam, S
Ludwig, JW  Lundy, KA
Madigan, JJ  McEwen, A (teller)
McLucas, J  Milne, C
Moore, CM  Muir, R
O’Neill, DM  Peris, N
Polley, H  Rhiannon, L
Rice, J  Siewert, R
Sterle, G  Urquhart, AE
Wang, Z  Waters, LJ
Whish-Wilson, PS  Wong, P
Thursday, 2 October 2014  

SENATE 7615  

AYES  
Wright, PL  
Xenophon, N  

NOES  
Back, CJ  
Bernardi, C  
Birmingham, SJ  
Bushby, DC (teller)  
Canavan, M.J.  
Cash, MC  
Colbeck, R  
Day, R.J.  
Edwards, S  
Fawcett, DJ  
Fierravanti-Wells, C  
Fifield, MP  
Johnston, D  
Leyonhjelm, DE  
Macdonald, ID  
McGrath, J  
McKenzie, B  
Nash, F  
O'Sullivan, B  
Payne, MA  
Reynolds, L  
Ronaldson, M  
Ruston, A  
Ryan, SM  
Seselja, Z  
Smith, D  

Question agreed to.  

COMMITTEES  
Economics References Committee  
Reference  

Senator MILNE (Tasmania—Leader of the Australian Greens) (12:17): I seek leave to amend business of the Senate notice of motion No. 2 standing in my name for today, proposing a reference to the Economics References Committee of matters relating to Australia's tax system, before asking that the motion be taken as a formal motion. The amendments, as circulated in the chamber, are highlighted in bold text:  

That the following matter be referred to the Economics References Committee for inquiry and report by the first sitting day of June 2015:  

Tax avoidance and aggressive minimisation by corporations registered in Australia and multinational corporations operating in Australia, with specific reference to:  
(a) the adequacy of Australia's current laws;  
(b) any need for greater transparency to deter tax avoidance and provide assurance that all companies are complying fully with Australia's tax laws;  
(c) The broader economic impacts of this behaviour, beyond the direct effect on government revenue;  
(d) the opportunities to collaborate internationally and/or act unilaterally to address the problem;  
(e) the performance and capability of the Australian Taxation Office (ATO) to investigate and launch litigation, in the wake of drastic budget cuts to staffing numbers;  
(f) the role and performance of the Australian Securities and Investments Commission in working with corporations and supporting the ATO to protect public revenue;  
(g) any relevant recommendations or issues arising from the Government's White Paper process on the 'Reform of Australia's Tax System'; and
(h) any other related matters.

Leave granted.

Senator MILNE (Tasmania—Leader of the Australian Greens) (12:17): I move the motion as amended:

That the following matter be referred to the Economics References Committee for inquiry and report by the first sitting day in June 2015:

Tax avoidance and aggressive minimisation by corporations registered in Australia and multinational corporations operating in Australia, with specific reference to:

(a) the adequacy of Australia's current laws;
(b) any need for greater transparency to deter tax avoidance and provide assurance that all companies are complying fully with Australia's tax laws;
(c) the broader economic impacts of this behaviour, beyond the direct effect on government revenue;
(d) the opportunities to collaborate internationally and/or act unilaterally to address the problem;
(e) the performance and capability of the Australian Taxation Office (ATO) to investigate and launch litigation, in the wake of drastic budget cuts to staffing numbers;
(f) the role and performance of the Australian Securities and Investments Commission in working with corporations and supporting the ATO to protect public revenue;
(g) any relevant recommendations or issues arising from the Government's White Paper process on the 'Reform of Australia's Tax System'; and
(h) any other related matters.

Question agreed to.

MOTIONS
Medical Internships

Senator DI NATALE (Victoria) (12:18): I move:

That the Senate—

(a) expresses concern over the audit of the National Medical Intern Data Management Working Group’s findings that approximately 240 Australian medical graduates will not be offered a state or territory internship position;
(b) notes that completing a medical internship is an essential process for a graduate to work as a doctor in Australia;
(c) recognises that:
   (i) medical internship opportunities are necessary to keep doctors in Australia and to address shortages across rural and regional Australia, and
   (ii) insufficient medical internship placements will impact on Australia’s ability to attract international students to Australian universities; and
(d) calls on the Government to expand funding to the Commonwealth Medical Initiative to guarantee an internship for all Australian medical students.

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (12:18): I seek leave to make a brief statement.

The PRESIDENT: Leave is granted for one minute.
Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (12:18): The coalition went to the last election with a plan to alleviate pressure on the training system for medical students and graduates, and we are delivering on that commitment. To assist with an increase in recent years of the number of graduating medical students, the Australian government has committed $40 million to support up to 100 additional intern places each year in private hospitals, with priority for rural and regional areas, during this period of growth in student numbers. This will provide more certainty for students and alleviate pressure on public hospitals for training. To bolster the medical workforce in rural and regional areas, priority is being given to positions and rotations outside major metropolitan centres.

Applications for final year medical students for Commonwealth medical internships open on 19 September and close on 3 October. A list of eligible applicants will be provided to participating hospitals for recruitment by early November. This is an issue the Commonwealth takes seriously.


The DEPUTY PRESIDENT: Leave is granted for one minute.

Senator DI NATALE (Victoria) (12:19): Notwithstanding the government's modest commitment to increased training places for medical interns, at the conclusion of this training year there will be approximately 240 interns who will find themselves without access to a training place, effectively rendering their medical degrees useless. If we are prepared to make the investment in training these people, we need to ensure that we also provide them with the opportunity to obtain an intern placement to give weight to that degree. It is an important workforce measure. It is also an important measure in terms of a very critical export industry for Australia—that is, the education of overseas trained students. We should ensure that every medical student trained in an Australian university is provided with an internship at the completion of their training.

Question agreed to.

Korea-Australia Free Trade Agreement

Senator WHISH-WILSON (Tasmania) (12:20): I seek leave to amend general business notice of motion No. 469 standing in my name for today, relating to the Korea-Australia free trade agreement, by deleting paragraph (a)(iv).

Leave granted.

Senator WHISH-WILSON (Tasmania) (12:21): I move the motion as amended:

That the Senate—

(a) notes:

(i) that the Government has included Investor State Dispute Settlement (ISDS) clauses in the Korea-Australia Free Trade Agreement,

(ii) the concern about including ISDS clauses in trade agreements expressed by a number of legal experts, including Chief Justice French, and

(iii) reports that ISDS clauses are being negotiated by parties to the Trans Pacific Partnership Agreement; and
(b) acknowledges that agreeing to ISDS clauses in the Trans Pacific Partnership Agreement will subject Australia to increased risk of litigation.


The PRESIDENT: Leave is granted for one minute.

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (12:21): The government is considering the inclusion of ISDS clauses in FTAs, on a case by case basis. It is important to remember that ISDS is not a new concept for Australia. We currently have ISDS clauses with 28 economies through four free trade agreements and 21 bilateral investment treaties. ISDS provides protection for those who choose to pursue new opportunities for Australia by investing abroad. The government has said that it is willing to consider the inclusion of ISDS provisions in the Trans Pacific Partnership Agreement if the balance of the package is in Australia's best interests and there are safeguards in ISDS for public welfare measures.

In the Korea-Australia Free Trade Agreement, Korea and Australia agreed to include an ISDS mechanism, which includes carve-outs and other safeguards in important areas such as public health and environment. In the Australia-Japan Economic Partnership Agreement, Australia and Japan agreed not to include ISDS. JAEPRA includes a review clause, which provides for future considerations of an ISDS mechanism. The different outcomes on ISDS in KAFTA and JAEPRA reflect the government's case-by-case approach in the agreement reached during the negotiations.


The DEPUTY PRESIDENT: Leave is granted for one minute.

Senator WHISH-WILSON: There are no safe carve-outs or exceptions for these investor-state dispute settlement clauses. They are being looked at all around the world. This is not just an issue in Australia around free trade; this is an enormous issue in Europe. The European Union have put their free-trade agreement negotiations on hold for the across the Atlantic free-trade negotiations, pending a large study into these ISDS clauses. They have been around for a long time. They no longer serve any function. The Productivity Commission said they are not needed. They only introduce risk into regulation.

The Australian government is currently being sued by Philip Morris International. That type of litigation against a public health measure could not have been prevented by any carve-outs or exceptions, unlike what the government are saying. John Howard, when he was Prime Minister, refused to sign ISDS clauses into his free-trade agreement with the US, saying that safeguards already in place and ISDS clauses were entirely unnecessary. This is just a way of getting a trade deal through, getting a headline and going up in the polls.

Question agreed to.

DOCUMENTS

Australian Government Solicitor

Order for the Production of Documents

Senator LUDWIG (Queensland) (12:24): I move:
That there be laid on the table by the Minister for Finance and Acting Assistant Treasurer (Senator Cormann), no later than 1 pm on Monday, 27 October 2014, the advice obtained from the Australian Government Solicitor, as referred to on p. 7 of the Regulations and Ordinances Committee's Delegated legislation monitor no. 12 of 2014, dated 24 September 2014, where the committee reported that the Minister for Finance and Acting Assistant Treasurer advised the committee that The Australian Government Solicitor has advised that the Regulation has been made in accordance with the specific regulation-making powers in the Corporations Act…’

Question agreed to.

MOTIONS

Western Australia: Oombulgurri

Senator SIEWERT (Western Australia—Australian Greens Whip) (12:24): I move:

That the Senate—

(a) notes that:

(i) demolition work has begun to dismantle the remote community of Oombulgurri in Western Australia,

(ii) this demolition is being conducted without consultation or permission of residents and traditional owners, and

(iii) forcing people from communities and closing essential services does not address existing social issues or the underlying causes of disadvantage affecting communities; and

(b) calls for:

(i) the suspension of the demolition of Oombulgurri and for discussions to begin with residents and traditional owners, and

(ii) increased investment in services and support for remote communities.

Senator SMITH (Western Australia) (12:24): I seek leave to make a short statement.

The DEPUTY PRESIDENT: Leave is granted for one minute.

Senator SMITH: The government does not support this motion, because this is a matter for the Western Australian government and not the Commonwealth government. It is clear that Senator Siewert does not have the full story. Oombulgurri was formally closed in November 2011, following our coronial inquiry into five deaths in the community. Former residents have now been housed elsewhere. Houses and buildings in Oombulgurri are now being demolished due to health and safety concerns, including because some buildings contain asbestos. Infrastructure which is still in good condition, including six houses, is being retained and will be able to be used by traditional owners in the future. The government cannot support this motion and encourages Senator Siewert to reconsider the facts.

Question agreed to.

DOCUMENTS

Data Retention

Order for the Production of Documents

Senator LUDLAM (Western Australia) (12:26): I move:

That the Senate—

(a) notes:
(i) the Attorney-General has stated that the Government would introduce legislation to support a mandatory data retention policy before the end of the 2014 calendar year,
(ii) the Government has not yet provided a full definition of metadata that would be covered under the policy, and
(iii) media reports suggest that the Attorney-General's department has provided an updated discussion paper on the data retention issue to industry; and
(b) orders that there be laid on the table by the Attorney-General, no later than noon on Monday, 20 October 2014, the latest discussion paper on data retention which has been distributed by the Attorney-General's department to industry.
Question agreed to.

MOTIONS

Indigenous Communities

Senator RHIANNON (New South Wales) (12:26): I move:
That the Senate—
(a) notes that:
(i) children from New South Wales Aboriginal communities are being removed from their families at an unprecedented rate with more than 6 000 Aboriginal children, representing about one in 10 Aboriginal children, in out-of-home care in New South Wales,
(ii) Grandmothers Against Removal, based in Gunnedah, was formed to highlight the process of removal used by the New South Wales Department of Community Services,
(iii) Aboriginal children were forcibly removed from their home on 15 January 2014 in Moree by Community Services workers and police from the Operations Support Group, who handcuffed the children's parents,
(iv) these Aboriginal children have been subsequently returned to their family home, and
(v) the New South Wales Government has failed to release film footage taken by the Operations Support Group inside the home of the children forcibly removed in Moree; and
(b) recognises that we all must do all in our power to stop the development of a new Stolen Generation.
Question agreed to.

Medicare

Senator DI NATALE (Victoria) (12:27): I seek leave to amend general business notice of motion No. 470, standing in my name for today, relating to Medicare.
Leave granted.
Senator DI NATALE: I, and also on behalf of Senator Lazarus, move the motion as amended:
That the Senate—
(a) expresses concern at the proposed sale of the $29 billion Medicare payment system, which will put thousands of jobs at risk and compromise service;
(b) notes that the sale will open the door for further privatisations within the Department of Human Services and other federal government agencies, including the Australian Taxation Office; and
(c) calls on the Australian Government to:
(i) protect Australian jobs and ensure that all jobs remain in Australia, as is currently the case, and
(ii) reject the privatisation of Medicare's key administrative functions.


The DEPUTY PRESIDENT: Leave is granted for one minute.

Senator PAYNE: The government does not support this motion. After years under Labor's mismanagement and waste, this government is focused on improving the way services are delivered. Despite scaremongering and hysteria by the Australian Labor Party and the union movement, we are not privatising or 'selling off Medicare by the backdoor'. In 2014-15 budget, the government announced that it would develop a proposal to market test the delivery of a commercially integrated health payment system. The current information technology systems are dated, unnecessarily complex, inflexible and costly to update.

Given the circumstances, it is entirely appropriate to review alternatives that may be available. The expression of interest process is the first step in informing the government of possible future options for calculating entitlements and dispersing payments. No decisions have been made and it is far too early to speculate on outcome. Claims of job losses are both irresponsible and alarmist.


The DEPUTY PRESIDENT: Leave is granted for one minute.

Senator LAZARUS: Palmer United is deeply concerned by the selling off of Australia's assets and government services. The Newman government is trying to sell off the assets of Queenslanders in my home state of Queensland and we are seeing the Abbott government eying off national assets across Australia. The sell-off of Australia has to stop. Every time one of our assets is sold off, we lose jobs overseas, we lose revenue overseas and we lose control of vital services overseas.

The selling of Australian assets and government services is short-sighted and compromises the long-term interests of Australia. The only way that we can ensure our prosperity as a nation is to ensure that we own Australia. The only way that we can ensure that jobs stay in Australia is to own our own government services and to own our own government assets. I hope the Senate will support Senator Di Natale and I in stopping the sell-off of Australia and protecting Australian jobs. Medicare's key administrative functions should not be privatised.

Question agreed to.

COMMITTEES
Finance and Public Administration Legislation Committee

Membership

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (12:30): by leave—I move:

That Senator McGrath replace Senator Bernardi on the Finance and Public Administration Legislation Committee, and Senator Bernardi be appointed as a participating member of the committee, from 13 October to 17 October 2014.

Question agreed to.
BILLS
Social Services and Other Legislation Amendment (2014 Budget Measures No. 6) Bill 2014

First Reading

Bill received from the House of Representatives.

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (12:31): I move:

That this bill may proceed without formalities and be now read a first time.

Question agreed to.

Bill read a first time.

Senator FIFIELD: by leave—I move:

That—

(a) the provisions of paragraphs (5) to (8) of standing order 111 not apply to the Social Services and Other Legislation Amendment (2014 Budget Measures No. 6) Bill 2014, allowing it to be considered during this period of sittings;

(b) the Social Services and Other Legislation Amendment (2014 Budget Measures No. 6) Bill 2014 be called on immediately and considered until 12.45 pm; and

(c) after consideration of the Australian Transaction Reports and Analysis Centre Supervisory Cost Recovery Levy Amendment Bill 2014 and related bill the Social Services and Other Legislation Amendment (2014 Budget Measures No. 6) Bill 2014 be called on and considered till not later than 2 pm today.

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (12:32): I move:

That this bill be now read a second time.

I seek leave to have the second reading speech incorporated in Hansard.

Leave granted.

The speech read as follows—

SOCIAL SERVICES AND OTHER LEGISLATION AMENDMENT (2014 BUDGET MEASURES NO. 6) BILL 2014

This Bill will reintroduce a number of measures that were previously introduced in the Social Services and Other Legislation Amendment (2014 Budget Measures No. 1) Bill 2014 and the Social Services and Other Legislation Amendment (2014 Budget Measures No. 2) Bill 2014.

Most of the reintroduced measures are from the 2014 Budget. The first will, from 20 September 2014, rename the Clean Energy Supplement as the Energy Supplement, and permanently cease indexation of the payment.

The second Budget measure will implement two changes to Australian Government payments – pausing indexation for two years from 1 July 2015 of the assets value limits for all working age allowances, student payments and Parenting Payment Single, and pausing indexation for three years from 1 July 2017 of the assets test free areas for all pensions (other than Parenting Payment Single).

From Royal Assent, Disability Support Pension recipients under age 35 will be reviewed against revised impairment tables and the Program of Support requirements applied.
From 1 January 2015, the Bill will limit the six-week overseas portability period for student payments.

The Bill will also include amendments that generally limit the overseas portability period for Disability Support Pension to 28 days in a 12-month period from 1 January 2015.

Amendments will exclude from the social security and veterans' entitlements income test any payments made under the new Young Carer Bursary Programme from 1 January 2015.

Untaxed superannuation income will be included in the assessment for the Commonwealth Seniors Health Card (with products purchased before 1 January 2015 by existing cardholders exempt from the new arrangements), and the portability period for cardholders will be extended from six to 19 weeks.

From 1 January 2015, relocation scholarship assistance for students relocating within and between major cities will be removed.

In the last of the Budget measures, three family payment reforms will be implemented from 1 July 2015. The first of these will limit the Family Tax Benefit Part A Large Family Supplement to families with four or more children.

Amendments will remove the Family Tax Benefit Part A per-child add-on to the higher income free area for each additional child after the first.

The Bill will improve targeting of Family Tax Benefit Part B by reducing the primary earner income limit from $150,000 a year to $100,000 a year.

Lastly, in a non-Budget amendment, the Bill will add the Western Australian Industrial Relations Commission decision of 29 August 2013 as a pay equity decision under the Social and Community Services Pay Equity Special Account Act 2012, allowing payment of Commonwealth supplementation to service providers affected by the decision.

Senator MOORE (Queensland) (12:32): This morning, in the House, the Social Services and Other Legislation Amendment (2014 Budget Measures No. 6) Bill 2014 was passed very quickly. That is no surprise in terms of the way the House operates with the current numbers; but, nonetheless, when our shadow minister Jenny Macklin got up to speak on the bill, she made it very clear that it could have been brought in this form up to four months ago. Directly after the budget was delivered, our leader pointed out the elements in the budget to which we were completely opposed, and they were the reductions, the cuts, to pensions. Of course, the government continues to say that they are not cuts, but everybody knows—from the seniors groups, the different community organisations and, indeed, individual pensioners themselves—that changes in the indexation to pensions constitutes a cut. So Labor said that we would not support any cuts to our pensions.

We also said at that time that we rejected the range of attacks on people who are unemployed that were in the budget papers and that were in the original social security bills. We said that we did not believe in the attacks on people defined as 'young'—and the definition of 'young' seems to vary across various elements of legislation. However, in this legislation, 'young' is defined as people who are under 30. We said that the attacks on these young people, using the government's definition, seemingly in an attempt to encourage them into work, would require unemployed people to live without any support at all from the social welfare system for a series of rolling six-month periods. We questioned that. We clearly identified that we would not support those elements proposed by the government.

We also went on to talk about a range of other issues. Only earlier this week I seemed to have been making a very similar contribution in this place. A range of issues in these two pieces of legislation were put before us earlier this week, and Labor opposed them—and we
listed them. We also said at the very start that we were prepared to look at individual proposals on budget savings put forward by the government. Despite the rhetoric from the other side, we were not unilaterally saying that there was no need to look at the budget proposals being put forward. Despite the rhetoric from the other side, we on this side of the chamber said that we would consider the proposed budget savings that were brought forward. We would give them consideration to see whether they were effective, whether we felt they were fair and whether, within our overall budget process, our overall social welfare process, we believed that those changes would benefit our society. There was no doubt about the issues which we supported and the issues which we did not support. That was four months ago. In that time there have been innumerable meetings, to say nothing of an extensive Community Affairs Legislation Committee process, where, again, there was no doubt about the proposals in the legislation which we supported and those with which we disagreed. Anyone looking at the report put forward by that community affairs committee would surely see the outrage, the concern, the fear and the worry that was expressed by a range of community organisations about the proposals in those two social security bills. Those two bills were live before this Senate until this morning. There was no doubt about those concerns, and we responded to those concerns.

Some of the proposals that are before us to which we have agreed from the start are not easy. They are not easy things to make a decision about but we looked at them and felt that, within the context of what we would do into the future and the need to be careful about budgetary expenditure, we were prepared to consider those aspects and agree to them. At any time in the last four months there could have been a response from government to say that these things could be presented in another form. We actually asked for the bills to be split. There was no response from the government.

It is deeply offensive that we heard only yesterday through the media that some kind of deal has been established between the government and the Labor Party about what legislation would go forward. People have been ringing and asking us why we were making deals. It is absolutely essential that it is put on record in this place and for the community that there has not been any deal. In fact, there have been months of consideration and no movement from us about what we consider to be appropriate. There have been attempts by the government to portray a four-month old response that we were prepared to make an agreement as some kind of magical deal being arranged and imply that, somehow, the Labor Party had been involved in such a process. That is not on. It is not accurate. It takes away from the reality of what happens in this place. Proposals are put forward for consideration and there are a range of negotiations. Indeed in this case, the full process took place.

Two bills were brought forward after the budget very early. The bills were not late after that budget process. They came out very early in terms of the government's wide range of proposed savings within social welfare. At the same time, the government is talking about a major review of our whole welfare process, the McClure review, which is happening now. The government says that this is the range of changes they wanted to bring forward. They identified and costed them. Throughout the estimates process, we asked significant questions about where the costings came from, how the numbers were established, what the proposed impact on the community would be and whether any modelling had been done. When you ask
people in the current government’s departments about modelling, it is almost like you are using some kind of offensive language. We wanted to see what the actual impact on people in the community from these two pieces of legislation would be. It was very difficult to get those answers. In fact, we still do not have some answers to our questions from the Senate estimates process and also from the Senate community affairs process. That is the difficulty in looking completely at any piece of legislation. Nonetheless, we went through that process. We established clearly which proposals in the legislation we would support. We also established extremely clearly the ones for which there was no support, such as attacks on pensioners, attacks on unemployed people and also attacks on single parents. These are all groups of people who have been impacted by so many changes from the legislation. We listened to concerns that not only a single change proposed by the government but the series of changes imposed by the government would have a cumulative effect which would have a deeply troubling impact on different people in our community. We said, without any doubt, that we were opposed to these changes. So the process continued. The Senate legislation committee reported to this place. Again, there was no doubt. The opposition senators’ minority report pointed out clearly the elements of the two previous pieces of legislation to which we had objections and established what those objections were. The minority report even at that time suggested that it would be a preferable option to split the bills if the government was determined to move forward on the savings that they hoped to achieve by making changes to the social welfare system. It would seem to be eminently sensible to come up with a proposal and, when it had agreement, bring it forward. We are pleased that, finally, that seems to have been happening.

We found out this morning that there was going to be a new bill before the parliament which would look at what we already had on record. There were 12 separate proposals in the original legislation to which Labor did not have any opposition. Magically, a new bill is before the parliament today which lists those 12 proposals. You will not be surprised, Mr Acting Deputy President Bernardi, that we will be supporting that, as we said we would do four months ago, as we said we would do three months ago, as we said we would do two months ago and as I said in this place talking on the previous legislation earlier this week. I said these are the things to which we would offer support. I put clearly on record that there is no deal. There is movement from the government, which finally accepts that achieving over $2.5 million of savings—which was assessed clearly by the opposition as those savings which we would not oppose—is a better result for any government claiming that there is such a need to harvest savings. That is a better result than continuing ineffective and increasingly acrimonious debate about issues where the positions have been made absolutely clear.

It is important that we have the opportunity to have discussions around the issues that have been in the public agenda for months. As I said earlier, some of the proposals continue to create great uncertainty, fear and anxiety amongst many people in the community. I would trust that members of the government have been receiving the same emails and letters that many people on this side of the chamber have been which have been crying out to say that people are fearful and utterly at a loss as to how their government could have such little understanding of the reality of their lives that it could be putting forward— (Time expired)

Debate interrupted.
Debate resumed on the motion:

That these bills be now read a second time.

Senator JACINTA COLLINS (Victoria) (12:45): The Abbott government has announced as part of the 2014-15 budget that it will increase the AUSTRAC supervisory levy, which is an annual charge on reporting entities to pay for the costs of AUSTRAC’s regulation. AUSTRAC’s purpose is to protect the integrity of the financial system. It also deals with countering money laundering and the financing of terrorism. It does this through being a regulator and a financial intelligence unit. The industry contribution will fund both the regulatory and financial intelligence unit functions of AUSTRAC.

I can indicate Labor will be supporting these bills, but I would also like to take this opportunity to point out an inconsistency with the comments Minister Keenan made in opposition. In opposition, Minister Keenan said:

It is not reasonable for the government to recoup the costs of running every government agency if that government agency is providing a public service rather than providing direct services to the people who are being asked to pay for them.

He went on to say:

AUSTRAC does provide a very valuable service but we believe that it is not reasonable to come back and to ask the 199 largest users to cover the costs of its running …

So we have a government who are going back on what they stated in opposition. They criticised the Labor government at the time for recovering these costs and they are now increasing the number of entities who will need to pay—199 entities were paying this levy; this bill increases that to 1,029 entities.

In government Labor was committed to fighting organised crime. Organised crime needs to be challenged at every opportunity. These bills will help in that cause and Labor will support them.

Senator LEYONHJELM (New South Wales) (12:47): I rise to speak against these two AUSTRAC supervisory cost recovery levy bills. Once again, it is telling that Labor and the coalition deem these dogs of bills to be ‘noncontroversial’, to be waved into law over lunch with no divisions and next to no-one in the chamber. For the benefit of those watching at home, let me explain what these bills do. They increase a tax on around 1,000 financial institutions, increasing revenue by around $80 million over four years. The tax increase will fund the collation of financial data for child support, tax, law enforcement and security agencies. The level of taxes will rise in line with the operating costs of the collating agency, called AUSTRAC.

The current tax on financial institutions only funds activities that assist financial system integrity—namely, regulations that counter money laundering and terrorist financing. That is not an issue. The government says it is replacing a ‘cost recovery levy’ with an ‘industry
contribution', but what it is really doing is introducing a new tax. This is the same government that said that:

… there should be no new tax collection without an election.

This is the government that said:

What you’ll get under us are tax cuts without new taxes.

With these bills, the government is singling out financial institutions to pay for general activities—such as the management of child support—which seek to create benefits that fall outside the financial system. So these bills are the first step towards the policy of the Greens—a general purpose tax targeted at the banks. I am surprised so few senators from the Greens are here to cheer on this bank bashing and to claim victory in their crusade against the banks. But perhaps they feel they do not need to be here because the government is doing their bidding.

An extraordinary feature of this new tax is that it will be set at whatever level is required to fund the government agency. This is a recipe for agency inefficiency. Each year AUSTRAC will put in their budget bids for more money and the government will have little incentive to scrutinise these bids, knowing full well that any increased spending will automatically be funded by an increased tax on financial institutions.

The tax is poorly designed. Part of it comprises a tax on earnings, involving a number of arbitrary thresholds. If an institution increases its earnings beyond one of these thresholds, its increased earnings can be more than wiped out through increased tax.

Another aspect of this is a tax on the number and value of transactions. That makes it a stamp duty. It is a stamp duty like the ones the coalition sought to abolish with the introduction of the GST. Stamp duties are widely recognised as the most inefficient of taxes as they discourage voluntary transactions that make people better off. In this instance, this is a stamp duty that discourages an efficient amount of borrowing and lending in the economy. For this reason, the Henry tax review recommended the abolition of stamp duties, and the forthcoming government white paper on taxation will probably repeat this recommendation.

Of course, these recommendations will not stop the Greens from supporting stamp duties on financial institutions, referred to among economists as 'Tobin taxes'. Previous coalition and Labor governments have recognised the madness of Tobin taxes and have rejected calls from the Greens for their introduction. It is of great concern that the coalition's current approach to getting things through the Senate is to adopt the policy of the Greens. To anyone who is listening, please know that I, alone, in this almost empty chamber, oppose the otherwise untrammeled passage of these dogs of bills.

Senator RYAN (Victoria—Parliamentary Secretary to the Minister for Education) (12:52):

As Senator Leyonhjelm mentioned in his contribution, this debate on the Australian Transaction Reports and Analysis Centre legislation is part of the Senate business program to deal with non-controversial legislation. So, I am not equipped to answer the issues he raised. I will endeavour to make contact with him next time we sit so that I can ensure that I am apprised of the issues he wishes to raise and am in a position to address them. This is quite a complex issue, as was explained in the second reading speech in the other place. I commend the bills to the Senate.
The ACTING DEPUTY PRESIDENT (Senator Bernardi): The question is that these bills be now read a second time.
Question agreed to.
Bills read a second time.

Third Reading

The ACTING DEPUTY PRESIDENT (Senator Bernardi) (12:53): As no amendments to the bills have been circulated, I shall call the minister to move the third reading unless any senator requires that the bills be considered in Committee of the Whole.

Senator RYAN (Victoria—Parliamentary Secretary to the Minister for Education) (12:53): I move:
That these bills be now read a third time.
Question agreed to.
Bills read a third time.

Social Services and Other Legislation Amendment (2014 Budget Measures No. 6) Bill 2014

Second Reading

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

Senator MOORE (Queensland) (12:54): As I was saying, in terms of what Labor is prepared to accept in this bill: 12 elements to a total saving of $2,698 million. Mr Acting Deputy President Bernardi, you may remember that yesterday in this place the Assistant Treasurer made comments about the ALP's 'bloody-mindedness' in not moving forward to accept legislation that was before us and actually restraining the process over some technical issue. That is not true. We were clear from the start that we would not vote for elements that affected those changes to which we objected. We suggested earlier that new legislation be brought forward. That new legislation has been brought forward. We will support that.

But just on one other point: when we had the discussion about the previous bills, I and a couple of other contributors on this side made reference to part of the human rights committee report that commented on only two elements that did not meet the requirements of the Parliamentary Joint Committee on Human Rights. A contribution was made that said we had not understood the process, that we were not doing the right thing by drawing attention to those elements. I think it is important to put on record that certainly in my contribution and in the others that I heard there was not any claim that the whole legislation was not accepted by the Parliamentary Joint Committee on Human Rights. We actually focused on one element—the proposals I had already mentioned around young people who were unemployed and the impact of significant periods of lack of any social welfare support.

So, I really want to make it clear that I have absolute respect for the very important work the Joint Committee on Human Rights does for this parliament and did for the previous parliament. I also put on record that sometimes things that come through that process do not find favour with government, either the current government or indeed the previous government. But I am very keen to put on record that there was no way that I attempted to
misreport the report of the human rights committee. It was very clear from my perspective that I had read the report and also the tabling statement and that it was only the elements of the unemployment changes that I drew attention to in my contribution—that I felt that the human rights committee had said that some of the proposal did not meet the human rights standards that we would hope it would. That has also been put forward by the range of people in the community who spoke so strongly against that change, and we would never support that change.

It is important to see that there has been fulsome discussion and debate around the issues that were in the previous legislation and that are now in this legislation. We take our job very seriously in critically looking at any proposal brought to this chamber on consideration for changes in legislation and around budget. We scrutinise carefully—which, indeed, is our job. In this case there were some proposals in the legislation that we accepted and many that we did not. We did not hide our position; we made it public, both to the government and to the community. So, the legislation we have before us is a response from government to requests we had made over a period of time. It is interesting that now, finally, we do have a result, which will make savings. We believe that is the way the system should operate—that you actually negotiate change. Just bullying and yelling at people who disagree with you will not come up with an effective result. Rather, you negotiate and you come forward with what you can agree on, and you are very clear about what the impact of any proposed changes will be.

We support the changes that are in there. Some of those are difficult, and I put it on record for all the people who have contacted us about their concerns, particularly around the area of the disability support pension. We need to continue to work with the people who are in receipt of those payments, their families, and those organisations that support them to ensure that there is an equitable response and an understanding of special needs. Regarding the change for people under 35 who are on the disability support pension, to have a greater interaction between those claiming payment and the wider community, particularly in employment, to see that there is engagement in the process, we know that these things need to have continued scrutiny. There is no change in our system that should be just put in and forgotten.

It is absolutely critical that any change to our social welfare system have an ongoing review process, ongoing scrutiny, to see that it meets the intent for which it was designed. For the 12 changes that we do support, we expect that they will continue to be scrutinised to see that they do not in any way have a negative impact on people who are relying on the social welfare system and that they are helping people engage with the workforce rather than just providing some punitive aspect. We need to understand with family payments that the impact of changes to indexing arrangements and augmenting processes is taken into account, taking into consideration any other change that may come into place as a result of the budget.

As our shadow minister Jenny Macklin said this morning, we support the bill that is now before us. We would have supported a similar bill if it had come forward earlier. We have made it very clear, in respect of the two previous pieces of legislation that have been before us since the budget, that it is only the only the 12 changes in the current bill that we were ever going to support. We hope that in future the system will have greater consultative processes so that we will not be in the situation of having the government have to close down some form of legislation and bring in new bills in some response that could have been brought forward much more quickly.
Senator SIEWERT (Western Australia—Australian Greens Whip) (13:01): Let us make no mistake here—Labor is helping the government ram through measures that will have impacts on families, people with disabilities, single parents and students. That is what the Social Services and Other Legislation Amendment (2014 Budget Measures No. 6) Bill does. We are firmly on record that we did not support the provisions of the other two social services bills, but Labor combined with the government to ram them through. They were not subjected to the full debate that they should have been subjected to, and Labor have now combined with the government to try to push these measure through on the last day of sitting before we have a two-week break.

These measures are opposed by many people in the community. I want to take a moment to reflect on the context in which these budget measures were brought forward in the first place. They were brought forward in two bills that had the cruellest of the government's budget measures in them, which impacted across the community—on young people, families, people with disabilities, carers, single parents—

Senator O'Sullivan: You left us with no money, Senator.

Senator SIEWERT: Mr Acting Deputy President, every time Senator O'Sullivan comes into this chamber and sits in the whip's chair he constantly undermines speakers. Could you please ask him not to so that we can contribute to this debate in a sensible manner?

The ACTING DEPUTY PRESIDENT (Senator Bernardi): I have called the senator to order. All senators are aware that interjecting across the chamber is disorderly and I ask honourable senators to allow Senator Siewert to conclude her remarks in silence.

Senator SIEWERT: Thank you, Mr Acting Deputy President—that is much appreciated. The measures in those bills were a hodgepodge of measures designed to attack the most vulnerable members of our community. We know that because NATSEM clearly pointed out that the burden of these government measures fell on the most vulnerable and disadvantaged members of our community. They were cruel and carefully targeted to undermine our safety net. These measures are similar in that they hurt families by changing the family tax benefits. They particularly hurt people with disabilities, they hurt single parents and they hurt students. I know my colleagues will be making a contribution on the impact on students and the abolition of the relocation allowance—something that the Greens have been concerned about and working on for a very long time. When we had the Senate inquiry into the other two social services bills, Nos 1 and 2, the NUS were very clear in their opposition to the measures that affected the relocation allowance because they undermined students' ability to study and relocate. They were really clear in their message that they opposed that measure, along with other measures and in particular the measures that are not contained in this bill that affect young people that the government has put into other bills that they will continue to try to get through—and we will continue to oppose them. They rip at the fundamentals of the income support system in this country.

This government obviously still has not got the message because they still want to bring these measures into this place. They will continue to be rejected, I hope, time and time again. But on this particular bill these are measures that the ALP has agreed with the government to support. We will oppose these measures because, as I said, they are the start of the slippery slope down to undermining our social safety net. Labor well know that these measures are not
supported by the broader community—they are clearly not supported by the community, and I know that because of the number of phone calls we have been getting about them.

I turn to the impact on people with disabilities. Here we have Labor agreeing with the government to reassess thousands and thousands of people under the age of 35 on the disability support pension, not with a view to assessing whether they have an ability to work but with a view to dumping people onto Newstart, which is a much lower payment—in fact, it is below the poverty line. If the government really cared about helping people into work and out of poverty, they would be looking at increasing Newstart, for a start. Instead, they go the other way and demonise and punish people. Labor started this process, so I am not surprised that they are supporting it. They started this process by bringing in the 'you have to try to find work for 18 months before you can even apply for DSP' system. Labor started it, so why should I be surprised that they are continuing the process and are now agreeing to reassess people under the age of 35 with a disability? People under the age of 35 with a disability are extremely worried and concerned about their future, and I share their concern. They are concerned that they will be dumped on to Newstart—dumped into trying to live under the poverty line with a disability. We know that poverty is a barrier to finding work. If it is a barrier to finding work for somebody who does not have a disability, imagine what it is like for a person with a disability. It doubles or at least significantly magnifies the impact of living in poverty for a person with a disability.

They have to manage living with a disability below the poverty line, but there are other barriers that they face from living in poverty. That was clearly articulated to the community affairs committee when we were looking at previous measures that meant that people were not going to be able to access the disability support pension, and that they would have to look for work on Newstart. I can remember a number of witnesses who raised very valid and important concerns about issues about just being able to get transport to work and how they would be able to access the disability support services employment services that were not adequate. They worried too about being able to maintain that work and cycling in and out of work because they would find it harder to maintain connection with work with a disability and they would not get the support in the workplace that enables them to maintain that connection with work. People from regional Australia raised concerns about people with disabilities, particularly those living on Newstart in regional areas and having to participate and meet their workplace requirements.

This is an ill-thought through measure that is designed to save the government a little bit of money, but which will cause a great deal of anguish and concern to people with disabilities. Instead of dumping people with a disability off the Disability Support Pension and on to Newstart, we should be investing in more support to help people with a disability to engage with work. We also need to make sure that we are providing the best possible support for our disability support employment agencies and for Job Services Australia agencies, because a large number of people with disabilities also access Job Services Australia rather than disability support employment organisations. We should be focusing our attention on helping people to overcome their barriers to work, to access work and to maintain that work.

Then we come to the measure of reducing the portability for people on the Disability Support Pension to four weeks. According to their explanatory memorandum for this particular bill, that saves the government $5 million—although they do say that that is
indicative only, as it refers to 'whole-of-government financial impact, including administration and implementation funding.' Labor—why have you supported this measure? Why did you agree to this measure? This is an appalling measure. Lowering down their portability from six weeks to four weeks—why? It is because they are saying: 'We are punishing you. How dare you travel overseas with a disability.' It beggars belief that they would think that this is acceptable. I have had an overwhelming number of people who are highly distressed about this particular measure contact my office to say that they have been saving for years to be able to go on a trip. Sometimes it is to spend time with their family; other times it is actually to see the world—to see a country they have always wanted to visit, just like everybody else wants to travel. Guess what? Somebody with a disability wants to do that too—to travel overseas. What the government saying is: 'No—we want to remind you that we control you.' People with a disability want to be able to travel. They have saved up—and believe me, when you are living on a disability support pension you are not living in the lap of luxury. Yes, you are living on more money than you would be living on Newstart, but Newstart is below the poverty line. Talk to any person with a disability or in fact someone on the aged pension, because they are the same—they are still scraping to make ends meet. They manage to save a bit of money to be able to go to see their family or to travel overseas, and what the government is saying now is: 'You can only go for four weeks. That is it, because we are trying to punish you for having a disability.'

There is no logical, rational explanation for wanting to reduce this portability from six weeks, which has already been reduced under previous governments, to four weeks. There is no rational, fair-minded reasoning for this particular measure, other than their being mean and in demonising. We do not support it. We do not agree with the deal that has been done between Labor and the government because it is just mean-spirited. It is nothing more than a mean-spirited attempt at demonising people with a disability because they want to drive the broader budget savings, they claim, by going for people with a disability.

Then you have the measure—and I have raised some concerns about this before—relating to relocation scholarship assistance for certain students. When considering this measure, you have to put it in the context of what else the government wants to bring in, the other measures that will impose extra costs on students and make it even more difficult for them to study. The government is making it more difficult for young people to study, to learn, which is what the government say it wants them to do. The government says it wants young people to earn or learn, but when they try to learn the government puts more and more barriers in their way.

If the government had their way, they would have been putting in yet another barrier—increasing poverty even more—by removing income support for young people. Thankfully the community backlash has been so strong that they cannot get that measure through. The Greens and I will keep campaigning until the government completely and utterly drops that measure. It is a measure that would totally undermine Australia's safety net. It would have implications right across the community and it would have lifelong impacts. We will continue to oppose that measure and we will continue to fight for an increase in Newstart and youth allowance in order to help young people create a future for themselves. We will continue to fight to keep the government from taking away young people's hope for the future. Removing income support would take away their hope, because they would be living below the poverty line, living hand to mouth. What the government is doing here with this measure on relocation
assistance is putting another barrier to learning in the way of students, particularly rural students. We already know that people living in rural and regional areas have much higher barriers to overcome in order to attend university.

Another area we have strong concerns about are the changes being made to family tax benefits. These measures will make it harder for families. I strongly agree with the point made by the National Welfare Rights Network that we need to look at these measures and the changes to family tax benefits in the context of the other budget measures this government is planning to bring through. In other words, we need to look at the cumulative impact, which is very significant. If you add the changes to family tax benefits to the co-payment measures and the higher education measures—although I am still anticipating, and certainly very much hoping, that these other measures do not get through—the cumulative impact on families is severe. You cannot look at the measures the government wants to inflict on families in isolation. It is extremely important that they are looked at in their entirety and not in isolation.

We are extremely disappointed that Labor has agreed to let the government bring this bill on with very little time to debate it. I assume the government hopes they can get it through quickly now so that people do not notice. Do they think people are going to forget that these measures have been rammed through the House of Representatives? Do they think people are not going to notice that some of these measures are going to have significant impacts on students, people with disabilities, families—across the board? The other measures, the co-payments and so on, are still there as well. We will never support them. We will not support these bills because they have unacceptable impacts.

The government needs to change its thinking, if that is possible, about the way to look after the most vulnerable in our community. Punishing and demonising people does not work. A better way to go is to adopt an inclusive approach, a supportive approach that helps people, that does not undermine them, that does not take money out of their pockets. Fundamental to that is adequacy of payments. When is the government going to realise that living in poverty does not help people engage with work? When will it realise that we need to make sure that people are not living in poverty and that they have access to the types of supports they need? Keeping people in poverty and subjecting them to work-for-the-dole programs that provide no training and no support does not work.

The Greens will not be supporting this bill. We do not agree with the deal that has been done between Labor and the government. Labor are trying to imply that these measures do not have an impact on our community when they do. Changes to the family tax benefit do, changes to the disability support pension do and changes to the relocation allowance have an impact, an unacceptable impact, on the most vulnerable in our community. We do not support these budget measures. We will not be supporting this bill.

Senator RHIANNON (New South Wales) (13:21): The community has been resonating with anger about this budget. There have been Bust the Budget rallies all around the country. It is extraordinary that, four months after the budget came down, the anger is still there. At many of these rallies, people have heard from Labor MPs standing up and condemning this government. Time and time again at these rallies they have heard Labor members of parliament speak out against the budget. Yesterday, the government was on the skids with this very ugly part of the budget and this very bad legislation. The attempt by Treasurer Hockey and Prime Minister Abbott, with the support of Liberal and National members of parliament,
to load pressure and hardship onto ordinary people, onto disadvantaged people, looked like it was just about over. And what have Mr Shorten and Labor done? The absolute deal of all deals. Talk about a get out of jail free card! They are helping this government, a government that is on the nose, that is so doing the wrong thing to the very fabric of our society by loading problems onto families, people with disabilities, students and so many others who will really have to think about how they are going to make ends meet.

My portfolio of higher education is an area, again, where I have shared many platforms recently with Labor MPs, condemning the government for what they are doing to higher education. In this Social Services and Other Legislation Amendment (2014 Budget Measures No. 6) Bill 2014, there are some things that will make life much harder for students. But what have we seen today from Labor? They have just voted it through in the lower house and now they want to rush it through here. This is really extraordinary. Today, 2 October 2014, is a very ugly day now in Labor Party history—a day when they did a deal not just with any Liberal government but with the Abbott Liberal government, a government that within a year of taking office has brought forward some of the most notorious, destructive policies that we have ever seen from a conservative government.

Again, I think it is informative to contrast what Labor are doing today with what they have said. Obviously, when they are speaking at Bust the Budget rallies, they are up there whipping up the crowd about how terrible the government is, that they will stand firm and the budget must be rejected, but they have also got down to specifics. Opposition leader Mr Bill Shorten, on 11 August, actually signed a public pledge which stated:

I, Bill Shorten, pledge that the ALP will block proposed changes to higher education in the senate …

This is a change to higher education that we are dealing with in this social services bill. Yes, there is a big bill that Minister Pyne is spruiking around the place, but there are very significant aspects of this legislation that will bring hardship to many students and that, for many, will be the difference between being able to do their studies and not being able to do their studies, if they can find the course that they want to do at the university that they have chosen. In monetary terms, what the ALP are doing is supporting the coalition's $400 million cuts to student welfare—student welfare in the form of relocation payments and also overseas portability.

**Senator O'Sullivan:** They should be congratulated for their foresight.

**Senator RHIANNON:** I do acknowledge the interjection just made. It is interesting that it was from a member of the Nationals, who so often go around saying how they are the friends and supporters of regional universities. But the Nationals senator who just interjected and his colleagues are solidly there with the government at every turn, working—

**Senator Siewert interjecting**—

**Senator RHIANNON:** I acknowledge the interjection from my colleague as well, that this is very dishonest territory that the Nationals are entering into. They are out there trying to make out that they stand up for regional universities and students from country areas, but they are about to vote for legislation that will change benefits for regional students to a degree that will bring them further hardship, hardship that will multiply as the years roll by. My guess is that they have probably convinced themselves, 'Well, it's not much'—not at the moment, but in time it will be.
These relocation payments are something that I have found, from my own experience of meetings at universities, a number of students raise with me in terms of what a difference they have made. For instance, I met some students from the Blue Mountains and from the suburbs of Western Sydney who were able to get relocation payments to move closer in to the city to be able to take the courses that they wanted to do at Sydney university. In one case, it was vet science; in another case, it was an economics degree. That would not be possible now because of the way eligibility for relocation payments is going to be judged. If your parents live in a major city—major cities being defined as capital cities, including Newcastle, Wollongong and even the Central Coast and the Gold Coast—you will no longer qualify for this assistance. That will make it particularly hard for disadvantaged students and students from working-class backgrounds, whose families cannot afford to help them to move to another capital city, another centre, another university so they can continue the studies that they have their hearts set on.

It is another insidious aspect of this government's policy that they are incrementally looking to change higher education in ways that will return our university system to being the domain of wealthy, white, often men, if the changes in the higher education bill that Minister Pyne is bringing forward go through. But right now the changes to relocation payments will really make it harder for young students, young men and women, who come from families that cannot support them. A lot of families would obviously try to assist their children so they can go ahead and study. But you should not have to rely on your family for that assistance. You should be able to access this relocation payment which Labor is about to help the government ditch.

As I mentioned, these cuts adds up to $400 million, and the largest component of these cuts will remove access to relocation scholarships for students whose parents live in a major city—and I will say them again because the Nationals senators in this chamber need to hear it, because they are always telling us how they are the only voice for regional areas—such as Wollongong, Newcastle or on the Central Coast. They are areas where at times the Nationals have even had MPs, and surely they should be representing their interests, as they should be across the board.

For many students, this relocation scholarship payment has made a difference in terms of their ability to move to university and get established. If you talk to students, particularly undergraduates but also a lot of postgraduates these days, the cost of living is really hard for them. Relocation costs for an individual student add up to about $7,000 over the years that they study. This is money they could use to assist them with their rent, transport, food and other daily living costs. That money can make a real difference when you are really counting your pennies, working out how you are going to get through the week and whether you can pay the rent that week, buy a present for your mum—all those things that make up one's life.

Let's just remember that we have heard time and time again from Labor MPs about how bad this budget is, about how they are standing up for students and for universities and about how they are the voice for public education. They have spoken at rallies, meetings and universities. We have heard from the Leader of the Opposition, Mr Shorten. He, along with other Labor MPs, have signed this pledge. It is very specific in terms of their commitment to block—that is the word from their pledge—proposed changes to higher education in the Senate. That is what we are talking about today.
He cannot just try and quarantine that to Mr Pyne's bill. It is not that simple. Life is not linear in little boxes. We are dealing with legislation now that, if it were to pass, would add to the challenges, the hardships and the difficulties so many students face, particularly students from families where nobody has ever gone to university before. They are very proud of their son or their daughter who has gone to university. It is often very hard for them because they have not grown up in a family where people have had that opportunity. They are giving it everything they have got. But money comes into it, and that needs to be considered.

The other aspect we have here in the deal that Labor has done with the coalition in regard to higher education is overseas portability. This was just a very basic bit of humanity, in that your Centrelink payments were not cut off if you went overseas for less than six weeks. In a country like Australia, with so many people in our society with relatives, families and loved ones overseas, to visit them for an emergency, periodically they will need to go over—

Senator O'Sullivan: You cannot be serious. You want to know if they are overseas and you want to worry about it.

Senator RHIANNON: I acknowledge that interjection from our National MP from Queensland, showing his caring attitude to students who have every right to be able to go overseas for whatever needs that they have identified. It was only for six weeks. Your payment was not cut off by Centrelink. That was one of those reasonable things so life can work in a more humane way and people are able to deal with whatever comes up and with whatever challenges that they might face. But that is to be removed. Again, it is another measure that Labor has decided it is time to axe.

The sum total of what Labor has done here is a monumental deal. Just in higher education alone, it amounts to $400 million that they are cutting from student support. That is on top of what this legislation will mean for people with disabilities and for a whole range of families, particularly single parents, as well as students. My colleague Senator Rachel Siewert, who has led for the Greens on this issue, has spoken many times on it in this place and has addressed many rallies, met with stakeholders around the country and identified what it will mean very clearly when she spoke today. What we are seeing here is that these are the people being loaded up with the costs because, in the May budget, this government—with the work of the Treasurer, Mr Hockey, and signed off by the Prime Minister, Tony Abbott—came up with a very ugly budget cutting out billions of dollars. The money has to come from somewhere, and it is loaded onto ordinary people by cutting the entitlements that they have every right to.

This is where we need to identify what Labor is doing. How did they come up with this plan? Do the Labor senators in this chamber know anything about this, or has it just been handed to them on a plate by the Leader of the Opposition, Bill Shorten? These are very relevant questions, because yesterday the government was on the run. Labor actually had some backbone on this very issue. The fight was on. The message of the bust-the-budget people was being heard here by, from what I could see, the majority of senators. Then, all of a sudden, Mr Shorten caved. We have seen him do that on the terror laws. We have seen him do it on the war in Iraq, and I heard today that he is starting to do a bit of backtracking there by saying that there could be mission creep going on. The leader of the Australian Greens, Senator Christine Milne, identified long ago that mission creep was one of the first things that would happen. It is good that Mr Shorten has caught up with that so he is starting to look for a bit of wriggle room. But he did sign off with the government, and he signed off with the
government on these terrible so-called antiterrorist laws that deny people so many basic rights and risk them being abused by this government. Now we have another one on higher education—

**Senator O'Sullivan:** Would that be like your arrangement with PUP.

**Senator RHIANNON:** I acknowledge the further comments from the Nationals senator which show his caring attitude and how far that extends, particularly now that we are not even on students but are on the whole exploitative aspects of this legislation. This is legislation that should not be passed under any circumstances. From what I can see, the Labor senators are not coming in on the debate, which starts to answer the question. I am not sure if it is the correct answer, but you look for answers when you get into these debates and you see such sudden shifts in how parties conduct themselves. Yesterday this legislation was being widely condemned, with detailed speeches from many colleagues from the Labor Party about how problematic it was in so many areas, and now there is silence. I hope I am wrong.

I notice that Senator Kim Carr has just come into the chamber. I think it is very important that they do come in on this debate and explain why Labor has now decided to vote for this legislation. It was voted through in the House of Representatives quite quickly this morning. I will be interested to look at who were the Labor MPs in the House of Representatives who signed that pledge. As some senators have just come into the chamber, I think it is worth repeating because it really highlights the essence of contradiction—that would be one polite word, but you could say betrayal—from Labor with this policy. This is the pledge that Mr Shorten and a number of Labor members of parliament signed:

I, Bill Shorten, pledge that the ALP will block proposed changes to higher education in the senate …

We are now in the Senate. Maybe Mr Shorten could use the excuse that we could not do anything about it in the House of Representatives. We can here. Labor and the Greens can vote together. We can put a good case to the crossbenchers. We can stand up for the people of Australia. We can stand up for Australian students who are out there with very little money trying to do their best, do a bit of work, do their studies, get by and come forward with good marks. But now we have put some real obstacles in their path.

So what is Labor's position? Are we going to hear from Labor on this most important issue? The last speaking list that I saw indicated that that is not going to happen, but it is certainly needed. What has happened here is extraordinary. As I said before, 2 October 2014 is going to be a very dark day in the history of Labor because it is the day in which a monumental deal has been done—a deal between Labor and the coalition to do over so many people. Labor is giving—

**Senator O'Sullivan:** Like the one between the Greens and the PUP?

**Senator RHIANNON:** Again, I acknowledge the interjection from the Nationals senator. Labor has given the government a 'get out of jail' card. There has been such widespread condemnation of this budget. Who can remember when a federal budget was still being discussed, still making people angry and still resulting in meetings and protests around the country more than four months after it was delivered?

Just on Sunday, I was at a meeting—

**Senator Fifield:** Try 96, 97, 98, 99 and 2000.
Senator RHIANNON: I am happy to acknowledge that interjection too. I think you are helping my argument. On Sunday I was at another 'bust the budget' rally—

Senator Fifield: Or 83, 84, 85, 86.

Senator RHIANNON: I am happy to acknowledge the interjection. On Sunday, in Campbelltown, I was at another 'bust the budget' rally. It was very impressive. There were a range of speakers. There were Greens members there; I understand there were some Labor members there—

Senator O'Sullivan: Did you tell them about the debt you left behind?

Senator RHIANNON: I am happy to acknowledge all your interjections. This was more than four months after the budget was handed down, and at the rally there were TAFE teachers, nurses, people from the Australian Education Union, the National Tertiary Education Union, the Nurses Association and a range of young people talking about the call centres that they work in. It was a very informative meeting, but again that white-hot anger about the budget is still there. I wish that that Campbelltown meeting was this Sunday so I could be telling them about Labor has done. It is extraordinary.

We should be hearing from our colleagues on the opposition benches about what has happened here. The turnaround within 24 hours on something so fundamental to the very fabric of our society, let alone the economy, is quite breathtaking. If Labor go ahead and vote with the coalition on this, we will see $400 million ripped out in the higher education area. What they have done is deeply wrong. Again, I congratulate the 'bust the budget' people for the huge—

Senator O'Sullivan: You supported them for six years. For six years you kept them alive.

Senator RHIANNON: I am happy to acknowledge the National Party senator's interjection. He has obviously been distressed—

Senator Hanson-Young: Will he speak?

Senator RHIANNON: Will he speak? That is an interesting question, because the Nationals—

Senator O'Sullivan interjecting—

The ACTING DEPUTY PRESIDENT (Senator Back): Order Senator O'Sullivan. Proceed Senator Rhiannon. You only have 55 seconds.

Senator RHIANNON: I am happy to acknowledge the interjections and take your advice. We have talked a lot about Labor, and I think it is useful to talk a little bit about the Nationals. They are experts at walking both sides of the road. In this parliament, they vote solidly with the Liberal Party. When they are in country areas, they tell their constituents: 'You need us in parliament to stand up to the Liberals and to stand up to Labor; we are the only voice; we are the only opposition.' It is absolutely untrue. They are absolutely in lock step with their Liberal colleagues time and time again.

Senator O'Sullivan: It's called solidarity. The alternative is anarchy.

Senator RHIANNON: We have heard the senator say it is solidarity. What we have now are Nationals, Liberals and Labor in solidarity, in lock step, on one of the most dangerous and irresponsible pieces of legislation, which rips money off so many people.
Senator HANSON-YOUNG (South Australia) (13:41): I rise to speak to this sham piece of legislation we have before us today—that is, the Social Services and Other Legislation Amendment (2014 Budget Measures No. 6) Bill 2014. Let us put into context what has happened here. We have had debate after debate in this place, on the streets and out amongst the Australian community over the harsh budget that was handed down by none other than Mr Abbott and his cigar-smoking Treasurer, Joe Hockey. They introduced a budget that was all about whacking those least able to afford it and making deep cuts into the pockets of those who are most vulnerable.

We had in this place was a show of solidarity against the harsh budget up until today. We now have the Labor Party in a grubby deal with the Liberals to rush pieces of this legislation through the chamber in less than a few hours. That is what these guys are all up for. Labor were really worried about people. They were out at the 'bust the budget' rallies. Mr Bill Shorten, the Leader of the Opposition, was out there saying: 'Look, I will take Tony Abbott on. I will take him on. I will be the opposition leader that this country needs.' On the day that the opposition leader should have been staring down the Abbott government and their harsh cuts, he blinked. No wonder they call him 'Blinky Bill' when he folded at the last hurdle.

Here we are in the Senate, the house of review, where we should be standing up to the harsh cuts of the Abbott government, yet Labor have gone weak at the knees. You can just imagine little Bill Shorten out there at the front of the 'bust the budget' rallies with half a flag.

Senator O'Sullivan: I rise on a point of order. This has never occurred before and probably will never occur again, but the senator cannot continue to make disparaging remarks about another member of the parliament, in this case—sadly—the Leader of the Opposition.

The ACTING DEPUTY PRESIDENT: I am sure if Mr Shorten’s colleagues did not feel great offence then we can assume that Senator Hanson-Young should continue.

Senator Moore: I rise on that point of order. I believe in dynamic debate in this place. I did not take point of order on some of the comments made by Senator Hanson-Young but I do think that she should be reminded, as always, to refer to people by their title rather than just calling them by their name. It would be really useful.

The ACTING DEPUTY PRESIDENT: Thank you, Senator Moore. I am sure Senator Hanson-Young will observe that strictly.

Senator HANSON-YOUNG: I could not help myself but allow a member of the Nationals to stand up in this place for the Leader of the Opposition, Mr Bill Shorten. Doesn't that just say it all? We have this grubby deal. Labor has folded into the arms of the coalition, desperate for somebody to love them. And here came Mr Bill Shorten, Leader of the Opposition, and his ALP cronies. They are going to vote on this legislation today but they have no idea what harsh cuts this is going to cause students, the disabled and single parents. You have to be wondering what it is that the Labor Party stands for, because they are not standing up for the disabled, they are not standing up for single mothers and they are definitely not standing up for students.

One of the reasons I wanted to speak on this legislation today is that the cuts to the relocation scholarships of students is one of the meanest things this government could be doing, and one of the most hypocritical things the Labor Party could be agreeing to. I have been in the Senate for over six years now and how many times have we debated and inquired
into the need for extra support for rural and regional students across Australia. We know that
the barriers they have in accessing higher education and higher education opportunities are
above and beyond what their city and suburban peers have to face.

In the past the Greens have worked with members such as Senator Fiona Nash, who I see
has just walked into the chamber. It would be good to hear from Senator Nash about how she
feels about cutting almost half a billion dollars straight out of the pockets of students,
particularly rural and regional students, who are about to be hit hardest because of the cuts to
relocation scholarships.

Honest to God, this is an attack on students, on the most vulnerable in our community,
those on disability pensions and on single mothers. And what have we got from the Labor
Party? ‘Sorry, Mr Abbott, we did not mean to make so much noise. Here, let’s just flick it
through on the last day of this sitting fortnight’—a half a billion in cuts to students alone, let
alone all the other mean things this government is wanting to do. I wonder if after this Bill
Shorten is going to sit out the back and be invited by Treasurer Joe Hockey for a bit of a puff
on the old cigar. ‘Thanks mate, we got it through.’ Seriously, how grubby does this deal have
to get?

Honourable senators interjecting—

The ACTING DEPUTY PRESIDENT: Order on my left and my right!

Senator HANSON-YOUNG: How grubby do the major parties have to be in order to ram
through legislation on the last day of parliament, just to give Tony Abbott his harsh budget-
cut savings.

Honourable senators interjecting—

Senator HANSON-YOUNG: I will take the interjection here from Senator Lambie:
‘What is next?’ What are we going to expect in the next fortnight? We cannot trust what the
Labor Party says any more in relation to the budget. What are you going to flick through
next? You are being salami-sliced by Mr Abbott, and he knows it. It is going to be egg on the
faces of those who have stood up for this harsh budget in the past, and rightly so. Now you
are being salami-sliced all the way through to pass each and every piece of terrible legislation
and more harsh cuts that this Treasurer and the Prime Minister want to see passed.

I grew up in a rural and regional area. To get the little extra help they need to move into the
city and access higher education opportunities is absolutely vital for students from rural and
regional areas. It is not just vital for them, but we know it is vital for their communities,
because who is it who comes back as the doctors, teachers and specialists in our rural and
regional areas? It is those students who have moved away for university and have come back
to stay there. The impacts of these types of cuts are going to be harsh, not just on the
individual students but, in years to come, on the communities they come from. We know that
that is what has happened.

The Senate has inquired into this issue for many years. It is why the relocation scholarships
were developed in the first place. It was to help rural and regional students to get the same
educational opportunities as everybody else. And here we have the Labor Party and the
government lining up to whack through almost half a billion worth of cuts. Half a billion
ripped straight out of the pockets of students. What will the shadow education minister's press
release be this afternoon? How are they going to explain what they are doing to the most
vulnerable students across the country, who thought that the Senate was going to stand up for their welfare and their right to access good quality education?

And what about the single mums, who are about to be dumped onto lower payments, because Labor has gone weak at the knees here? What explanation are we going to see given to them for the fact that no longer do we have an opposition party in this country prepared to be an opposition party? They are just folding into the arms of the coalition government, because they were desperate for somebody, just somebody, to back these harsh budget cuts.

I do not agree with a lot of things that Senator Lambie, for example, says. But I will tell you this. She is going to stand up in a minute and say how terrible these cuts are. Why? Because she has listened to people out there on the street. It will be just as we heard earlier this week from Labor senators who did stand up in this place and say the cuts were terrible—and they were absolutely right. They were harsh yesterday and they are harsh today, and we should not be flagging them through just because a grubby deal has been done between the Labor Party and Tony Abbott's coalition.

What is the Labor Party going to say to people on disability pension, who have just been given another whack from this place because the Labor Party was not prepared to stand up and stand firm against Mr Abbott's and Mr Hockey's harsh cuts. Why is it that because somebody is on a disability pension they do not deserve to be able to go to visit a sick relative overseas, without having their pension cut? Why is it that they should be treated as second-class citizens in this country, simply because they are on a disability pension? That is not fair. That is not how we should be treading our most vulnerable Australians.

This is rushing through this legislation, at a stroke to midnight, just because a grubby deal has been struck. It beggars belief. Thankfully, there are still some people in this place who are willing to stand up and stand firm against Mr Abbott's and Mr Hockey's harsh cuts. For those people who have not heard that term before, if you are listening in, an omnibus bill deals with a whole range of seemingly disconnected acts of parliament, looks to cobble together a whole range of different legislative amendments and puts it in the form of one piece of legislation. What we have got is an omnibus bill that deals with things like supports for people with disabilities, issues around single parents and issues around young people. I think of this bill not as an omnibus but as omni-bulldozer, because it just seems to be a bulldozer through the rights and supports of people with disabilities, single parents and young people.
I want a focus on one issue in particular and that is the issue of the supports provided to people who are seeking to get an education. This is something that the National Party should be most interested in. If you live in a regional or rural community, as I do, getting an education often means packing up, leaving your local community and moving to a big city, finding accommodation and meeting all the expenses associated with accessing an education that is far removed from the place that you live. In fact, it is a really important support for those people in my community. What we are doing is effectively ripping out half a billion dollars—


Senator DI NATALE: I will take that interjection. The people of the south-west of Victoria would be offended if they were compared with people living in urban community. I live on a 50 acre property in the Otway Range, in a small community of 2,000 residents called Deans Marsh. It is in between Colac and the coastal town of Lorne. It is a rural community. There are people who live in my community who rely on these supports.

Senator Ian Macdonald: You are a Brunswick latte!

The ACTING DEPUTY PRESIDENT (Senator Back): Order on my right. Senator Di Natale will be heard in silence.

Senator DI NATALE: What we are seeing is half a billion being ripped out. The great surprise here is not that the Liberal Party has proposed this change, because after the last budget nothing could surprise me about the cruelty that could be inflicted on the poor, the sick, the elderly and the vulnerable by the coalition. The great tragedy is that we have got the once proud Labor Party—who stood up for the rights of the poor, the sick, the vulnerable and the young—now doing a grubby deal with the Liberal Party in a backroom and ramming these changes through. This was the party who stood up and said, 'We will stand against this cruel budget and we will fight against Abbott's changes to education and health care and so on.' Now they have done a deal with them!

The ACTING DEPUTY PRESIDENT: That is Prime Minister Abbott, Senator Di Natale.

Senator DI NATALE: They have done a grubby deal with the Liberal Party. The Labor Party is the party who attends rallies and who stands up with megaphones saying, 'We are going to stop this budget.' Now what we are hearing is that there is a deal done between both parties to ensure that young people no longer have access to supported to get education. Considered in the context of the broader education changes, where a higher education degree is now out of reach, it represents everything that is rotten with politics. We get the rhetoric and we get the action. The rhetoric and the actions very, very rarely come together.

We have got the rhetoric of this cruel and harsh budget and the Labor Party was standing up against it. Now we have got a backroom deal between the Labor Party and the coalition saying, 'Let's just keep this quiet. Let's remove supports from young people, single parents and people with disabilities. Let's ensure that those people who need these supports no longer have them.' Why? I do not know. You have got to ask this question of the Labor Party: 'Why on earth would you do this at this time, when we are seeing the harshest attack on the Australian community by a coalition government ever witnessed? They are taking on pensioners, people with disabilities, single parents and young people. Why would you
capitulate and support these changes? Why would you do it?" I do not get it. It makes no sense. The only context in which someone can understand it is that there has been a grubby deal struck; that there is more to this. In fact, once again, the Australian community is being sold out in the name of grubby politics.

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (14:00): I table a statement of reasons justifying the need for this bill to be considered during these sittings and seek leave to have the statement incorporated in Hansard.

Leave granted.

The statement read as follows——

STATEMENT OF REASONS FOR INTRODUCTION AND PASSAGE
IN THE 2014 AUTUMN SITTINGS
SOCIAL SERVICES AND OTHER LEGISLATION AMENDMENT (2014 BUDGET MEASURES No. 6) BILL 2014

Purpose of the Bill
The bill will reintroduce several 2014 Budget measures previously introduced in the Social Services and Other Legislation Amendment (2014 Budget Measures No. 1) Bill 2014 and the Social Services and Other Legislation Amendment (2014 Budget Measures No. 2) Bill 2014:

• renaming the Clean Energy Supplement as the Energy Supplement and permanently ceasing indexation of the payment;
• maintenance at current levels for two or three years of certain assets value limits and assets test free areas for Australian Government payments;
• extending Program of Support requirements to Disability Support Pension recipients under age 35 whose qualification for the pension is to be reviewed;
• changes to portability for student payments and Disability Support Pension, and removal of relocation scholarship assistance for certain students;
• excluding from the income test any payments made under the new Young Carer Bursary Programme;
• changes to the assessment of untaxed superannuation income for the Commonwealth Seniors Health Card; and
• limitations to the Family Tax Benefit Large Family Supplement and the Part A per-child add-on to the higher income free area, and reduction of the Family Tax Benefit Part B primary earner limit from $150,000 to $100,000 a year.

The bill will also add the Western Australian Industrial Relations Commission decision of 29 August 2013 as a pay equity decision under the Social and Community Services Pay Equity Special Account Act 2012, allowing payment of Commonwealth supplementation to service providers affected by the decision.

Reasons for Urgency
Several of the measures in this bill are intended to be implemented from 1 January 2015. Passage in the 2014 Spring sittings would therefore be necessary.
QUESTIONS WITHOUT NOTICE

Australian War Memorial

Senator CONROY (Victoria—Deputy Leader of the Opposition in the Senate) (14:00): My question is to the Minister for Veterans' Affairs, Senator Ronaldson. I refer to the recent budget cuts to the Australian War Memorial's travelling exhibition program and the claim by the minister's spokesperson that AWM was advised by DVA in May that, because of the requirement to fund a number of initiatives, the travelling exhibitions program was under review. I also refer to comments by the Australian War Memorial that: 'At no stage before Thursday, 14th of August, were we given any indication that future funding for the travelling exhibitions was at risk.' Who is correct: the minister or the Australian War Memorial?

Senator RONALDSON (Victoria—Minister for Veterans' Affairs, Minister Assisting the Prime Minister for the Centenary of ANZAC and Special Minister of State) (14:01): I can only assume that Senator Conroy bought some fish and chips over the weekend, because, quite frankly, this was in the papers about three weeks ago. He is hardly on top of his brief if he has had to wait this amount of time. Let me be absolutely clear about our relationship with the Australian War Memorial and then I will compare it with that of the Australian Labor Party, who had put the AWM under such pressure that they were considering closing the memorial—a national icon in this country—for one day a week.

Senator Kim Carr interjecting—

Senator Wong: Mr President, the point of order goes to direct relevance under the standing orders. In fact, the minister has flagged his intention not to be directly relevant. He spoke about what he would say. There is only one question in the question put by Senator Conroy: 'Who is correct?' We have a factual statement from the minister's spokesperson and a factual statement from the War Memorial. They are inconsistent. The minister is simply asked: 'Who is correct?'

The PRESIDENT: Thank you, Senator Wong. I do agree there was one question. But can I tell you I am having a lot of difficulty, particularly because of you, Senator Carr, in hearing part of the answer. I indicate to the minister that he has one minute and 25 seconds left to answer the question and advise the minister of the question.

Senator RONALDSON: What Senator Conroy should be aware of in relation to decisions made about the travelling exhibition—the smaller travelling exhibition, not the national travelling exhibition; I presume he knows the difference between the two—is that this government inherited a situation in veterans affairs where we have 72,000—

Senator Kim Carr: What's this got to do with the question?

Senator RONALDSON: If you do not think what is happening to 72,000 men and women who have served this nation since 1999 is relevant then I really take great pity on you, Senator Carr.

Senator Moore: Mr President, I rise on a point of order. I let the clock go on little to see whether we would get an answer. In terms of direct relevance, as has been pointed out, there was only one question asked and it was on the comments about the touring exhibit and when they knew about the future funding. It was not about the value; it was about when the Australian War Memorial was advised of the future funding cut.
The PRESIDENT: Thank you, Senator Moore. The minister has 46 seconds left to answer the question. I remind the minister of the question.

Senator RONALDSON: Those opposite are clearly not interested in what is being done for these returned men and women.

Senator Kim Carr interjecting—

Senator RONALDSON: I do not need any help from you, Senator Carr, I can assure you.

The PRESIDENT: Pause the clock. Senator Moore, I am not going to entertain a point of order on relevance in a matter of just seconds after the minister recommenced his answer.

Senator Moore: Mr President, it is not a point of order on relevance. It is about a reflection made on the people on this side of the chamber in that last comment. It is not a point of order on direct relevance but on a reflection made on people on this side of the chamber.

The PRESIDENT: I do not agree there is a point of order, Senator Moore. Minister you have the call.

Senator RONALDSON: Thank you very much, Mr President. In May this year, the Australian War Memorial was advised that the longer term funding of this $800,000 travelling exhibition was under review. The reason for that is that this government is determined to ensure that the dollars we spend in this department are given to— (Time expired)

Senator CONROY (Victoria—Deputy Leader of the Opposition in the Senate) (14:05): Mr President, I ask a supplementary question. I refer to documents released to the opposition under freedom of information which show that the Australian War Memorial was not advised of the cut to the travelling exhibition until mid-August. Why did the minister mislead the public last time? And he is misleading the public again.

The PRESIDENT: Senator Conroy, I do not think you can assert that.

Senator Conroy interjecting—

The PRESIDENT: Senator Conroy, you have just accused the minister of misleading in two separate contexts.

Senator Conroy interjecting—

The PRESIDENT: You are reflecting on a member of this chamber. I will ask the minister to answer what part of that question he wishes to answer.

Senator Wong interjecting—

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

Senator RONALDSON (Victoria—Minister for Veterans' Affairs, Minister Assisting the Prime Minister for the Centenary of ANZAC and Special Minister of State) (14:08): If Senator Conroy was not listening, I will repeat it again. The Australian War Memorial was advised in May that, because of the requirement to fund a number of initiatives, the travelling exhibitions program was under review. They were advised in May that it was under review. The decision was made in August. The imputation in Senator Conroy's question is that this was a stroke of the pen in early August without any notification that it was under review. Quite frankly, I am not concerned about what the opposition has apparently got off the back of a truck. I know that in May, because of the requirement for us to fund— (Time expired)
Senator CONROY (Victoria—Deputy Leader of the Opposition in the Senate) (14:08): Mr President, I ask a further supplementary question. I draw your attention, Minister, again, to the comments of the Australian War Memorial:

At no stage before Thursday, 14th of August, were we given any indication that future funding for the travelling exhibitions was at risk.

Given that this program has run for over 17 years and allowed Australians across the country to explore our military history, will the minister reinstate the funding for the Australian War Memorial travelling exhibitions?

Senator RONALDSON (Victoria—Minister for Veterans' Affairs, Minister Assisting the Prime Minister for the Centenary of ANZAC and Special Minister of State) (14:08): The answer to your second question is no. In relation to the first part of your question, in May of this year the Australian War Memorial was advised that, because of the requirement to fund other initiatives, this program was under review. Some of those initiatives, Senator Conroy, you might be interested in. A part of them is engagement with the 72,000 contemporary veterans who have served this nation since 1999. You should be aware, Senator Conroy, that we are trying to ensure that the mistakes that this nation made post-Vietnam are not repeated for these men and women. We are determined to ensure that they have the best access to mental health services, they know what mental health services are being provided and we are engaging these contemporary veterans in a fora that they understand—that is social media and other—(Time expired)

Queensland Government

Senator IAN MACDONALD (Queensland) (14:10): I am motivated by real concern to ask a question of the Leader of the Government in the Senate about a matter of grave importance to many Queenslanders and to those who cherish democracy. Can the minister inform the Senate of any opposition to a deal between the minor parties to establish a select committee into certain aspects of the Queensland government's administration in exchange for blocking the passage of the government's one-stop-shop environmental reforms?

Senator Moore: Mr President, I rise on a point of order. I seek your advice again about whether this is a reflection on a previous vote of this Senate.

The PRESIDENT: As it is consistent with yesterday and it is not reflecting—I think, Senator Moore, I explained to you after question time yesterday that it was not reflecting adversely on a vote taken in this place. That has been the ruling of—

Opposition senators interjecting—

The PRESIDENT: Order! I rule the question in order.

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:11): Thank you, Mr President. I can understand the Labor Party's sensitivity. Yesterday, six of Australia's peak business organisations united in one voice, calling on the Senate to pass the government's one-stop-shop environmental reforms as soon as possible. They are the Australian Petroleum Production and Exploration Association, the Business Council of Australia, the Minerals Council of Australia, the National Farmers' Federation, the Property Council of Australia, and the Urban Development Institute of Australia. According to this very wide and diverse coalition:
… one of the biggest drags on Australia's competitiveness is lengthy and costly delays in securing project approvals.

Research tells us that implementing the one-stop shop for environmental approvals would provide economic benefits to Australian business in the order of $426 million each and every year. If the Senate blocks passage of this vital reform it is risking $160,000 million in cumulative real GDP revenue, as well as up to 70,000 new Australian jobs. According to BAEconomics, in Senator MacDonald's home state and that of Senator Lazarus, 'a one year saving in the time frame for approvals would deliver over 13,000 additional jobs.' In my home state and that of Senator Lambie, it would deliver an extra 1,100 additional jobs. The Productivity Commission has assured us that this is a crucial reform that will make approval processes more efficient without compromising the quality of environmental outcomes. I say especially to the Labor Party that sacrificing principle and precedent for perceived short-term expediency is not good policy. (Time expired)

Senator IAN MACDONALD (Queensland) (14:14): Mr President, I ask a supplementary question. I thank the minister for his answer and ask the minister if he could tell the Senate of any legal or constitutional commentary on the deal that I mentioned earlier?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:14): Yes I can. I can inform Senator Macdonald and fellow senators that the former Clerk of the Senate, the late Harry Evans, cautioned against establishing a similar inquiry in 1996. Mr Evans highlighted the 'two-way-street' aspect of comity between parliaments when he said:

There is built into it an element of the Biblical golden rule of doing unto others as you would have them do unto you.

Mr Evans warned of the possibility of retaliatory inquiries—if the Senate can conduct an inquiry into a state government, what will stop a state government from doing the same to the Commonwealth?

Professor Anne Twomey, a constitutional law expert, has said:

There's this thing called the Melbourne Corporation doctrine, which basically says the commonwealth can't interfere in the capacity of the state to govern …

If this committee proceeds, the Senate will have opened a Pandora's box and those opposite will bear the consequences. (Time expired)

Senator IAN MACDONALD (Queensland) (14:15): Mr President, I ask a further supplementary question. I wonder if the minister could indicate to the Senate if there have been any indications of support for the deal between the minor parties and the Labor Party in relation to this matter?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:15): I can inform the Senate that there has been support for this particular deal. In today's media we see that the select committee has received the overwhelming support of senior Rebels bikie gang member 'Little Mick' Kosenko. According to the Gold Coast criminal lawyer Campbell MacCallum, who has acted for the Black Uhlans bikie Liborio Di Vita and Bandido Josh Downey, the inquiry is 'absolutely needed'. So the establishment of this select committee has
the support of the Rebels, the Black Uhlans, the Bandidos, Senator Larissa Waters of the Greens and Senator Stephen Conroy of the Australian Labor Party.

As a final thought, I would urge senators to reflect on the admission of the major proponent of this select committee:

There may be nothing to come forward about in Queensland, who knows.
I think that would be a terrible waste of money based on a breach of principles— *(Time expired)*

**Aged Care**

Senator POLLEY (Tasmania) (14:16): My question is to the Assistant Minister for Social Services, Senator Fifield. Saturday marked 100 days since the government made the cruel and shocking decision to axe the dementia and severe behaviours supplement. I refer to internal correspondence obtained through a freedom of information request that states that the minister intends to develop 'interim and ongoing measures'. When will the interim measures be announced, Minister?

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (14:17): I am sure all colleagues will recall the background to the abolition of the dementia and severe behaviours supplement, which was the fact that in its first and only year of operation, the last financial year, rather than costing $11.7 million, as was budgeted for and as was designed by the previous government, in the end it cost $110 million. Rather than 2,000 people being eligible, as those opposite thought would be the case, there ended up being 29,000 people eligible. Clearly, the government had to act—and act I did to conclude that supplement. But, before acting, I looked at the supplement long and hard to see if it were possible to salvage the design. I look to see whether it were possible to develop an interim measure. I looked to see if it were possible to salvage that supplement, and I reached the conclusion that it was not.

I am glad that Senator Polley refers to information that has come to light through a freedom of information request by a publication on ageing which states—

Senator Moore: Mr President, I rise on a point of order on direct relevance. A single question was asked, which was: when will the interim measures be announced?

The President: The minister has been answering the question. He has been addressing the key elements of the question and he has been directly relevant.

Senator FIFIELD: The publication that received the freedom of information material says:

The documents cast doubt on the feasibility of calls from the Opposition and some parts of the industry to redesign the supplement, which the department said would take "several years."

So a leading ageing publication, on the basis of the material to which Senator Polley referred, said that those documents cast doubt on the feasibility of the opposition's calls to redesign the supplement.

I have made clear that we are working with the sector for a replacement that can be sustainable and can operate within the original funding envelope. I have convened and already conducted a forum with people in the sector to work towards that very end.
Senator POLLEY (Tasmania) (14:20): Mr President, I ask a supplementary question. I refer again to the correspondence from the minister which confirmed that he first received notice of the oversubscription in February this year. Why did the minister sit on his hands for four months before notifying the aged-care sector that this supplement would be axed?

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (14:20): It is true that I received an update in February from the department. As a result of that update, I commissioned the department to undertake a review to see whether it was possible to salvage the supplement. The conclusion that I reached on the basis of the review of the department was that it was not possible to salvage the design of the supplement, so bad was the design undertaken by the previous government.

As I have indicated before, this was not a situation that was the creation of those on this side of the chamber. It was a situation that was the creation of those on the other side of the chamber. I am working with the sector to come forward with a replacement for the supplement. I mentioned before a forum that was in Melbourne where I brought together a number of clinicians, providers and consumer groups to work through what could be a replacement. I am looking forward to receiving advice on that in October.

Senator POLLEY (Tasmania) (14:21): Mr President, I ask a further supplementary question. Given that the assistant minister has refused to provide any time line for a replacement scheme, I ask: how much longer will aged-care providers and people suffering from severe symptoms of dementia and their families have to wait—another 100 days, or will it be longer?

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (14:21): I want to be very careful that I do not make the blunders and mistakes of those opposite in redesigning this scheme. What we will put in place will be something that will stand the test of time. And I also note in your question, Senator Polley, that you implied that the supplement was something that was paid to individuals. It was not; it was paid to providers to support individuals. It is not money that has come out of the pockets of individuals. That is a mistaken impression that you have constantly sought to give. It is not money that went into the pockets of individuals.

The PRESIDENT: Pause the clock.

Senator Polley: Mr President, a point of order: I ask you to draw to the attention of the minister that instead of trying to imply something that was not in the question he should answer the question and give some certainty to the sector.

The PRESIDENT: Senator Polley, you are now debating.

Senator FIFIELD: I should indicate why I did not invite Senator Polley or Mr Neumann to the forum I had in Melbourne with providers, clinicians and consumers. I invited only those people who recognised that there was a problem with the previous design and wanted to make a contribution to putting something new in place. What you want to do is put the old supplement in place to see the budget blow out to the tune of $1.5 billion over 10 years. (Time expired)

Ebola

Senator DI NATALE (Victoria) (14:23): My question is to the Minister representing the Minister for Foreign Affairs, Senator Brandis. Does the government acknowledge concerns
by the United States Centers for Disease Control and Prevention that the current Ebola outbreak is the worst in history, having killed an estimated 3,000 people and with the potential to infect over one million people by January 2015 if not contained? Considering the recent comments by the United Nations Ebola response leader, Dr David Nabarro, in which he describes Ebola as a greater global threat than terrorism, does the minister accept that we should be fighting the threat of Ebola with the same vigour, aggression and resources with which we are currently combating the global threat of terrorism?

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:24): I am aware of those observations, and I think to conflate the two is a very foolish thing to do. These are very, very different problems. Of course they are very grave problems. But to conflate or to equate or to suggest an equivalence between these problems is a fool's errand.

The Australian government is making a significant contribution to the fight against Ebola. Australia will provide an additional $10 million to the international response to the Ebola disease outbreak. This will bring Australia’s total contribution to the Ebola response to $18 million. That is in addition to the $40 million that Australia provides to the World Health Organization each year to support its global health activities. And, as I am sure Senator Di Natale knows, the World Health Organization prioritises its expenditure and has placed the fight against Ebola at the top of its priorities.

Australia shares the international community’s deep concern over the Ebola outbreak and is responding to the United Nations’ call for immediate funds through a newly established Ebola Response Multi-Partner Trust Fund. The United States is urgently seeking US$50 million from donors to meet immediate needs over the next four weeks, including for logistics to deliver equipment, materials and supplies to Ebola response operations; establishment and operation of care centres; and care, detection and contact training. Australia will be providing the funds I have mentioned—that is, the $18 million—in special grants immediately.

Senator DI NATALE (Victoria) (14:26): Mr President, I ask a supplementary question. You will also note that the US has now sent troops as well as money to build field hospitals and training centres in Liberia. Cuba is sending over 400 medical staff. China in fact is sending a fully equipped laboratory. What is required here is logistics, troops and medical experts. Why isn’t the government joining the international community by putting boots on the ground and providing what is really needed to stop the spread of Ebola?

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:26): What is needed is resources. And it is for each nation, in responding to the United Nations’ call, to provide those resources in the way that it is best able. Australia has assessed that the best way it can provide resources is by providing funding; hence our decision to make available an additional $18 million on top of our contribution to the World Health Organization and to make it available immediately. Australia does not have the same capabilities as the United States. Australia does not have the same capabilities as other nations. But what we do have is the capacity to provide funding to support those capabilities. That is a judgement the government has made on the basis of the best advice available to it, including from medical professionals, and it is advice we intend to follow so that we can make our contribution to this effort.
Senator DI NATALE (Victoria) (14:27): Mr President, I ask a further supplementary question. It is important to note that MSF has rejected Australia's pledge of money because they do not have the capacity to put further medical professionals in the field. They do not want money; they need people, they need logistics. Do you concede that MSF has the relevant expertise to determine the most effective means by which to confront the epidemic and to make a significant difference in managing and fighting Ebola, which will save thousands and possibly millions of lives?

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:28): What I concede and what I assert is that Australia should make its contribution—and we have, by providing $18 million. And I can tell you something else: Australia will not put Australian citizens at risk in circumstances in which we do not have the capacity to medivac out of West Africa Australians who might contract the Ebola virus—and we do not. Australia does not have the capability to medivac from West Africa an Australian citizen who might fall victim to the Ebola virus. So, what we have decided to do is make a generous contribution, commensurate with our capabilities, which is why we are providing to the front-line agencies $18 million of additional money to confront this epidemic.

Defence Procurement

Senator CONROY (Victoria—Deputy Leader of the Opposition in the Senate) (14:29): My question is to the Minister for Defence, Senator Johnston. Can the minister confirm that in May this year officials from the minister's department and the Defence Materiel Organisation met with their Japanese counterparts in Tokyo to discuss the purchase of Japanese submarines? Can he confirm that a member of the Prime Minister's staff participated in those discussions?

Senator JOHNSTON (Western Australia—Minister for Defence) (14:29): I do not have at my fingertips the schedule and timetable of the various departmental officers' visitations to Japan—or any other country for that matter. Senior officials in the Defence Department, of their own discretion, can visit countries around the world in pursuit of Australia's best interests in terms of defence capability. We have signed with the Japanese a defence technology exchange agreement and, in the preparation of that agreement, there were a number of meetings with our friends in Japan. There have of course been meetings with a broad range of people—

Opposition senators interjecting—

Senator JOHNSTON: Mr President, I cannot hear myself think in the face of this incessant nagging and cackle.

Honourable senators interjecting—

The PRESIDENT: Order on my left and on my right! Minister.

Senator JOHNSTON: With respect to AUKMIN, AUSMIN and visitations to Singapore, Japan and South Korea we—

The PRESIDENT: Senator Conroy, you have a point of order?

Senator Conroy: Yes, on relevance. Mr President, there were two questions asked of the minister. The second question was: 'Can he confirm that a member of the Prime Minister's
staff participated in those discussions?’ The minister has made no attempt, with only 30-odd seconds left, to answer that part of the question.

The PRESIDENT: At the commencement of the minister's answer he indicated that he did not have the schedule to confirm—

Senator Conroy interjecting—

The PRESIDENT: Senator Conroy, you have raised a point of order and I am giving a ruling on the point of order. The minister was directly relevant to both of your questions by indicating that he did not have the schedule and he could not confirm out of the schedule—and he is enhancing his answer, which he has the right to do.

Senator Ian Macdonald: Mr President—

The PRESIDENT: Senator Macdonald, I really do not need assistance but if there is something that you need to add to this—

Senator Ian Macdonald: Mr President, my point of order is very important. I am desperately trying to hear the minister because I am very interested in his response. But we keep hearing the Leader of the Opposition and the Deputy Leader of the Opposition screeching, nagging and yelling and I simply cannot hear the minister.

Honourable senators interjecting—

The PRESIDENT: Before I call the minister I remind all senators that interjections are disorderly. Senator Wong, you have a point of order?

Senator Wong: Mr President, in terms of your answer to Senator Conroy, the question in fact did go to a member of the Prime Minister's staff. The answer that the schedule of meetings of officials is not something the minister recalls is not relevant to that aspect of the question. So I would invite you to consider that in light of your ruling.

The PRESIDENT: Thank you, Senator Wong, but the question did ask whether the minister could confirm that a member of the Prime Minister’s staff attended. The minister directly answered that question at the commencement of his answer by saying he did not have a schedule of all the visits to all countries. I thought he was quite conclusive with his direct response—and he is enhancing his answer. Minister, you have the call.

Senator JOHNSTON: Further to what I have said, if the learned senator had any understanding of defence capability acquisition he would know that we are currently in the process of acquiring ships from both Spain and South Korea. Accordingly, Defence officials visit those places on many occasions. We are also acquiring a lot of capability from the United States. There are Defence officials visiting these countries every week of every month of every year.

Senator CONROY (Victoria—Deputy Leader of the Opposition in the Senate) (14:34): Mr President, I ask a supplementary question. Minister, who did the Prime Minister's staffer take instructions from during his visit to Tokyo and who did he report to on his return?

Senator JOHNSTON (Western Australia—Minister for Defence) (14:34): With the greatest respect to the senator, this is a complete waste of the Senate's time. I was not there. I have not had the benefit of a minute-by-minute commentary on what took place, and where, with respect to any of these matters. I would have thought, with this particular capability, you would have had a better question.
Senator CONROY (Victoria—Deputy Leader of the Opposition in the Senate) (14:35): Mr President, I ask a further supplementary question. Does the Prime Minister's office or the defence minister have carriage of this procurement project?

Senator JOHNSTON (Western Australia—Minister for Defence) (14:35): Ultimately the government of the nation has ownership of the policy surrounding our most strategic and complex defence acquisitions. Let me just pause to say that I wish it was just that simple—mopping up the mess of five years of nothingness after the Labor Party promised the sun and the moon and delivered nothing. So—

Honourable senators interjecting—

The PRESIDENT: Pause the clock. Minister.

Senator JOHNSTON: In short, on this project the government is effectively back in 2008. We are starting afresh because nothing has been done. What is worse, the program has had all of the money taken out of it whilst you were promising 12 submarines.

Road Safety

Senator MUIR (Victoria) (14:36): My question is to the Minister for Employment, Senator Abetz. Today I met Mrs Lystra Tagliaferri, whose husband was killed by an out-of-control truck while he was changing a tyre on the side of the road. The truck driver had been driving for more than 13 hours. Can the minister tell Mrs Tagliaferri what the government plans to do to make sure nothing like this ever happens again?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:37): It would be fair to say that everybody in this place fully accepts Senator Muir's commitment to road safety. He has a name for that. Therefore, it is quite proper that he should raise such a question. Can I say to Senator Muir that regulation of itself does not necessarily translate into road safety. The good news in Australia is that in recent years the number of fatalities in relation to—

Opposition senators interjecting—

Senator ABETZ: Mr President, can we just have some silence from those opposite. The failure of leadership by the Leader of the Opposition in this place is becoming absolutely intolerable.

An opposition senator: Answer the question!

The PRESIDENT: Order on my left!

Senator ABETZ: It is very clear that conclusions have been reached around the world that the vast majority of accidents involving trucks are the result of the other driver and not the truck driver. The particular circumstance to which the senator refers is one of those exceptions. The question then is: can we rule out such an event ever occurring again? Regrettably, nobody would ever be in that position. What we have to ask is: what is a sensible way forward in this area? It is noteworthy that when the former government put forward its road safety tribunal in relation to this matter, the regulation impact statement told us that remuneration related to safety has not been investigated. (Time expired)

Senator MUIR (Victoria) (14:39): Mr President, I ask a supplementary question. Polling results released today show that 62 per cent of people support the Road Safety Remuneration
Tribunal and 43 per cent of people want it to be stronger. Does the minister have any plans to strengthen the RSRT by giving it extra powers?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:39): I trust that that was not a poll undertaken by the Transport Workers Union, because the Transport Workers Union has a real problem when it comes to numbers, both financial and membership. I would like to think that the honourable senator has not allowed himself to be misled in relation to a survey funded by the Transport Workers Union. Can I indicate to the honourable senator some quick facts: 42 per cent fewer serious truck accidents occur now than 10 years ago, 70 per cent of serious truck accidents occur within the first 250 kilometres of the trip, most serious truck accidents occur early in the week, and so the statistics go on. That is why Labor's own regulation impact statement in relation to this road safety tribunal found that it was not based on evidence. *(Time expired)*

Senator MUIR (Victoria) (14:40): Mr President, I ask a further supplementary question. Will the government guarantee to retain the RSRT, which is the only body with powers to intervene when transport clients put pressure on truck drivers to drive in unsafe and unfair condition, which puts all road users at risk?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:41): The government went to the last election promising a full review, something that the previous government refused to do because it set up this tribunal as one of its many sops to the unions, and this one was to the Transport Workers Union. There was no evidentiary basis to the setting up of the tribunal. We wanted to find out if there was such an evidentiary basis. As a result we had a review conducted. In due course, we will release that review and the government's response to it. But can I say that we as a government are absolutely committed to road safety. But does that mean that you need a road safety tribunal in circumstances where the evidence does not back it? Let us have a look at what the evidence actually is and make decisions based on evidence not on the whim of the Transport Workers Union. *(Time expired)*

Department of Human Services

Senator SESELJA (Australian Capital Territory) (14:42): My question is to the Minister for Human Services, Senator Payne. Can the minister outline to the Senate her department's approach to improving service delivery for DHS clients by outsourcing records management?

Senator PAYNE (New South Wales—Minister for Human Services) (14:42): I thank the senator very much for his question. It is very helpful to have his interest in the issues of the Department of Human Services in the chamber. What I would really like to do this afternoon is to set the record straight on this particular matter given what are disappointing and, frankly, completely irresponsible misrepresentations of the facts by those opposite.

In general, records management is changing with technology. That is hardly a revelation. Since July 2012, the department has kept all its new Centrelink records electronically. The number of paper files that we have and the workload that goes with that have decreased significantly. Because the need for traditional records management facilities in the department has been reducing we have been reviewing the way we manage our records. For example, if a lease comes up for renewal—and call me crazy!—the records management properties area in
the department quite rightly considers the sustainability of that site. In some cases we have got record management centres which are merged—

Senator Cameron interjecting—

Senator PAYNE: with others or are transferred to the department's outsourced records management service provider located in Australia, Iron Mountain Australia Privately Limited—

Senator Cameron interjecting—

The PRESIDENT: Senator Cameron, would you desist.

Senator PAYNE: The management of all my department's records, whether they are outsourced or in-house, complies with the relevant policy requirements. Australians can be absolutely confident that their information is secure and that this is an effective and efficient way of doing business. The Australian public should expect no less than that efficiency and effectiveness.

Senator SESELJA (Australian Capital Territory) (14:44): Mr President, I ask a supplementary question. Can the minister advise the Senate whether this approach will result in any job losses in her department?

Senator PAYNE (New South Wales—Minister for Human Services) (14:44): Again, it is important to put the mistruths which are being peddled to the sword, quite frankly. Contrary to that scaremongering, these changes will not result in any job losses for my department. I find, in fact, the protests of those opposite quite interesting, given that the outsourcing of record-management units for Medicare began in 2009—

Government senators interjecting—

Senator PAYNE: and of course it was expanded across Centrelink and Child Support—

Government senators interjecting—

The PRESIDENT: Order on my right!

Senator PAYNE: in 2011. In fact, it was the Labor Party in government that began the consolidation of the record-management units.

Government senators interjecting—

The PRESIDENT: Order on my right!

Senator PAYNE: Firstly they closed the Darwin office in 2011. Then they consolidated two units in Perth in 2012. So perhaps Senator Cameron could decide to check his facts. He has half-a-dozen former human services ministers to ask, including three in this chamber. (Time expired)

Senator Kim Carr interjecting—

Senator Cormann interjecting—

Senator Fifield: Senator Carr, the great outsourcer!

The PRESIDENT: Order, Senator Cormann and Senator Fifield.

Senator SESELJA (Australian Capital Territory) (14:46): Mr President, I ask a further supplementary question. I thank the minister for that excellent answer. Can the minister
advise the Senate how these arrangements will improve her department's capacity to deliver services for all Australians?

Senator PAYNE (New South Wales—Minister for Human Services) (14:46): I think 'the great outsourcer' is an exceptional interjection, Senator Fifield! I can advise the Senator that, in a revolutionary way, of course, as we see the result of the evolving nature of records management, we are reviewing the sort of work that existing records management staff are doing. I know that that is totally out there! I know that that is not something that those opposite could possibly deal with, because it involves efficiency and effectiveness and good service delivery. So we have records-management staff who have to respond to an increasingly digital environment, and, unlike those opposite, it is actually important to me that my staff have meaningful and important roles to fulfil. That actually makes a difference to how they are able to do their job. It makes a difference to the job that they do. So we are consulting with staff. We are consulting with the CPSU to make sure that we have consistent and up-to-date job descriptions for records-management staff. It does not matter how many lies they tell opposite—(Time expired)

International Development Assistance

Senator RHIANNON (New South Wales) (14:47): My question is to the minister representing the Minister for Foreign Affairs, Senator Brandis. Senator, is the government now treating the overseas aid budget as an ATM to dip into to fund its war in Iraq, at a time when overseas aid assistance is urgently needed in Iraq to help reduce poverty and to assist with essential services, to rebuild damaged infrastructure and to kick-start a stalled economy caused by past wars and conflicts? And doesn't this proposal to slash aid funding in order to fund a war demonstrate that Minister for Foreign Affairs Julie Bishop is a poor advocate for the overseas aid component of her portfolio?

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:48): Senator Rhiannon, I am extremely surprised to hear, from a member of the former Labor-Greens coalition, criticism of this government's treatment of the aid budget, because, might I remind you, Senator Rhiannon—

The PRESIDENT: Pause the clock.

Senator Rhiannon: Mr President, I rise on a point of order. To clarify: we opposed those cuts at that time.

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

Senator Rhiannon: Could you ask the minister to be accurate?

The PRESIDENT: That is not a point of order.

Government senators interjecting—

The PRESIDENT: Order on my right!

Senator BRANDIS: I know Senator Rhiannon is very practiced at reinventing history. Senator Rhiannon of course has spent most of her life as a member of a political party that was particularly famous at reinventing history. But you are not going to get away with reinventing history this time, Senator Rhiannon, in your post-communist iteration.

The PRESIDENT: Pause the clock.
Senator Rhiannon: Mr President, I rise on a point of order. I draw your attention to him being, again, misleading. I have been in the Greens for over 20 years. It is not relevant, and he is misleading. Could you ask the minister to be relevant to the question?

The PRESIDENT: I draw the minister's attention to the question.

Senator BRANDIS: I am sorry; I acknowledge that Senator Rhiannon has not been officially a member of the Communist Party for the last 20 years.

The PRESIDENT: The answer, Minister.

Senator BRANDIS: Returning directly to Senator Rhiannon's question, the government which she supported in office removed $5.7 billion over the forward estimates from the foreign aid budget, and, as the foreign minister in the government that you, Senator Rhiannon, supported in office, former foreign minister Bob Carr said: you cannot have an unsustainable aid budget because you cannot run aid on borrowings. Those were former Senator Carr's words: 'You can't run aid on borrowings.' The current government has got the aid budget back on track. It has been stabilised, in the current financial year, at $5.032 billion, and it will be indexed across the forward estimates. So, Senator Rhiannon, while the government that you sustained in office slashed billions from the aid budget, this government has stabilised the budget and is committed to increasing it in line with CPI.

Senator RHIANNON (New South Wales) (14:51): Mr President, I ask a supplementary question. Minister, do you acknowledge that your version of 'stabilisation' is with a literally greatly reduced budget? And, considering it is widely recognised that overseas aid is critical to fostering peace, security and stability in low-income countries, how is diverting Australian aid money to pay for military operations going to benefit the people of Iraq? How will that make Australia and our region safer?

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:51): Senator Rhiannon, I can assure you that the Australian government's aid budget is devoted to promoting peace and stability in the world. And there is one region of the world at the moment, Senator Rhiannon, in case it has escaped your attention, which is desperately in need of peace and stability and humanitarian rescue, and those are the poor souls of northern Iraq. Those are the Christians of northern Iraq, the Yazidi people of northern Iraq and many of the Islamic communities in northern Iraq as well. They are the victims of savage and brutal conduct by the terrorist group ISIL. So the Australian government, I am pleased to say with the opposition's support, is determined to do what we need to do to rescue those people, by intervening in a humanitarian fashion, to stop the slaughter. The only voices raised in this parliament who would not have us do that, Senator Rhiannon, are you and your colleagues.

Senator RHIANNON (New South Wales) (14:52): Mr President, I ask a further supplementary question. Considering the savage brutality in northern Iraq, which you have identified, and the humanitarian crisis there, why did your government in February this year end, stop, the aid budget going to Iraq? The $360 million allocated five years ago is now zero. If Australia's role in Iraq was a humanitarian mission, as described by the government, why do you need to cut the aid budget in order to fund it?

Senator BRANDIS (Queensland—Deputy Leader of the Government in the Senate, Vice-President of the Executive Council, Minister for Arts and Attorney-General) (14:53): In June
of this year, following the Australian government's decision to refocus its aid program on the Indo-Pacific region and Iraq's ability to fund its own development from oil revenues, the decision was taken to discontinue the development aid budget to Iraq. What I am talking about, Senator Rhiannon, is humanitarian assistance to that part of the world. I can assure you that the humanitarian assistance which Australia is providing to the people of northern Iraq is something of which they are desperately in need. The common view of the region and the common view of the world, except that little corner carved out of the world and occupied by the Australian Greens, believe that the people of northern Iraq are entitled to humanitarian intervention and that is what we mean to do.

Superannuation

Senator BULLOCK (Western Australia) (14:54): My question is to the Minister representing the Prime Minister, Senator Abetz. I refer to the government's decision to freeze the superannuation guarantee for millions of workers and to AMP chief executive, Mr Craig Meller, who says the guarantee should be increased to 12 per cent because, 'Saving just 9½ per cent of your earnings is not enough.' Is Mr Mellor right?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:54): In these matters you cannot just look at one situation in isolation. As we have seen from the tax review by the Australian Labor Party under Dr Ken Henry, he fully acknowledged and suggested that the superannuation guarantee increases should not be occurring because superannuation guarantee payments are ultimately paid for by less wages.

Senator Cameron: So they are going to get more wages, are they? Tell us how they are going to get more wages.

Senator ABETZ: Mr President, Senator Doug Cameron, as is his wont, interjects nonstop to completely trash the reputation of Labor's former head of Treasury, Dr Ken Henry. Why they do it, I do not know, but that is what Senator Doug Cameron is doing. It stands to reason that the more one puts into superannuation the more one would have later on in life. That is logical. The question is: is it affordable today, given all the economic imperatives and problems we face for that to occur? Those opposite would be aware that—

Senator Cameron: I thought the Liberals supported thrift.

Senator ABETZ: We do support thrift. That is why we have been seeking to stop the debt burden inflicted on the Australian people by those opposite. One thousand million dollars per month is being borrowed from overseas to pay the interest on the debts incurred by the Australian Labour Party and they have the audacity to hector and lecture us about thrift. What an audacity! (Time expired)

Senator BULLOCK (Western Australia) (14:57): Mr President, I ask a supplementary question. On the question of wages, I refer to the Prime Minister's advice that for workers, 'By delaying the increase in the superannuation guarantee levy, we are keeping more money in workers' pockets.' How will hundreds of thousands of workers covered by enterprise agreements negotiated before the government froze the superannuation guarantee get more money in their pockets?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:57): What we
have regrettably been seeing around this country is too many Australian workers losing their employment and it might not be dawning on some of the former trade union officials sitting opposite but it is dawning on some practising trade union officials that sometimes it is worthwhile to say no pay increase to protect jobs. The AMWU saw the sense of that at SPC. It was the National Union of Workers who saw the sense of that at Coca-Cola Amatil in recent times. Even the CFMEU in Western Australia was mugged by that reality recently with a building company where they agreed to a substantial reduction in income to protect their jobs.

The PRESIDENT: Pause the clock. Senator Cameron, a point of order?

Senator Cameron: Mr President, yes, I raise a point of order on realities. The question was quite clear: how are workers to get a wage increase if they are covered by an enterprise agreements?

The PRESIDENT: The minister has been addressing that question directly, Senator Cameron. If you did not interject as much, you may have heard more of his answer.

Senator ABETZ: The best workplace condition that any worker can have is a job in the first place. (Time expired)

Senator BULLOCK (Western Australia) (14:59): Mr President, I ask a further supplementary question. Will the government enable workers, whose enterprise agreements were negotiated between 7 September 2013 and 2 September 2014, to renegotiate wage increases in order to compensate for the adverse freeze on superannuation contributions?

Senator ABETZ (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:59): I do not think anybody would want the government to start intervening in enterprise agreements negotiated between workers and employees, sanctioned by the Fair Work Commission. If Senator Bullock wants the government to start setting the wages in this country, let him say so, let him say that that is the new Labor Party policy. But I doubt it very much.

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

QUESTIONS TO THE PRESIDENT

Parliament House: Security

Senator WONG (South Australia—Leader of the Opposition in the Senate) (15:00): by leave—Mr President, during question time today senators would have received by email an information circular entitled Access changes to the private areas and to the Chamber galleries in APH. I wonder whether now or at a convenient time you intend to inform the chamber of the changes and the reasons for your decision and also why there has been no consultation with senators in relation to these changes.

The PRESIDENT (15:01): Senator Wong, I am happy to address that matter now. Immediately prior to question time the Speaker and I had some lengthy meetings involving department officials, also the Sergeant-at-Arms of the House of Representatives and the Usher of the Black Rod of the Senate.

It was decided that, as an interim measure—not a permanent measure—whilst we are awaiting further advice from specialist agencies in relation to identification upon entering this building and clear identification whilst remaining in the building, as a security measure and
also as a management measure in relation to the public galleries and control of the public galleries, we would implement a number of measures.

The first one is that anyone entering the building covering themselves in such a way they cannot be clearly identified will be asked to be identified and to produce identification that matches their identity. If people have a cultural or religious sensitivity in relation to this, they will be given the privacy and sensitivity that is required in relation to that identification. Anyone is then free to move within this building in whatever manner they wish, provided it does not breach any security aspects, in all public areas barring segmented areas of the chamber galleries. Those are the galleries that do not have the glass enclosure. If people do not wish to be readily identified in the galleries of each chamber, they may use the galleries that are fully enclosed in glass.

One of the key reasons for this decision is that if there is an incident or if someone interjects from the gallery, which, as senators would know, happens from time to time, they need to be identified quickly and easily so that they can be removed from that interjection. Or if they are asked to be removed from the gallery, we need to know who that person is so they cannot return to the gallery, disguised or otherwise. These are the reasons that these interim measures have been placed into the Parliament House precinct until we get a firm set of advice from some key agencies, including the Australian Federal Police and ASIO, with whom we discussed this matter earlier in the week.

I hope, Senator Wong, that clarifies your question in relation to the substance. In relation to consultation with senators, I have not seen the circular, as I have been sitting in the chair whilst it was being circulated. However, I understand the content of the circular. That was the immediate advice that we have circulated to senators and members and all building occupants. This measure takes effect as of now. If any further statements need to be made, I will certainly make those statements to the Senate and I am sure the Speaker will to the House of Representatives.

DOCUMENTS
Nauru Detention Centre
Order for the Production of Documents

Senator CASH (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (15:04): Mr President, I table a document relating to the order for production of documents concerning the Nauru detention centre.

QUESTIONS WITHOUT NOTICE: ADDITIONAL ANSWERS
Department of the Prime Minister and Cabinet

Senator SCULLION (Northern Territory—Minister for Indigenous Affairs and Leader of The Nationals in the Senate) (15:04): I would like to add to my answer yesterday when I took a question on notice as part of my answer to Senator McLucas regarding the number of voluntary redundancies in my department. For the record, 214 staff in the Indigenous Affairs Group have accepted a voluntary redundancy offer and have been issued with a notice of termination as of the close of business, Friday, 19 September 2014.
BUDGET
Consideration by Estimates Committees

Senator LUDWIG (Queensland) (15:05): Pursuant to standing order 74(5), I ask the Minister representing the Minister for Social Services for an explanation as to why answers have not been provided to questions on notice Nos. EB14-000676 and EB14-000859 asked during budget estimates hearing of the community affairs committee in May 2014.

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (15:05): I thank Senator Ludwig for raising the matter. Can I make clear that this government is committed to maintaining the integrity of the Senate estimates process. I think it is fair to say that the same cannot be said of those opposite who have, since losing office, in a number of ways repeatedly chosen to abuse the estimates process. The number of questions on notice received by the Department of Social Services has increased from 434 for budget estimates 2013, to 975 for budget estimates 2014, an increase of over 100 per cent. This has resulted in a significant diversion of department resources to respond to these questions.

Of the 975 questions lodged with the department, there were over 100 questions where identical or similar information was requested—requiring additional time to assess and respond to questions.

I guess we could look to the past for some context. Let's compare the statistics for this time last year. Under the coalition, a total of 515 questions on notice, or 53 per cent of questions on notice, were tabled by the committee due date of 25 July 2014. In contrast, under the previous Labor government, there were no questions on notice tabled by the due date for the corresponding estimates hearing in 2013. As at 19 September 2014, 872 questions on notice have been tabled by the department with more to follow. I just thought a little bit of context may be of assistance to the chamber.

But let me reiterate that the government does take very seriously the process of answering questions on notice. Let me assure Senator Ludwig that the department and the portfolio are working hard to answer those questions. While I am on my feet, as I also represent the Minister for Communications in this place, I invite Senator Ludwig to raise matters in relation to that portfolio if he wishes.

Senator LUDWIG (Queensland) (15:08): I intend to take note of your answer, first, Minister. I move:

That the Senate take note of the explanation.

That is an appalling response. This is a very special place where the Senate does require answers to questions from budget estimates. All senators have a duty—

Senator Ian Macdonald interjecting—

Senator Cash interjecting—

The DEPUTY PRESIDENT: Order!

Senator LUDWIG: Those on the other side might complain, but this is a very serious matter. The Senate has asked and the Senate requires that questions be answered in a reasonable time. I have been relatively patient waiting for answers from the various
portfolios, but in this instance I will confine myself to the social services portfolio. They have not met the deadlines.

Senator Ian Macdonald: Did you ever meet them as a minister—just once?

Senator Ludwig: Of course, the interjectors from the other side bleat loudly but there is no substance in their interjections. Many a time during the last parliament, Senator Macdonald, spoke in this place in relation to unanswered questions. He said that what the minister 'has done here today is arrogance to the top degree'. That is a quote from you, Senator Macdonald, about what you think when questions have not been answered in this place. They are your words that you have iterated in here. So it seems very poor to then complain when you have complained loudly before—and those were the words you used. I will say them again. You said that what the minister 'had done here today is arrogance to the top degree'. That is your view about unanswered questions in this place—and it is my view as well.

The deadlines should be met, but this is a government that has wrapped itself in secrecy. It does not want to answer questions. It does not want to ensure that it meets its obligations. It has a complete lack of transparency. Of course, even in the areas of FOI, we have heard things from the secretary of the department like 'playing hardball on FOI'—because the government does not want to release information. This is just another example of this government being particularly arrogant and closed on providing information to the Senate.

The Abbott government still has almost 2,000 questions on notice that have been lodged by Labor concerning basic questions about its spending and its operations, and you really have to ask, 'What does this government have to hide?' I have lodged basic questions to each department and minister since the election as a means of holding the government to account. Have they met even the basic low bar that you would expect from this coalition government. No, they have not. They have not met it at all.

On behalf of the Labor opposition, I have asked the government, in this instance on social services, to explain each department's spending across a range of standards. These are things that the public ought to know—like the cost of printing, advertising, building leases cetera. This government has failed that basic test. I recognise that there might be further debate on this, and I have a few departments to go through, so I will leave it at that point and expand the debate shortly with a second one.

Senator Cormann (Western Australia—Minister for Finance) (15:13): I would like to contribute to the debate on the motion moved by Senator Ludwig, essentially because I noted that he will raise a similar question of me in my capacity as Minister for Finance and Minister representing the Treasurer in the Senate. I will just put on record that we have answered a record number of questions—1,920. A handful are outstanding, but will all be answered by the time we get to Senate estimates. In the lead-up to every Senate estimates so far, we have prided ourselves on answering all of the questions. We take this responsibility very seriously. Compared to the record of the previous government, our performance is actually exemplary.

Senator Ian Macdonald (Queensland) (15:14): Senator Ludwig referred to me in his answer. My interjection to Senator Ludwig was drawn by profound disbelief. I challenge Senator Ludwig to tell us just one occasion when he as a minister ever answered questions on time and when he ever answered them before the next parliamentary estimates committees. If
Senator Ludwig can prove that, can he please come forward and I will publicly apologise. I am very confident that neither him nor any of his colleagues ever answered questions from estimates by the appropriate date and more importantly never had them answered even by the time the next estimates session came around. I am making this rather bold claim although I must confess I did not attend absolutely every Senate estimates committee, but I did in those days attend quite a few. Yours was one, Senator Ludwig, and you never answered questions by the appropriate time—I can vouch for several other ministers as well.

Question agreed to.

Senator LUDWIG (Queensland) (15:16): Pursuant to standing order 74(5), I ask that the Minister representing the Minister for Communications for an explanation as to why answers have not been provided to questions on notice Nos 44, 45, 47, 53, 56, 60-97, 242, 311, 336, 362, 371, 373, 386, 390, 392, 399, 400, 406, 407, 410, 411, 415, 421, 431, 433, 514, 613-15, 643, 652, 656, 659 and 690 asked during budget estimates hearings of the Environment and Communications Committee in May 2014.

Senator FIFIELD (Victoria—Manager of Government Business in the Senate and Assistant Minister for Social Services) (15:17): I thank Senator Ludwig for the opportunity to address this issue and to provide some historical context by commenting on the answering of questions by the previous government. I think it is well known that Minister Turnbull is one of the most diligent and hardworking ministers in this building, and he works very hard to provide accurate information in answer to questions from colleagues in this place. I think all senators will recall that Senator Conroy spent some time as the minister for communications—six years, in fact. It felt longer but it was only six years. Senator Conroy was perhaps the most renowned minister for showing unbridled contempt for Senate estimates committees and for the questions asked. That is a tradition he has carried onto the other side of the table in terms of the respect that he affords witnesses not just in the communications committee but also in the defence committee. I remember one particular example. Senator Conroy often provided answers to questions from an estimates committee well after the subsequent round of estimates had been undertaken. I provide that by way of what I hope is helpful context for my colleagues.

I make it clear that the communications portfolio is working very hard to address the hundreds of questions placed on notice. As is the nature of the portfolio, many of them are quite technical in nature and I know that the communications portfolio and Minister Turnbull will not want to do other than provide very accurate information for the benefit of Senate estimates committees.

Senator LUDWIG (Queensland) (15:19): I move:

That the Senate take note of the explanation.

I thank Senator Fifield for his efforts on behalf of the Minister for Communications, Mr Turnbull—however, he has not enlightened me on the date the remaining questions will be answered. That would be particularly helpful, given that estimates are just around the corner. One of the things that Senator Cash quite eloquently said is worth repeating. She said that the minister:

… needs to understand a very crucial thing: every senator as an elected member of this Senate has fundamental constitutional and other rights conferred upon them which they are entitled to exercise in
this chamber. One of those fundamental rights is that we are entitled to ask questions of the government and, in asking those questions, senators on this side—this is when she was in opposition—senators on the other side and senators from the minor parties are entitled to receive answers to those questions in a timely manner.

It is apposite that the government should take a leaf out of its own book when it was in opposition and demanded that questions be answered, and of course on that basis I do think that the government should provide the answers to those questions. They could indicate a time that those question are going to be answered for the benefit of the Senate. It is an area where the minister for communications really does need to lift his game. Speaking on SBS news the night before the election, Mr Abbott said:

No cuts to education, no cuts to health, no change to pensions, no change to the GST and no cuts to the ABC or SBS.

Since that untruth by Mr Abbott he has cut more than $240 million from the ABC and SBS. Mr Turnbull has said that there is more to come, and these cuts will be substantial—proving that Mr Abbott was misleading the public—yet the Prime Minister and his team have steadfastly refused to admit this broken promise. This morning, though, it appears he has had a change of heart. Speaking to Chris Uhlmann on the ABC AM program, and also broadcast live across Australia on the ABC News Breakfast program, Mr Turnbull said:

Look we are making cuts to the ABC and SBS budget, that is true …

The Prime Minister should admit that he has broken his promise not to cut the ABC and SBS, or own up and reverse the cuts to the ABC and SBS budgets.

These are areas where we do have a right to seek to ask questions and to elicit responses from the government in a timely fashion, as the senator opposite has informed the parliament. It is not sufficient to simply come in here and say: 'We will answer the questions when we want to answer them.' That is effectively what you are doing when you are not meeting the deadlines that are set in this place. I have a few more to go through, but that is the point that I make—that this is a very serious matter. This Senate does take it very seriously, and you ought to meet the commitments you have made and address the issues you have raised in opposition as well.

Senator Ian Macdonald: I am again breathless at the hypocrisy not of the speaker, but of his argument—particularly in relation to communications. Senator Conroy, the previous minister, made an absolute arform of never answering any questions, whether it be in this chamber, at estimates or questions on notice. I think when the last government fortunately left office there would have been literally hundreds of questions still on the Notice Paper to Senator Conroy the then communications minister which had never been answered and which, quite frankly—without imputing wrong modems to Senator Conroy, but I think he would agree with me in any case—he never intended to answer.

Question agreed to.

Senator LUDWIG (Queensland) (15:24): In accordance with standing order 74(5), I ask the Attorney-General for an explanation as to why answers have not been provided to questions on notice No. AGDVE14-10, 65, 102, 107, 175 asked during the budget estimates hearing of the Legal and Constitutional Affairs committee in May 2014.
**Senator ABETZ** (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (15:24): I am sure the Attorney-General has a very sound and cogent reason in relation to these matters. I understand that Senator Ludwig is aware that the Attorney-General had to leave the chamber and therefore is unable to give a specific response to him. Having said that, I will briefly indicate that this exercise being undertaken by Senator Ludwig is in fact an exercise in breathtakingly gross hypocrisy. The delays and the non-answers that were suffered year after year—for six long years—while Senator Ludwig was in fact a minister, indicates that some of the unfortunate delays that are currently being occasioned are not because of deliberate tactic, but because of the sheer weight of work. I still especially recall my questions on the ABC going back to estimates after estimates, then Senator Conroy—having had the answers from the department and from the ABC in his office for weeks on end—dropping them the very day after the ABC estimates. It was a dirty tactic, and a tactic that was well known. Here we have the Australian Labor Party literally dumping hundreds of questions on departments and seeking a response, then when they are not in exactly on time, pretending that they somehow have the high moral ground in this area when their record of the past six years speaks so devastatingly for itself.

**Senator LUDWIG** (Queensland) (15:26): I move:

That the Senate take note of the explanation.

That is a sweeping hypocrisy in itself from the leader of the Senate. All we ask is the answers to the questions that we put. Whether or not you want to use mealy-mouthed words to hide the fact, the coalition have not provided the answers to the questions that we have sought. These are important questions about the Attorney-General's portfolio on reviews into the handling of Seven West Media—an awful circumstance which occurred in respect of Seven West Media by this government, and there are supposed to be reviews into this. And we have not heard from the government. To date, they have refused to answer those questions. Nor have they answered our questions about strategy and delivery division, the cost of meeting with Mr Palmer or the handling of FOIs.

The handling of FOIs is one of those areas which is extraordinarily important to the general public and to the opposition to be able to ensure that they can hold this government to account, that it does not hide in the shadows, that it has proper scrutiny and that it has proper transparency. But this government has lacked and failed on all of those issues. Even in the area of FOI you have an ex-secretary of the department who, in answer to a question at budget estimates, said that they were playing 'hardball' in relation to FOI matters. In other words, they do not want to provide what the freedom of information legislation is all about—that is, providing information that is requested by media outlets, the opposition, individuals and the public. What they are doing is again highlighting the continuous broken promises that they have made from budget through to now. These are appalling circumstances, and their best defence today is to just say: 'You did it too.' Well, I thought you said that when you got to government that you were going to be a little bit better than us in this respect; that you were going to try that little bit harder to ensure that you did what you said you would. In answer to an issue also raised by Senator Macdonald: I do not know about other ministers' records, but can I take you to the one that you might have highlighted, which was when I resigned from the ministry and there was a range of unanswered questions that I did leave. We can own up
to that. But they were a bit hard to answer after I had resigned, you can appreciate. My record prior to that was nil. In other words, if you look at my record, I certainly did a whole lot better than some of the portfolios are doing now. Look at the Attorney-General's record!

What we are seeking are things like the cost of ministers' websites, the cost of motor vehicles, the cost of the red-tape reduction squad—questions that should be answered. If your defence is 'you were as bad as we are', can you try a little harder this time around? You set your own benchmark. You indicated that, when you got into government, you would be methodical, you would be open and you would be transparent. I will take a little licence here, but I thought you would do a lot better in answering the questions on notice than you have to date. Over 2,000 are unanswered and I have yet to come to a few of the more appalling ones. Recognising the time I am detaining the chamber—I can see Senator Cash is getting a little nervous about the time she is being detained—I will move to the next area, unless someone else also wants to defend the Attorney-General's record.

Question agreed to.

Senator LUDWIG (Queensland) (15:31): Pursuant to standing order 74(5), I ask the Minister for Finance for an explanation as to why answers have not been provided to questions on notice Nos 207 and 209 asked during the budget estimates hearing of the Finance and Public Administration Committee in May 2014.

Senator CASH (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (15:31): I believe the Senate would recognise that Senator Cormann has, during the course of this debate today, provided a response, albeit not directly to the request put forward by Senator Ludwig right now—but certainly in relation to the motion that he knew was forthcoming. He has had to go to a meeting, but I do want it recognised that he has provided a response to Senator Ludwig's request.

Senator LUDWIG (Queensland) (15:32): I move:

That the Senate take note of the explanation.

I do recognise that this is taking a little time. Senator Cormann may have other important things to do. I recognise that Senator Cash has provided the answer on his behalf, which can be appropriate in such circumstances. However, it is important that ministers take their duties seriously and that they do answer to this chamber. They are the executive. They have certain privileges in this place and, in exercising those privileges, one of their primary duties is to be responsive to the Senate on motions such as this. I gave due notice that this was going to occur today. The government would also have been aware, from reports from their own departments, of the number of questions that were unanswered.

We have supplementary budget estimates shortly—within two weeks. What I do not want to see happen is what has happened in the past: you arrive on the Monday and the final answers have all turned up at 8 am, leaving very little time to go through them. There needs to be enough time to assess the answers and prepare for estimates based on those answers. It is important that ministers take this duty seriously and commit to providing answers.

These are important matters that the Minister for Finance should speak on. Under the Abbott government's watch, the budget deficit for 2013-14 went from $30.1 billion—as assessed in the independent Pre-election economic and fiscal outlook—to $48.5 billion in the
final budget outcome released today. In other words, of the $18.4 billion blow-out, over half—$10.8 billion—is due to policy decisions taken by the Abbott government, including the $8.8 billion grant to the Reserve Bank of Australia. Other key decisions by the Abbott government in 2013-14 included reducing the amount of tax paid by multinational companies. The Abbott government's treatment of fiscal policy for the 2013-14 financial year tells you everything you need to know about their political approach and their values.

Unanswered questions are just another brick in the wall of this opaque government. They lack transparency. They want to hide behind that brick wall and ensure that they escape scrutiny. For the Treasurer and the Abbott government it is about perpetrating budget manipulation to reward their supporters and punish ordinary Australian people. You can criticise me all you like for asking for questions on notice to be answered within a reasonable time prior to estimates. I will take that criticism. But you said that you would be a lot better than us and, to date, my assessment is that you are failing abysmally.

Question agreed to.

**Senator LUDWIG** (Queensland) (15:35): Pursuant to standing order 74(5), I ask the Assistant Minister for Immigration and Border Protection for an explanation as to why answers have not been provided to questions on notice Nos 467, 468, 486, 494, 515, 526 and 533 asked during the budget estimates hearings of the Legal and Constitutional Affairs Committee in May 2014.

**Senator CASH** (Western Australia—Assistant Minister for Immigration and Border Protection and Minister Assisting the Prime Minister for Women) (15:36): I have to say to Senator Ludwig, through you, Mr Deputy President: your face should be the colour of your tie, such is your hypocrisy today. Senator Ludwig, you are right. I stand by the words that I said when, time after time after time after time after time, I stood on that side of the chamber and, a week prior to estimates, we still had answers to questions on notice outstanding under your government. You are right. We have set the bar very, very high for ourselves on the government side and at all times we will strive to ensure that we reach those high standards not only that have we set for ourselves but that should be demanded of us by the public. We will at all times strive to meet those standards, unlike those on the other side when they were in government. There are two choices: you either had no bar—so, quite frankly, you could fail as many times as you liked and it did not matter—or, alternatively, you did have a bar but you set the bar so low that, even if you provided one answer out of several thousand, you considered it a win for your side. That is not how we are going to behave on this side of the chamber.

I timed Senator Ludwig when he read out the question numbers that my department, the Department of Immigration and Border Protection, have outstanding from the May 2014 budget estimates. It took him exactly six seconds to put the question numbers on the record. To put that into context, if I were to ask for an explanation as to why, in the October 2012 Senate estimates hearings, the minister had not provided answers to 331 of the questions I had placed on notice and I listed the question numbers, quite frankly, Senator Ludwig, you and I would be here for the rest of the afternoon! But I am quite sure that the chamber has been detained enough today by the rank hypocrisy that is being shown by those on the other side.

In relation to my own portfolio, I place on the record that we took some 616 questions on notice at the May budget estimates hearings earlier this year. Senator Ludwig would be well
aware that the questions that my department takes on notice are very complex and, on a number of occasions, will have numerous subparts. To date, two weeks prior to the next round of estimates hearings, I am pleased to advise the Senate that, out of the 616 questions that we took on notice, 598 have been answered.

Senator Smith: Well done.

Senator CASH: Thank you, Senator Smith. I do say 'well done' to my department because I know from putting questions on notice myself just how complex some of those questions are.

As I said, we have set a very, very high bar for ourselves on this side of the chamber, unlike those opposite, who had absolutely no regard at all for the Senate standing orders which Senator Ludwig is here today pretending that he actually has some form of respect for. Because, whilst you can stand here and say that, Senator Ludwig, unfortunately your record during six years in government is of failing to provide answers for estimates after estimates after estimates in relation to, yes, every single portfolio that you, Senator Ludwig—through you, Mr Deputy President—have raised today. Your government consistently, blatantly and flagrantly abused the standing orders of the Senate and did not meet the deadlines that, to quote you, were set by the Senate itself.

In terms of percentages, I go back to the October 2012 Senate estimates hearings. If I were on the other side now and raising it, in excess of 50 per cent of the questions that I had put on notice would still not have been answered—in excess of 50 per cent. If I put that into context today, Senator Ludwig, yes, some remain outstanding, but that figure is but three per cent, again because we set ourselves a very high bar on the side chamber and that is what we will strive to achieve.

When I used to come into this place to raise questions pursuant to standing order 74(5), as did many on this side and as Senator Ludwig has quite rightly done today, even after the minister at the time had stood up and given me the explanation—which was at the time a very poor explanation—of why answers had not been provided, I was still not actually provided with them prior to estimates. In fact, I used to often dread the Sunday night before the Monday when I commenced my estimates because I could almost be guaranteed that in the dark of night I would receive a dump, from the relevant minister, of answers. I am assuming he hoped that we would not have time to go through them before we actually commenced estimates on the Monday. Alternatively, on the Monday, I would still not have received answers to questions and I would have to, unfortunately, ask the departmental secretary. I am sure it was not his fault, but I would have to ask him why we had commenced estimates and I still was not in receipt of answers to questions I had placed on notice.

So, Senator Ludwig, whilst I stand by the comments that I made when I was on that side of the chamber, we have set ourselves an exceptionally high bar on this side of the chamber. I can assure the Senate and I can assure the Australian people that at all times we will strive to achieve that exceptionally high bar that we have set ourselves. Certainly, I have done so in relation to my portfolio, with three per cent of answers being outstanding, or 18 out of 616 questions—which I have raised with the department.
Senator Ludwig, I have to say I am a little disappointed that you would come in today and, with such venom and such conviction, act like you on your side of the chamber have ever in any way tried to comply or had any respect at all for the standing orders of the Senate.

The DEPUTY PRESIDENT: The Clerk has quite rightly brought to my attention that standing order 74(5) is the request for an explanation of a minister. It then enables the senator who has asked for the explanation to move a motion to take note of explanation, and that is the part where the debate about the reason should take place. In some respects, it really just changes where this debate can take place. I do not know if Senator Ludwig has more of these to do. But if he does I will ask the minister to make an explanation and then make further contributions if they so wish on the motion that is then before the chamber. But I certainly did not want to interrupt you, Senator Cash, given that this is the way we have carried on the debate so far.

Senator LUDWIG (Queensland) (15:46): I did note the odd way that they were answering the standing order 74(5) request. However, it was interesting to hear. I move:

That the Senate take note of the explanation.

I do find that, in all of this, what I was trying to elicit from those opposite was a simple explanation as to the reason why they have not provided the answers to the questions that we have asked.

Senator Cash interjecting—

Senator LUDWIG: But, to take an interjection, I think they do, in this instance, protest too much. It is a simple matter. All you have to do is commit to answer the questions that we have asked. That is the simple thing you need to do. We have not heard a commitment from any minister yet to answer the questions that have been asked. We have heard some weasel words. We have heard part explanations. But mostly what we have heard is an attack on the opposition for simply doing what we are entitled to do in this place, which used to ask why questions have remained unanswered.

Senator Cash does, I think, protest too much, because I will go back to what Senator Cash said. They are prophetic words and you ought to be very careful when you make them because they will be served back to the Senate. To quote Senator Cash:

One of those fundamental rights is that we are entitled to ask questions of the government and, in asking those questions, senators on this side senators on the other side and senators from the minor parties are entitled to receive answers to those questions in a timely manner.

Senator Cash may want to attack me for raising this. I am big enough to take that attack. She may want to also throw slurs at me. I am big enough and my shoulders are broad enough to take that. But this is a simple matter that only needs to end in: ‘Yes, we commit to answer those questions and we commit not to do what was done in other portfolios at budget estimates in that they dumped them on the Sunday night.’ If you have sleepless nights when you are in opposition on Sunday night before budget, so do we in this instance because we dread the huge number of unanswered questions being dumped on us at the very late stage in estimates.

This opposition does have an opportunity to ask questions. We do want to be able to follow up with answers to those questions, and in setting their high bar, all that they have done in the explanation is complain about our record. Well, our record speaks to itself. You are creating
your own record here and you are not meeting it very well. In fact, what you are doing is setting a very poor record. There are in the order of almost 2,000 questions on notice still unanswered lodged by Labor concerning basic questions about expenditure and operation. You have to ask yourself what this government has got to hide.

But Senator Cash, in her own estimates, we will not mention the time when Mr Morrison bumped her from estimates and make sure he was there to answer the questions rather than Senator—

Senator Cash: It was not estimates, it was a hearing.

Senator Ludwig: I stand corrected. I am pleased you can remember it so clearly. It must have hurt when, in that hearing, you were bumped from answering the questions, and I recognise that Mr Scott Morrison answered those questions on your behalf. But it is an area where you ought to strive to meet these obligations, and I think it does not say much for the government when they attack me and say that I might have any other motive than ensuring that you answer these questions. If you look at my record as manager and in government, I have been assiduously careful in meeting all of those obligations where I could possibly do so. When I did not meet the expectations of the opposition, I came in here and gave an explanation as to why and a commitment about answering those questions. But I have not heard either an explanation or a commitment to answer those questions prior to estimates from any of those on the frontbench so that the opposition can meet its obligations to look at those answers and be apprised of those answers so that they can ensure that proper scrutiny of the executive is undertaken.

Senator Ian MacDonald (Queensland) (15:52): Can I give Senator Ludwig a reason why there are 18 questions outstanding out of 616 asked in the immigration and border protection portfolio? It is because, appropriately, most of the staff of the department are out doing what they should be doing—that is, protecting our borders and maintaining our very generous migration system. Because of Labor's inadequacies—there were literally hundreds of boats arriving on our shores unchallenged every month of the year during the six years of Labor government—we had to direct a lot of attention and resources to stopping the boats and to correcting Labor's mismanagement.

I do not want to delay the Senate too much further on this afternoon for opposition business. Suffice it to point out, though, that in my long experience in this chamber, Labor has been absolutely atrocious in this area and not just in the last six years of Labor governments. The Hawke and Keating Labor governments were equally arrogant in ignoring the Senate in answering questions. In relation to Senator Cash's portfolio, I point out that 616 questions were taken on notice. I chair that committee, so I am conscious of the questions that were taken on notice. Many of them were very complicated, difficult and sensitive questions. The fact is that 598 of the 616 questions have already been answered. From the past experience we have had of this government and these ministers, I am very confident that the final 18 out of the 616 questions will be answered by the time the next estimates comes around. This is in contrast to the situation under Labor. As Senator Cash has mentioned, on the Sunday night before estimates started Labor dumped 500 or 600 answers to questions, knowing full well that no human being could properly read, assess and analyse those answers in the limited time available before Senate estimates started at 9 o'clock the following morning.
I want to take the opportunity to congratulate both Senator Cash and Senator Brandis. I did not speak on the motion when Senator Ludwig raised the Attorney-General's portfolio, but that was also in the committee that I chair. I congratulate both Senator Cash and Senator Brandis on the way they answer questions at the table but also, more importantly for the purposes of this debate, the way that they ensure their departments provide the appropriate written answers prior to the time set by the Senate or, at the very latest, the occurrence of the next estimates committee hearing.

I do not like to raise this, because it really bring shame to every senator, but a lot of the questions on notice in this Senate inquiry were asked by Senator Conroy after he came in and made that absolutely disgraceful attack on a senior serving officer of the Australian Defence Force. As I say, I hesitate to raise it because, although it was Senator Conroy from the Labor Party who made the attack, the attack on a distinguished, decorated, serving officer doing his duty as he is required to do was a disgrace. It brought contempt not only, appropriately, on Senator Conroy but on the Senate as a whole. As a result of Senator Conroy's rebuff at the time, senators might recall that I shut down the committee hearing until Senator Conroy apologised to the officer. For some time he petulantly refused to apologise, but eventually he realised that he was holding up the whole Senate estimates process, and so he came back reluctantly—not very genuinely, I might say—and made the appropriate apology.

Senator Bilyk: I rise on a point of order on relevance. We are looking for an explanation, not a diatribe from Senator Macdonald.

The DEPUTY PRESIDENT: The motion before the Senate is taking note of the explanation. My understanding from the explanation is that some or all of these questions were asked at Senate estimates. Senator Macdonald is probably at the edge, but he is still within the bounds of relevance.

Senator IAN MACDONALD: Mr Deputy President, not that it is of any comfort and not that you need my imprimatur, but thank you for what is obviously a correct ruling. The motion that perhaps the Deputy Opposition Whip in the Senate did not understand was that we take note of the answer. It is a bit hard to be too precise on a motion to take note. Anyhow, I will continue.

I can understand why Senator Bilyk would want to try to protect Senator Conroy from any additional embarrassment. Senator Bilyk, like all the rest of us, wants to forget Senator Conroy's outrageous behaviour. I can understand why the Labor Party would like to obliterate it from the annals of this Senate chamber. Senator Conroy attacked a senior Defence officer, who was really unable to do anything except say, 'I refuse to answer that'. He wanted to say, 'I will treat it with the absolute contempt it deserves' but senior serving military officers do not do that at Senate estimates committees; they show more respect to Senate estimates committee's than Senator Conroy showed at that time. I understand why Senator Bilyk took the point of order to try to stop any recollection of that disgraceful episode in the annals of this Senate.

Again, I am conscious that this is the afternoon for opposition business. Far be it from me to in any way prevent the opposition from whatever business they might happen to have. It seemed to me to be a rather odd strategy that this sort of action would be taken on opposition business day, but so be it.
I will finish by highlighting something that Labor senators who have been here for a while will simply not comprehend. They will not understand that of 616 questions taken on notice at the Senate estimates committee for Senator Cash's portfolio all bar 18 have already been answered, and I am very confident that the other 18 will be answered within the next two weeks. I might say the same for Senator Brandis's portfolio. I know that both ministers will do everything in their power to ensure that the rules of the Senate are followed and that answers are given so that the Senate can operate in the way it should.

Question agreed to.

Senator LUDWIG (Queensland) (16:00): Pursuant to standing order 74(5) I ask the Minister representing the Treasurer for an explanation as to why answers have not been provided to over 1,700 questions on notice. I have made the numbers of the questions available to the chamber to be circulated. The questions were asked during the budget estimates hearing of the Economics Committee, in May 2014. I move:

That answers to questions on notice, the details of which have been circulated, be tabled in the Senate today no later than 5 pm.

We have an extraordinary position here today where not even the duty minister stood up to defend Mr Hockey's lack of answers to questions. Not even the duty minister could be bothered to defend a record as bad as that of 1,700 unanswered questions, which is why I have moved the motion today requiring him to meet a deadline of 5 pm. I have not done it to the other ministers, who at least made a half-hearted attempt, in some cases, and almost an explanation in other cases, to explain why they did not answer the questions that have been asked, within the time allotted. In themselves, they have appalling records, but this is the most appalling record: 1,700 questions unanswered, and silence from those opposite in this regard. No defence and no explanation. It is an appalling circumstance from this government. And it is not unsurprising from this government, where not even the duty minister could raise himself out of his seat to provide even a pitiful explanation.

But look at the record of this government. This is a government that has not answered 2,000 questions. I note that Senator Macdonald—maybe this is faint praise from me—is the only one from the coalition who attempted to provide an explanation as to why, and a commitment as to when the questions would be answered, although it was on their behalf. No other frontbencher made any attempt to commit to answering the question or to provide a date upon which they will be provided. Not one. Their only excuse, not an explanation, was to attack our record. Our record stands on its own. Our record in answering questions is a lot better than the silence from those opposite today. Mind you, though, Senator Macdonald does maybe need a lesson in procedure. The general business motion comes in at 4.30 and gets its full time until six o'clock. This is certainly not taking up general business. We will all have a good opportunity shortly for that debate.

In this instance is very important for the Senate to understand that it is not permissible not to provide a) explanations to questions asked by the Senate; and, b) if they do not provide that explanation they should at least commit in that explanation, if they do not have one, to answer the questions, and certainly answer them prior to estimates so that this place can examine the answers. On these issues, when the government were in opposition they did raise the same things. Senator Abetz said at that time:

This is indicative of a government that has no concern for the parliamentary process.
That is apposite now, as it was then.

This government has no concern for parliamentary process. It has shunned parliamentary process. It has ensured that it will play hard-ball with FOI applications. It has broken promises and lied at the election. It lied about no cuts to education, no cuts to health, no changes to pensions, no changes to the GST, and, most awful of all, we have already had now an admission from the communications minister that they did lie. They said there would be no cuts to the ABC or SBS, but today we find out that they lied. There will be cuts to the ABC and SBS. This is typical of a government that does not want to provide information. It lacks transparency. It has made an art form of not answering questions that have been asked by the opposition. We say that their explanations today have been pitiful. Their explanations have not been fulsome. I recognise that all ministers cannot be here. Senator Cormann did say that he could not be here. He had urgent business. I recognise that, but you would at least have expected the sitting duty minister to provide such an explanation on his behalf. As manager, in the past, that is what I had to do, and it was done with careful words but with a commitment to answer the questions that have been asked. In this instance we have not heard one jot from that. It is an appalling record. Why? Well, I suspect nobody wants to defend Mr Hockey. Mr Hockey has made himself that unpopular. He is even more unpopular than Mr Abbott, so nobody from the other side wants to defend Mr Hockey or his record. In this place, his record speaks for itself. He has been an abysmal failure as Treasurer and the unanswered questions simply underscore this point that this minister has failed.

He has not been able to carry a budget. Months later, we are still talking about a budget. Most budgets get through and are finalised, so we can move on, within the first month or so and sometimes even less. In this instance, it is four months on and we are still talking about a failed budget. It is time for Mr Hockey to cut and run to wrap-up his budget, recognise that he made a huge failing and recognise that he made a huge mistake. He needs to call it quits, because in this instance Mr Hockey ought to take a lesson from the 1,700 questions unanswered. That is because his budget remains also unanswered.

We have had the government saying in this place that when they come into government they would be methodical, they would answer the questions on notice, they would take parliament seriously, they were treated with due deference and they would ensure that we got the information that we asked for. But what do we find? They are all talk and no action. They are all talk with very little action to fulfil those commitments. That was further underlined when you looked at Mr Hockey's budget and when he and Mr Abbott said prior to the election that there would not be cuts to education or to health and there would be no changes to the pension. All of this is unravelling for the coalition. They are not true to a word and they have not met the requirements of this place. That is why today I have asked to take note of these matters, because the extraordinary lack of attention to detail from those opposite has brought us here.

If you then go back to the primary issue, the Abbott government has still not answered 2,000 questions on notice lodged by Labor concerning some of the fundamental, basic questions about it spending on operations that we should have answered in this place. Why do they not want to answer those questions? I can proffer an answer. It is because they have got plenty to hide. They do not want the scrutiny. Their answers, like Mr Morrison's answers with Operation Sovereign Borders, is that they do not want to answer questions on this. Instead,
they will flick past them for all of reasons that he might say, but scrutiny is not high on his agenda. Mr Hockey and this government are all following on the same song sheet.

It is an extraordinary circumstance that we are in. I trust that they will take note of this issue and ensure that the questions are answered in this place. That is because what we have uncovered in questions where they do answer is a Christmas party held at a burlesque bar by Peter Costello’s Future Fund Management Agency. That was a dreadful waste. There was a $36,000 bookshelf for Senator Brandis. What can I say? Plenty has been said about that, but I suspect that the Attorney-General may not have learnt his lesson from that. Up to $2 million for each departmental red-tape reduction squad has been revealed. That is an extraordinary circumstances in itself, where if they did not answer the questions we would not now know that they had put together a red-tape squad. In some cases, they have not even covered the cost of the squad itself in the reduction of red tape. It should be the ordinary work of government, but they have made it into an art form.

There is over $60,000 a day being spent on taxis. $50,000 was splurged on upgrades to gym lockers. These are the issues that this government does not want to tell the public about. That is because on the other side of their persona, what they are saying is, ‘We are Scrooge, we have got to be careful with our money and we have to ensure that we are savers and not spenders.’ But what the questions do show is that they are spenders. They are spenders on waste and mismanagement. That is what this coalition government stands for.

Can I remind those opposite that it is a duty to take them on board and answer the questions provided. Given the time that I have taken, I will keep my contribution short. I note that I have not taken the full 20 minutes for each of the questions that I could have otherwise taken. I have ensured that I have kept it succinct and to the point, so that this government recognises their failings in this regard. Their only response to date has been to say, ‘Look at them and look at us. Labor had a worse record.’ That is not an explanation, it is not an argument and it is not a debate that is entertained in here. They are in government now and they have the reins. They are the executive and they should be held to account. They should manage their circumstances and they should commit to answering the questions that are unanswered.

Question agreed to.

**QUESTIONS WITHOUT NOTICE: TAKE NOTE OF ANSWERS**

**Aged Care**

**Superannuation**

**Senator POLLEY** (Tasmania) (16:14): I move:

That the Senate take note of the answers given by the Assistant Minister for Social Services (Senator Fifield) and the Minister for Employment (Senator Abetz) to questions without notice asked by Senators Polley and Bullock today relating to the Dementia and Severe Behaviours Supplement and to the superannuation guarantee.

Today in question time, for those who have just joined us, I did ask the Assistant Minister for Social Services, Senator Fifield, how much longer aged-care providers and people suffering with severe symptoms of dementia and their families would have to wait for this government to do something about ensuring that those people that are cared for are given the appropriate care from the funding that was axed, as we know, at the end of June.
The day after tomorrow will in fact mark 100 days since the Abbott government announced the axing of the Dementia and Severe Behaviours Supplement. After 100 days, we still have no real indication of what the government intends to do. Today Senator Fifield continued to be evasive in giving us any sort of answer. This is hardly surprising from a minister who clearly has not had his eye on the ball. The government’s incompetence, inattention and inaction have hurt aged care providers, big and small. More significantly, the government have hurt the most vulnerable residents in aged care facilities and, all the while, they have refused to provide answers or outline any sort of plan that will restore certainty to the sector.

The review which the minister spoke about was a result of the fact that there were signs of a cost blow-out. But what is critical here is that the department advised the government in clear terms that government could fund interim projects while a new scheme was being designed so that the aged care providers would not be left high and dry. In fact, we know that Senator Fifield wrote to the secretary of the Department of Social Services, Finn Pratt, promising that he intended to develop—and I quote directly—‘an interim and ongoing measure to fill the void left by the scrapping of the supplement’. But, of course, he did not do this. One hundred days later and we still have nothing in place. The documents that we have also reveal what we have suspected all along: the government was incredibly slow to communicate their future plans and failed to provide assurances to a nervous aged care sector, and this is despite the department warning about the sensitivities to axing this supplement. In fact, on 4 February this year, the department informed Senator Fifield that prior to commencing its review it would write to the aged care peak bodies informing them of the review. But did they receive this correspondence? Was there any consultation? No. The peak bodies and the large providers have indicated that they received no correspondence—none at all. Senator Fifield clearly was not on top of what was occurring, or rather what was not occurring, in his department.

The government has been asleep at the wheel on the Dementia and Severe Behaviours Supplement. It is as simple as that. On their watch, the government allowed this supplement to spiral completely out of control. There were warning bells, and they were ignored. It became clear early on that the implementation of the scheme needed to be addressed. Leadership was required to steer this ship back on course. The fact is that this government would have known in late 2013 that the supplement needed to be addressed, but it was not tackled in MYEFO last November or in this year’s budget. Senator Fifield and his government dithered, waited and failed to act. And then they panicked and scrapped the supplement. Is this really good enough? Of course it is not. We need a minister who is on top of his brief. We need a minister who has his department monitoring compliance with key government schemes. We need a minister who has a solid working relationship with his department and a real interest in his portfolio. Right now, we do not have that and the real losers are the hardworking staff in the aged care sector and the vulnerable people with dementia. These people deserve much better. Clearly this is a minister who has no interest in his portfolio. This is a minister who is not on top of his brief. This is a minister who obviously does not have a good working relationship with his department. It is not good enough for those people on that side of the chamber who are now in government to continually blame the former government for something which they now have responsibility for. *(Time expired)*
Senator SMITH (Western Australia) (16:19): For those who are listening to this debate in the gallery and elsewhere, let me just summarise what has happened in the last 45 minutes. So confident were the Labor Party, the Labor opposition, in their performance at question time today that, for the last 45 minutes, they have been talking about issues that were not the substance of their question time contribution. What does this mean? We now have half the time available to us to discuss the issues raised at question time. What does this demonstrate? It demonstrates that Labor do not even trust their own performance in question time.

Senator Polley said something very important. She said that leadership was required to steer the ship back on course. What ship are we talking about? We are talking about the Dementia and Severe Behaviours Supplement. There is no-one doubt that, as a consequence of the ageing population, more of our older Australians will unfortunately suffer from dementia. A smaller group of them, just as unfortunately, will suffer from severe behaviour difficulties. We know that, with age, the prevalence of dementia rises from one in 10 when you are aged 65 years and over to three in 10 when you are aged 85 years and over.

So let us just get to the nub of the problem. The Dementia and Severe Behaviours Supplement was the NBN of the aged care system under Labor. It was poorly designed and badly implemented. Its costs were exaggerated because Labor designed it badly. How badly did you design it? How badly could Labor have designed it? What was the depth of your poor design? Let us think about this. Originally, the program was designed to support the care of 2,000 residents with severe behaviours; at last count, it was supporting 29,000 residents. You designed a system that would cost the taxpayer $110 million over those 11 months. Now those costs are extreme, because you designed a very bad system. It must be embarrassing to find yourself in opposition now, having to curry favour with people and hide from your poor—

Senator Polley interjecting—

The DEPUTY PRESIDENT: Order! There is too much interjecting happening.

Senator SMITH: Hide from your poor design. What would the future have looked like if the very responsible minister did not take any action? What would the future have looked like, Senator Polley? Let me tell you. Had it continued—

Senator Polley interjecting—

Senator SMITH: Senator Polley, apologies: I cannot understand a word you are saying. Let me speak.

The DEPUTY PRESIDENT: Senator Smith, you are quite correct. You have the call, and I call the chamber to order. There has been enough interjecting in this contribution. I would like Senator Smith to be heard in silence.

Senator SMITH: Thank you, Mr Deputy President. I will change my tone slightly. If corrective action had not been taken by the new government and the new minister, and the dementia and severe behaviour supplement been allowed to continue, the payment would have cost $780 million over four years, rather than the $52 million that had been budgeted under Labor, and more than $1.5 billion over 10 years. Let us be clear, the coalition believes that people with dementia and severe behaviour issues need to be supported. We disagree with the way that you did it. It was irresponsible from a policy perspective and irresponsible
from a budget perspective. I have a challenge for Labor. Let us assume for one second that the supplement should stay. How does Labor propose to meet the financial cost of $780 million?

Senator Bilyk interjecting—

Senator SMITH: Senator Bilyk, which programs would you like to see end?

Senator Polley interjecting—

Senator SMITH: Senator Polley, which programs would you like to see end?

The DEPUTY PRESIDENT: Order! Senator Smith, I will ask you not to direct your comments at senators, because it does not assist the chamber. I would ask you to direct your comments through the chair.

Senator SMITH: Through you, Mr Deputy President, the challenge for the Labor opposition is to identify what programs and policies they would end if they were to support the supplement in its current form. (Time expired)

The DEPUTY PRESIDENT: Senator Bilyk, I forewarn you that this debate will close at 4.30.

Senator BILYK (Tasmania—Deputy Opposition Whip in the Senate) (16:24): I rise today to take note of answers from Senator Abetz to Senator Bullock with regard to the very important question of superannuation for Australian workers. In government, federal Labor put in place mechanisms to lift the superannuation guarantee from nine to 12 per cent from 1 July 2013. That would have boosted the retirement savings of 8.4 million Australians and would have lifted retirement savings more than $500 billion by 2037. A person aged 30 today on average full-time earnings would have retired with an extra $127,000 in superannuation savings.

Before the election, on 14 different occasions, Mr Abbott promised there would be no unexpected adverse changes to superannuation. Because of a tawdry backroom deal with Mr Palmer, over nine million working Australians will be worse off in retirement. Mr Abbott, we know, does not believe that superannuation is necessary. I have a quote from him that says:

Compulsory superannuation is one of the biggest con jobs ever foisted by government on the Australian people.

He said that back in 1995, but I do not for a minute think that he has changed his mind with regard to superannuation. In March 2012, he said:

We have always as a coalition been against compulsory superannuation increases.

They were being honest, for a change, about what they think about superannuation. But in 2013 the Prime Minister appeared to have moved a bit, because he said in a doorstop interview:

... the commitment I give is that there will be no unexpected adverse changes to superannuation.

If people's not being able to put away enough money to have a comfortable retirement is not an adverse change, I do not know what is. In my book, that is an adverse change.

The government's freezing of the superannuation guarantee is another broken promise, which will hit the retirement savings, as I said, of nearly nine million Australian workers. If you are 25 and you are earning an average income, you will be $100,000 worse off by the time you retire. I would like people to think about that, because, with an ageing population, people are going to rely more on their superannuation. I notice that those on the other side—
the couple that are able to be here—have their heads down. I think that is because they are very ashamed of that fact. They realise that people work very hard all their life to be able to live in their retirement in a comfortable—I am not talking about lavish—lifestyle. But, no, according to that side of the room, you do not deserve to have that comfort. In question time, Senator Abetz said words to the effect that people would receive the difference in their wages. Senator Abetz, I have news for you. Talk to some of the local small businesses in the area in which you and I live, because they are telling me that they are not going to pay it into wages. Those people are going to miss out altogether. It is not a swap; it is a dud deal by those on the that side. I am not saying that all employers will not pass it on, but I know already of a number in Tasmania, Senator Abetz's and my home state, that will not pass it on.

We have people who will be worse off in their retirement, due to the heartless, cruel tactics of the government. They have come in and said, 'No cuts to pensions, no adverse effects to superannuation, no cuts to education,' but all we have had from them is exactly the opposite. They do not have the honesty to face the people before the election and say that there will be no changes to superannuation. Superannuation is an important part of most people's future planning and future strategy. People plan a long time ahead for their superannuation and their retirement. So not having that money available to them because it has been frozen by this government, because allegedly there is some budget crisis—(Time expired)

Question agreed to.

**MOTIONS**

**Higher Education**

Senator KIM CARR (Victoria) (16:30): I move:

That the Senate notes the adverse impact of the Abbott Government's proposed cuts to university funding and deregulation of higher education fees.

Today is a very inconvenient day for the Minister for Education because today a report card has been delivered on the performance of the Australian university system, and it is a very good report card. The Times Higher Education world university rankings show Australia has, indeed, a world-class university system. As Phil Baty, the editor of the Times Higher Education world university rankings, says:

This has been a strong year for Australia, with just about all of its top universities moving up the rankings.

The data shows that Australia does not have just a few world-class universities, but a world-class system …

Eight Australian universities have now made the top 200 and a further 12 universities have entered into the rankings in the 200 to 400 group. How inconvenient! We had the Treasurer yesterday saying that we had to have deregulation of the university system so we could get into the top 200. But now we clearly have evidence otherwise. It is reflected in so many of the different world indices just how strong the Australian education system is.

There has been no slide in international competitiveness, which is what has been asserted by the government. Rather, what you see on the evidence is improvement in the performance of the Australian university system. Australia's university system is no doubt—and, as a result of these rankings, this cannot be argued—amongst the best in the world. In fact, I believe it is probably fifth in the world systems at the moment.
We, Australia, are not sliding into mediocrity. We are well and truly punching above our weight. These rankings highlight just how good our universities are as a direct result of the funding put to these universities by the Australian Labor Party in government. There was a 100 per cent increase in funding. There was a 100 per cent increase over the life of the Labor government through to the end of the current forward estimates. Our record has shown major investments in science and research, with a 42 per cent increase in funding for science and research.

But all of this great achievement is under threat from the madcap ideology of the North Shore suburbs of Sydney and the merchant bankers’ attitude that is so prevalent there, which thinks that everything west of the Sydney Harbour Bridge is a foreign land. They take the view that if you are rich and powerful then you are entitled to get public support, and the rest of us can go to blazes. This is a system that we have seen produce the mentality of the Treasurer, Mr Hockey, with his destruction of manufacturing. It is the sort of attitude that you see even Mr Turnbull expressing from time to time. All of those who are very familiar with the millionaires’ club understand that if you look after your own people they will look after you as well, won’t they? That is the whole premise on which the Liberal Party operates.

Mr Baty, the editor of the *Times Higher Education world university rankings*, says:

The big question, as Australia moves into a period of radical reform with the full deregulation of tuition fees, is whether this admirable strength-in-depth—

this is how he describes the present system—

can be maintained …

The reforms may help a small … elite protect or even improve their global standing, but what about the rest?

Are we going to see a greater polarisation in Australia between a global super-elite and a large number of also-rans …

In his assessment, a large number would go into a period of decline. These are very good questions. These are very good questions that we in this Senate have to consider because legislation is currently before a Senate committee of this parliament which poses these very questions.

The report we have today from this world index is a stunning rebuke to the government. It is a stunning rebuke to their savage cuts. A 20 per cent reduction is what this government is seeking in the teaching programs of our universities, with substantial cuts to research programs, fee increases of up to 10 per cent for research students and a system of deregulation which would lead to unrestrained increases in student fees and reinforce the notion that those with money should be able to protect their privileged positions in society and pass on to their kids those privileged positions. We see from this index a rebuke to this government’s policies on research, with their cuts to the Australian Research Council and the Research Training Scheme and their introduction of higher fees for PhD students. The government's policies are clearly in tatters.

We know that this is a government—whether it be on Medicare changes, the protection of financial services, the wilful destruction, as I say, of manufacturing or the abandonment of Defence workers—that is deeply unpopular as the public understands just how much they were misled. They were misled by a government that went to the last election and said that
there would be no cuts to education, there would be no cuts to health, there would be no cuts to the ABC, and of course we see after the election some of the most savage reductions in public expenditure in the nation's history. But it is not just that. We see the attempt to impose a philosophy on the operations of our university system that, at its core, suggests an immorality—an immorality that says that we should abandon people who are not so well off, we should abandon the traditional commitment that this country has had to the idea that if you work hard and if you have the brains then you have the right to expect a quality education.

This government is trying to price education out of the reach of hundreds of thousands of Australian families. You will not be able to find an interest group—one university, one student group, one staff group, one professional group—that actually supports the government's package as it stands; not one. It is a policy that is rotten to the core. It is a policy that cannot be fixed by the odd amendment here or there. It cannot simply be amended. This is legislation that cannot be sugar coated. We know that the minister is talking about the realities, as this government has had to do in so many areas, of introducing such ham-fisted, such illogical, such dishonest legislation as we see in terms of what is being done with the universities.

Yesterday the government had to acknowledge certain realities with regard to social security legislation. In so many areas the government has to recognise that its reductions in people's social rights will not be tolerated. We know now that the education minister is joining that long conga line of ministers trying to find some grovelling way to get out of his predicament. He is talking to his trusted vice-chancellors about how he can put this legislation off until next year. Maybe he can get past March next year. The lie that is being told—that the Senate has this choice between deregulation and budget cuts—is being exposed. The reality is that the government cannot impose its budget cuts without changes to legislation. That requires this Senate to agree. And despite all the minister's efforts to secure a majority, it is quite clear that a majority in this chamber does not exist.

So, the minister is seeking to find an escape hatch—as he should. This is legislation that is fundamentally flawed. This is legislation that should never have been introduced. It certainly should not have been introduced without a proper discussion and in complete contrast with what was actually said prior to the last election. It should not have been introduced in the knowledge that it had such far-reaching implications. In the past when governments have sought to fundamentally change the structure of our university system the established practice has been to talk to people first—to have a green paper, a white paper, a consultative council—and then to have legislation. That is what John Dawkins did, for instance, when he wanted to champion—

Senator McKenzie: I'm glad you brought that up!

Senator KIM CARR: I recall, Senator: John Dawkins introduced some changes which you vigorously opposed. Do you remember those? I think you are on the public record, down at Deakin saying that you strenuously stood on a platform opposing any fees whatsoever. I look forward to hearing you explain how you now support it. Perhaps you are like the Minister for Education, who, when he has been caught out on this, has said, 'I simply told people what they wanted to hear.' He was in training to be the education minister of the Commonwealth of Australia! As a student, he just told them what they wanted to hear—did not believe a word of it, he says now.
We have a situation where the government is seeking to delay these bills until next year. They will keep on being on the table. They will say, 'Oh, yes, we're sticking to our guns here; we're determined to fight on, but we'll have to deal with it another time.' And of course they know that come next March, under the current law, there is a need for a reconciliation between what is in the budget and what is in the legislation. They are withholding the money from universities at this time, despite the fact that the parliament has now rejected those changes three times. They are saying, 'We'll get them through later on.' We will find that by next March, under law, they are required to make a reconciliation and that universities will be able to pursue their legal rights at law.

It is not good enough for the government to simply announce that they are going to slash the budget where there is a clear piece of legislation indicating the way in which money is to be expended. They expend money on the authority granted by the parliament. They do not have the discretion simply to rewrite the legislation without parliamentary approval. The government knows this. They know it is bad policy, and they know it is flawed policy, so they need to find a new narrative to explain their funding cuts, their breach of promise to the electorate, their undermining of their commitments to the Australian people. They need to explain how they have stripped out of Australia the basic principle of a fair go. They have to explain what they have done to undermine the research program upon which our prosperity—new industries, new technologies, new opportunities—is so heavily reliant. They have to explain all of that. So they will simply be trying to run some sort of argument that the reality of their dog-eat-dog policies, their survival-of-the-fittest vision, has hit this tremendous brick wall. And that is what the Senate inquiry will be able to highlight to them—just how much of a brick wall they have hit. They simply will not be able to conceal the fact that the moral imperative of higher education cannot be escaped.

It is morally wrong to vastly increase the cost of a degree, to shift the burden of paying that cost on to students, especially those from disadvantaged backgrounds. It is morally wrong to claim that you are only asking for 50 per cent in payments when in reality we know that under the charges that have already been proposed by a number of universities, particularly the University of Western Australia, the figure is between 60 and 70 per cent; it is morally wrong to undermine economic and social opportunities particularly for women; and it is morally wrong for governments to undermine the position of rural and regional families and communities—and it is morally wrong for National Party to be so supine in their approach to participating in this government.

The government cannot salvage this plan through any attempt to verbal crossbenchers about what their position has been. How many times have we been told that the crossbenchers will say one thing publicly but privately they are saying something else? Why is it necessary for people to put their views to the minister in writing? That has happened because the minister was not able to get people to the various meetings that he thought they should attend, and that happened simply because they had been told so often what the position is—and, if anything is the case, there might be people on the cross benches to the left of the Labor Party on these questions.

The government fails to appreciate that these proposals it is advancing are so deeply resented by the Australian people simply because they are not in the national interest. Education is not just about private returns. Yes you receive a private benefit—of course you
but that is nothing to be squeamish about. Fundamentally, though, the reason the government invests the majority of the money in our universities is the public good. For the basic social and economic infrastructure of our society we need an educated people—not just an educated workforce but an educated people. We need a commitment to ensure that our learning institutions, our universities, are able to pursue important issues in the development of new knowledge and to develop public understandings and civic responsibilities. We also need to ensure we have enough nurses, enough doctors, enough scientists and enough engineers. We have to ensure we have enough vets—even the National Party should understand how important it is to at least have enough vets in this country. They have to understand that, in a market system, if you are not going to earn a lot of money you are not likely to want to go into a program as an act of charity. The government has to ensure we have enough physicists. We have to be able to ensure that the country can progress as a civilised nation. Mr Pyne does not get that. However, I am absolutely confident that the Australian people do. They grasp just how important education is. The public understand how important it is not just to the individual but to society and to the economy. That is why you have this tremendous resentment being developed not just by students but by families across the nation. That is why people have an expectation of the social right that the quality of our education will not be dependent upon the income of mum or dad. The capacity to participate in our society should not ever be a product solely of your postcode. That is why the public is so deeply hostile to what this government is doing—they know that we will all be judged on the measures that this parliament takes. That is why I am looking forward to the next election. I think this will be a central issue. The prospect of full public engagement in the discussion about what sort of society we want to be and what sort of role universities play in that will be an important issue for determining the result of the next election. We want to ensure that access to higher education should depend on individual ability and choice but it should not be dependent on wealth or family background. We believe those principles are worth defending. We want to ensure that there is equality of opportunity in this society. The government’s program of deregulation, of price hikes, of raising fees and of pampering to the privileged is disingenuous. They have tried to dress this up as something that it is not and have been found out. We understand in this country how important the education system is and in many respects that is why, up until relatively recent times, education has enjoyed broadly bipartisan commitments. What we do notice—I guess it is a pattern we saw with Minister Vanstone, as we see with Mr Pyne—is that when the Liberals get in they do feel the need to change things. (Time expired)

Senator McKENZIE (Victoria) (16:50): It is morally wrong, Senator Carr, to scaremonger. It is morally reprehensible to look at the scenery and induce fear into young people about their future when that fear is incredibly misplaced. To frighten students, to bully vice-chancellors and to buster and blow is to remain entrenched and immovable in your 1960s Cold War sphere of thinking. Good luck to you—I am looking forward to next week as we travel around the nation listening to stakeholders in this debate. I, unlike Senator Carr, have an open mind about what they will have to say. We have received over 100 submissions to the Senate inquiry on a reform package the likes of which we have not seen since Dawkins. I am so glad Senator Carr brought Dawkins up. Unlike Senator Carr and his generation, I graduated high school into the Dawkins reform year. We took to the streets like no-one’s business—we did not just burn effigies here and there. The Treasurer at the time later had
some things to say about that—he was Prime Minister by the time he reflected on the Dawkins reforms. Senator Carr, I think what you are actually dreaming of and wishing for is an era long-gone, where free education is a right. Wouldn't it be lovely if it was? But unfortunately that would be financially irresponsible. I am quoting from, I think, Paul Keating's opening of Victoria University—Sunbury campus, which is, as you know, Senator Carr, in western Melbourne—very unlike Western Sydney. Keating said:

HECS was introduced in 1989 to a cacophony of student complaints. We were told that free education is a right, HECS will restrict the access of the poor to higher education. Higher education helps all society, and thus should be fully paid for by the government.

And he just wanted to spend a minute or two, like I do right now, addressing some of these issues. I cannot believe I am agreeing with him, but here I am. 'There is no such thing, of course, as a free education,' said Paul Keating. 'Somebody has to pay.' In systems with no changes those somebodies are all taxpayers, and sorry, but when I look at regional Australia, our median income level is a little lower than for the people who reside in Melbourne and in Sydney, and a lot lower than for the people who reside in Perth. You are asking those Australian taxpayers living in regional Australia to subsidise somebody else's education. I think we have to keep in mind those Dawkins reforms, which have washed through our system over a period of time now, and that we are now entering another great reform phase for our higher education states.

You also mentioned that 'survival of the fittest' is where the government's reforms will lead to. We want to ensure that excellence can grow and be promoted within the global context and that our strong tradition as a nation in ensuring access for all to a quality education can be maintained in a fiscal environment that, thanks to the reforms of former government into the higher education space, are unsustainable. Maybe you need to take a note out of Ed Miliband's conference speech; to have a look at injecting some financial sustainability methodology into your approach to higher education. We would all get on a lot better if you did. But my view of the Senate inquiry is one of openness—we see a lot of submissions and we are going to go out to stakeholders and prosecute those. I am looking forward to the hearing. I would recommend, Senator Carr, that you study the submissions over the weekend. I hope that would improve your line of questioning, given the rhetoric you just spewed out for 20 minutes, to more than inquiring of Vice-Chancellors how much they earn. It sounded like a bit of an NTEU campaign to me—anyone going through an EPA at the moment? Your line of questioning really needs to improve if you are wanting to prosecute the arguments you so strenuously and passionately espouse here within the chamber. So I hope that you can come up with some decent questions over the weekend.

You also touched on research and you claimed that the government was cutting research. Sorry, but we are increasing the ARC budget. We have also done something you did not do—and I hope you had time, Senator Carr, because I know you are quite passionate about science—to get down to see the NCRIS displays in the Great Hall this week in Canberra. It was absolutely fabulous. For those listening who might not know what NCRIS is, it is the National Collaborative Research Infrastructure Strategy. You may have heard Senator Carr's rhetoric about being passionate about building our scientific capacity and encouraging and ensuring that international research is done here on our shores—well, this is the program and the strategy that delivers it. It was not the former government that chose to fund it—no, you cut it. No money. It is this government that has put $150 million into ensuring this strategy
with a review, because you gave them nothing. Talk to the researchers, talk to the scientists—27 projects; 1,500 skilled technical experts; 222 institutions; 30,000 researchers, domestic and international—doing some fabulous cutting-edge and applied research. It was exactly the type of science and research strategy that this nation needs to fill our trajectory as the 21st century centre of excellence, particularly in our region, for higher education.

It amuses me that I am here on Thursday afternoon debating yet another stunt by the Labor Party that is pretending to care about the future of Australia’s higher education system and students. This is a Labor government whose legacy to these students, and to the Australian people, is a gross debt that is projected to rise to $667 billion—that is a billion dollars of interest a month. That is a lot of research; it is a lot of support for education, not just higher education. This is a Labor government that proposed cuts to higher education and research of over $6.6 billion, including $2.8 billion on one day in April 2013, in a desperate grab for funds to help their ballooning deficit. A Labor government which capped self-education expenses, leaving thousands of nurses—I am so glad you brought up the nurses, Senator Carr—teachers and other professionals out of pocket. The Labor government left a complicated and unwieldy mess of regulation applying to universities and neglected international education. International education is our third-largest export and No.1 knowledge export—a $15 billion export industry. There are a lot of NTEU members whose livelihood relies on that industry, that fabulous export industry of international education in our higher education institutions, continuing. Yet under Labor’s refusal to consider ensuring that their own increase in funding places can be financially sustainable, there will be no future.

Let’s not forget Labor’s cuts to and neglect of research and, of course, its dismal treatment of regional students throughout their entire tenure. Every time they tried to fix it up another bungled cohort of students and teachers would make their way, thankfully, to Senator Nash’s office, where she was able to prosecute their concerns most admirably through the previous parliament.

They are now continuing their financial irresponsibility in opposition. There is no greater example of irresponsibility than opposing your own cuts. They do not want Australia’s finances getting back into good health. I really do not think that is a rational position to continue to take, Senator Carr—because it is stubborn. You are being stubborn about your approach to the fiscal situation and you are being stubborn about higher education reforms. I hope that during our inquiry next week, as we see students, public higher education providers, private higher education providers, TAFE directors and TAFE students, you will keep an open mind and start thinking about how together we can make a difference, how we can put Australia on a sustainable footing going forward.

Senator Carr also mentioned the international rankings. I love that he chooses to quote people who do not even know how our system operates, but let’s not let the facts—or a local—get in the way of a good story! The fact of the matter is that we are doing well. There are some great examples of excellence in this nation. We should be very proud of that. That is why this government has chosen to look forward, to fund Future Fellowships, to back our young researchers, and to make sure that we are giving them the opportunity to study, research and excel here at home—so that we can have continuing research capacity well into the future. Unfortunately, the Labor Party does not back that.
If you look at the international rankings, yes, there are pockets of excellence—fabulous. In fact, as I have travelled around the country as chair of the Senate Education and Employment Legislation Committee, I have noticed that, no matter where you go in this nation, excellent research and teaching is occurring. It is just that we do not all need to do all of that everywhere. That is the reality. There are better ways we can do it—and that is what we are hoping to do, so that excellence can continue to be supported and access can continue to be supported.

What Senator Carr forgot to tell the Senate, or selectively did not remember, about the higher education rankings is that, whilst we went okay—we added a couple into the top 200, we maintained our ranking and we are in the top six or so internationally in the ranking of institutions—there is an issue with respect to rates of change. That is where, Senator Carr, innumeracy becomes a problem. Quoting numbers is one thing; understanding the rates of change and their context is a much bigger issue. The rate of change of Asian universities through the rankings of both the top 100 and the top 200 is the thing we need to be concerned about. That billion-dollar export industry that we rely on—that employs the union members, Senator Carr, who back your preselection—in turn depends on international students. Our education export industry relies on international students, not international students from America or the UK but international students from this region. As those universities in our region progress through the international rankings, our export industry is at increased risk of becoming unsustainable—and affecting your preselection, Senator Carr, so please get on board.

I have digressed. I shall now talk about the fabulous reforms that our government has instigated. One of the issues that I do not think has been prosecuted enough by the media—and by those stakeholders with vested interests—is the fact that our reforms will see an additional 80,000 students accessing higher education. Research tells us that low-socioeconomic students—students from families where going to university is not the done thing, is not something you naturally head off to do—is that they need supported pathways. We need to have a system that lets them dip their toe in the water with an associate diploma at their local institution—in their own context, in their own space. Confidence builds. 'Hey, I can do this.' That six-month course will become a year. 'I might try and do 18 months.' After that, they might think, 'Okay, I am going really well; I am going to try and get a bachelor's degree.' Research studies have shown that those students who progress through a pathway do incredibly well once they do get to higher education institutions.

I am a regional Australian, but I do not come to this place with the assumption that, just because I come from the country, that means I am less intelligent. I do not have that assumption.

Senator Polley interjecting—

Senator McKenzie: Senator Polley, I cannot wait to hear your contribution. The year 12 completion rate for your state means that you do not get to bag out this government's absolute, committed attention to the fact the students from your state need to be supported through to a bachelor's degree—through precisely the mechanisms that our reforms seek to promote. When we ensure that happens, it will go gangbusters for the young people in your state and with people that have not completed year 12.

Senator Polley interjecting—
The ACTING DEPUTY PRESIDENT (Senator Edwards): Order! Senator McKenzie, please resume your seat. I remind senators that interjections are disorderly and I ask, if you want to have a discussion, that you do it through me.

Senator McKenzie: Thank you, Mr Acting Deputy President, for reminding me. Our reforms ensure that those young people—and indeed middle-aged Australians—who have, for a variety of reasons, been unable to access higher education will actually be able to do it. That has to be a good thing. I would really love to have a unity ticket with the Labor Party and the Greens on that particular aspect of our package.

Our reforms will mean that colleges and TAFEs in regional areas can offer more courses with qualifications leading to careers or further studies. Federation University Australia in Ballarat and La Trobe University, for example, have partnerships with TAFEs in regional Victoria to provide pathways to higher education for people who might not otherwise get an opportunity. Charles Sturt University in southern New South Wales states that 26 per cent of its undergraduate students gained entry via a partnership pathway with their local TAFE—TAFEs like Wodonga TAFE. That has to be a good thing.

We are abolishing unfair loan fees on VET FEE-HELP. So, rather than stand up here and argue for Grammarians' right to have a free education—they are already there, Senator Carr. We have got enough Grammarians in our higher education system. We need to get some more of my people and some more of your people from the western suburbs of Melbourne into higher education to ensure that they can both have the personal benefit and obviously contribute to the public benefit through their studies. We are also abolishing the unfair loan fees for VET FEE-HELP and FEE-HELP. That is 1,600 bucks a year in the back pocket of the people that need it most. But do not let the facts get in the way of a good story.

Rather than quote foreigners, I think I will quote locals who are champions of the government's reform agenda, who do recognise the need to change, who do recognise that we must get our higher education sector on a financially sustainable track. I go to the Chair of the Group of Eight universities, Professor Ian Young, who previously was Vice-Chancellor of Swinburne University: 'Deregulation will allow all universities to play to their strengths.'

Regional Universities Network—I love it that Labor comes in here and quotes this side of the Senate's concern for regional Australia. Sorry, through your legislative program over the last six years, it is little bit hard to find your concern with the mining tax, the carbon tax et cetera—but we will not go there. The Regional Universities Network has stated that 'the deregulation of student fees is the only feasible way that the sector can maintain quality and remain internationally competitive', provided that we ensure that those students from regional areas are supported through pathways to get to the higher education of their choice.

I have not had time to go into the role of Commonwealth scholarships in ensuring that those bright kids from Wycheproof High, from Bendigo, from Ballarat and from Benalla will be able to access higher education no matter where they are, getting them over the financial barrier of the 20-odd grand that it will cost their parents or themselves to fund their relocation expenses and their living expenses. I think that is fantastic. It is not just about ensuring regional kids have access in their local environment; it is ensuring they have access to whatever area of study they feel is best. What we are interested in doing is not only empowering universities to chart their own course but empowering Australian students to make decisions about their future, and hence our nation's future, with respect to where they
want to study. I think that has to be a good thing. I cannot believe the Labor Party is proposing that we restrict student choice, that we restrict their capacity.

In relation to the NUS $100,000 scare campaign, I have an alternative press release, and it does quote the NUS report stating that it is not claiming that every degree at every university will cost $100,000. I wish that were out in the media, because that would ensure that those low-SES students who are price sensitive, for very good reasons, are not scared off getting excellent quality at an Australian institution.

Senator RHIANNON (New South Wales) (17:10): The higher education package that the government has put before us is very troubling because what it would do to Australia in the long term is extremely serious. It would rip billions of dollars of funding from our public universities, it would put enormous hardship on our students and their families and it would really change the make-up of the types of people who would have the opportunity to gain an education. That is because of the way the government wants to restructure the debt, ripping huge amounts of money, $5 billion, out of the sector.

It is interesting in this debate to follow on from the previous speaker, Senator McKenzie. She misrepresented what this legislation would do if it were passed. She has failed to represent her own constituency, the regional people of Victoria. The Nationals are failing to speak up for what will happen to regional universities. Maybe that is an area I could start with. Regional universities would be put at huge disadvantage under what is proposed by this government. Let us remember that even large regional centres—for example, Newcastle, one of the biggest regional cities in this country—only have one university. So how does competition work when you only have one university?

So many of the arguments behind Minister Pyne's justification for bringing in such an extreme range of changes through this legislation just fall over when you start looking at it closely, particularly with regard to how regional universities would work. They would lose out. We are not hearing that from Senator McKenzie. We are not hearing Nationals senators get up and question what will happen to regional students, how their universities will fare. At the moment we can see that they will not benefit and in fact will lose out from the way in which this is structured.

As I said, this legislation will rip billions of dollars out of our public universities. Also significant to this debate is that some of the money that once went to public universities will now go to private providers, private companies, making a profit out of higher education. Effectively these changes would shut the door on educational opportunities for so many young people, particularly disadvantaged people from regional areas. That is something that we should be giving great consideration to. While there were problems under the previous government in terms of how funding was allocated, there was certainly a greater opportunity for a range of people from diverse backgrounds to access our education system. But now funding will be slashed and a higher debt burden will be pushed onto students, with compound interest being imposed. So the debt burden will last for many more years, more so if you are low-income earner and more so if you are a woman who takes time off to have children. The way it targets certain groupings really does reflect poorly on this government and is a reminder that the sort of higher education system we would end up with with this government is a system that really returns us to the old days where higher education was more the domain of wealthy white men. That is certainly not healthy for our society.
Something I have certainly been picking up since the budget was announced, bringing forward this horror package, is the anxiety it is bringing to many students and their families who are unsure of their future, unsure of how much their sons and daughters will have to pay and uncertain about what cost burden they might have to pick up, because, understandably, many parents want the very best for their children and will step in. You start to feel that that is what the government is relying on. I was very disappointed with Senator McKenzie. How she has betrayed the urgent need to have strong voices for regional universities needs to be emphasised because that is one sector that will lose out badly here.

Senator Carr, when he spoke, detailed the Times Higher Education World University Rankings 2014-2015 that came out today. That has been very timely on a day when there has been so much about our education system in the news. It has been very useful to be able to have it in the public domain today because, effectively, what that has shown is that so many of our universities have increased their ranking. It is something that we can all be very proud of. Congratulations to the students and staff who put in the hard yards and worked so hard. That is essentially why it has been achieved. It is further proof that what Minister Pyne is bringing forward is not the way we are going to achieve the top ranking—it has already been achieved. Our universities are going up in the rankings already, and his idea that it has to be pushed into the marketplace, that you have to rip the billions of dollars out of it, that we need to bring in all this competition, that we need to deregulate the system and that students should pay record fees is a step backwards. You would see the rankings going down. It is important that we bring those two aspects of the debate together.

The other issue that is very important here and that we need to give attention to is the issue of private providers. Of all the troubling aspects of this legislation, this is one of the most serious. Here we have a minister and a government set to rip billions of dollars from the higher education system. How could you do that? We hear the fine speeches from conservative politicians about how they support an innovative, educated nation. You cannot achieve that when you have cutbacks at this level. But, when you look at the cutbacks, not all of it goes out of the education system. Yes, it goes from public universities, but about $500 million goes to private providers. This is very serious when you look at what has happened to the TAFE system in Victoria and how much that has been damaged by the penetration of private, for-profit companies that undermine the standards, the level of teaching, the range of courses that are available and the pathways of education that bring back into the workforce and into society so many people who have felt marginalised. This is not something to be taken lightly. This really goes to the heart of the future quality of our education. I would argue that the evidence is in that the minister has got it wrong and that he should now be ripping up his elitist reforms because it will strip away opportunity from so many students.

Just on this issue of private providers, I was interested to note Senator Carr's contribution—and I think there was an interjection from Senator McKenzie—about the former minister for education in this parliament, John Dawkins. Some people call him a reforming minister. His name is associated with many aspects of the changes to higher education. It is worth looking at what is happening there. It is a story I am starting to hear about and there will be more about it in coming weeks and months. Let's remind ourselves that it was only as recently as December last year that the former minister withdrew from the policy development that he was involved in. He had been chair of the National Skills Standards Council. He resigned...
from that. He also said he was not going to continue as chair of the Australian Qualifications Framework Council when his term there expired. What was announced was that he would then move over to the company Vocation.

This is a training, recruitment and student management company that was formed out of the amalgamation of three companies that work in this area. When it was floated on the stock market, this company's shares and value went up very quickly. I want to remind the Senate of the three companies that came together to form this company. This is very significant because it is part of this trend where both Labor, to some extent, and the coalition, to a much greater extent, are pushing our higher education down a track that is largely unproven. Drawing on the TAFE experience, there are now many examples of where it can be damaging. But in terms of a large scale delivery of higher education, there is certainly a big question over it.

In the case of Mr Dawkins, Vocation, the company that he has now moved over to, is made up of three companies: AVANA, a specialist in ecotourism training; CSIA which was one of the founding companies and had a paper value of $378 million when it was floated; and BAWM, which started out as Taylored Gardens and at one stage was the biggest recipient of state government training funds. The huge amount of money that this company has pulled together and the fact that its share price, within just one day when it was first floated, climbed from $1.89 to $2.03 in just a matter of hours does illustrate that there are many people looking at this as a quick and lucrative way to raise money because you are secure in terms of your money source because it is coming from the government. This is an area that is worthy of being watched. Mr Dawkins, when he went over, became the non-executive chair.

Some information that came out today shows that Vocation, which is a very large training provider, has been frozen in its entirety by Victoria's Department of Education. I draw the attention of senators to that fact. This issue is very relevant. We need to understand what is happening with private providers, because that area is a significant part of this legislation. If the legislation is passed, it is widely understood this will be a growth area. Now one of the biggest companies—with somebody very prestigious at the head of the organisation, Mr Dawkins—is being frozen. Why that has occurred and what the failures were within the company are things that we need to watch very closely.

I want to return to how this proposed legislation is playing out in the community. As I said in an earlier speech today, who can remember when a budget has caused so much anger for so long? What I am finding when I am out and about is that this budget is putting pressure on a lot of people. It is causing a lot of uncertainty; people are wondering about what the future holds for them. Many families are troubled about their children's futures. I would like to share with the Senate a personal story. While the bulk of the harsh measures in this budget are mainly loaded onto disadvantaged people and working-class people, I have realised that when it comes to higher education this budget is reaching into the heart of middle-class Australia. I was at a friend's place having a barbecue on a sunny winter's day. The father is a lawyer, the mother runs a small business and they have four small children. The children were running around. We were chatting about different things, and then all of a sudden the dad said: 'I really wonder how I am going to pay for their education. I don't know how I am going to do it.' These people are not hard up, but they are already looking at what the future holds for their children. They feel very responsible for their children, as so many parents do, with the desire to have higher education. What do they do about it?
This government would be wise to consider that this issue is resonating widely in the community. The anger is there. What Minister Pyne has brought forward is deeply wrong. He is incredibly out of touch. We know he has an amazing style: he chatters on, he has a laugh, he likes to talk to everybody and he makes out that he is willing to negotiate any time. But in fact this minister is somebody who has gone too far down the neoliberal path of shoving everything into the marketplace. Personally, I do not think that any education should be in the marketplace, but to open the higher education system up to market forces to such a degree cannot work. It cannot work for the system, it cannot work for the business community and it cannot work for industry. We need an educated workforce, but this is not just about skills for a job; it is about the wonder of being informed and the wonder of knowledge. That is something that is being killed off in the way that this minister has structured this bill. This is legislation that should in no form be allowed to pass.

It is worth reminding ourselves that, prior to this government coming into office, Australia was already lagging behind OECD nations in terms of funding. The level of per student government funding in Australia is well below the OECD average. When you look at the OECD analysis, Australia is lagging in a number of areas to do with higher education. That is nothing to be proud of. This is a reminder of how fantastic the news on university rankings was today—that is something to be proud of. It is because of the hard work of those in the sector, even though nearly 50 per cent of the workforce are casual and working under shocking conditions. These people are so deeply committed to their work. A good job is being done, but it is being done on a shoestring budget at the moment. So those figures are very much worth analysis.

In this debate, some comment needs to be made about Labor. I acknowledge the very strong speech made by Senator Carr on Labor’s commitment to higher education. We had a debate earlier in the day where we saw Labor go wobbly despite the fact that their opposition leader Bill Shorten signed a pledge about not allowing changes in higher education to go through the Senate. Labor has now flipped over and is ready to work with the government on issues around relocation and other issues to do with student arrangements. We also need to remember that when Labor was in government they planned on cutting the education budget. It was a Saturday in April when the former minister, Mr Emerson, came out with an announcement to cut $2.3 billion from the higher education budget. It is one of the failed policies that they took to the election.

After the election, a strong campaign kicked in. The Greens, the unions, students and community members put the pressure on Labor, because we thought that Labor in opposition sometimes are a different beast and that under pressure they might come to their senses. They did. They dropped that wrong policy of funding cuts, and now they are resisting the bulk of these changes to higher education. But we need to put on the record that Labor need to be consistent in their policy, not just in opposition but in government, because sooner or later this government will be voted out. We have to ensure that when they are voted out, we have not in the meantime passed this very bad legislation.

I am certainly looking forward to the hearings of the committee that we have set up to inquire into this legislation. A range of people from our universities—including staff and people who analyse trends within the academic world and higher education in terms of government policy—will come to give evidence. That will help inform us to come back to
this chamber to have an even more informed debate. There are already many warning signals here around private providers in terms of the level of deregulation and in terms of the way the debt would be structured. The warning bells have already sounded. A wise minister, if Mr Pyne were such a person, would withdraw this legislation, stop this elitist approach and sit down with the sector and with the Greens and Labor to come up with a plan to make higher education work for students and for the country.

Senator POLLEY (Tasmania) (17:29): I rise today to speak once again on the government's reckless move to deregulate Australian universities, cut university spending and increase student fees, and in turn create an endless cycle of debt and inequality in this country.

In November 2013, Christopher Pyne said:

We want university students to make their contribution, but we're not going to raise fees …

And everyone knows the famous quote the now Prime Minister made hours before the last federal election that there will be 'no cuts to education'. We know that that could not be any further from the truth.

But the contribution from Senator McKenzie a little earlier was breathtaking. She comes in here purporting to represent rural and regional Australia, as a Nationals senator, yet she is supporting a government that is going to do nothing but make it even more difficult for students from rural and regional Australia to go to university.

If this bill were to get through we know what effect it would have on universities across the country, no more so than what it would do to the University of Tasmania, in my home state. A lot of what Senator Carr has already put on the record spells out the arguments as to why we are opposed to this legislation and this attack on higher education, and it is for the same reason that many in the community have strongly voiced their concerns. They know what the effect will be, not only on the students who are at university now, but on so many families who will have to make choices. Those choices are going to be tough ones, if these changes were ever to be implemented. There will be some families that will have to make a choice about which of their children, if any, could ultimately attend university. We on this side of the chamber will always stand up for those young people, because they deserve an opportunity to go to university if they choose to.

If only Australians had known of this government's plans before the last election. It really makes you question what this government stands for. In total, this government intends to cut $5.8 billion from higher education, teaching, learning and research in our universities.

Under the government's changes to universities—unprecedented, I might add—they will be forced to put up their fees just to cover the loss of funding, which amounts to an average of 20 per cent across all undergraduate studies. Unrestrained fee hikes, and applying a compound interest rate to all HECS-HELP debts will hurt students across the country. It will create debt for students beyond belief. At worst it would deter Australians from going to university.

Members of this government are the gatekeepers. They are initiating these unfair, unprincipled decisions in order to keep people from going to university. They are engaged in conduct to create further inequality in this country. It is shameful and I will not stand for it, and nor will my colleagues. The Labor Party will not stand for it and the Australian community will not stand for it.
Senator McKenzie said that we should be putting the facts to the chamber, so I would like to address the contribution that was made by Senator Cash. I believe that I will be able to demonstrate that she misquoted the Australian Nursing and Midwifery Federation. In their submissions to the Senate inquiry on higher education reform, the Australian Nursing and Midwifery Federation said that a nursing degree under a deregulated system would range from $24,000 to $34,000. Whilst this may or may not be right, what it certainly does is dispels the lies and disinformation that is being spread by the other side that a degree would cost $100,000. To quote the federation, 'Depending on fee levels that could be set at any range following deregulation, and as our submission clearly states, nursing degrees could increase in excess of $65,000.' I thought it was important that we put that on the record.

We know that in the United States, the system Christopher Pyne seems so keen to emulate, university fee rises are out of control and student debt now exceeds credit card debt. The system is broken and it feeds inequality. In Australia, under the current system, the very system we have today, universities have perfect freedom to compete on price. So we know fees will go up substantially. We will have $100,000 degrees. But that is not all. This government has also decided to add a real interest charge on the HECS-HELP loans. Just when you thought it could not get any worse, yes, it does. Applying real interest rates to HECS is regressive. That is why students and stakeholders are opposed to it. Every single stakeholder, except the worst Treasurer in our history, Treasurer Joe Hockey, thinks this idea reeks. A real interest rate on HECS-HELP loans means a degree will cost a lot more than the course fee and will take much longer to pay off. Without compounding interest, those who earn low incomes or who take time out of the workforce to raise a family will end up paying the most. That is what this government does not take into account.

Ignoring all the evidence of higher fees and crippling debt, Mr Christopher Pyne has claimed that his higher education changes will actually benefit students from low socioeconomic backgrounds because they include the so-called Commonwealth scholarships. This claim is the biggest mistruth of all. The scholarship scheme will receive no Commonwealth funding—no money at all from this government. It is to be funded entirely by other students. It is shameful. Shame on those opposite for bringing in the most detrimental changes to universities in Australia's history. A university education is a path to opportunity for individuals. It allows individuals, families and the community more broadly to benefit from individuals who would like the opportunity to better themselves through higher education. This opportunity has been recklessly ripped away from students.

I want to reflect briefly on Labor's record when it comes to higher education. We have a proud record. We are the party that understands that if someone wants to pull themselves up through higher education, then they should have the opportunity to do so. It should not matter where you live or what family come from. If you are an Australian, then you should be entitled to go to university at a cost that will not burden your future. Labor boosted universities' real revenue per student, including government and student contributions, by 10 per cent. This represented an extra $1,700 for universities to spend on quality teaching for
every student. Labor lifted government investment in universities from $8 billion in 2007 to
$14 billion in 2013.

We are committed to proper indexation for university funds. If we kept the funding model
introduced by the Howard government, universities would today be worse off to the tune of
$3 billion. If our funding model were to be maintained, Commonwealth investment in
universities would be $17 billion a year by 2017. Labor made it easier for young people to
study with the students start-up scholarships, which helped more than 427,000 Australians
with the cost of study. We also introduced a relocation scholarship, helping 76,000 people
leave home to obtain their degree.

Labor boosted funding for regional universities by 56 per cent. There are 750,000 students
at Australian universities today and one in every four of them is there because of Labor. We
put 190,000 more students on campus, we boosted Indigenous student numbers by 26 per
cent, we boosted regional student numbers by 30 per cent and we had more than 36,000 extra
students from low-income families in universities compared to 2007. Labor also invested
$4.35 billion in world-class research and teaching facilities through the Education Investment
Fund. That includes $500 million earmarked for regional Australia, so that country kids
would have the same access to quality courses in universities and regional universities would
be able to attract and retain world-class researchers.

That is what we did. We are not like those on the other side, who come into this place and
purport to be here representing rural and regional Australia. We actually deliver to rural and
regional Australia. We did all of this not because it was a vote winner but because it is the
right thing to do. We did this because we understand what university means in a way that the
coalition never has and never will. It is an opportunity for every Australian, but I do not think
that those opposite will ever understand it. It really is a shame.

Now I will talk a little bit about my home state of Tasmania and the University of
Tasmania. We in Tasmania only have one university and it is a great university. It is already
feeling under pressure from this government, because there will be in excess of $30 million
ripped away from that university. There is not necessarily other opportunities for Tasmanians
to be able to choose to go to another university. They may not have the means to be able to
move interstate and to study at other universities. There will not be any competition that is
going to make their opportunities any better in my home state.

I can tell you about a visit that I made recently to the university at the Hobart campus; it
was to the Wicking Dementia Research and Education Centre. I discussed with those students
there their passion for what they are doing. This centre is providing opportunities for
individuals to obtain to degrees which will help people suffering from dementia and help
people overcome this debilitating disease. This is a real and pressing concern in my home
state of Tasmania. That is, that the University of Tasmania will be forced to cut staff, cut
courses and condense what they are able to offer to the community.

It has recently been reported that the Newnham campus in Launceston will be forced to
condense its campus. Downgrading the university’s northern campus will force students to
think about whether they attend university at all, whether they are able to attend the
University of Tasmania in Hobart and whether they would be forced to try to access an
interstate university. There is real doubt about the future of the university in northern
Tasmania, because of those opposite. That is because of their decision to cut $30 million from the University of Tasmania's funding.

Senator McKenzie made reference to the fact that we have a low retention rate of young Tasmanians going on to higher education. That is exactly right. But instead of trying to ensure that those young people have the opportunity to attend the University of Tasmania, they are going to make it more and more difficult. I have been informed that there are currently discussions occurring about restructuring and downsizing the staff, so there will be staff cuts if this goes through. Unfortunately, it seems that the member for Bass, Andrew Nikolic, is in favour of the university downsizing and potentially relocating to Inveresk. I cannot fathom why Mr. Nikolic would have this view. This was how he was quoted in the newspaper yesterday. He knows that a cut to the University of Tasmania to the tune of $30 million means that it will be forced into an undesirable position—one for which this government will bear the consequences.

Those opposite fail to understand the importance of education. Every time those opposite get into federal government they do exactly the same thing: they cut education. They would rather see people from low-socioeconomic backgrounds not go to university, because they do not agree with the option of there being higher education for all. That is really sad. Every time there is a change of government and Labor come back in, we build up the education system in this country. We give greater opportunities for all students to go onto university, to have the best education they can, because we know the value of education. Sometimes people just need a helping hand. They need a hand-up; they do not want a hand-out. But the government—as we know from the budget measures that they are trying to get through this place—are abandoning the most vulnerable people in our community. They are making it more and more difficult for young people to access higher education.

The then Leader of the Opposition said before the election that there will be no cuts to education. And what happened? Those opposite are proposing cuts to education that will have an enormous impact on all the universities in this country. Those opposite said that there will be no cuts to the pension; there will be no change to the pension. That was clearly wrong, because the way they intend to index the age pension will affect those who rely on it in this country.

Those opposite said that there will be no cuts to health, and now they want to introduce a $7 co-payment for GPs. Every time you have a pathology test, it will cost another $7. Some people have to have blood tests on a regular basis. People will be trying to decide: 'Should I really have the blood test this month or not? Do I have that extra $7?'' For those people on the other side, $7 probably does not seem like very much to you. However, as I have had to live on a very limited income and be reliant on the government for part of the time in raising my children, I can tell you that at the end of your fortnight $7 is a lot of money when you just do not have it—not because you have wasted your money but because you are on a limited income. But those people on that side of the chamber clearly do not understand those circumstances.

So I say again to those opposite that they fail to understand the importance of education. They fail to understand the importance of providing the young people and the mature-age people of this country with the opportunity of attending university to either further their education or take undertake study for the first time because they were not able to do so before.
Unfortunately, people on that side of the chamber fail to realise that. They do not realise that every Australian has the right to improve their lot in life. They deserve the opportunity to go to university. They do not deserve to be saddled with a huge debt when they leave university and are trying to establish themselves in the workforce or providing for a family.

The proper funding of universities is an investment in Australia's future. This government should not be let off the hook when it comes to university funding. This rushed package of broken promises must be scrapped. We on this side will not rest, and I know that there are those in the community who will also not rest, until this package of bills is defeated. The government should go back to the drawing board and consult with the sector and the community before it announces policy changes that will create greater inequality in this country.

The failings of this government are in a whole range of areas, not just in health, not just in education and not just in my area of responsibility of aged care. This government does not know how to go out and consult with the community or with the sectors. They do not understand that. As I said earlier today in the chamber: the minister responsible for aged care in this country has taken his eye off the ball. He has not taken advice from his department. He has not consulted with his sector. And here we have yet another example of an arrogant, out-of-touch government that has failed to consult the education sector. (Time expired)

Senator BACK (Western Australia) (17:50): I make this contribution as a former academic at a university in Western Australia—in fact, it was a regional university—of some 11 years experience. I have also been a visiting academic—on two occasions at the University of California, which is probably one of the greatest university systems in the world, and at the University of Kentucky. For Senator Polley's information, I also make this contribution as a person who went through university without any financial support from my parents. I was from a low-socioeconomic background. I went to the University of Queensland and I paid the cost of my university education. So I will not stand here and be lectured to by Senator Polley or by anybody else about what people apparently on our side are about.

I say this and I say it in all seriousness to the Labor Party and to the Greens: come on board with these reforms, come on board with this new legislation, or be left out in the dark. You will be left out where you should not be, because you do have a proud record associated with university education. But understand this—and I say this to Senator Carr in his absence—if he thinks by obfuscating in the way in which he has been that he is in some way going to force this government to a double dissolution election and if he thinks he is going to trash the opportunities of tens of thousands of young and middle-age Australians in their attainment of a university education or a higher education simply because of some cheap political means then I say he will be damned, and so will his party be damned. Be part of the solution.

Let us all be very, very clear on why the university sector finds itself where it is now. It is because the Labor government at the time lifted the cap on the number of students available to go to universities but did nothing to actually deregulate the industry—the higher education sector. So they found themselves in a circumstance where the universities simply could not pay for the increased costs of the students. The only way forward are the initiatives of Mr Pyne, and for this legislation, with amendment—and I accept that—to be passed.

We just heard Senator Polley talking about funding. She omitted to say in her contribution that the Labor Party, before it left government, was intending to cut some $6.6 billion out of
higher education research. I give credit to Senator Rhiannon. She said that of that $6.6 billion, $2.8 billion was removed by the Labor government in April 2013. So do not come into this place on your high horse and talk about activities that the Labor government would have done. Senator Polley also spoke about the start-up scholarship scheme. But she did not say that it was being turned by the then Labor government into—you would not believe it!—a loan. What hypocrisy for them to be standing in the road of a loan scheme when they themselves were going to introduce it. We should always in these circumstances not take advice from ourselves; we should take it from the leaders of the institutions who are responsible for the delivery of the services. I look at the excellent work undertaken by the universities. There are policy notes on higher education reforms and on modelling the impact of higher education reforms; the policy notes Paying off HELP debts: case studies; Tuition fees at Australian universities and Understanding graduate earnings; and the speech, 'Micro-economic reform of the Australian higher education system'. This is the sort of quality of data that is available to us all, which I would hope the Labor Party and the Greens will avail themselves of.

Let us turn to what the leaders of Australia's tertiary institutions are saying. Ms Belinda Robinson, CEO of Universities Australia, said, 'failure of the package will condemn the university sector to inevitable decline.' Is that what Senator Carr wants? Is that what Senator Polley wants? Is that what the Labor Party and the Greens want? I hope not, as a proud university graduate myself and past academic. Either the status quo of ongoing inadequate investment or further cuts without deregulation will condemn Australia's great university system to inevitable decline, threaten our international reputation and make it increasingly difficult for universities to meet the quality expectations of our students. I quote from the Chair of Regional Universities Network and Vice-Chancellor of Southern Cross University, Professor Peter Lee:

… deregulation of student fees was the only way that the sector could maintain quality and access and remain internationally competitive, as significant, additional government funding is unlikely, irrespective of political party composition

This is what the leaders of the universities are saying. The Executive Director of the Australian Technology Network:

To reject the legislation out of hand ... would be to sign the death warrant on a globally respected higher education system. The demise wouldn't be overnight of course; it will be slow and painful …

There are many statements from all of the leaders of the university sector. That is what we are faced with in this country.

What is the government proposing to do? It is ground-breaking and legendary. It is an opportunity for students throughout the socioeconomic scheme to be involved. It is an opportunity for a further 80,000 students to benefit across the sectors of higher education diplomas, advanced diplomas, associate degrees and going on to study undergraduate courses. I say, as a regional university person, that this is the very value to the regional universities of this scheme. I had the privilege of giving the occasional address at Curtin University's graduation ceremony the other day with the vice-chancellor. She has been quoted as saying that the opportunities that this will provide, for example, for the WA School of Mines, will be valuable. I have said so also for the Muresk Institute, of which I was an academic for some time. It is by coincidence, at this very moment, that the Premier of Western Australia, the...
Hon. Colin Barnett, is the fourth premier to be delivering the Muresk lecture, which he is doing at this very time. I have no doubt that he will be talking about the opportunity to expand the academic availability of courses at such an institution.

We talk about the loan schemes: the HELP scheme and the HECS scheme. Any student from a low-, middle- or high-socioeconomic family has the opportunity to engage in a higher diploma or degree without paying a cent. It is only when they have reached $50,000—CPI linked—that they will be required to repay anything at all. Even then it is capped at some four per cent of their salary. When that person gets up to a $200,000 income, it is capped at eight per cent. In comparison to other countries around the world, this is a very good deal. Comment has been made about the Commonwealth scholarship scheme, which will be made available to students of lower socioeconomic families, particularly those in regional areas. They can apply for the HELP scheme as well as the Commonwealth scholarship.

Let us dismiss some of these lies and myths about $100,000 courses. The University of Western Australia, one of the Group of Eight, has said that it will charge $16,000 a year for its undergraduate courses, which, after three to four years, is about $50,000. The fees for students entering through La Trobe University’s Aspire program in 2015 will not increase by more than 10 per cent. If anybody is in any doubt about what is likely to happen to fees, we need look no further than international students. As we have brought international students into Australia, they contribute richly not only to the economy of our country but also to tourism, especially when their families and others visit. Have we seen international student costs absolutely burgeon? No, we have not. Why? Because of that word that Senator Carr will never understand: competition. There is competition within the sector and between the universities. How wonderful it is that, in Mr Pyne’s proposed legislation, we have non-university providers. Can you imagine a course run—for example, in economics or commerce—by Harvard University and one of the big four accounting firms being able to be offered in this country? Not only the university sector but the private sector and the non-university sector can get involved. This is good stuff. I say to Senator Carr again, ‘Come on board or be lost in the dust.’

Debate interrupted.

**DOCUMENTS**

**Consideration**

The following orders of the day relating to government documents were considered:

Aboriginal and Torres Strait Islander Peoples Act of Recognition Review Panel—Final report by the Honourable John Anderson AO, Ms Tanya Hosch and Mr Richard Eccles. Motion of Senator Siewert to take note of document agreed to.

**COMMITTEES**

**Government Response to Report**

Senator RONALDSON (Victoria—Minister for Veterans’ Affairs, Minister Assisting the Prime Minister for the Centenary of ANZAC and Special Minister of State) (18:01): I present two government responses to committee reports as listed on today’s Order of Business. In accordance with the usual practice, I seek leave to incorporate the documents in Hansard.

Leave granted.
The documents read as follows—

AUSTRALIAN GOVERNMENT RESPONSE TO THE SENATE SELECT COMMITTEE ON SCHOOL FUNDING REPORT EQUITY AND EXCELLENCE IN AUSTRALIAN SCHOOLS

OCTOBER 2014

Introduction

The Australian Government notes the report by the Senate Select Committee on School Funding, *Equity and excellence in Australian schools*.

To ensure Australia's future prosperity and to remain competitive internationally, the Government is committed to ensuring that all Australian students have access to a high-quality education.

The Government is investing a record $64.5 billion in recurrent schools funding over the financial years to 2017-18 and includes the reinstatement of $1.2 billion removed by the previous government. This investment provides funding certainty for all schools.

The Senate Select Committee on School Funding has presented a majority report that is flawed, biased and developed with an overriding political agenda. The Government Senators' Dissenting Report provides a much clearer perspective on this important public policy matter, one that is informed by the best available evidence and that reflects the realities of how school funding fits in the context of the Commonwealth's role in school education.

The Government does not agree with the majority report's interpretation of the evidence presented during the course of the inquiry. The majority report implies that the amount of funding and how it is allocated is the answer to improved student learning outcomes. The Government agrees that Australia's education system requires adequate funding to ensure a quality education system. Adequate funding, however, must be about more than expenditure levels; it must include the concept of effective and efficient use of funding.

The Government does not want to continue the pointless and politicised funding debates. It is time for rational and robust discussion of the principles that should drive Commonwealth school education policy for the future. The focus needs to be on the issues that matter most, namely the policies needed to improve education outcomes for students. The dissenting report to the Senate Select Committee on School Funding sets out the core principles that should guide education policy:

- quality should be the ultimate driver and goal of all education policy
- discussion of school funding should be re-anchored in the realities of the Commonwealth Government's constitutional responsibilities and the nation's current financial constraints. This means:
  - recognising the dominant role of states and territories in their funding and management of schools
  - acknowledging the problems caused by excessive regulation on schools and school systems
  - noting the waste that has characterised some previous Commonwealth programmes in school education, which have cost a lot but achieved little
- parental contributions and a vibrant non-government sector add to the nation's education capacities and should not be seen as undermining the foundations of our democracy
- needs-based funding, including additional and targeted assistance to the disadvantaged is highly important.

Unfortunately, the release of the *Gonski Review of Funding for Schooling* (the Gonski Review) in 2011 initiated a period of political rather than rational debate. The Senate Select Committee on School Funding's majority report focuses on whether the Gonski Review's recommendations were being implemented rather than exploring its Terms of Reference.
The Government agrees that there were legitimate reasons for conducting the Gonski Review and it was an appropriate and well accepted approach to collect information, establish the facts, dispel the myths and provide an evidence base to make recommendations to government on school funding.

Unfortunately, the opportunity provided by the Gonski Review was not realised. By focusing solely on government funding, the Gonski Review reignited old debates, created fissures rather than consent and agreement. Since its completion in December 2011, the findings of the Gonski Review have been used by some to further their own political and ideological purpose.

Far from there being a consensus, the findings and recommendations for school funding arrangements proposed by the Gonski Review were not unilaterally agreed to. For example, Professor Henry Ergas' submission to the Senate Select Committee on School Funding refutes assumptions made in the Gonski Review that an increase in per student funding is required to improve school performance and that additional expenditure is needed to offset characteristics of educational disadvantage. Professor Ergas' position is based on the evidence presented in the literature regarding the relationship between school funding and student outcomes.

In addition, the Independent Schools Council of Australia's (ISCA) submission to the Senate Select Committee on School Funding and the evidence provided at public hearings indicate the Council's criticism of the application of the Gonski Review's recommendations by the previous government. ISCA reiterated the fact that complex arrangements for school funding exist in Australia which means that the notion of a "national" funding model is a misleading and inaccurate term. ISCA recommended that the Commonwealth Government moves quickly to amend the funding arrangements in a way that meets good public policy criteria. The criteria which should form part of an effective and efficient funding models includes: equity, incentive, flexibility, transparency, simplicity, predictability, consistency and be based on reliable, robust data which is fit for purpose.

In fact, Queensland's submission to the Senate Select Committee on School Funding stated "The current funding arrangements do not provide a transparent and equitable distribution of funds to jurisdictions."

The previous government's response to the Gonski Review was deeply flawed in both policy and administrative terms. Its negotiations with state and territory governments and non-government school authorities were inconsistent and lacked transparency. Similarly, the way in which the Act was rushed through parliament lacked the appropriate recognition of who in Australia is responsible for running schools. There was inadequate consultation on an Act that significantly increased the command and control by the Commonwealth.

**Funding Context of the Australian Education System**

School funding issues need be considered and discussed within the Australian context, in which states and territories are primarily responsible for school education, not the Commonwealth. States and territories are directly responsible for the administration of government schools; they develop policy and provide a regulatory framework for the operation of all schools.

States and territories are the major funder of government schools and also provide funding to non-government schools. In 2011-12, state and territory governments provided 84 per cent of total government recurrent expenditure on government schools, with the Australian Government providing 16 per cent. For non-government schools, the Australian Government provided 73 per cent of total government funding and states and territories provided 27 per cent. In dollar terms, states and territories provided a total of $27.7 billion to Australian schools in 2011-12 and the Commonwealth provided $12.3 billion.

There is no single national funding model for schools. For the majority of schools which are government schools the calculated school entitlement has no bearing on what the school actually receives. Commonwealth funding is made through lump sum payments to the states, territories and to the Catholic and other independent systemic education authorities. The distribution of the funding from that point is decided by each state, territory and system based on their own models. In effect, this means...
there is a Commonwealth model, eight different state models, a further eight models in the Catholic sector, as well as different models for other non-government school systems.

**Education reform, not just funding**

While funding is important, national and international research indicates that, by itself, it isn't a sufficiently effective driver of improved outcomes—countries that spend a high proportion of their GDP on education do not automatically produce high performing education systems. Despite total government (Commonwealth and state) spending on schools doubling in real terms from 1987 to 2012, student outcomes have not improved, with results from the 2012 Programme for International Student Assessment indicating that outcomes for Australian students are slipping relative to other countries.

The Australian Government's approach recognises that states, territories and the non-government school sector are best placed to determine how policies should be implemented in their schools. The Government's *Students First* policy is focused on the following four areas:

- **teacher quality**: the first step to achieving a quality education is to support the quality, professionalism and status of the teaching profession
- **school autonomy**: both internationally and in Australia, evidence emphasises the advantages of school autonomy as part of a comprehensive strategy for school improvement. Great schools have leaders and teachers who have the independence to make the decisions and develop the programs that best meet the needs of their students
- **engaging parents in education**: parents are one of the most important influences on a child's education. When parents are engaged in their children's education, they are more likely to attend school and to achieve better outcomes
- **strengthening the curriculum**: a robust, relevant and up-to-date Australian Curriculum is essential to improve the quality of education for all school students. In particular, high quality school science and mathematics education are critically important for Australia's current and future productivity.

The Government's Students First policy is based on the best evidence available. The Government is working closely with education authorities to deliver policy settings that will help improve outcomes rather than just focussing on funding.

**Background**

On 12 December 2013, the Senate formed the Senate Select Committee on School Funding to inquire into and report on the development and implementation of national school funding arrangements and school reform.

The Senate Select Committee on School Funding held public hearings in all states (with the exception of the Northern Territory) between 13 March and 16 May and over 445 submissions were received.

The Senate Select Committee on School Funding report, *Equity and excellence in Australian schools*, was tabled and released on 9 July 2014. The majority report included eight recommendations and one additional recommendation was made by the Australian Greens. Government Senators issued a dissenting report.

**Response to individual recommendations**

**Recommendation 1 (commit to implementation of the NPSI)**

The Senate Select Committee on School Funding believes that the significant consensus achieved from the Gonski Review and the agreements negotiated under the National Plan for School Improvement (NPSI) must not be lost with the current government's harmful and confusing changes. The committee recommends the Australian Government honour its pre-election commitments to fully implement the national needs-based, sector-blind funding model incorporated in the NPSI to improve equity across Australian schools. In particular, the Australian Government should commit to the following elements of the NPSI:
the six year transition to a nationally consistent Schooling Resource Standard;
• maintain the commitments made under the National Education Reform Agreement (NERA) and bilateral agreements with participating states and territories, in particular the five areas of the NPSI:
  - quality teaching
  - quality learning
  - empowered school leadership
  - meeting student need
  - greater transparency and accountability; and
• conduct reviews prescribed under the NERA and strive for equitable funding for schools most in need.

The Australian Government does not support this recommendation.

The majority report suggests, there was overwhelming consensus for all the changes proposed by the previous government as a result of the Gonski Review. This is an incorrect representation of the facts. Three states and territories did not sign up to the plan: Queensland, Western Australia and the Northern Territory. Two other states, Victoria and Tasmania had only signed the heads of agreement and had not reached bilateral agreement with the Commonwealth.

There has been criticism from the states and territories of the National Education Reform Agreement (NERA), including the National Plan for School Improvement (NPSI) and how it has been embedded within the Australian Education Act 2013, as representing a significant overreach of Commonwealth powers and, effectively, a Commonwealth takeover of schools. This has been demonstrated by the refusal of some jurisdictions to sign up to the NERA, as well through criticisms of the Australian Education Act 2013 (the Act).

The Government is committed to recognising the responsibilities of the states and territories and school systems for the operation and management of their schools and will consult with school authorities on the appropriateness of requirements of the Act. The Government has already started consulting with key stakeholders on how to address the unnecessary command and control aspects of the Act, reduce the regulatory burden, and return power to where it should be: school principals, school communities, parents and the education authorities.

Under its Students First policy, the Government is pursuing improved education outcomes for all students through the implementation of important reforms in four areas: improving the quality of teaching; ensuring a robust national curriculum; expanding school autonomy; and engaging parents in education. In contrast to the previous government's approach via the NPSI, the Government is working with jurisdictions to deliver effective, evidenced-based policies that do not constrain or bind the states and territories or create unnecessary red tape.

The Government has honoured its election commitment and has delivered funding for all states and sectors for 2014 to 2017 by investing $64.5 billion in schools over the financial years to 2017-18. This is more funding than ever before and takes Commonwealth investment in schooling over the forward estimates to a record high. Under these arrangements, all schools are treated the same way by the Commonwealth across the forward estimates; this ensures that no state and territory will miss out on Commonwealth funding.

The previous government proposed an increase in Commonwealth funding from 2018 but they did not budget for it. This proposed increase was clearly unsustainable and the Government's approach to school funding growth from 2018 will build on the already substantial growth to 2017 and remain fiscally responsible.
In line with the standard for Commonwealth funding arrangements, Australian taxpayers have always funded schools on four year rolling agreements aligned with the budget planning cycle of the forward estimates period.

The Government will work cooperatively with states and territories to deliver sensible and stable funding arrangements beyond 2017, and has already commenced the planned review processes for the loadings that were scheduled to occur during 2014.

The Government remains committed to needs-based funding. Loadings target disadvantage such as students from low socio-economic backgrounds, students with disability, Aboriginal and Torres Strait Islander students, and students in regional and remote areas. As noted in the Government Senators' dissenting report, all states and territories have already established needs-based funding arrangements. States and territories are best placed to manage their own schools and they have budget flexibility to allocate funds within their schooling sector as they see fit.

**Recommendation 2 (non-participating states)**

The Senate Select Committee on School Funding recommends that the government work with non-participating states and territories to:

- maintain the existing education spending of all non-participating states and territories;
- ensure appropriate indexation of education spending for all non-participating states and territories;
- ensure that adequate co-contribution arrangements are agreed by all non-participating states and territories to establish a national School Resource Standard; and
- achieve agreement with non-participating states and territories to the national funding model and NPSI established under the *Australian Education Act 2013*.

The Australian Government does not support this recommendation.

State and territory governments are accountable to their own electorates for how they manage their own budgets and this Government will not dictate how schools are run or tell education authorities how national policy settings should be translated into action at the local level.

This recommendation is using outdated concepts of participating and non-participating in regards to schools funding arrangements. The Government has honoured its election commitments to schools and the current school funding arrangements do not continue the previous government's illogical differentiation between states and territories but ensures all schools are treated the same way by the Commonwealth across the forward estimates.

In addition to honouring funding agreements for all states and sectors for 2014 to 2017, the Government has invested an additional $1.2 billion to ensure that schools in Queensland, Western Australia and the Northern Territory don't miss out on the new funding arrangements as they would have under the previous government.

The Government will work cooperatively with states and territories to deliver sensible and stable funding arrangements beyond 2017, and has already commenced the planned review processes for the loadings that were scheduled to occur during 2014. The Government's reforms for school education will be implemented in a way that reflects the realities of our federation in which states have primary responsibility for delivering school education.

**Recommendation 3 (disability loading)**

The Senate Select Committee on School Funding recommends that the government moves, as a matter of urgency, to a disability loading based on actual student need. To this end, the committee recommends that data collection and decisions about the loading for students with a disability should be expedited so as to provide certainty around a needs-based disability loading to replace the temporary arrangements in 2015. This must happen in close consultation with advocacy groups, the various school sectors and states and territories.
The Australian Government notes this recommendation.

The Government is already working closely with state, territory and non-government education authorities to finalise a loading for students with disability as part of the planned loading review process. The Government has also consulted with broader stakeholder groups to provide an opportunity for all interested parties to be involved.

The Nationally Consistent Collection of Data on School Students with Disability (NCCD) is being phased in over 2013 to 2015. It is expected that all schools will be participating in the NCCD in 2015. Once fully implemented and well established in everyday school practice, the NCCD should provide the evidence base to inform the distribution of the funding loading for students with disability based on student need.

The move from existing state and territory criteria to the NCCD is a significant undertaking. As agreed by all states and territories and stakeholders, it will take time for the data collection to produce sufficiently robust and reliable data upon which to support a funding loading for students with disability.

**Recommendation 4 (disability loading)**

The Senate Select Committee on School Funding recommends the Federal Government honours its election commitment for increased funding to cover unmet need for students with a disability.

Further, the Senate Select Committee on School Funding recommends that the government works with all states, territories and advocacy groups to clarify the interaction between the disability loading and the National Disability Insurance Scheme.

The Australian Government notes this recommendation.

The Government has met its election commitment and is clear in its support for students with disability and their families and carers. A funding loading to support students with disability has already been introduced in 2014. This loading is providing over $1 billion of Australian Government funding in 2014 alone. This is more Australian Government funding for students with disability than ever before.

The implementation of the loading is being transitioned, consistent with all aspects of the needs-based funding model. The loading is provided for students with disability no matter where they live or where they go to school.

The Government cannot implement a students with disability loading in isolation. The Government must work with the states the territories. Through nationally-agreed collaborative processes, work is currently underway to inform potential refinements to the funding loading for students with disability and to identify the necessary quantum of resourcing for students with a disability, including the Nationally Consistent Collection of Data on School Students with Disability (NCCD). It would be premature to suggest that there is a resourcing gap and, if so, to quantify it.

In addition to supporting the important work on funding loadings for students with disability, the Government provided an extra $100 million to extend the More Support for Students with Disability initiative in the 2014 school year, which will help improve teacher skills and increase the inclusiveness of schools. The previous government only provided this funding until the end of 2013.

The Government recognises the importance of understanding the interface between the funding loading for students with disability and the National Disability Insurance Scheme (NDIS). The Australian Government Department of Education continues to work with all state and territory government and non-government education authorities, the Department of Social Services and the National Disability Insurance Agency (NDIA) to clarify the roles and responsibilities of each measure and to ensure both measures are complementary.
Recommendation 5 (disability loading)
The Senate Select Committee on School Funding recommends that information assisting parents and
carers of students with a disability be produced and distributed as soon as possible.

The Australian Government notes this recommendation.
The Government already makes publicly available information on funding arrangements for students
with as disability. The Government also provides information to government and non-government
education authorities to support them in answering questions from parents on students with disability
funding.

Comprehensive fact sheets on the Nationally Consistent Collection of Data on School Students with
Disability (NCCD) are available on the Australian Government Department of Education website.

Also available through the Department’s website are a range of fact sheets about the Disability
Standards for Education 2005.

The Government further notes that the responsibility for supporting students with disability rests with
state and territory governments and non-government school authorities. Given this responsibility, state
and territory education authorities have a critical role in providing information and support for parents
and carers of students with disability.

Recommendation 6 (federal-state relations and accountability)
The Senate Select Committee on School Funding recommends that the Department of Education
produce an annual 'report card' detailing the breakdown of school funding including:

- funding provided to states and territories (participating and non-participating) and non-government
  schools by sector;
- comparable information contributed by state and territory governments about their school funding;
- the extent to which these arrangements are achieving equitable funding to schools and students in
  most need; and
- funding broken down to a school level.

The Australian Government does not accept this recommendation.
The information proposed to be in the "report card" is already available.

The Report on Government Service (RoGS) provides information on funding at national and state and
territory levels. The RoGS is produced under the direction of the Steering Committee for the Review of
Government Service Provision (the Steering Committee) at the request of the Council of Australian
Governments. It has been released annually since 1995 and its purpose is to inform Australians about
services provided by governments and enable performance comparisons and benchmarking between
jurisdictions and within a jurisdiction over time. The RoGS covers twelve service areas including
school education.

The RoGS reports recurrent expenditure on government and non-government schools by the Australian
Government and State and Territory governments. The financial data are disaggregated by state and
territory. Expenditure relating to funding sources other than government (such as parent contributions
and fees) is excluded.

A detailed breakdown of funding for all schools is also provided on the My School website

The My School website is a collaborative, national initiative and is operated by the Australian
Curriculum, Assessment and Reporting Authority on behalf of all education ministers. The website
provides basic school profiles and National Assessment Program—Literacy and Numeracy (NAPLAN)
performance data for virtually every Australian School. Individual schools also provide a range of
detailed information to their communities. From the 2011 My School release, financial information for
each Australian school has been included. The data comprises a breakdown of capital expenditure and recurrent funding from the Australian Government and state/territory governments for each calendar year.

The National Report on Schooling in Australia is an annual national report on school education of the COAG Ministerial Council. The report was first produced in 1989 and provides a range of information on schooling in Australia, with a current focus on progress towards the Educational Goals for Young Australians and the Commitment to Action for achieving them announced by Australian Education Ministers in the Melbourne Declaration of December 2008.

The report addresses the eight areas of commitment specified in the Melbourne Declaration. It describes the national policy and reporting context for school education in Australia, outlines nationally agreed policy initiatives and reports against nationally agreed key performance measures for schooling in Australia.

Recommendation 7 (indexation rate post 2017)
The Senate Select Committee on School Funding recommends that the Australian Government should reinstate an appropriate indexation rate for school funding. The government should ensure that Commonwealth school funding is not cut in real terms by adopting a more realistic indexation rate that ensures annual indexation is not below actual cost pressures. The committee notes that the previously agreed rates increased Commonwealth funding at 4.7 per cent per annum and states’ contributions at 3 per cent per annum.

The Australian Government does not support this recommendation.
The Government has honoured the funding agreements for all states and sectors for 2014-2017 and has actually exceeded the investment by $1.2 billion over that committed for this period by the previous Government.

The claim that there was a previously agreed rate of 4.7 per cent for Commonwealth indexation is not correct. The Commonwealth indexation arrangements represented in the Australian Education Act 2013 are as follows. Approved Authorities above the Schooling Resource Standard (SRS) are to be indexed at 3 per cent and Approved Authorities on the SRS are to be indexed at 3.6 per cent. Only those Approved Authorities below the SRS have their Commonwealth funding indexed at 4.7 per cent.

These indexation arrangements reflect the outcome of negotiations between the former government and each jurisdiction and were intended to bring all approved authorities towards the SRS over time. However, the impact of these arrangements on the Federal Budget is clearly unsustainable—so much so that the previous government did not budget for it.

There is no evidence that the previously applied indexation rate for school funding was appropriate and states and territories requested it be reviewed.

On this basis, from 2018 onwards, school education funding from 2018 will increase based on student enrolment growth and the government-wide indexation rate of the Consumer Price Index. This will consolidate the substantial increases in Government funding made from 2014 to 2017 and allow sustainable growth into the future for Australian schools. CPI is the indexation rate being applied to all demand driven Commonwealth funding programs. Choosing indexation consistent with the rest of government is fiscally responsible.

The distribution of the funding envelope from 2018 will be subject to formal negotiations with all states and territories and non-government education providers to develop funding arrangements which are equitable, address student need, and which help governments to deliver quality education outcomes in a sustainable and affordable manner. These negotiations will provide the opportunity to consider the issue of indexation.
Recommendation 8 (ongoing scrutiny)
The Senate Select Committee on School Funding recommends the Senate pay particular regard to:
- any further cuts to Commonwealth or state education funding;
- the effect on Commonwealth-state relations with any further cuts or changes, particularly the effect on states' ability to adequately fund schools; and
- any reviews conducted or amendments proposed to the *Australian Education Act 2013*.

The committee also recommends that the Senate refer any amendments proposed to the *Australian Education Act 2013* to the Senate Education and Employment Legislation Committee for inquiry and report.

*The Australian Government notes this recommendation.*

**Australian Greens Additional Comments**

**Australian Greens Recommendation 1**
The Australian Greens recommend the Commonwealth Government establish a National Schools Resourcing Body, as envisaged in the Gonski Review of School Funding, to administer current funding arrangements, rebuild shared ownership of the Gonski reforms and manage future school funding negotiations.

*The Australian Government does not support this recommendation.*

Australian and State and Territory Governments are accountable to the public for their share of public funding allocated to schools. It is unnecessary to create another body and another level of administration and bureaucracy to manage school funding.

Existing forums, such as the COAG Education Council are in place to make national level decisions on school education policies.

**Australian Government response to the Senate Education, Employment and Workplace Relations References Committee report:**

**Higher education and skills training to support future demand in agriculture and agribusiness in Australia**

**October 2014**

**Acronyms**

ACDA Australian Council of Deans of Agriculture
ARCom Australian Research Committee
AWPA Australian Workforce and Productivity Agency
CSU Charles Sturt University
COAG Council of Australian Governments
EFTSL equivalent full-time student load
ISC Industry Skills Council
NBN National Broadband Network
NEST National Agribusiness Education Skills and Labour Taskforce
OLT Office for Learning and Teaching
PICSE Primary Industry Centre for Science Education
PIEF Primary Industries Education Foundation
RDGs research and development corporations
RD&E National Primary Industries Research, Development and Extension Framework
RESJ Regional Education, Skills and Jobs  
RTOs Registered Training Organisations  
SCOTESO Standing Council on Tertiary Education, Skills and Employment  
VET vocational education and training

**Introduction**

On 19 September 2011, the Senate Education, Employment and Workplace Relations References Committee (the Committee) was asked by the Senate to undertake an inquiry into the skills requirements of the agriculture and agribusiness sectors within Australia to consider the implications of skill shortages on the future workforce. The terms of reference for the inquiry are at Appendix A. The Committee received 69 public submissions from a broad range of stakeholders, demonstrating the significance of this issue for the sector. A summary of the submissions is at Appendix B. The Committee also conducted public hearings in Canberra, Perth and Melbourne in February, March and May 2012 respectively.

The Committee released its report *Inquiry into higher education and skills training to support agriculture and agribusiness in Australia* (the Report) on 21 June 2012. The Australian Government response to the Report recognises the structural changes in the agricultural and agribusiness sector over the past twenty years and values the important contribution the sector makes to Australia's economic growth. Structural adjustments resulting from globalisation, the recent decade of drought and ongoing challenges arising from a changing climate are resulting in the need for Australia's agricultural and agribusiness workforce to modernise and be more highly skilled.

Skills shortages in the agricultural and agribusiness sector have been exacerbated by Australia's ageing population and a booming resources sector which has, until recently, been absorbing much of the available labour in parts of regional Australia. In 2012 there was some indication that a few agricultural occupations may be starting to meet their workforce needs. The *Skills Shortages Australia 2012* report for the September 2012 quarter found that there were no shortages of agricultural scientists and consultants, however these occupations account for only a small portion of the sector's workforce. Some employers surveyed indicated that there were not enough agricultural science graduates entering these occupations, for future demand. According to the Secretary of the Australian Council of Deans of Agriculture, there are as many as 4000 graduate level positions available for about 700 agriculture graduates across Australia.

Industry has a critical role in addressing the education, skills and training needs of the agricultural and agribusiness workforce. The Australian Government supports industry in this endeavour through investment in skills and workforce development, and in research infrastructure.

**Investment in skills**

Education and training play an important role in building a skilled agricultural and agribusiness workforce. Over the coming decades, this workforce will require higher level skills to operate new farming systems that use land, water, nutrients, pesticides and energy more efficiently, in order to remain competitive.

The Australian Government has made significant investments in education, skills and training through its investment in the national training system and in higher education. Under the Council of Australian Governments' National Partnership Agreement on Skills Reform, $1.75 billion was committed over five years from 2012-13 through to 2016-17. This funding is in addition to the $1.4 billion per annum allocated to the States each year. Additionally, the Australian Government directly funds programs to achieve national growth in skills, qualifications and more effective workforce planning and development. Nationally, a third of Australian universities offer places in agriculture-related courses at the undergraduate and postgraduate levels, with most universities offering related courses in business
and science fields. In addition, agriculture units of study receive the highest rate of Australian Government funding ($21,075 per Commonwealth supported place in 2013\(^3\)).

AgriFood Skills Australia, as one of the 11 government established Industry Skills Councils is tasked to address the skills and training needs of the agricultural and agribusiness sector. AgriFood Skills Australia assists the agricultural sector to identify their training needs and to skill their workforce.

Under funding programs which are drawing to a close, agricultural enterprises were able to apply for government funding through AgriFood Skills Australia to match their own investment, in order to develop skills within their workforce. The skills and labour issues across the food supply chain were examined in the *Food and Beverage Workforce* study published in October 2013. It focused on ways to enhance Australia's food export performance and capitalise on growth opportunities within the region.

A range of stakeholders across the sector have established strategies for developing workforce skills, however, the coverage is not consistent.

In August 2012, the Senate Select Committee on Australia's Food Processing Sector released a report *Inquiry into Australia's food processing sector*. The report made four recommendations relating to better matching skills with the needs of industry. The impending Australian Government response to that inquiry will consider these recommendations.

The Australian Government is developing the Agricultural Competitiveness White Paper which will set out a strategic approach to promote greater investment, provide for growth in jobs and improve profitability in the agriculture sector. The paper will consider issues including food security, improving farm gate returns, debt, drought management, supply chain competitiveness, investment, job creation, infrastructure, skills and training, research and development, regulatory effectiveness, and market access.

While the Australian Government will continue to provide assistance in addressing the challenges facing the agricultural and agribusiness sector through the national education and training systems, ultimately the sector's ability to attract new people will be an important factor in determining whether it remains competitive and profitable. This is a key challenge for agriculture and agribusiness.

The Australian Government acknowledges that a range of stakeholders, including the Primary Industries Education Foundation (PIEF), the Primary Industry Centre for Science Education (PICSE) and the Australian Council of Deans of Agriculture (ACDA) are increasing awareness of agricultural careers and education in agriculture.

There is strong collaboration amongst industry, education stakeholders and governments in ensuring a future workforce for the agricultural and agribusiness sector. A number of industry organisations and state governments have developed resources in this area. Cotton Australia has a range of educational resources available for use in classrooms to increase awareness of careers in the cotton industry. Queensland Government's Gateway to Industry Schools Program also raises the profile of agribusiness in schools.

The Australian Government is implementing new approaches to support businesses to build their competitiveness and efficiency through skilling their workers. The new Industry Skills Fund is available to small and medium businesses which are focusing on new areas of growth and wish to share funding responsibilities with the Government to skill up their workers. Businesses can seek assistance from the fund through the Department of Industry's Single Business Service and access other forms of business development support and information.

**Investment in research infrastructure**

Governments, universities, public research agencies and industry invest in research infrastructure that relates to agriculture.

Knowledge arising from research infrastructure, such as data, findings and new research techniques, feed into teaching resources and provide further career opportunities for agriculture science students.
Previous investment has enabled the creation of a national system of world-class, collaborative research infrastructure facilities and projects across a broad range of research domains, including animal and plant phenomics, animal and human health, and terrestrial and oceanic ecosystems.

Examples of research infrastructure that directly support future demand in agriculture and agribusiness in Australia:

**Australian Plant Phenomics Facility**

The Australian Government provided almost $32 million to the Australian Plant Phenomics Facility. Part of the Australian Plant Phenomics Facility is located in the University of Adelaide’s Waite Campus, which is a pre-eminent plant science research site in Australia and has 1 200 researchers. The Plant Accelerator is an Australian first that will improve international efforts to cultivate sustainable crops, as well as providing a competitive edge for Australia’s $28 billion annual agricultural export industry. Ultimately, this facility will enable researchers to respond more quickly to market needs, and give Australia a head start in a field of research that will deliver practical benefits to primary producers.

A 'super greenhouse' features a series of 50 high-tech glasshouses and laboratories housing more than 1km of conveyor systems that will deliver plants automatically to state-of-the-art imaging, robotic and computing equipment. This will allow continual measurement of the physical attributes (the phenotype) of up to 160 000 plants a year. The accelerator mode of this facility will identify those varieties of plant that will be most successful in growth and function, and therefore reduce the time between the breeding of new varieties and their delivery to agricultural producers.

**Charles Sturt University Food, Soil and Water Research Centre**

The Australian Government provided $5.93 million to support the establishment of the Food, Soil and Water Research Centre, located at Charles Sturt University's Port Macquarie campus, comprising a testing and research facility and a teaching facility. The Centre will be a hub for local, national and international researchers in the area of food security, water security and soil science, forming a unique link between industry, commercial laboratory facilities and higher education through:

- testing of food, soil and water for local and broader regional industries including agriculture, aquaculture, local government and environmental organisation;
- enabling strategic, regional partnership through the development of links to higher level educational research and on-site course delivery;
- connecting the region with the research and education undertaken within the university's other laboratories and locations; and
- providing undergraduate and postgraduate students and researchers with access to real environments, business and industry to develop solutions that have immediacy for practice.

**Summary**

The Australian Government acknowledges the contribution that the agricultural and agribusiness sector makes to the community and to the economy. Industry has a central role in contributing to the education, skills and training needs of the agricultural and agribusiness workforce. The Australian Government supports industry in this undertaking by investing in skills to assist industry, and in research infrastructure within this sector.

**Recommendation 1:**

*The committee recommends that the Australian Council of Deans of Agriculture considers working with the Australian Council of Deans of Education to strengthen engagement between agriculture and education faculties during teacher education programs.*
Response: Noted
The Australian Government notes that this is a matter for consideration by the two Councils.

Recommendation 2:
The committee recommends that the Government continues to provide financial support for the promotion of agriculture in primary and secondary schools, such as the work undertaken by the Primary Industry Centre for Science Education and the Primary Industries Education Foundation.

Response: Supported in principle
The Australian Government supports this recommendation in principle and notes the importance of the work already done by the Primary Industry Centre for Science Education (PICSE) and the Primary Industries Education Foundation (PIEF) and their role in the promotion of agriculture in primary and secondary schools.

The Australian Government has funded the University of Tasmania to support PICSE. PICSE has now established itself as an important body in collaborating with universities, regional communities and local primary industries, to attract students into tertiary science and to increase the number of skilled professionals in science based primary industries.

The Australian Curriculum provides opportunities for school students to learn about agriculture and its importance to Australia. The Australian Government encourages organisations to develop and promulgate resources to support the curriculum, such as PIEF’s Primezone which provides teachers with access to a range of primary industries’ education resources.

The Australian Government has committed $2 million for a new program to help teachers better understand the products and processes associated with food and fibre production. As part of this program, information resources will be provided through a central website. Teachers will be able to participate in workshops to learn how these digital resources can be used in the classroom and linked to key parts of the curriculum.

Recommendation 3:
The committee recommends that the Department of Innovation, Industry, Science, Research and Tertiary Education reviews the impediments to seamless national delivery of agriculture and agribusiness education in the Vocational Education and Training sector.

Response: Supported In Principle
The Australian Government currently provides a range of mechanisms through the national training system to provide consistency, transparency and quality for agricultural education, skills and training in Australia.

The Australian Government recognises the benefits of consistent high-quality, industry relevant training across Australia. The Government, in its leadership responsibilities for vocational education and training in Australia, will assess the need for refinements to training to meet the needs of the industry.

As part of the White Paper on Agricultural Competitiveness, the Australian Government will be considering the adequacy of current skills training and education requirements.

AgriFood Skills Australia, the national Industry Skills Council with responsibility for the agriculture sector works with industry and other stakeholders to develop and maintain nationally recognised and industry endorsed competencies, Skill Sets and qualifications for the sector. Skills Sets, in particular, provide flexibility to training organisations, businesses and individuals in selecting training to suit the needs of industry. Formal recognition of the training through a statement of attainment allows individuals to add other skills training at a later date to build a full qualification.

The Government’s Indigenous Land Corporation provides training and employment opportunities for Indigenous Australians in the pastoral sector through its 14 agricultural businesses. During 2012-13 these businesses hosted 130 Indigenous people as trainees, offering Certificate I and 12-month
Certificate II or III traineeships in rural skills including agriculture, meat processing, horticulture, conservation and land management, construction, tourism and hospitality.

Recommendation 4
The committee recommends that the Department of Innovation, Industry, Science, Research and Tertiary Education consult with state and territory agencies and relevant industry bodies to determine the most appropriate delivery model for Vocational Education and Training in the agricultural and agribusiness sector with a view to ensuring adequate funding which will deliver the most effective training outcomes for employees and employers alike.

Response: Supported in principle
The Australian Government supports this recommendation in principle but already consults the states and territories regularly on VET, as the national training system is jointly administered by the Commonwealth, states and territories. All jurisdictions recognise the importance of addressing the challenges of providing effective delivery of agricultural education to ensure an adequate supply of skilled workers in agriculture in regional areas.

While the Australian Government contributes significant funding to the VET sector, state and territory governments are largely responsible for the administration, delivery, operations, course offerings and budgetary decisions made in relation to their training systems.

Through national Industry Skills Councils the Australian Government funds the development and continuous improvement of nationally endorsed qualifications and units of competency which support industry in meeting the skills needs of their workforce. The Australian Government directly supports the Australian Apprenticeships system through the Australian Apprenticeships Incentives Program (AAIP) to encourage participation and retention of apprentices in the system. The AAIP provides incentives to employers who employ eligible Australian apprentices and thereby encourages people to enter into work while also acquiring skills as part of their employment.

Recommendation 5:
The committee recommends that the government explores options for the Regional Higher Education, Skills and Jobs Coordinators to work with organisations such as the Primary Industries Education Foundation to raise the profile of agriculture in schools.

Response: Noted
The Australian Government previously funded 34 Regional Education, Skills and Jobs (RESJ) Coordinators to work in regional communities across Australia. They worked with community stakeholders, including Regional Development Australia Committees, to develop RESJ Plans that included strategies to improve participation and outcomes in education, training and employment in regional Australia. The RESJ Coordinators worked to ensure communities were aware of the opportunities available including facilitating linkages across Government programs.

Where, through consultation with local stakeholders, the agriculture sector in a region was identified as requiring support with its workforce and skill needs, the RESJ Coordinator worked with the sector and other local stakeholders, such as schools, training providers and employment services providers, to develop and implement appropriate strategies.

The RESJ Coordinator measure was funded for three years and ceased on 30 June 2014.

Recommendation 6:
The committee recommends that the Australian Council of Deans of Agriculture work with member universities to develop a collaboration framework to optimise research investment and improve knowledge transfer in agriculture and agribusiness research.
Response: Noted
While the Australian Government notes this is a matter to be considered by the Australian Council of Deans of Agriculture (ACDA), the Minister for Industry will write to the Chair of ACDA to this effect.
The Australian Government notes there are existing frameworks that support a collaborative approach to research investment and knowledge transfer. These include the National Primary Industries Research, Development and Extension (RD&E) Framework and initiatives being undertaken by the Australian Research Committee (ARCom). The RD&E Framework is a partnership between the Australian, state and Northern Territory governments, the rural research and development corporations (RDCs), the Commonwealth Scientific and Industrial Research Organisation, the university sector and industry. It plays a major role in identifying priority RD&E requirements for the rural sector and ensuring allocation of the most effective and efficient RD&E capacity to address them. ACDA is a partner in the RD&E Framework, and a member of the RD&E Committee, which reports to the Standing Council on Primary Industries.
ARCom was established to provide integrated and strategic advice on future research investments, including in the areas of human capital, infrastructure and collaborative activities.
ARCom, chaired by Australia’s Chief Scientist, will consider how to increase collaboration and coordination in Commonwealth rural RD&E investment. ARCom is exploring the level of coordination of Australian Government rural research and development investment and will advise on whether any improvements can be made in terms of more coordinated funding arrangements and priority-setting, opportunities for collaboration or increasing the focus on rural research.
The broader National Research Plan, released in November 2012, also outlines that ARCom will provide ongoing advice on improving linkages between the research sector and industry. It is likely that this work will have a bearing on, or provide direction to, efforts by ACDA to develop a collaboration framework to optimise research investment and improve knowledge transfer in agriculture and agribusiness research.

Recommendation 7:
The committee recommends that the government commissions a study inquiring into the most appropriate higher education framework to support high-level, practically-focused agribusiness education with a view to implementing the national food plan. The review should consider governance and funding arrangements (recognising the significant costs of delivering agricultural and farm studies), the effectiveness of regional campuses, needs of industry and students, and pathways between VET and higher education.

Response: Not supported
The Australian Government does not support this recommendation. The Government has previously initiated a number of reviews to ensure that Australia’s higher education system has the capacity to provide a highly skilled and adaptable workforce to meet future challenges; there has been a strong focus on the needs of regional universities.
The Australian Government is developing a White Paper on Agricultural Competitiveness, which will drive long-term agricultural policies and ensure Australia’s agriculture sector remains a significant contributor to the national economy and local communities. The White Paper will take into account the analysis done for the National Food Plan, in the context of the Government’s agriculture related priorities.

Higher Education
The current funding arrangements for universities provides for students to gain an education in order to become graduates who can enter occupations that the economy needs. The agricultural industry can work more closely with universities to encourage students to participate in courses that meet the needs of the agriculture labour market.
Nationally, more than one-third of Australian universities offer places in agriculture-related courses at the undergraduate and postgraduate levels, and Australia’s universities play a critical role in developing skilled workers for the agricultural and agribusiness industries.

Learning and Teaching

The Office for Learning and Teaching (OLT) commissions work and provides grants and fellowships to academics and professional staff to enhance learning and teaching in higher education. The OLT has funded seven projects to improve learning and teaching within the discipline of agriculture. Projects include, universities and industry working together to establish national academic standards for agriculture, updating curriculum and teaching resources (e.g. soil science, plant breeding, veterinary science and entomology) and a national forestry education network. The OLT works with peak bodies to disseminate the outcomes of these projects and final reports are published on the website (www.olt.gov.au/resources).

Agricultural and Farm Studies

Agriculture units of study currently receive the highest rate of Government funding ($21,273 per Commonwealth supported place in 2014). The maximum student contribution in 2014 for agriculture units of study is $8,613 for one equivalent full-time student load (EFTSL) which is the second highest student contribution band. Combined funding per agriculture EFTSL for universities will be up to $29,886 in 2014.

The Government announced major reforms to the funding of higher education in the 2014-15 Budget. These reforms will help to create a world class, sustainable higher education system. From 1 January 2016, all Tertiary Education Quality and Standards Agency (TEQSA) accredited higher education institutions will be able to choose to provide Commonwealth supported places (CSP) for their students. From 2016, the Government will also extend the demand driven funding system to include all higher education bachelor degrees, diplomas, advanced diplomas and associate degree courses. Australian students enrolling in these courses will be able to access a CSP. In 2016, agriculture units of study will continue to receive the highest rate of government funding ($18,067 per Commonwealth supported place).

From 1 January 2016, the maximum contribution amount for Australian students at higher education institutions will be removed. Universities and other higher education institutions will be able to determine the fees they charge Commonwealth supported students. The Higher Education Loan Program (HELP) ensures that all Australians are able to participate in higher education without the need to pay any upfront fees.

Students within the broad field of study—Agriculture, Environmental and Related Studies—may also pursue careers in agriculture and agribusiness. This category covers the fields of Agriculture, Horticulture and Viticulture, Forestry Studies, Fisheries Studies; and Environmental Studies. Data available for 2013 indicates that out of all broad fields of education, Agriculture, Environmental and related studies recorded the largest increase in applications (7.1 per cent) and the largest increase in offers (7.2 per cent).

Mathematics, Engineering and Science Report

Students who study mathematics, engineering and science may also enter a range of agricultural and agribusiness careers.

The Mathematics, Engineering and Science in the National Interest report was released in May 2012 and made 17 recommendations regarding ways to encourage greater participation in mathematics, statistics and science at university. The recommendations focused on schools, where most students identify their future study options, and teachers, who have the greatest influence on the choices students make about their careers. The recommendations fall under five themes: Inspirational teaching; Inspired school leadership; Teaching techniques; Gender issues; and Scientific literacy.
In response, a $54 million package of programs addressing these five themes was provided, including the appointment of a National Maths and Science Education and Industry Adviser, located within the Office of the Chief Scientist, to champion the role of mathematics, statistics, science and engineering across education and industry.

**Regional Higher Education**

The Review of Regional Loading examined the cost of providing quality teaching in regional Australia and as a result the regional loading was increased by $110 million to help overcome the higher costs of regional campuses. Additionally, the University of New England recently received $29 million for an Integrated Agricultural Education Project that will support construction of an agricultural education building, a farm education facility and an animal husbandry facility.

**Pathways from VET to Higher Education**

Opportunities exist for students to enter higher education agriculture and agribusiness courses through a variety of pathways, including articulation from VET programs. A number of universities offering courses in agriculture and agribusiness have pathways from VET to higher education. For example, Charles Sturt University (CSU) has an articulation program with the Sunraysia Institute of Technical and Further Education (TAFE) which creates pathways from Diploma courses in Conservation and Land Management, Rural Business Management, and Horticulture into a variety of CSU degrees. Other providers, such as the University of Western Australia, have no formal credit transfer or articulation pathways into their agriculture degree program, but encourage students to apply for advanced standing, on the basis of prior study, once they have received the offer of a place. The University of Tasmania also recognises successful TAFE/VET studies as an important entry pathway to higher education study.

CSU has also received funding to collaborate with the Goulburn Ovens Institute of TAFE (Wangaratta, Victoria) to establish a Regional University Centre to service the higher education market of that region. The Centre functions as an on-campus and mixed-mode delivery point for selected CSU degree programs, with a focus on agriculture and animal production.

**Recommendation 8:**

*The committee recommends that the Australian Bureau of Agricultural and Resource Economics and Sciences undertakes an analysis of the decline of Extension services and the impact of this on the dissemination of research outcomes through productivity improvement to agriculture and agribusiness.*

**Response: Supported in principle**

The Australian Government acknowledges the importance of extension and adoption of research outcomes and that extension arrangements are different for different industries and regions of Australia. The RDCs are ensuring that the adoption of research outputs is treated as an integral part of the research and development planning and delivery process. These include requirements for the RDCs to develop extension plans, consider pathways to adoption of each research project and report on extension activities.

Extension of research outcomes is also a major focus of the Research, Development and Extension (RD&E) Framework. The Australian Government will continue working with other parties to the RD&E Framework to ensure extension and adoption priorities are adequately understood and addressed during implementation of sectoral and cross-sectoral strategies under the framework.

**Recommendation 9**

*The committee recommends that the government facilitates the development of a national peak industry representative body for the agricultural production and agribusiness sectors.*

**Response: Supported In Principle**

The Australian Government recognise the value of working collaboratively with industry to deal with the challenges impacting the agricultural and agribusiness sector into the future.
The Minister for Agriculture established an Agricultural Industry Advisory Council in January 2014 to provide advice on issues and challenges facing agriculture and to enhance consultations with the sector.

The Minister for Industry, as part of developing reform options for vocational education and training, has engaged with many industry sectors, including agriculture.

The National Farmers' Federation also facilitates the National Agribusiness Education, Skills and Labour Taskforce (NEST), which was formed in 2012, and brings representatives of the Australian Government and the agriculture industry.

**Recommendation 10**

The committee recommends that the government commits to regular consultation with the new peak body established in recommendation 9 regarding policy changes that impact upon agriculture and agribusiness.

**Response: Noted**

The Australian Government notes the recommendation, and in light of the response to Recommendation 9, acknowledges the current consultation processes with a wide range of agricultural and agribusiness stakeholders, along with the establishment of NEST in September 2012.

**Recommendation 11**

The committee recommends that the new industry peak body develops and presents to government a national strategy for addressing the skills shortage, industry productivity, and food security.

**Response: Noted**


If industry elects to change its representational arrangements and establish a new body, the work program would be a matter for that body.

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1 Commonwealth Department of Employment, Skills Shortages Australia 2012  
2 Council of Australian Governments, National Partnership Agreement on Skills Reform,  
4 Commonwealth Grant Scheme funding cluster amounts for 2013 –  

**COMMITTEES**

**Consideration**

The following orders of the day relating to committee reports and government responses were considered:

- Foreign Affairs, Defence and Trade Legislation Committee—Korea-Australia Free Trade Agreement—Report. Motion of Senator Bilyk to take note of report agreed to.
- Environment and Communications Legislation Committee—Performance, importance and role of Australia Post in Australian communities and its operations in relation to licensed post offices—Final report. Motion of the chair of the committee (Senator Ruston) to take note of report called on. On the motion of Senator McEwen the debate was adjourned till the next day of sitting.
Community Affairs Legislation Committee—Social Services and Other Legislation Amendment (2014 Budget Measures No. 1) Bill 2014 [Provisions] and Social Services and Other Legislation Amendment (2014 Budget Measures No. 2) Bill 2014 [Provisions]—Interim and final reports and corrigendum to dissenting report from Opposition senators. Motion to take note of reports and document moved by Senator Bilyk. On the motion of Senator McEwen the debate was adjourned till the next day of sitting.

Rural and Regional Affairs and Transport References Committee—Industry structures and systems governing levies on grass-fed cattle—Report. Motion to take note of report moved by Senator Back. On the motion of Senator Ruston the debate was adjourned till the next day of sitting.

Northern Australia—Joint Select Committee—Pivot north: Inquiry into the development of northern Australia—Final report. Motion of Senator Macdonald to take note of report called on. On the motion of Senator Ruston the debate was adjourned till the next day of sitting.

Environment and Communications References Committee—Management of the Great Barrier Reef—Report. Motion of the chair of the committee (Senator Urquhart) to take note of report agreed to.

Community Affairs References Committee—Prevalence of different types of speech, language and communication disorders and speech pathology services in Australia—Report. Motion of the chair of the committee (Senator Siewert) to take note of report agreed to.

Education and Employment Legislation Committee—Family Assistance Legislation Amendment (Child Care Measures) Bill (No. 2) 2014 [Provisions]—Report. Motion of Senator Lines to take note of report agreed to.

Economics References Committee—Future of Australia’s naval shipbuilding industry: Tender process for the navy’s new supply ships (part 1)—Report. Motion of the chair of the committee (Senator Dastyari) to take note of report called on. Debate adjourned till the next day of sitting, Senator McEwen in continuation.

National Broadband Network—Select Committee—Interim report—Government response. Motion of Senator Ludlam to take note of document called on. On the motion of Senator McEwen the debate was adjourned till the next day of sitting.

Community Affairs References Committee—Out-of-pocket costs in Australian healthcare—Interim and final reports. Motion of Senator Di Natale to take note of reports called on. On the motion of Senator McEwen the debate was adjourned till the next day of sitting.

Finance and Public Administration References Committee—Commonwealth procurement procedures—Report. Motion of the chair of the committee (Senator Lundy) to take note of report agreed to.


Education and Employment References Committee—Technical and further education system in Australia—Report. Motion of Senator Bilyk to take note of report called on. On the motion of Senator Ruston the debate was adjourned till the next day of sitting.

Education and Employment References Committee—Government’s approach to re-establishing the Australian Building and Construction Commission—Report. Motion of the chair of the committee (Senator Lines) to take note of report called on. On the motion of Senator Ruston the debate was adjourned till the next day of sitting.

**AUDITOR-GENERAL’S REPORTS**

**Consideration**

Order of the day no. 1 relating to reports of the Auditor-General was called on but no motion was moved.

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**CHAMBER**
BUDGET
Consideration by Estimates Committees

Senator RUSTON (South Australia—Deputy Government Whip in the Senate) (18:02): I present additional information received by a committee related to estimates.

COMMITTEES
Publications Committee

Report

Senator RUSTON (South Australia—Deputy Government Whip in the Senate) (18:07): On behalf of the Chair of the Publications Committee, I present the ninth report of the Publications Committee.

Ordered that the report be adopted.

Privileges Committee

Report

Senator McEWEN (South Australia—Opposition Whip in the Senate) (18:07): On behalf of the Chair of the Privileges Committee, I present the 158th report of the Privileges Committee, entitled Person referred to in the Senate—Ms Heather Sculthorpe, Tasmanian Aboriginal Council.

Ordered that the report be adopted.

Senator McEWEN: I seek leave to incorporate the tabling speech in Hansard.

Leave granted.

The incorporated speech read as follows—

This report is the 69th in a series of reports recommending that a right of reply be afforded to persons who claim to have been adversely affected by being referred to in the Senate, either by name or in such a way as to be readily identified.

On 1 October 2014, the President received a submission from Ms Heather Sculthorpe relating to a speech made by Senator Jacqui Lambie during the adjournment debate in the Senate on 23 September 2014. The President referred the submission to the committee under Privilege Resolution 5.

The committee considered the submission at its meeting today and recommends that the proposed response be incorporated in Hansard.

The committee reminds the Senate that in matters of this nature it does not judge the truth or otherwise of statements made by honourable senators or the persons referred to. Rather, it ensures that these persons’ submissions, and ultimately the responses it recommends, accord with the criteria set out in Privilege Resolution 5.

I commend the motion to the Senate.

DOCUMENTS
Order for the Production of Documents

Documents were tabled pursuant to the order of the Senate of 2 October 2014 for the production of documents relating to the East West Link and budget estimates.
COMMITTEES

Membership

The PRESIDENT (18:05): Order! I have received letters from party leaders requesting changes in the membership of various committees.

Senator RONALDSON (Victoria—Minister for Veterans' Affairs, Minister Assisting the Prime Minister for the Centenary of ANZAC and Special Minister of State) (18:05): by leave—I move:

That senators be discharged from and appointed to committees in accordance with the document circulated in the chamber.

Certain Aspects of Queensland Government Administration related to Commonwealth Government Affairs—Select Committee—

Appointed—Senators Lazarus and Waters

Community Affairs Legislation and References Committees—

Appointed—Participating member: Senator Muir

Economics Legislation and References Committees—

Appointed—Participating member: Senators Lambie and Muir

Education and Employment Legislation Committee—

Appointed—

Substitute member: Senator Siewert to replace Senator Rhiannon for the committee's inquiry into the provisions of the Social Security Legislation Amendment (Strengthening the Job Seeker Compliance Framework) Bill 2014

Participating member: Senators Muir and Rhiannon

Education and Employment References Committee—

Appointed—Participating member: Senator Muir

Electoral Matters—Joint Standing Committee—

Appointed—Participating member [for the purposes of the inquiry into the 2013 Election]: Senator Muir

Environment and Communications Legislation and References Committees—

Appointed—Participating member: Senator Muir

Finance and Public Administration Legislation and References Committees—

Appointed—Participating member: Senator Muir

Foreign Affairs, Defence and Trade Legislation and References Committees—

Appointed—Participating member: Senator Muir

Legal and Constitutional Affairs Legislation and References Committees—

Appointed—Participating member: Senator Muir

Rural and Regional Affairs and Transport Legislation and References Committees—

Appointed—Participating member: Senator Muir

Trade and Investment Growth—Joint Select Committee—

Appointed—Participating member: Senator Muir.

Question agreed to.
BILLS

Automotive Transformation Scheme Amendment Bill 2014

First Reading
Bill received from the House of Representatives.

Senator RONALDSON (Victoria—Minister for Veterans' Affairs, Minister Assisting the Prime Minister for the Centenary of ANZAC and Special Minister of State) (18:06): I move:
That this bill may proceed without formalities and be now read a first time.
Question agreed to.
Bill read a first time.

Second Reading

Senator RONALDSON (Victoria—Minister for Veterans' Affairs, Minister Assisting the Prime Minister for the Centenary of ANZAC and Special Minister of State) (18:06): I move:
That this bill be now read a second time.
I seek leave to have the second reading speech incorporated in Hansard.
Leave granted.
The speech read as follows—

AUTOMOTIVE TRANSFORMATION SCHEME AMENDMENT BILL 2014

The Automotive Transformation Scheme (ATS) is a legislated entitlement scheme that provides assistance to registered participants for the production of motor vehicles and engines, and for investment in allowable research and development, and allowable plant and equipment. The ATS provides two types of assistance: capped assistance via a special appropriation; and uncapped assistance via annual appropriation.

This amendment Bill is made to give effect to the Government's 2013-14 Mid-Year Economic and Fiscal Outlook (MYEFO) and Budget decisions in respect of the ATS. This Bill reduces the period of the ATS by three years and the total amount of capped assistance available by $900 million.

The Coalition announced it would reduce the ATS by $500 million in February 2011 and took this commitment to the election. The ATS saving measure in the MYEFO set out how we would achieve this.

In light of the decisions by the local car makers to cease manufacturing in Australia by the end of 2017, the Government determined that it was appropriate to terminate the ATS on 1 January 2018, which was announced in the May 2014 Budget. The three local car manufacturers, Ford, Holden and Toyota, have made it clear that the level of Government support was not the reason for their decision to cease manufacturing cars in Australia.

As set out in this Bill, the total amount of capped assistance for stage 1 will be reduced by $200 million to $1.3 billion (2011-2015) and stage 2 by $700 million to $300 million (2016-2018).

Despite these reductions, funding of approximately $700 million remains available under the ATS to support vehicle manufacturing and supply chain companies over four financial years from 2014-15.

As the Regulations provide that payment of assistance is made one quarter in arrears, the inclusion of the first quarter of calendar year 2018 in stage 2 allows for the final payment of assistance to be made for allowable investment and production undertaken during the final quarter of calendar year 2017.

This Bill will give effect to the Government’s MYEFO and Budget decisions on the appropriate amount of assistance available under the ATS.
Passage of this Bill provides certainty for ATS participants about the level of assistance available for the final three years of the Scheme, which will assist their future business planning and decision-making.

Debate adjourned.

**National Security Legislation Amendment Bill (No. 1) 2014**

**Assent**

Message from the Governor-General reported informing the Senate of assent to the bill.

**DOCUMENTS**

Department of Infrastructure and Regional Development

Indigenous Affairs Portfolio

Tabling

**The Clerk:** Documents are presented in accordance with the continuing order of the Senate relating to estimates hearings.

**COMMITTEES**

Government Response to Report

**Senator KIM CARR** (Victoria) (18:07): I seek leave to take note of the Australian government's response to the Senate Education, Employment and Workplace Relations committee report *Higher education and skills training to support future demand in agriculture and agribusiness in Australia*.

**Senator Ronaldson:** Senator Carr really missed his opportunity earlier on, but the government will allow him to take note.

**Senator KIM CARR:** On that point, Mr President, I specifically asked for guidance from you on this matter. I specifically asked for advice. I was given that advice. And Senator McLucas also asked for advice and was given that advice. For Senator Ronaldson to make those sorts of churlish remarks indicates just how far from the mark—

**The PRESIDENT:** Senator Carr, that is unnecessary. You have sought leave. All you sought for me was whether you could do this by leave, and I said yes, you could. I also confirmed that with Senator McLucas. So, you have now sought leave.

Leave granted.

**Senator KIM CARR:** I welcome the government's response to this Senate report. This is a vital issue that is central to the nation's future. Our Chief Scientist said just three days ago:

The future of agriculture – and consequently the future of this country – rests on our capacity to back you with science.

… … …

A modern farm needs a workforce that makes innovation its daily agenda – and a culture that puts science at its core.

So I find it extraordinary that the government's response is silent on the most pressing issue of agricultural science—the mismatch between agricultural science and jobs and this government's unfair cuts to higher education. This is especially the case given the focus the
government has placed on increasing our agricultural productivity and performance in order to take advantage of the recently negotiated bilateral trade agreements.

Science and agricultural science will be savagely hit by the higher education legislation that is currently before this chamber. The vice-chancellor of Charles Sturt University said that as a result of the government's changes:

Science fees would need to be increased by 62%, Agriculture by 48% and Environmental Studies by 114%.

He said that as a result an agricultural degree at Melbourne University could cost between $97,000 and $112,000—as a direct result of the changes that this government is introducing. The *Weekly Times* reports that it is cheaper for students to undertake this tertiary study in New Zealand and in Canada and the United States than it would be to undertake this study in Australia. I just want to repeat that, because we have heard some words uttered just in the last hour or so from the government benches about the cost of the government's proposed changes. I repeat: the vice-chancellor of Charles Sturt University said that as a result of the government's changes science fees would need to increase by 62 per cent, agriculture fees by 48 per cent and environmental studies fees by 114 per cent, and at Melbourne University you would see an agricultural degree costing between $97,000 and $112,000.

The Chief Scientist has singled out agriculture as one of those areas in need of desperate government attention. Professor Chubb said that Australia desperately needed the skills of agricultural scientists, with free trade agreements demanding an increased level of food production, plus changing rainfall patterns and farming regions shifting. He said:

The cost of an agricultural science degree to a student would go up something like 37 per cent. Why would you charge them more to do a degree that's so critically important to our international relations, to our own capacity to produce food for ourselves, and to export it as well?

I think that is a pretty good question, and I would ask why the government is pursuing a policy that so seriously disadvantages agricultural science in this country.

More importantly, where is the National Party on this issue? Where are the country based Liberals on this issue? This is another reason this government must reconsider this legislation. This is why this legislation ought to go back to the drawing board. This is a government that has clearly made higher education a battle ground for the next election. And I would welcome that. There should be no more significant an issue for the public to be able to cast a vote upon. It will be a battle ground in regional seats, not just in the cities. Australians know that these changes will have catastrophic effects on rural industries, catastrophic effects on regional communities. This is a government that should wake up to itself and reject these proposals, should withdraw these bills—not just postpone them until after the Queensland election. It should actually get these bills off the *Notice Paper*, these relentless cuts, these relentless assaults upon the fundamental principle of a fair go in this country. This is a government that should withdraw these bills, and I am looking forward to the day that happens.

**Senator BACK (Western Australia) (18:13):** I am absolutely delighted to follow Senator Carr and his question of where the country Liberals are, because the report about which he is speaking is one I presented to this chamber, and I presented it in June 2012. For the benefit of those in the public gallery, the normal protocol is that a government of the day responds to Senate reports and recommendations within three months. It is interesting that the then agriculture minister, Senator Ludwig, is also here, because at the end of three months I waited
and at the end of six and nine and 12 and 15 and 18 months I waited and waited for a response. That is the level of interest of the then Labor government in agriculture and agribusiness. It took until we came into government for even the courtesy to be extended. So do not come in here and start asking where the country based Liberals are; it was my report—and you failed to even acknowledge it! But let me get to the interesting bit.

*Senator Kim Carr interjecting—*

**Senator BACK:** Senator Carr goes on about the high cost of agricultural science degrees et cetera. Senator Carr, what this talks about is competition. One of the finest universities in the world in the field of agricultural science, I am very proud to say, is the University of Western Australia. It has a proud history going back over 100 years in light land farming, trace element deficiencies, animal nutrition issues and animal production issues. The unfortunate thing for me is that most of them did not want to do veterinary science because they would not go to the University of Queensland. Senator Carr, this is where competition comes in. You are not talking about $100,000 degrees. The vice-chancellor of the University of Western Australia, one of the fine universities of the world, has already said there will be a cap of $16,000 a year on his undergraduate degrees. Four years at $16,000—

*Senator Kim Carr interjecting—*

**Senator BACK:** I have even got my shoes off so that I can count with my toes! Four years at $16,000 is a maximum of $64,000. To Senator Carr's embarrassment the government of which he was a member did not even have the courtesy to respond to this report. The report made 10 very sound recommendations. I am delighted to be able to report to the Senate that five of those 10 recommendations were endorsed in principle by the government—the coalition government, the one that had the courtesy to actually respond to this very important report—four recommendations were noted and only one was not supported.

I think it was probably 2012 when we again started to focus the attention of this parliament on the importance of agriculture and agribusiness. I can assure you that, when this other crowd were in government, they had no interest in it at all—and, in all honesty, there were plenty on my own side who were not all that focused. A few moments ago I made the observation that, as I speak, the Premier of Western Australia is delivering the Muresk Lecture at the Muresk Institute, of which I was an academic. In fact, the last person to present the Muresk Lecture was my good self, two years ago. Why is this important? Because Mr Barnett is now again seeing the importance of agriculture and agribusiness coming back into the balance as, unfortunately, our mining industries are dropping off—which is simply because of the failure of the last government to attend to and invest in mining exploration. Of course, Mr Barnett, like all of us, has seen the absolute value to the north of Western Australia. Over here, you are all Pacific West Coast US centric. But we in the West are of course Asia centric—and we are seeing the enormous value of the possibility of agricultural produce extending even further into the Asian markets. Indeed, our report recommendations did talk about the importance of the industry coming together to speak with one voice.

Under the excellent stewardship of Mr Andrew Robb, we have signed a free trade agreement with Japan—the first country in the world to do so. We are also about to sign a free trade agreement with South Korea—and I must acknowledge the support of the Labor Party—which will have an enormous impact for our agricultural exports in particular. And work is well advanced for us to become the first major power to sign a free trade agreement with
China. Why will we be doing that? Because they have great faith in our value-adding capacity and our food safety.

I am delighted that Senator Carr sought and received the approval of the Senate this evening. I would have been incredibly disappointed not to have had the opportunity to draw attention to the failure of the then Labor government and its discourtesy in not even bothering to respond to a report which we now see as being so important in terms of framing the future for our country.

BUDGET
Consideration by Estimates Committees

Senator LUDWIG (Queensland) (18:20): I seek leave to make a short statement for less than one minute.

Leave granted.

Senator LUDWIG: Earlier today the Senate passed a motion, supported by the government, to compel the Treasurer, Mr Hockey, to lay on the table no later than 5 pm today all of his unanswered questions on notice, which total over 1,700. No documents have been tabled by the Treasurer. To that extent, the Treasurer has failed to comply with the requirements of the Senate. But I suspect that the person who will be feeling the heat tonight is Senator Colbeck. He was the minister on duty this afternoon. He voted to force the Treasurer to table his unanswered questions. The government stands embarrassed. I know that Mr Hockey is not popular, but it must be a first for a government to vote against their own in this chamber. This is embarrassing for the government tonight—firstly, not answering these 1,700 questions and, secondly, voting against their own Treasurer.

COMMITTEES
School Funding Select Committee
Report

Senator KIM CARR (Victoria) (18:23): I move:

That the Senate take note of the report.

I hope the minister will take particular attention to this because I am sure that he will, no doubt, be persuaded by the remarks that I have to make. This is the Senate Select Committee on School Funding's report *Equity and excellence in Australian schools*.

I am particularly concerned that the government has sought to essentially walk away from the funding of state schools. It has left state and territory systems to wither as a result of their failure to meet the commitments that they made during the last federal election.

What we see here is where the government's plans would have the opportunity to unite and improve all Australian schools. But what they have done by their particularly unpleasant approach to school education is to pit parent against parent, to pit school against school and to have state fight with state in their capacity to try to divvy-up Commonwealth funding, which is dwindling in real terms. The government has locked in behind the concept of CPI indexation from schools from 2018. It is a recommitment to the government's $80 billion in cuts to schools and hospitals—cuts that will leave every school in this country worse off, on an average across the system, by $3.2 million for every school. Seven teachers could be
funded by that. There will be $1,000 less support for every student, every year, as a result of the government's initiatives in terms of cutting back on school education. This is very significant in real terms with the education price index currently running at 5.1 per cent.

We know that, behind closed doors, the Minister for Education has been telling schools that the CPI indexation rates in the budget will be re-negotiated. But what we have seen here today and what was tabled earlier in the parliament highlighted that that is not the approach that the government is taking through this budget. It is a crystal clear fact that funding will go down in real terms. School education funding from 2018 will increase based on student enrolment growth and the government wide indexation rate on the consumer price index. The distribution of funding envelopes from 2018 will be:

… subject to formal negotiations between the Commonwealth and the States and Territories—and non-government school providers. The government is pursuing a divide-and-conquer strategy, which means that our schools will never reach the student resource standard, and which will entrench and amplify the inequality across the system. The tragedy of this process is that it will actually put a handbrake on the economy.

According to PISA 2012, there is up to three years difference in the school results between the most advantaged and disadvantaged students in this country. This is a gap that will never be closed while a government like this continues down the path of breaking its promises on school funding and affirms its rejection of the Gonski reform proposals. This is a government that has cut all the additional funding for the fifth and sixth years of the Gonski reform program. It has cut $80 billion from schools and hospitals, which is the biggest ever cut in Commonwealth-state relations. It has cut a $100 million a year from the More Support for Students with Disabilities program and it has failed in its promise for more funding from 2015. This means that the state governments will be let off the hook because the coalition government has promised not to enforce their funding obligations under the original contract arrangements made with the former government.

They are locking school funding in at CPI from 2018, with the budget papers assuming CPI will be just 2.5 per cent. The ABS education price index is currently at 5.1 per cent. That is a huge difference and the people that pay that price are the students of this nation. The reality of the difference between 2.5 per cent and 5.1 per cent means that increasing number of students from disadvantaged backgrounds will miss out.

This government is trying to walk away from the fundamental commitment that it made in the last election that it had a unity ticket with the Labor Party on schools. Before the election, on 4 August 2013, the then Leader of the Opposition, Mr Abbott, said at a press conference: Kevin Rudd and I are on an absolute unity ticket when it comes to school funding. On 29 August 2013, the current Minister for Education, Mr Pyne, said:

… you can vote Liberal or Labor and you'll get exactly the same amount of funding for your school …

Before the election, the minister was also crystal clear about what the coalition's commitment to Gonski meant—that it was to needs based funding—and he was telling voters: 'We have agreed to the government's school funding model.' That was on 29 August last year. He was talking there about the Labor government's model. He also said, on RN Breakfast on 30 August, the next day: 'We are committed to the student resource standard. Of course we are,' he said. 'We are committed to this new school funding model'—so he repeated it. And, finally,
as Australians entered the polling booths on election day, they were faced with signs, right across the country: 'Liberals will match Labor's school funding dollar for dollar'.

So the most galling of all these claims is that the government has met its election commitments and it is clear that it supports students with disabilities, their families and carers—which of course is the proposition that has been advanced by this government on a daily basis. This is just patently untrue. You only have to ask any disability organisation, any of the people who actually know something about this, or anyone who is a student, parent or teacher, just how much they have been misled—they know. Before the election, the government promised:

If elected to Government the Coalition will continue the data collection work that has commenced, which will be used to deliver more funding for people with disability through the 'disability loading' in 2015.

That was a press release by the now minister, Mr Pyne, on 23 August last year. So the full implementation of the loadings for students with disabilities was of course expected to be delivered on schedule in 2015. This was to allow time for the data collection and for further collaborations with states and school systems and to ensure that the final disability loadings would give students the resources they needed. What we know is that Labor funded the $100 million per year More Support for Students with Disabilities program to make sure that students who needed the most assistance got the assistance they needed, while we were working to fully develop the Gonski disability loading in 2015. And, before the election, this process, just like the Gonski reform programs, had bipartisan support. The current government's promises were clear. They were straightforward. Students with disabilities had a right to rely upon them. But, in this budget, the government cut $100 million from the More Support for Students with Disabilities program, and failed to replace it with any additional funds.

So what we have here is a clear and unequivocal example of what this government actually does when it gets into office: it promises one thing before the election and repudiates it after the election. The government has been absolutely shameless in pretending that black is white, in rewriting history, and in sliding away from its clear commitments to the students and families of this country. And the most heartless of all its broken promises in education is undoubtedly the broken promise to fund the full Gonski disability loading from 2015. The government made promises to get itself elected and then it cut support for students with disabilities in the budget. What we know is that this government can never be trusted on education ever again. I seek leave to continue my remarks later.

Leave granted; debate adjourned.

Economics References Committee
National Broadband Network Select Committee
Community Affairs References Committee

Report

Debate resumed on the motion:
That the Senate take note of the report.
Senator McEWEN (South Australia—Opposition Whip in the Senate) (18:33): I rise to take note of the reports numbered 9, 10 and 11 on page 12 of today's printed Notice Paper and seek leave to continue my remarks.
Leave granted; debate adjourned.

Joint Select Committee on Northern Australia
Report

Debate resumed on the motion:
That the Senate take note of the report.

Senator RUSTON (South Australia—Deputy Government Whip in the Senate) (18:34): I rise to take note of report No. 5 on page 12 of today's printed Notice Paper, and seek leave to continue my remarks later.
Leave granted; debate adjourned.

Education and Employment References Committee
Report

Debate resumed on the motion:
That the Senate take note of the report.

Senator RUSTON (South Australia—Deputy Government Whip in the Senate) (18:34): I rise to take note of reports numbered 15 and 16 on page 13 of today's printed Notice Paper, and seek leave to continue my remarks.
Leave granted; debate adjourned.

The PRESIDENT: Just before we finish this segment I remind senators that, as is our usual practice now, any items not raised tonight will be discharged from the Notice Paper.

ADJOURNMENT

The PRESIDENT (18:34): Order! I propose the question:
That the Senate do now adjourn.

Environment

Senator BACK (Western Australia) (18:34): It is with disappointment that I rise to speak to the issue that shamed this Senate yesterday, and that was a grubby deal done by the Palmer United Party, the Labor Party and the Greens, and the victim of it has been, or will be, the government's fantastic initiative to have a one-stop-shop for environmental approvals. It is interesting to reflect that we are actually all sent here from our states and our territories, and this was an initiative of the government that actually had universal support of the very people, the states and the territories, that send us to this place.

But what is so disappointing—particularly in the climate that we are looking at now, with the Australian dollar declining; with the iron ore prices going down, from up around $120 to now less than $80 or $78 a tonne—is that we are seeing a circumstance in which basically every entity that is an employer group in this country or associated with the wellbeing of people in this country is protesting loudly about this ridiculous decision, taken to appease the Greens political party, with the compliance of the Labor Party. So, once again, these groups
have shown to us that they do not care about employment in this country. They certainly do not care about agriculture in this country.

What are going to be the costs? BAEconomics have, in the first year of this initiative not being implemented, suggested that some $160 billion of economic benefit will be lost to the nation, with some 70,000 jobs; in the second year, leading up to the cumulation between the first and the second year: $220 billion, with no less than 108,000 jobs lost. In what states are they? My own state of Western Australia—$25.6 billion, at a time when our minerals royalties are dropping dramatically. Why is that important to the rest of Australia? Because for the last six or eight years Australia has ridden on the back of royalties from the iron ore industry which our state has provided to the other states and territories through some $20 billion a year of GST distribution.

In Victoria: $35.5 billion and 15,000 jobs in the first year, leading accumulatively in the second year to nearly $50 billion and 24,000 jobs. In Queensland, where Senator Lazarus comes from—the person who initiated this shameful motion in the first place: $30.5 billion, 13,000 jobs in the first year, leading up to $42 billion and 20,000 jobs. As a Western Australian, I would say to Senator Lazarus that I would not mind the time when Queensland starts sharing its own burden again and stops taking money out of the pockets of Western Australians in the GST distribution. Senator Lambie, always of course very keen to promote Tasmania, as indeed are the Tasmanian senators: $2.5 billion and 1,100 jobs in the first year, cumulatively after two years, $3½ billion dollars. This is a disgrace; it is shameful.

I do want to draw attention to commentary particularly from the Property Council objecting, as they have along with so many others—the Business Council of Australia, APIA, the Productivity Commission and the Urban Development Institute of Australia. What really struck me was the Property Council, which provides for over 200 residential and 100 commercial property developments which have been referred to the Commonwealth in the past 12 months and as a result of the ridiculous environmental legislation that we have at the moment where state is followed eventually by federal government intervention in the process, there is a shortfall of some 230,000 homes around this country at the moment waiting to be built—low socioeconomic, middle socioeconomic, social housing et cetera. The Property Council say that this move is going to be at the expense of tens of thousands of homes that otherwise would have been built. The National Farmers Federation is talking about the added costs and the confusion in farming. The Australian tourism Alliance is talking about what this cost is going to be. As we all know, there can be the difficulty of getting any project approved between local government and various state government departments, and then right towards the end we have the state environmental agencies, only then to be followed by the Commonwealth. This has got to stop. (Time expired)

**Peter Sculthorpe**

**Senator SINGH** (Tasmania) (18:40): Tonight I would like to pay tribute to a genuinely unique and remarkable Australian man, Peter Sculthorpe, who sadly passed away on 8 August. Described as a 'supremely elegant and unpretentious man', his contributions have left the Australian landscape a richer and more innovative environment. ABC Classic FM Broadcaster, Christopher Lawrence, commenting on Peter's passing remarked:

> At a time when we rate unthinking patriotism over a considered nationalism, his expression of what it is to be on this patch of earth is a call to civility and compassion.
I could not have said it better myself. Peter was born and raised in my own beautiful state of Tasmania in the city of Launceston. His talent saw him continue his studies at the University of Melbourne and at Wadham College, Oxford. Peter was composer-in-residence at Yale University while visiting the United States as a Harkness Fellow in 1966 and 1967, and was a visiting professor at the University of Sussex in 1972-73.

Recognition for Peter's extraordinary work has been widespread. He was awarded the Officer of the Order of the British Empire in 1977, a Silver Jubilee Medal, he received the degree of Honorary Doctor of Letters from both the University of Tasmania and the University of Sussex, and Honorary Doctor of Music from the University of Melbourne. Peter was awarded the Officer of the Order of Australia in 1990 shortly after he was elected Fellow of the Australian Academy of the Humanities.

Peter received the Sir Bernard Heinze Memorial Award for outstanding service to Australian music in 1994. Awards and prizes for his music include an Australian Film Industry award for best original film score in Manganinnie in 1980, and the 1985 and APRA award for most performed Australian serious work. In 1991 and 1996 Sculthorpe's orchestral works and music for strings won the piano concerto Australian Record Industry Association award for best classical music recording.

A proud Tasmanian, Peter touched each life he encountered with his humility and charm. Peter's obituaries are littered with homages to his genuine personality, his mentoring and his kindness. Many have said what a privilege it was to have known and worked with Peter Sculthorpe. Peter was a great supporter of the Tasmanian Symphony Orchestra and the ABC, recognising these organisations as an important part of Australia's cultural landscape. This recognition is exemplified by philanthropy—donating $3.5million to the Sydney Conservatorium of Music.

Peter's work was uniquely Australian, infused with his love of the Australian landscape. His compositions brought Australians a sense of their land and history in the music of one of their own, integrating the music of Aboriginal and Torres Strait Islanders and Asian music into a modern representation of multicultural Australia. Indigenous music from the Pacific rim, from the Aboriginals, the Japanese and the Balinese combined with the sounds of the wild birds, wind, and thunder. Peter said:

While on the surface it might appear to be painting a picture, I mean what I'm really doing ... is seeking the sacred in nature.

As our most acclaimed contemporary composer, Peter's work included his 1960s series Irkanda and later works such as Kakadu and Earth Cry evoked inspiring sounds of the Australian outback. Other works included Mangrove, Memento Mori and the Rites of Passage, originally commissioned for the opening of the Sydney Opera House. His last major orchestral work, Requiem, for mixed chorus, didjeridu and orchestra was written for the 2004 Adelaide Festival.

As a prolific composer of chamber music and as a re-arranger of his own music, Peter's legacy is such that my limited time cannot give adequate recognition to his genius. Peter's work has influenced generations of Australian composers, including Anne Boyd, Ian Cugley, Ross Edwards and Barry Conyngham and will likely influence many more in the future.
Peter Sculthorpe was a uniquely distinctive musical voice whose passing leaves a wonderful legacy of compositions and recordings for Australians to enjoy for generations to come. He will be deeply missed.

**National Centre for Farmer Health**

**Senator McKENZIE** (Victoria) (18:45): Earlier this week my Nationals colleague the Minister for Agriculture paid tribute to Australian family farms and their contribution to our country and economy.

2014 is the International Year of Family Farming. Tonight I would like to contribute to this important topic, taking the opportunity to promote the National Centre for Farmer Health. The International Year of Family Farming aims to raise the profile of family farming by focusing world attention on its significant role in eradicating hunger and poverty, providing food security and nutrition, improving livelihoods, managing natural resources, protecting the environment and achieving sustainable development in rural areas.

Here in Australia there are an estimated 135,692 farm businesses and 99 per cent of those are family owned and operated. Our farmers are impressive. Each Australian farmer produces enough food to feed 600 people per year, 150 here at home and 450 overseas. They produce almost 93 per cent of Australia's daily domestic food supply and they export around 60 per cent of what they grow and produce. Those exports earned our nation $38 billion in 2012-13, while wider agricultural, fisheries and forestry sectors generated $41 billion in exports. The gross value of Australian farm production in 2012-13 was $47 billion, about 12 per cent of our GDP.

About 278 people are employed in Australian agriculture and there are over 1.6 million jobs in the agricultural supply chain and affiliated industries. This is why the health and wellbeing of both our farmers and the National Centre for Farmer Health are so important.

The award-winning National Centre for Farmer Health has, since 2008, provided national leadership in improving the health, safety and wellbeing of farm men, farm women, farm workers and their families and communities right across Australia. It is a partnership between Deakin University and the Western District Health Service, based in Hamilton in my home state of Victoria. It works closely with farmers, rural professionals, academics and students in achieving its objectives. As the centre's director Dr Susan Brumby points out, there are a range of factors impacting on the health and wellbeing of our farmers. They include a reluctance to seek our health services; multiple and dangerous hazards in the workplace—workplace is the home and so for many people the 40-hour working week is over by Wednesday and that is before we include partners and children—and poor skills and understanding of what happens on farms by health and rural professionals.

The impact of these factors are indeed very concerning, such as higher rates of noise-induced hearing loss that occur disproportionately earlier in our farming population; higher rates of cardiovascular disease and premature death in men; lower survival rates of most cancers in rural populations; higher incidence of musculoskeletal conditions and pain; higher rates of suicide; and the highest rate of accidental workplace deaths in 2010-11. Given that most farms are family owned, the impacts of poor health affect not just the farmer but their whole family and the community.
The National Centre for Farmer Health is committed to addressing these challenges. For example, it helps health services to engage better with farm men and farm women, with many health professionals not fully understanding or appreciating the many personal challenges of a farming business. To make this happen, the centre provides the only university-level agricultural health and medicine course in Australia. Over 85 per cent of former students work rurally and remotely, so it is happening.

The centre's Sustainable Farm Families program is another such initiative. The health promotion program addresses farmer health, wellbeing and safety issues and has been delivered to over 2,500 farm men and farm women. In fact, the Sustainable Farm Families program is now being piloted in Alberta, Canada, working closely with the National Centre for Farmer Health team. The Alberta government’s project manager, Jordan Jensen, told ABC Rural:

Every province, every country, could benefit from having this knowledge …

And further:

Whether you’re in Italy or you’re in Canada I think this is very valuable information that really has the potential to change farmers' perceptions about their value and what they need to do to have a sustainable farm.

He said that Alberta's farming regions, like Australia’s, have higher rates of suicide, mental health issues, accidental death, cardiovascular disease and diabetes than their metropolitan communities.

Dr Brumby advises that Dairy Australia has also funded a pilot program to assist farmers struggling through the drought in Queensland. The centre also provides farmers and health professionals with access to quality and evidence-based information and services, professional training and education for not just health professionals but also vets, agronomists and primary industry personnel, and runs AgriSafe clinics.

It is time to return the favour and help raise funds for the centre's continued and vital work by participating next Sunday, 12 October, in Run 4 Farmer Health, held as part of the Melbourne Marathon. Mr President, entries are still open; it is not too late to register for the event! There are five-kilometre, 10-kilometre, half-marathon and marathon lengths. So get out in the beautiful capital of Melbourne and run with thousands of participants and not only get healthy but also support a great cause. We are trying to raise $20,000 as part of this program to contribute to the National Centre for Farmer Health’s ongoing financial issues. The coalition federal and Victorian governments have supported the centre, most recently with $625,000 in joint funding. And it is great to see the Assistant Minister for Health, Senator Nash, who is also a farmer, here in the chamber. She was crucial to that funding being delivered. But more help is needed.

I would also like to commend the local member for Wannon, Dan Tehan, for his hard work in lobbying for the centre and the work that it does. Similarly, I commend the state member for Lowan, Hugh Delahunty, and indeed the National Party candidate for Lowan, Emma Kealy, and for Ripon, Scott Turner, both being strong supporters of the National Centre for Farmer Health.

More than 130 people have already signed up for Run 4 Farmer Health as part of the Melbourne Marathon, including me. I will bravely take on the half marathon challenge. I hope
I can walk the following Monday. Politicians from all sides—Labor, Liberal and the National Party—have signed up to take on the challenge. I know that Farmer Ollie is coming all the way to Melbourne from New South Wales to participate—and I am looking forward to her doing a personal best on the day. Tonight I encourage my parliamentary colleagues to join us. It is not too late to register. It does not matter whether you are fit or not. As I said, there are runs to suit every ability—and we can celebrate afterwards. By taking part, we are ultimately supporting our hardworking farmers who produce the food and fibre Australians rely on.

If you cannot be there on the day, I would like to remind everybody that you can still support Run 4 Farmer Health by going to the website www.farmerhealth.org.au, Run 4 Farmer Health, and click on the fundraising section and support a great cause.

World Sight Day

Senator FAULKNER (New South Wales) (18:53): I thank the courtesy of the senators present to enable me to make this brief contribution at this time. Tonight I want to speak this evening about World Sight Day, which is an annual day of awareness which highlights global action against blindness and vision impairment. This year's event will take place next Thursday, 9 October. World Sight Day is joint initiative of the World Health Organisation and the International Agency for the Prevention of Blindness, which is a civic alliance of corporate, civic and professional bodies. In Australia, World Sight Day is organised by Vision 2020, a peak body which represents 50 professional, non-profit and government organisations.

Significant gains internationally have been made in the effort to eliminate blindness and vision impairment. According to the World Health Organisation, visual impairment worldwide has continued to decrease since the 1990s. In Australia, we continue to make significant gains in areas such as Indigenous eye health. For instance trachoma rates have fallen in Australia from 14 per cent in 2009 to four per cent in 2012—and I have spoken on a number of occasions in this chamber about that achievement.

World Sight Day is an opportunity to recognise the gains we have made on blindness and vision impairment. However, it is also an opportunity to reflect on the challenges we still face as a nation and across the globe. We have made progress but there is much still to do. Globally, today, 696 million people are needlessly blind or vision impaired and 80 per cent of this vision loss is avoidable or treatable. Nationally, more than half a million Australians over the age of 40 are blind or vision impaired—a figure expected to double by 2020. Vision impairment is acute amongst Indigenous Australians. In fact, Indigenous Australians are six times more likely to blind and three times more likely to be visually impaired than other Australians.

The impact of vision loss in Australia hinders an individual's ability to access education, to find work and to participate in their communities. Beyond these personal impacts there is an economic imperative to address eye health. A study conducted by Access Economics estimated that the productivity losses to individuals and their support networks was a staggering $4.2 billion in 2009. Tackling vision loss in Australia is not only a public health issue but a significant economic and productivity issues. World Sight Day is an opportunity to focus attention on the fight to improve vision at home and around the world and to raise awareness of the fight against global vision impairment. I am pleased to add my voice and lend my support to this crucially important task.
Tasmanian Jobs

Senator URQUHART (Tasmania—Deputy Opposition Whip in the Senate) (18:57): In July this year, within three days of each other, announcements were made that 200 jobs were to go immediately at the Mt Lyell copper mine in Queenstown and 150 were to go at the Henty gold mine by June next year. The closures have caused further job losses for local businesses and contractors, and it is vital that all levels of government work together to assist the region diversify and rebuild.

The Mt Lyell mine has been the lifeblood of Queenstown on Tasmania's isolated west coast since the 19th century. The Henty gold mine, some 20 kilometres north of Queenstown, will have been operational for roughly 20 years when it closes next year. The west coast has been and will continue to be a vital part of the Tasmanian economy. Mineral wealth from the region has funded much of Tasmania's development. The richness of the ore body and the ingenuity of Tasmanians will see mining continue to play a key role in the economy of the region and the state in coming years.

I recently hosted the Leader of the Opposition, Bill Shorten, in Burnie and Queenstown. The visit gave Bill the opportunity to listen to locals about the impacts of these closures and canvass ideas for rebuilding and reinvigorating the region. In Burnie, we visited the University of Tasmania Cradle Coast Campus and met with staff and students. Staff said that the university's preparation program was attracting the first person in a family to take on higher education. However, cuts to the university, which modelling says will cut $113 million, will impact on the prep program and the university's strong scientific research focus. Logically, this impacts on employment and business confidence in the region. Students were concerned that the government's proposed higher education reforms could see the Cradle Coast Campus close or reduce study options, and that people from the north-west and west coasts of Tasmania would not be able to afford to take on the huge level of debt that this government are so keen to burden them with.

On the west coast, we met with Mayor Robyn Gerrity as well as representatives from the seafood industry, unions, small business operators and community members. We were advised that the state government and the West Coast Council brought forward funding for works and maintenance immediately after the closure, which provided some immediate employment assistance for affected workers. Further, the state government is supposedly planning to bring forward election commitments into the 2014-15 financial year. However, community leaders reported that there has been little effective consultation on the details of and delivery of this package and there is uncertainty if it will fill the employment gap.

It was good to hear that projects committed to by the former Labor federal government in this region and continued by this government were progressing well. These include: $6 million for emergency track work to keep the West Coast Wilderness Railway in operation, over $7 million for a greenfield aquaculture hub at Macquarie Harbour and $3.5 million to construct a value-added aquaculture processing facility at Parramatta Creek.

I was pleased to host a community forum in Queenstown at the West Coast Council with Bill and Labor's shadow minister for regional development and employment services, Julie Collins. Over 40 people from every town on the West Coast turned out to share their ideas about how to rebuild and reinvigorate their community and their economy. It is clear is that the people of the West Coast require bipartisan commitment and assistance from all levels of
government, and that federal government assistance is required to assist the region to revitalise its economy. I am pleased to report that the Leader of the Opposition has written to the Prime Minister, urging the government to consider six measures.

The first is to reinstate the local employment coordinator for the north-west and northern Tasmania. On 30 June 2014, the Abbott government did not renew the contract for the Local Employment Coordinator for North West/Northern Tasmania, causing the cessation of the program. Given the fresh challenges facing the region, increases in the unemployment rate and vulnerability of the local economy, the government must reinstate the Local Employment Coordinator for North West/Northern Tasmania. The former local employment coordinator had developed a regional employment plan in partnership with local employers to increase the capacity, effectiveness and flexibility of the local workforce through a range of strategies aimed at increasing labour market participation and improving skills. These strategies were assisting local workers to adapt to the challenging skill needs of employers and to better meet new employment opportunities arising in key local industries such as a dairy, mining, aquaculture, aged care, advanced and niche manufacturing and renewable energy. Other local employment coordinator contracts have been renewed in places like Geelong, where the unemployment rate is less than it is in the north-west region of Tasmania. The Labor opposition has been vocal about the importance of the local employment coordinator to working with business to create jobs in Tasmania for months now. It is time for the government to accept that it was a good program with much more to give, and to immediately reinstate the position.

The second measure is to provide immediate training opportunities for the people of the West Coast. The government should develop a training and skills package for the region that would provide immediate assistance to retrain workers in areas where there are skill shortages, as well as work experience opportunities. I heard from locals that there are both qualified trainers and former mine workers waiting for training places to be funded. When the mine closed, workers were informed that training opportunities would be made available. Months on, barely anything has eventuated. Financial support services and counselling during periods of unemployment and retraining for displaced workers should also be priority. Education levels in the area are significantly lower than the national average. Less than 50 per cent of adults aged 24 to 35 in the region completed year 12, compared with 75 per cent of the same age group nationally. Training programs exist to upskill and retrain people regardless of their formal education experience, and the government must get to work in this space.

The third proposal is to provide certainty for the renewable energy target. In Burnie, we met with the proponents of the Granville Harbour Wind Farm. They called themselves the farmer and his mate. Not only could they see the benefits of expanding wind power in Tasmania, for both the environment and jobs, but so could many of the people we met in both Burnie and Queenstown. Businesses and the community alike are deeply concerned about the impact of the recommendations of the Warburton review into the scheme and the potential impact on emerging wind farm projects—projects that have the potential to offer a sustainable future and 200 or more jobs for this fragile local economy. The government must restore certainty to the RET and maintain bipartisan support for renewable energy which is creating opportunities for regional Australia.
The fourth proposal was to develop a tourism and industry promotion plan for the region. Community leaders believe more could be done to promote the West Coast region as a whole and to encourage self-drive tourism and longer stays. Tourism Research Australia figures show trip expenditure is down eight per cent in Tasmania in the last financial year. The government should work to ensure Tasmania best capitalises on the Tourism Demand-Driver Infrastructure Program to develop key tourism infrastructure which is vital for expanding and promoting the Tasmanian and West Coast tourism industry.

The fifth proposal is to overhaul the failing Tasmanian Jobs Program. The Tasmanian Jobs Program provides a one-off incentive payment of $3,250 to an employer at the end of six months for each eligible job seeker continuously employed full time over that period. When announced last year it was effectively a cut of the former government's Wage Connect program that provided double the subsidy and was working well to create jobs. However, the Tasmanian Jobs Program is an absolute failure. When figures were released late last week, only 89 jobs had been created since 1 January this year. Minister Abetz set a target, or 'arbitrary ceiling' as he now calls it, of 2,000 positions over two years for this program. The government must urgently review the effectiveness of the program so that more North-West Tasmanian businesses consider taking advantage of this subsidy to employ job seekers.

The sixth measure was that the federal government should provide seed funding for job creating projects on the West Coast in partnership with the local community. The federal government has a role to play in providing bridging confidence for displaced workers and contractors while the agreements to establish and reopen mines are progressed, and while other industries develop. The government should work in partnership with RDA Tasmania, which brings together all sectors including education, industry, health and local government, to develop solutions that stack up and build a sustainable future for the region. Labor developed and resourced the RDA network to give a voice to local communities in Canberra. It is vital that the community is given every opportunity to build confidence and that budget cuts to community programs do not adversely impact on community resilience.

I urge the government to consider the proposals—a clear message from the community, the industry and the unions on the West Coast. They look forward to their region growing again in the future, and I look forward to working with the West Coast and Tasmanian communities to reinvigorate and rebuild the region's economy. (Time expired)

**Mining: Gloucester Valley**

**Senator RHIANNON** (New South Wales) (19:07): Tonight I would like to talk about the Gloucester region in New South Wales. I was fortunate to visit this area again recently. The Gloucester Valley sits between the Avon and Gloucester Rivers. Prominent along the skyline of Gloucester is the famous Buckets Range, an unusually rocky feature for a valley which attracts visitors for bushwalking and rockclimbing. A little further on is the stunning Barrington Tops National Park, carved out of an ancient volcano. Barrington Tops is one of Australia's largest temperate rainforests, and another major attraction for bushwalkers. This region is truly picturesque, and the contrast of the green valley and the Buckets is yet another example of the fantastic diversity of the Australian landscape. The area is peaceful, productive and colourful.

My first port of call on this visit was a farm-gate stall for the Tucker Patch. An initiative of the Gloucester Project, the Tucker Patch is a six-hectare demonstration farm run almost
entirely by volunteer labour. This project shows how land that has been under-used, or in this case abandoned, can be made productive again. The first thing that struck me while walking up to the farm gate stall was the abundance of fresh greens and the scent of fresh herbs. Volunteers were busy with the constant flow of customers. The hard-working locals were stocking and arranging the produce, transporting it from their vast gardens and serving customers. It was a real hub of community interaction. The Tucker Patch is truly inspiring. This work carries an important message—that small farms can work. At the Tucker Patch they are replenishing the land without any running water to rely on, and growing saleable quantities of fresh food. The Gloucester Project is showing that a different business model can work, in taking food from soil to table with direct marketing. In setting up the community for a sustainable future, this project is impressive. It operates as a training ground in aspects of both business and agriculture, giving participants a unique experience. We extend our thanks to Ken and Marie Johnson, whose vision and hard work drives so much of the Gloucester Project.

The project has won the ABC's Thrive and Revive award and has gained attention from Gardening Australia's Costa Georgiadis. Unfortunately, right at the time when they should be expanding, the group may have to cut back on the extent of the program because federal funding for the project has run out. However, the Gloucester Project survives and thrives. I certainly feel there is a healthy future for it. Funding cuts are not the only threat, however, to the community resilience in Gloucester. Like so many other places in New South Wales with diverse, thriving economies, Gloucester is under threat from the encroachment of mining. The main employer in the region is agriculture followed by health, retail, construction, services and education. Mining currently comes in on this list as the seventh-highest employer. The region has been subject to ongoing encroachment of open-cut mining for some years now. South of Gloucester, the Stratford mine first opened in 1995, promising to be just a local mine. At least four significant Aboriginal sites have been destroyed by the nearby Duralie mine and the Stratford mine. These mines are currently seeking expansion approvals, and the industry wants more. Another open-cut mine is proposed only 900 metres from homes. The site for the proposed open-cut mine is currently a rich green landscape of grassland, pasture and hills. It is shocking to think that an open-cut mine might replace all of that, and what is proposed is only stage 1.

If the risk from open-cut coal is not enough, the valley is also the site of AGL's plans for coal seam gas. AGL was given permission from the New South Wales Labor government in 2011 for 330 coal seam gas wells. The first stage of this, 110 wells, was approved federally just before the New South Wales government announced a two-kilometre exclusion zone around existing and future residential areas. So the residents of Gloucester miss out on a technicality. When this announcement was made, my colleague in the New South Wales parliament, Greens MP Jeremy Buckingham, said:

This is a clear signal that the Liberal and National Parties are pro-fracking and pro-coal seam gas.

The New South Wales government ignored Gloucester again only last week when it announced the continuation of its ban on new coal seam gas approvals for another year. Clearly the government can see that there are problems with this industry. They have recognised this in places like Bentleigh in northern New South Wales, but they have left the residents of Gloucester out in the cold.
AGL has been given permission to frack four exploration wells, some of which are as close as 300 metres to homes. Three of the four wells are on a floodplain, making all of these risks even more concerning. What a contrast it is to the productive, sustainable future the Gloucester Project would provide. However, this level and form of mining would lead to the industrialisation of the Gloucester Valley. That industrialisation would be made up of a washery, considerable lengths of pipelines and a grid made up of 100 wells, creating seven frames where huge amounts of salt would collect. There would be polluted runoff into the river and trucks plying up and down the narrow roads, and we have the open-cut coal mine just nearby. That is the industrialisation that faces Gloucester, in sharp contrast with the beauty I described at the beginning of this talk. The process of approval for the project was fraught with questionable practices. When the groups that have been campaigning tirelessly for the future of Gloucester pointed out that AGL should be undertaking a full EIS because there were already wells within three kilometres of those they propose to frack, the New South Wales government just went in and changed the law. It was in early July that activists discovered that the planning department had quietly uploaded changes to the regulations to get around this.

Interestingly, AGL have made political donations amounting to $300,000 to Labor, the Liberals and the National Party. The community have tried every aspect of democratic participation available to them. The amount of effort they have put in to research and lobby is truly incredible. I do congratulate the former Gloucester mayor, Julie Lyford, and all of her colleagues for their outstanding work in defending and protecting Gloucester. Locals are out there at the gates, but after so many knockbacks, community actions are being stepped up. I visited the site of the vigil and the Gloucester protection camp. Locals are out there at 6 am—at the gates of the first well being prepared for fracking. They set up on the side of the road with tea and biscuits at hand. While we chatted by the roadside, a number of company cars went up and down, just reminding those present that they were being watched. At AGL’s office, a small building surrounded by a massive wire fence, there was another vigil going on. It was so impressive.

The council has recently granted Groundswell Gloucester, an umbrella group for a number of local organisations, permission to host a camp for those who want to protect the region. Local farmer Ed Robinson has offered his land, but the group will have to meet stringent conditions, including a $26,000 bond. I met with many locals during my visit, including one brave couple who have been fighting AGL and are very much suffering for standing up for themselves and their community. I am sure it has not helped that AGL, for their part, are giving funds to a counter-group that supports their mining plans. This is true to form for big corporations. Many of the people I met told me that, if they question the plans the mining companies have for their valley, they are told they are in the way of progress.

Gloucester is at a crossroads. On the one hand are the mining companies, who want to extract all they can. On the other is a resilient community standing together to protect this beautiful, productive region. Their resources are not coal and gas; their resources are community spirit and the ability to nurture the land and make it productive in a way that does not deplete it. I think it is clear which is preferable. These people who are standing up with the farmers, with local business people and with the people who have been elected to council are to be congratulated. They are a wonderful community. The beauty of the area should be
protected. It should not be sacrificed in a way that will damage not only the natural environment but also the economy and the fabric of this wonderful community.

Deregulation

Senator McGrath (Queensland) (19:16): I want to talk about the vexing issue of red and green tape. Before I do that, however, I will digress for a little bit. Today is a sad day for the Liberal-National Party in Queensland. Over the past few weeks, we have seen some longstanding Liberal-National Party members of parliament announce their retirement. In a future debate, I will talk more about their achievements, but tonight I thank Rosemary Menkens, first elected in 2004; Ted Malone, first elected in 1994; Vaughan Johnson, first elected in 1989; and Howard Hobbs, first elected in 1986, for their service to Queensland and their local communities. I hope their retirements are long and that they understand that we will never forget their work over their many years. They all leave big shoes to fill.

Tonight, however, I want to talk about red tape and the growing need to further reduce red tape in order to support small businesses and the economy. As I have travelled throughout Queensland, I have spoken often about the burden of red tape and have had many occasions to listen to people's concerns about red tape. Just a few weeks ago in Gympie, at a Gympie First forum with Tony Perrett, our Liberal-National Party candidate, I heard firsthand further examples of the damage that red tape and green tape are doing to local businesses and farmers in the Gympie district. Gympie is in my home region of the beautiful Sunshine Coast, and local businesses, community groups and community leaders there are calling for further action on red tape. They acknowledge that the state government has done some sterling work in reducing red and green tape. They also acknowledge that the federal government has also done some fantastic work—which I will come to later—in this area.

But red tape and overregulation are destroying confidence. In a region that needs jobs and economic growth, I—like my fellow Liberal and National Party senators—have a very strong interest in ensuring that these unnecessary barriers are removed. Sadly, it is a big task. The Australian economy is drowning under the weight of red and green tape. The volume, complexity and duplication of red-tape requirements are stifling innovation, investment and productivity. This overwhelming regulatory burden is exacerbating cost-of-living pressures on Australian families and increasing uncertainty about job security and job creation. Australians can no longer afford to waste thousands of hours on pointless paperwork, compliance and regulation. This applies to almost every sector—from small business to big business, from aged care to education, from the not-for-profit sector to agriculture.

Just last year, the Queensland Chamber of Commerce estimated (1) that red-tape compliance costs are equal to 10 per cent of a local independent supermarket's daily takings, (2) that red tape adds an additional $20 to $30 per head to the cost of a wedding at a function centre, (3) that red tape adds approximately five per cent to the average cost of a meal at a restaurant, and (4) that red tape and government fees and charges represent approximately a quarter, 25 per cent, of the ticket price for a regional tourist attraction. A report by Jobs Australia found there were over 3,000 pages of Job Services Australia rules. Indeed, these rules required paper records to be kept of all applications made through Job Services Australia. This left one provider requiring over 330 filing cabinets.

With universal support for a reduction in red tape, the previous Labor government left an appalling legacy of inaction. Kevin Rudd and Labor promised before the 2007 election that,
for every regulation they brought in, they would abolish one regulation. You might think, 'That sounds promising!'—and Labor did abolish over 220 regulations. You might think, 'That's pretty good; they probably get a gold star for that.' But, in little more than 5½ years, Labor introduced 975 new or amending pieces of legislation and over 21,000 additional regulations. A current secretary of state in the UK, Eric Pickles—whom everyone here should know I have a bit of man love for—does not have a one-in-one-out policy. At the moment his record is that, for every regulation he brings in, he is getting rid of eight regulations. I think that sets the benchmark this government should be aiming for in getting rid of red tape.

On Labor's watch, Australia's ranking in the World Competitiveness Yearbook declined from seventh in 2008 to 15th in 2012, and ABS data showed that the country's productivity fell by three percent between July 2007 to June 2012.

In contrast to Labor's record of all talk and no action, the coalition government is ready to deliver a paradigm shift in Australia's approach to regulation. Already, this government removed over 10,000 pieces and 50,000 pages of legislation and regulation during its first-ever repeal day in March this year. This historic event alone has delivered savings of over $700 million in compliance costs.

Pull out your diaries, get very excited about this, tell your kids and your grandkids and tell your staff: another very exciting repeal day is coming up, scheduled for 29 October. Josh Frydenberg, the Parliamentary Secretary to the Prime Minister, is leading the charge on this. I think he deserves a lot of praise and a proper gold star for the work that he is doing to reduce regulation and red tape. This is just one part of the coalition government's red tape reduction program.

The government is committed to cutting over $1 billion in red and green tape each year. To do this, the government will focus on five key areas. Firstly, we are going to tackle the volume of regulation, which is clearly already too high. Secondly, we are going to work to eliminate the extensive duplication and regulatory overlap that exists between the different levels of government. Thirdly, we are going to improve the quality of consultation between government and those to be affected by any new regulations. Fourthly, we will ensure that there are rigorous and mandatory post-implementation reviews to determine how effective new regulations have been. Fifthly, we are going to ensure that regulators are at all times transparent, accountable and efficient in administering regulations.

Regulators are at the front line of this debate and it is our strong view that we have to bring them along as part of any sweeping new cultural change. Australia is home to over two million businesses, many of them family-run operations that create jobs and opportunities in our communities. I, like my coalition colleagues, want to see a strong and prosperous Australia. These important measures to reduce red tape will deliver unprecedented changes to the regulatory landscape in Australia. They will help those over two million businesses and help create jobs.

I have previously made a commitment to personally monitor our progress of red tape reduction to keep the government, which I am a proud member of, and my party, the Liberal Party, on track. I repeat that commitment today. I will be doing an annual red tape report. I will further update the Senate on this progress at a later date. This area of reform is critical for Australia's future. Done correctly, the government will support growth, build confidence and
create an environment full of opportunity. This is certainly an outcome that I hope all of those
who dislike red and green tape—those on the other side might like it—would agree with.

Iran

Senator DASTYARI (New South Wales) (19:25): Most chronologies of the Arab Spring
begin in Tunisia in December 2010. But others will recall the frustration that swept across the
Middle East and North Africa much earlier, which began with the Iranian presidential
elections in June 2009. I can vividly remember the explosive protests filling the streets across
Iran with a sea of green. It was the Twitter revolution, Mousavi's green movement. Among
the arrests, the violence and the accusations, you may also recall moments of optimism. Was
the Iranian Republic finally going to free itself from a militant religious tyranny? Were the
people of Iran finally going to win their freedom, denied to them for so long—freedom of
expression, freedom of assembly, freedom of worship?

This possibility remains deeply personal for me. As many of you in this chamber know, I
was born under this religious tyranny myself. While I have been incredibly fortunate, lucky,
to have been gifted a new life in Australia, I am also very conscious that there are tens of
millions of people who have not had that opportunity.

Iran has long had a difficult relationship with the global community. In recent times it has
even been considered a pariah state. Diplomatic relations have understandably been
characterised by mistrust and sometimes outright hostility. Sanctions have restrained the
economy. Last year, hope emerged that this might change. Iran's new President, Hassan
Rouhani, made statements calling for 'constructive and dignified engagement with the world',
hinting perhaps that there could be a brighter future for the people of Iran. Iranian Foreign
Minister Mohammad Javad Zarif went further and described ambitions of 'elevating the
stature of Iran and achieving long-term comprehensive development'.

There have already been a few cautious diplomatic improvements. The UK has reopened
its embassy in Tehran after closing it in 2011. Speaking last month on the modest
improvements in relations with the United States, President Rouhani said: 'It is not written in
stone. One day this will change.' But we cannot expect Iran to change overnight. There have
been reformers before. Rodger Shanahan of the Lowy Institute noted last year that former
president, Muhammad Khatami, commanded significant public support in two presidential
elections but still failed to create a lasting shift within the regime. By giving action to the
statements he made in his 2013 campaign, Rouhani can now show that the new Iranian
leadership is different and a break from the antagonism of the past.

Iran's international standing could be significantly improved by a firm commitment to
protecting basic rights, including the freedom of expression. Dr Shanahan suggests that 'the
release of political prisoners and a relaxing of social policies are two issues that could win
him early plaudits and be achieved at low cost to the establishment'.

Ahead of President Rouhani's first address to the UN General Assembly in 2013, 11
political prisoners were released, including high-profile human rights lawyer Nasrin
Sotoudeh. This is a positive and symbolic move from a president who campaigned for
expanded civil rights and freedoms. It shows there is a potential to fulfil a promise of a freer
and more just society. But now the time has come for the administration to show that this was
more than just a gesture.
Ahmed Shaheed, the UN special rapporteur on human rights in Iran, noted that there are around 900 prisoners of conscience in Iran. These are people who have been detained for their beliefs. His latest report to the UN Human Rights Council states that:

As at 14 January 2014, at least 895 "prisoners of conscience" and "political prisoners" were reportedly imprisoned. This number includes 379 political activists, 292 religious practitioners, 92 human rights defenders (including 50 ethnic rights activists), 71 civic activists, 37 journalists and netizens, and 24 student activists …

One such prisoner of conscience is Mohammad Ali Taheri, who has been detained since 2011. A founder of the spiritual group Erfan e Halghe, he was tried on charges of insulting Islamic sanctities, and sentenced to five years imprisonment and now, reportedly, faces the possibility of execution. Amnesty International reports that he has been held in solitary confinement at the notorious Evin Prison in Tehran and repeatedly threatened with death by guards and tortured into confessing that his spiritual beliefs were both forbidden and a threat to national security. The incarceration of Mohammad Ali Taheri and hundreds of others casts a long shadow over Iran's credibility.

The government of Iran must be made aware that the world is watching. We cannot remain silent while political prisoners are executed on politically motivated charges. We must call on President Rouhani and the Iranian leadership to keep faith with their people and to improved civil liberties and political freedoms. They must end these abuses and ensure that they are never allowed to happen again. The Iranian government should release the likes of Mr Taheri and other political prisoners as a matter of urgency. I call on the Iranian ambassador to Australia to provide a clear commitment that Mr Taheri's imprisonment will not be followed by his execution.

The UN rapporteur's report also recently highlighted the fact that Iran executed more people per capita than any other country, with at least 687 people put to death last year, an increase of 165 on the previous year. This rapid escalation caused UN Secretary-General Ban Ki-Moon to register his own alarm at the situation. Mr Ban said that since taking office President Rouhani 'has not made any significant improvement' on human rights. Other concerns include the lack of any significant improvement in freedom of expression and judicial independence, the treatment of ethnic and religious minorities and a disregard for due process and the right to a fair trial.

Despite the rhetoric, Human Rights Watch cautions that little improvement has occurred in human rights and that arrests motivated by political opposition or religion are still common. Amnesty International has reported a 'sharp rise in arrests, prosecutions and imprisonment of independent journalists'. Hadi Ghaemi, executive director of the International Campaign for Human Rights in Iran, says:

…the people of Iran need more than words; they need action …

In the international community, we should set the same standard. Ahmed Shaheed notes that:

… international momentum in support of human rights reforms in Iran is growing …

This support should serve as a reminder that:

… the world is watching, it's aware of the facts and expects change.

The UN Human Rights Council's Universal Periodic Review is set to take place at the end of this month. This is an opportunity for Iran not only to ratify 126 recommendations it
previously accepted but to exceed our expectations. Progress on these issues would strengthen the case to further reduce sanctions. In meeting the international standards for civil and political freedoms and human rights, President Rouhani would be taking important steps towards fulfilling the hopes and aspirations of the millions of Iranians.

Central Queensland

Senator CANAVAN (Queensland) (19:34): Before I start my remarks tonight, I would like to briefly mention that a number of Queensland state politicians have announced their retirement in the last few weeks. All up, these four people who have announced their retirement in the last month have collectively served about 83 years in the Queensland parliament. They will be a huge loss of collective experience, wisdom and knowledge to the Queensland parliament. They include Howard Hobbs, the member for Warrego, who has served for 28 years in the Queensland parliament; Vaughan Johnson, the member for Gregory, who has served for 25 years; Ted Malone, the member for Mirani, who has served for 20 years; and Rosemary Menkens, who has served for 10 years. All of them have made a significant contribution to the Queensland parliament and Queensland political life, and I wish them great success in their retirement. The people who replace them will have huge shoes to fill. I know the burden of that expectation, having replaced Ron Boswell in this place. He who served for 30 years. It certainly is a big job to live up to.

I have now been here for three months, and I wanted to talk tonight about the Rockhampton area of Queensland in which I have established a Senate office. I wanted to talk about the importance of Central Queensland not just to the state of Queensland but to our nation because Central Queensland is a wealth-producing part of our country. There are about 3 million head of cattle in the Fitzroy basin in the Central Queensland area. There are more cattle in the Fitzroy basin than in the whole of the Northern Territory. Rockhampton is not known as the beef capital for nothing. There are two large meatworks in Rockhampton which export beef all around the world and provide thousands of jobs to the people of Central Queensland. All up, the Fitzroy basin accounts for about a third of northern Australia's agriculture. It is not just the beef industry. There is a substantial horticulture industry in and around Emerald. There is a lot of cotton production there as well, and many of our pineapples, particularly during our winter months, are grown in Yeppoon, on the coast from Rockhampton.

It is also a great area for the mining industry. Eighty five per cent of Queensland's coal comes from Central Queensland from about 41 mines, and those mines employ about 35,000 people. The coalmining industry is doing it a little tough at the moment in Queensland, but it remains a great wealth producer. The area of Central Queensland also has pristine tourism assets, particularly along the Capricorn Coast and the Great Barrier Reef. All of these industries—beef, agriculture, mining and tourism—earn export dollars for our nation and help underpin our standard of living.

A few years ago we faced a major crisis in this country when the global financial crisis hit. Others would have you believe that $900 cheques, pink batts and school halls helped get us out of it, but I would say that the major reason that we escaped from any great destruction in our economy was the success of our exporting industries—particularly our mining, wheat and beef industries, which continued to export to Asia during that crisis. Since then, things have changed a little bit. As I mentioned, the coal industry is doing it tough. Around 14,000 jobs
have been lost in the coal industry in the last 18 months, including 700 jobs lost last week in the Central Queensland area at BHP Billiton Mitsubishi Alliance. There is no doubt that the fall in coal prices is having an impact on the employment levels in that industry, and there is a significant knock on impact to the whole of Central Queensland—to Rockhampton, Mackay and Gladstone. All of these areas are feeling the pinch from what is happening west of there in the mining industry.

I do not want to spend my time tonight talking about the negatives. I think that there is great optimism and positivity for Central Queensland. Despite the fact that the coal industry is struggling right now, there are great opportunities in Central Queensland. There are new mines set to open. The Carmichael mine received federal government approval a few months ago and it is going to provide 10,000 jobs alone in a new coal basin, the Galilee Basin, west of Mackay. It is a great opportunity for North Queensland. It is going to be one of the biggest areas for coal mining. It is probably the best area in the world for new coal mines. It is a great thing for Queensland to have.

Associated with that, there will be new rail lines and ports built, and there will be an expansion to Abbot Point. All of these things will provide flow-on tourism and benefits, particularly Abbot Point to the town of Bowen, which a couple of weeks ago held a rally in support of the expansion of the Abbot Point port. I was in Bowen in the first month I was in this job and I did not meet one person in the town who was opposed to the port, because they know that their economic future is tied to that development.

In the Great Barrier Reef there is a huge proposal for the development of Great Keppel Island: a $2.1 billion resort which will provide 1,400 jobs and will see the tourism industry of the Capricorn Coast regain the strength that it once had after the development of the Iwasaki, now Mercure, resort.

I want to make the point that all of those projects—the Carmichael mine, the Abbot Point port and Great Keppel Island—are opposed by the Greens. The Greens even oppose the Great Keppel Island project, a tourism asset that could be developed and bring more people to the Great Barrier Reef. That would ultimately protect the reef because if there are dollars in it then we will not want to do any damage to it. The Greens are opposed to all of those projects and have the forced the EPBC approval that those projects have all needed and now have. We should always keep in mind that, while the Greens will lecture us about the purity that they would like to see, they will never be in a position to provide the jobs that people need to get on with their lives. The environment is very important, but having a job is pretty important too. If we do not have an economy, we will not have the luxury of protecting the environment. We need these projects to go ahead. All of them have now gone through the federal government approval processes. I very much hope that the private investment can happen.

There are other things that we should also be doing and focusing on as government. The government has a Northern Australia green paper out for consultation, and a white paper will be released early next year. One of the central elements of the green paper is developing our water resources around the nation. The Fitzroy Basin has a lot of water, and it needs to be a big focus of that development. The Fitzroy Basin is the largest water catchment on our eastern seaboard; more water flows out to the Pacific Ocean through the Fitzroy catchment than any other catchment on our eastern seaboard, but it is very underdeveloped in terms of water storage projects.
Again, the Greens will say: 'There are no good more dam sites. We should not build any more dams. Forget about it. We don't need to develop anymore; we just need to protect frogs now. We can't do anything as humans anymore.' That is absolutely false. There are plenty of good projects in the Fitzroy Basin. Next week the member for Capricornia, Michelle Landry, the member for Flynn, Ken O'Dowd, and I will be travelling around Central Queensland looking at these sites. We are going to jump in a plane and get up in the sky. We will take someone from SunWater, which is the Queensland government water infrastructure provider, fly around these sites and see for ourselves the potential that is there.

We know that projects like the Connors River Dam can provide water to the Galilee Basin, the Carmichael mine projects and others. We know that Nathan Dam has heaps of potential. It was first proposed in the Queensland parliament in 1926, and we are still talking about it. We should get on and build it. A few years ago it was held up by some snails. In 2009 federal bureaucrats found 850 snails at Nathan Gorge. I give credit to the Bligh government for trying to progress this project, but the federal Labor government—or their officials—turned up, found 850 snails and said: 'You have to stop the project. You have to try and relocate those snails to see if they can survive. If they survive, then you might be able to build a dam.' That held the dam up for two years. A couple of years ago, they walked over a hill and they found 18,000 of the snails. So now the project can get going again, but we have lost two years in the process. I hope that project can go ahead.

We will be looking at all those projects next week as a Central Queensland LNP team. We will bring the ideas that we get from our consultations with the Queensland government and from our direct visits to the communities and the sites on the ground back to Canberra in the next sitting period with a report to the federal Treasurer, Joe Hockey, and the Deputy Prime Minister, Warren Truss. We will urge them to give strong consideration to these projects and to respond to what is a big downturn in mining jobs in Central Queensland. While it is a little bit tough there at the moment, the future is bright if we have the vision and the guts, and if we stand up to those that like to say no all the time. There is a lot to do in Central Queensland.

Freedom of Speech

Senator REYNOLDS (Western Australia) (19:44): Tonight I rise to speak on the principle of freedom of speech. I believe there is no democratic value or individual freedom more greatly valued and oft cited in the modern Western world than the right of free speech or freedom of expression. Arguably it is the cornerstone value of all modern democracies.

At its core, democracy is an agreed way of distributing and organizing the political power of a society's citizens. However, there is no single agreed definition of democracy or indeed of any two identical democracies in the world. But the four most consistently recognised fundamental tenets of democracy are representative government, political and legal equality, the rule of law and freedoms.

Freedom of expression is one of the most coveted freedoms for those who do not have it, and today far too much blood is still shed in seeking what we largely take for granted here in this country. But in Australia I believe this a right that is not always very well understood, and it is certainly not often discussed very well. The inherent reciprocities or responsibilities that go with the right are rarely discussed or acknowledged. I believe this is ultimately to the detriment of us all. Indeed it is not an indicator of a healthy democracy.
Our own unique liberal-democratic culture recognises that society is improved by individuals thinking for themselves and imparting their views, and then having them contested in open and robust debate so that good ideas gain traction and bad ideas wither away and die and changing social norms are reflected in the legislation of the day.

But just because we espouse individual liberties or freedoms, it does not mean that we should ever be complacent about them. As we know, freedoms are never fully free. As a society we routinely and, I argue, increasingly, accept limitations on them. We are often oblivious to the individual restrictions and the cumulative impact of the restrictions on us individually and on society.

A healthy representative democracy must foster and encourage diversity of thought and allow robust public policy debate. The current debate on section 18C of the Racial Discrimination Act is a small but important part of a much wider debate that we need to find a way in Australia to have sensibly and robustly.

In our election platform last year, the government committed to amending prohibitions on inciting racial hatred and to focus on offences of incitement and causing fear rather than on causing offence, to better preserve the right to freedom of speech. I strongly endorse and support that approach. However, last month the Prime Minister announced that the reforms to the act were off the table in order to preserve national unity and to reduce complications associated with the new counter-terrorism proposals. I fully understand and support the Prime Minister's actions on these matters. I know this government remains deeply committed to its freedom agenda, which includes advancing measures to protect freedom of speech, freedom of religion and other traditional rights and liberties.

However, I strongly contend that it is precisely the national security issues cited by the Prime Minister that make it even more important today that we find a way to engage in a robust and free debate on where the balance should lie between freedom of speech and other freedoms, and national security restrictions. Most Australians would say that they strongly support this confluence, if not collision, of two principles—that is, freedom of speech and strong national security policies. It is the perfect opportunity for us all to learn more about the issues and engage in the debate on how we can most sensibly balance these issues in our nation. Even if it is just having a good old fashioned ding-dong around the kitchen table, on where we individually think the balance should lie, I think that would be a good thing for this nation.

There are several reasons for this, which I would like to outline. I believe this discussion is particularly important because in Australia we have few explicit constitutional protections on individual liberties, beyond freedom of religion, in section 116. I also believe that in the absence of comprehensive civics education in Australia today, many Australians are likely to assume that certain individual freedoms are a given and that any restriction would be seen as undemocratic or unconstitutional. But, as we know, no freedom is ever truly free and unrestricted. I suspect many Australians may also assume that we have the equivalent of the first amendment to the US constitution, as contained in the US Bill of Rights. But in fact our Constitution does not have an explicit first amendment equivalent to enshrine the protection of freedom of speech.

There are very good reasons why we do not have a similar bill of rights. I think in this debate it is important to understand the reasons for this. I believe the reasons are just as
relevant today, if not even more important. While our own founding fathers studied the American model very carefully, they chose not to adopt it fully. So, in our Constitution we do have the similar separation of powers between the legislature, the executive and the judiciary, but we did not adopt an equivalent of the US Bill of Rights. The reason for this is that the Australian colonies were governed under a system of responsible government, where the executive government is not formed independently from the legislature, as it is in the United States. Instead, our executive is formed by elected representatives, who are elected by Australian citizens. While our founding fathers were passionate about freedom of speech and greatly admired what was contained in the US constitution, in Australia they did not want to curb legislative actions on individual liberties. This is because they understand that once you codify human rights you make it easier to limit them. Without legal definition, words can eventually take precedence over the espoused values and ideals that sit behind the words.

In fact, Robert Menzies noted in the 1960s that the men who drew up our Constitution believed that such constitutional limitations or checks on legislative action were in fact profoundly undemocratic, because to adopt them would demonstrate a lack of confidence in the will of the people. While at first blush this argument appear counterintuitive, responsible government in our democracy is regarded as the ultimate guarantee of justice and individual rights. Therefore, it is up to all Australian citizens to defend these rights. However, to defend these rights and maintain the strength of our own democracy, it is important that all Australians understand these rights and their responsibilities that are contained within them.

As President Franklin Roosevelt said:

Democracy cannot succeed unless those who express their choice are prepared to choose wisely. The real safeguard of democracy, therefore, is education.

When any of us express our right to an opinion or when you express your opinion to me, I have to accept that I might not agree with you and, indeed, it may insult or offend me. Conversely, the reciprocity is that when I speak, you also have to accept that you may not always agree with what I say and that it may, indeed, occasionally offend or insult you. I argue that this is actually a good thing, if not a great thing, for our democracy.

There is quote, rightly or wrongly attributed to Voltaire, that just about all of us will all be familiar with. That is:

I do not agree with what you have to say, but I'll defend to the death your right to say it.

While this is often cited, I think few of us really understand its implications and the reciprocity that is inherent within it. That is, all citizens have the freedom to think what they want and to freely say what they think. But like every rule, it always has exceptions. The Universal Declaration of Human Rights states that:

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

But as we know, in any democracy it is always a matter of balance and freedoms are never truly free. In a democracy and in our democracy, we trade-off individual rights for the collective good. But it must never be done by force or achieved through community apathy or, occasionally, simply inattention. I believe that as a community and as a society, we have to rediscover a way to accept hearing things that we personally do not believe in. That is because
if we do not, when it comes to speaking out on the things that are important to us, no-one else will hear you.

John Stuart Mill's harm principle holds that no one should care about what anyone thinks, says or does or how they behave, as long as one is not encroaching on other people's privacies and personal liberties to live a free life. I believe Mill's views remain just as relevant today when assessing what is and what is not free speech and also on how informing us how to regulate free speech if it is likely to lead to disorder. But a basic principle for us all inherent in that is that we do not need to moderate free speech. Instead, it is beholden on all of us to moderate ourselves.

Today, it appears to me that many of those who most vocally assert their right to free speech do not exercise this corresponding responsibility of allowing those who disagree with them to similarly engage in free and frank debate. I have learnt that in public policy debates there are those who that speak to proselytise and who are not open to opinions expressed by others. There are also those who speak not just to be heard but also to hear from others, to learn from others and to challenge their own thinking and points of view. As Noam Chomsky noted:

Goebbels was in favour of free speech for views he liked. So was Stalin. If you're really in favour of free speech, then you're in favour of freedom of speech for precisely the views you despise. Otherwise, you're not in favour of free speech.

I would argue that you are then simply in favour of your own right to free speech and not in favour of everyone else's right.

The section that has triggered recent renewed and often passionate public debate on this topic were the governments proposed changes to section 18C of the Racial Discrimination Act 1975. Section 18C itself makes it illegal for someone to do a public act which is:

...reasonably likely in all the circumstances to offend, insult, humiliate or intimidate someone on the basis of their race.

Senator Day, in moving his bill today, noted that:

For the rule of law to function properly, a country's citizens must be able to observe, comment and critique the existence or non-existence of laws, the making of laws and the application thereof in the court system.

These freedoms are so critical to the very existence of a strong democracy and an acceptable way of life. They are recognised in international treaties and conventions, to which Australia is a party.

When reviewing any legislation, including this bill, the intent and context is always very important. It is my understanding that when the act was passed in 1975, the intention was to prohibit racial discrimination in accordance with the International Convention on the Elimination of All Forms of Racial Discrimination.

However, subsequent amendments to the act have extended its reach to the point where many—including myself—believe it has created a serious imbalance between freedom of speech and racial discrimination. At issue today in Senator Day's bill is that section 18C of the act restricts even the objective and fair-minded opinion and expression that is common in the Australian community. The amendments proposed by Senator Days to remove the words 'offend' and 'insult' appear minor, particularly as the words 'humiliate' and 'intimidate' remain. But as I noted, words are always subjective and therefore contestable. While many in the
community might find these words legalistic or technical, the implications of these four words are important for all Australians to understand not just in the context of the Racial Discrimination Act but also more widely in the discussions on freedom of speech.

As the drafters of our Constitution noted, words can often take precedence over the intention or the value that sit behind them. While senators on this side of the House may not regularly turn to Julian Burnside for inspiration on legislative matters, on this topic I find his opinion most instructive. Mr Burnside said that:

The mere fact that you insult or offend someone probably should not, of itself, give rise to legal liability... My personal view is that 18C probably reached a bit far so a bit of fine-tuning would probably be OK …The idea that speech 'which insults a group' is arguably going too far.

In fact, the diversity of views within the Human Rights Commission itself reflects the wide range of opinions in the community on this issue, and therefore I believe this issue has a long way to go in the Australian community.

In conclusion, I do commend Senator Day for bringing this bill forward and encouraging debate on what I hope will be a far more wide-ranging debate and discussion in the Australian community on freedom of speech and the balance between our individual liberties and national security restrictions. Tonight I have shared my views and my thoughts on these issues. I encourage all Australians to engage in this debate both privately and publicly. As your elected representative in our own unique form of democratic government, I need to know your views. I need to know whether I share your views or whether as a community your views are different from mine, because that is what I undertake to do in my role as your elected representative.

United Nations International Day of the Girl Child

Senator MOORE (Queensland) (20:00): In the lead-up to this year's UN International Day of the Girl Child, which is 11 October this year, Plan International, the world-renowned development organisation, surveyed over 1,000 young Australian girls about the everyday challenges that they encounter and their views on gender inequality, leadership and work. As well, they drafted a 'girls call to action', after consulting with over 400 girls and young women about their everyday issues and what they wanted included in the post-2015 agenda. By making their voices heard, Plan want to give these girls in Australia the opportunity to influence the most important framework guiding international development priorities for the next 15 years—that is, the post-2015 agenda—which will impact billions of people around the world in efforts to end poverty, secure rights and promote equality and prosperity for all.

We had the opportunity in this place to meet with 24 young women who are the girl ambassadors for Plan. They were joined by two young women from Pakistan. It is a really important element of the Plan process to ensure that young women across the world get to meet each other and exchange their views. We had a reception for them in this place on Wednesday morning, and a number of female politicians had the chance to meet with these young women and talk with them about their work Our book of ambitions. This book has been published and copies of it were given to Minister Michaelia Cash and also to Foreign Minister Julie Bishop. The book looks at areas in which these young women want our government to act to ensure that their voices will be heard in the discussions which will be held in New York next year to finalise what will follow the Millennium Development Goals. It is so important that women's voices are heard, because we identified that, through the MDG
process, sometimes the voices of young women were lost. So they had worked together over a period of time to develop their book of ambitions and they had come to tell their government what they wanted to have happen.

In the forward to the book of ideas, Natasha Stott-Despoja, the Ambassador for Women, wrote:

It is not enough to protect the basic human rights of girls. To achieve gender equality, and reap the benefits of women's and girls' full participation in their communities, we must also ensure that girls' voices are welcomed in our public life. Our clear message is that society needs women and girls to be engaged equally in leadership and decision-making. That is the only way to achieve prosperity for all.

When the young women came to talk to their parliament, they set out an agenda of seven key goals that they want their government to take through to the post-2015 agenda. These goals are in no order of priority but I am going to run through the key areas. The first claim states:

Ensure girls in Australia and around the world have access to inclusive and quality education and life-long learning opportunities;

It is important for us to understand that curricula do not promote negative gender stereotypes and that education topics and material do promote gender equality. Most importantly, education systems and processes need to allocate sufficient funding and resources. It is also important that there is a complete eradication of illiteracy throughout the world. We all know that education provides the opportunity for the future, and that if only women had the opportunity to have an education their lives would effectively change.

The second claim that these young women made to their government states:

End harmful practices such as child marriage, child labour and human trafficking.

This involves education of the community and self-awareness. It also involves a crackdown—which this government has done, I believe, and follows on from the work of previous governments—on human trafficking and the prosecution of people who engaged in it. We have to ensure that in work environments we have really strong conditions and standards so that young children are not exploited. One of the things that our parliament has been discussing recently and that I think is becoming a high point on the international agenda is that we implement legislation that enforces a minimum age of marriage of 18 years. We have to ensure that the horrors of child marriage are identified and eliminated.

Earlier this year I was lucky enough to be in Europe to attend a conference on equity. One of the key touring exhibits at this conference was extraordinarily graphic on the issue of child marriage. As is so often the case, looking at pictures of people who are caught up in life experiences can be much more effective than pages of reading. So seeing these extraordinarily confronting photographs of how child marriage operates in different parts of the world brought home to me the inequity that that process involves and also the fact that lives are impacted and opportunities are lost.

The third agenda item that they brought to our parliament states:

Provide accessible and quality health care and protect the sexual and reproductive rights of young women and girls.

Again, this involves education to ensure that information is available to young women and young men and that contraception is affordable and accessible. It is about ensuring that school curricula has effective and responsive information that covers the issues of sexual
reproductive health, that sufficient funding and resources are allocated for basic health hygiene and that people have opportunities in their own lives and communities to ensure that their health will be protected.

The fourth demand was:
Ensure women have the same access to employment opportunities as their male counterparts and encourage young women to participate fully in the workforce.

During the discussion with women across the country, one of the things that was most sad was that so many women felt that they had lesser opportunities for their dream job simply because they were girls. You would hope that by 2014 in Australia that would be clearly a thing of the past and that everyone would be able to access the employment that they want. I am old enough to remember the various signs that were around that said, ‘Girls can do anything’. All over the country there are fridges and storage cabinets with little stickers that go back to the 1970s and 1980s that made that clear statement. At the time, that was seen as a confronting statement. It was almost revolutionary for people to come out and say that every opportunity for employment should be fully open to both genders. It saddens me that in 2014 young women are telling each other that it is perhaps harder for them to achieve the job that they most want simply because they are women. We have to address awareness. We have to make absolute efforts to close the gender pay gap in Australia. We know that our gender pay gap is increasing. These young women know that and acknowledge that it is wrong. There should not be a large disincentive for women to get involved in any workplace. They should expect to get equal pay for equal work. This was a catchcry in the 1980s, and a number of extremely important wage cases were run and won in this country. We were told that we had achieved equal pay, but we know that is not true. In Australia that has to be a priority, and the young women know it must be.

The fifth in their list of demands for our government is:
Eliminate gender-based violence and improve safety to ensure that all girls are protected from harm.

Too often in this place we have been confronted by the statistics about gender based violence in our community. We know that it is wrong. We are confronted by the statistics that say it is getting worse, despite years of programs, training and investment. Obviously, there has to be a community effort to ensure that we understand why there is violence and understand the ways that we can work together to wipe that out in our community. We have the passion. I know we have the knowledge. We have the stated explanations from so many young women that they know it is wrong. They are aware it is happening and they expect that together as a community we can ensure that it will not happen again. This goes back to education. Some of the most effective programs work with young people in their schools through what constitutes gender based violence and how we can ensure that it does not occur. This is in our Australian community but, as with all these expectations, it is important that we see it with an international sense.

The sixth demand is:
Ensure young women and girls live in an environment that supports a healthy lifestyle and have access to clean water, clean land and clean air.

We have talked many times in this place about the importance of effective sanitation and the value that ensuring that there is a safe water supply can bring to any community. That is
something that people understand. We have the expertise in Australia. Our aid program works very effectively in a number of countries, implementing effective sanitation, and the stats are there. The figures show that if you have a source of clean water the general environment will improve and that naturally will mean a better living environment for all.

The seventh demand is:
Achieve gender equality, the full realisation of women's and girls' human rights and the empowerment of all women and girls worldwide.

This seems to be very straightforward. Just end discrimination everywhere. That is something we all accept, but there is something about looking into the eager faces of 25 young women who have talked about the issues, expecting their government and their parliament to respond, that means there is no way out of that challenge. We need to accept that we have to end discrimination everywhere. We have to ensure that there is a guarantee for women and girls of full participation at every level of political leadership processes and decision making across all sectors.

One of the elements of this document that received considerable media when it was released earlier this week was the realisation that, whilst women were talking to each other about these issues, only one per cent of the women who were involved said that they saw work in a political career as something they wanted to do. That has caused a bit of feedback around the place. I have mixed views about that. I think it is most important that women and young girls see that they have the option to enter into a political career. I am not particularly concerned that women between the ages of 14 and 24 do not immediately say that they want to work in politics. I had this discussion with some of the young women the other day. It would seem to me that there are so many life experiences that people should be seeking before they even think about wanting to be in a political job. While only one per cent at this stage may say that they see themselves in a political job, if they see themselves working in the community in forms of community service, leadership and professional engagement that may well lead on to bringing those skills into a political job. Whilst that one-per-cent issue seems to be something that titillated the media earlier this week, we should be looking more at the fact that the women did not see, in their opinion, effective leadership models in the community that showed them that a political career could be there. That is the worry—that they did not identify that they saw women leading already in the sphere. They must know that this option exists. They must know that there are no real reasons why women cannot take leadership positions in all fields. They need to see that it is a job that is rewarding and has value.

One of the things the survey indicates is that they felt that sometimes in a political area issues such as what a woman wears or how they look may be assessed differently to people who are not women in the same job. That is the kind of thing I think should be addressed, rather than just confirming that one per cent of women see politics as their future.

These young women clearly expect that their parliament and government will take their issues seriously and bring them into the debates that will happen internationally next year about what will happen to the international focus on issues around poverty and empowerment in the post-2015 agenda. There has been an agreement that in many areas we need to have a stand-alone goal whatever happens post 2015 that talks about equality and also women's empowerment. That seems to be generally accepted. We need to make sure that Australia is
part of those discussions and that we can come back and tell the young women who were involved in developing the book of ambitions that we have listened to them and we understand their concerns.

It is important that these young women who were talking in Australia were not only seeing the issues as they impacted on them in their own places, families and communities. They understood that any advancement for women must be at an international level and that the kinds of work that Plan does across the world is important and should be supported. They want to be involved in talking with their peers in the international sphere. Those concerns about education, violence and employment opportunities are real for women across the world.

I really want to congratulate Plan for the work they do. Their 'Because I am a girl' series of reports that have been put out internationally since 2007 have concentrated on the issues confronting young women in a range of different areas, including post-war situations and post disasters. Last year's report was on young women in situations post-disaster and looked at the particular challenges for young women when communities are affected by disaster.

We have looked at young women across the world when it comes to safety in the cybersphere. I know that is an interest of Senator Bilyk's. These documents are not only to be shelved to show that there has been work done; these are living documents that we need to benchmark to show that a snapshot of women at one stage should lead on to action to respond to the expectations of those who put them before us.

This year when we in this parliament were presented with the work that shows what is concerning young women in our community and what they think should be done to improve their own options and futures as well as what should be done internationally they provided a challenge to us. They expect that we will be able to respond to it. Natasha Stott-Despoja said in her introduction:

I encourage you all to read this book and find out what girls want as a Post-2015 agenda. This is a once in a generation opportunity to make girls' rights and concerns a local and global priority.

We have the opportunity to do that. We have time to work in Australia and we also have time to work in the international community to see that whatever happens in the UN declaration next year it reflects the importance and value of young women. It will ensure that those issues of equity are entrenched and the expectations we have for a safer, more equitable world will be achieved because we have listened to what girls want.

**National Security**

**Senator LUDLAM** (Western Australia) (20:19): This time last week this Senate was debating the passage of the ASIO bill. You know the story by now: a bill substantially expanding the intrusive powers of ASIO was shotgunning through parliament after nearly two years in the making. The crossbenchers in here and in the House put up the best fight we could, but we needed 38 votes on the night and we only had 12. The conversation in the media and online in the aftermath has a quality of betrayal to it. How could a government that was meant to be all about freedom do this to us? How could we have let this happen? Where was the media outrage? Where was the opposition?

These are all good questions. Before I try to answer them, I will quickly review the harm that was done earlier this week. Firstly, there is the small matter of Senator George Brandis's new definition of 'computer'. It is about as coherent as his catastrophically ignorant definition
of 'metadata'. For the purposes of a computer access warrant, a 'computer' is now defined to include 'a network or networks'. If you have specialised legal training, you may have spotted the slender loophole here: the definition of 'computer' has been amended to mean 'the whole internet'.

The other thing the bill does is kind of ban national security reporting in this country. Anyone who discloses a new category of investigation—these so-called special intelligence operations—now faces prosecution and jail time. We know why these provisions are there, because the government tells us in the explanatory memorandum which sits alongside the bill. They say:
The necessity for increasing the penalty has become apparent through recent domestic and international incidents involving the unauthorised disclosure of security intelligence-related information.

I am sure Edward Snowden, Julian Assange, Chelsea Manning or any of the other whistleblower who have been sent to the wall for unauthorised disclosure of security intelligence related information would be really interested to hear that. Remember how we wiretapped the President of Indonesia's wife? Remember how, on ASIO's advice, we deported US peace activist Scott Parkin for saying mean things about Halliburton, or the time ASIS kinked the East Timorese cabinet rooms during commercial negotiations over gas concessions? If you do remember these things, chances are you heard about them first from a journalist. If you were sufficiently interested or outraged, you might have shared these things on the internet. Maybe there will be a wave of prosecutions to keep people in line. Just as likely, stories like this will be legalled out of existence before they get anywhere near print or broadcast.

So, we lost. We needed 38 votes. We had 12. Keep that number 38 in mind, because we are going to need it again shortly. In retrospect, we had lost well before the chamber debate started. We needed our collective voices raised much louder before the vote, not after. So, tonight I speak not of regret but of determination—determination that this does not happen to us again, because, as bad as the ASIO bill was, the worst is still to come. Prime Minister Abbott and Attorney-General George Brandis have clearly demonstrated that they have not the faintest clue about the technology they are proposing to regulate, but they are pressing ahead nonetheless with a two-year mandatory data retention regime for every man, woman and child and every device in this country.

You may reasonably ask, 'Who is this metadata, and why should I care?' Anyone who tells you that it is like an envelope either does not understand what they are talking about or is trying to deliberately impede your understanding. Metadata is not like an envelope; it is your precise location everywhere you take your mobile phone. It is your entire social network. It is whether you are partial to BitTorrent or not. It is your whole digital life.

Let's make it personal: you may not have heard of Mr Malte Spitz, but metadata has certainly heard of him. Google him, or, better yet, follow a link to him. Mr Spitz subpoenaed his phone company for six months of his own metadata and threw it down on a Google Map. You can watch him swarm around the landscape in fast-forward—making calls, catching trains, living his life. That mobile phones can function as intensely fine-grained tracking devices is one reason former CIA and NSA director Michael Hayden cheerfully observed, 'We kill people based on metadata.'
That brings us to the here and now. The next time this chamber sits, which is 27 October this year, Senator George Brandis proposes to introduce a bill for mandatory retention of metadata for two years. This will create vast new data pools so that everyone from ASIO and the police to Centrelink, local councils, the RSPCA, the Victorian Taxi Directorate can rewind your life, map your entire social network and follow you around under a digital microscope. It is going to cost a fortune. Estimates by iiNet across the whole industry start at $600 million and go up from there. Every one of us will have to pay for that, either through our taxes or through increased data charges that the phone and internet companies will be forced to charge.

Now, you might be asking at this point, 'Look, I have nothing to hide, so, what do I have to fear from high-resolution saturation surveillance from hundreds of different government agencies?" To be honest, I am still bewildered that this still comes up as a question at all. But consider the following thought experiment. Imagine a guy whose name you do not know, who you have never met, who silently follows you around—just here, just over your shoulder—listening to your conversations. He was there yesterday, he was there all day today, he will be there all day again tomorrow. He makes quiet little notes of everyone you meet, every conversation you have, what you are wearing and anything you exchange, no matter how intimate the contact. He follows you every minute of the day, everywhere you take your phone. He installs sensors in every room of your house, and there is the abolition of curtains and front door locks—total transparency, all the time. None of what gets recorded will be content, you understand; it's just metadata—millions of little envelopes. It is hardly worth bothering to apply for a warrant if it is just these envelopes. You would not stand being followed around by a creeper like that in real life, so why does Senator Brandis think it is okay to force the telecommunications industry to do that to us online?

When we reconvene at the end of October, this parliament is going to need an opposition. It is going to need 38 votes, and we have less than three weeks to find them. The Greens have been fighting against this arch stupidity for years, so that is 10 votes. You will have seen that a number of crossbenchers, who understood how serious this stuff is during the ASIO debate, voted against it, so we can account for maybe another three votes. That means we are short 25. That happens to be exactly the number of Labor Party senators who were curled up in a small-target foetal position last Thursday night when the ASIO bill was rammed through.

It is up to us all to prevent a repeat of that humiliating performance. Tonight I have a message for the Australian Labor Party. We are not going to let you sit this one out. Get off the fence and start behaving like a party of opposition with a century-long tradition of social justice and solidarity. Seriously, if any of you are listening right now, are you going to stand with Senator George Brandis when this comes to a vote, or will you be standing with everybody else?

I address my final thoughts to you, internets. We are going to need to use the net in defence of itself and unlock—maybe even unhinge—the creative potential of the most powerful communications medium in human history. Tonight I announce that we are offering a small reward for the most creative, original—downright viral—contribution to the campaign, something that in the short time we have left to bring this parliament to its senses is so hilariously in people's faces that it cannot be denied. For the next few weeks, #StopDataRetention needs to be ubiquitous, the creative equivalent of a Distributed Denial of
Stupidity attack, targeted at people who will otherwise wander in here at the last minute and vote for a bill they have not even read.

Gamers, I am looking at you. Artists, musicians, hackers, geeks, this is your internet. You have to defend it. If you can get your crazy meme on TV, into the paper or onto the streets, so much the better. It is time for a period of sustained jimmy rustling the likes of which we have not seen since we killed the internet filter. The creator of the most widely seen, most effective, unavoidably kick-ass meme will be flown at gargantuan expense to Parliament House, Canberra, by me, and I will buy you and a friend dinner in the Parliament House dining room—which will be weird, but also kind of fun. That is how serious I am about this. A small panel will judge the winner in the week of October when this Senate next reconvenes. Play the issue, not the man. Do not do anything illegal or stupid. No trolls will be fed in the making of this movement. Internet, your objective is to find 38 votes to nail this data retention idea once and for all. We have less than three weeks. Please help us to find them.

The PRESIDENT (20:29): I remind honourable senators that the legislation committees will meet to consider estimates commencing on Monday 20 October at 9 am. Program details will be published on the Senate website.

Senate adjourned at 20:29

DOCUMENTS

Tabling

The following documents were tabled by the Clerk pursuant to statute:

[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.]

Australian Prudential Regulation Authority Act 1998—Australian Prudential Regulation Authority (confidentiality) determination—No. 10 of 2014 [F2014L01304].

Broadcasting Services Act 1992—
Broadcasting Services (Events) Notice (No. 1) 2010—Amendment No. 10 of 2014 [F2014L01308].
Children's Television Standards Variation 2014 (No. 1) [F2014L01311].


National Health Act 1953—
Amendment Determination under section 84AH (2014) (No. 4)—PB 77 of 2014 [F2014L01305].
National Health (Listed drugs on F1 or F2) Amendment Determination 2014 (No. 9)—PB 76 of 2014 [F2014L01306].


Open Areas Parking Rule 2014 [F2014L01303].

Parking Authority Declaration – 2014 High Court of Australia [F2014L01297].


Staffing and Delegations Rule 2014 [F2014L01296].

Suspension for Non-payment of Infringement Notices Rule 2014 [F2014L01300].

Tabling

The following documents were tabled by the Clerk pursuant to order:

- Estimates hearings—Unanswered questions on notice—Budget estimates 2014 15—Statement pursuant to the order of the Senate of 25 June 2014—Defence Housing Australia.
- Indexed lists of departmental and agency files for the period 1 January to 30 June 2014—Statements of compliance pursuant to the order of the Senate of 30 May 1996, as amended—Department of Defence.
- Environment portfolio.

Order for the Production of Documents

The following documents were tabled pursuant to the order of the Senate of 25 June 2015:

- Estimates hearings—Unanswered questions on notice—Budget estimates 2014 15—Statements—Department of Infrastructure and Regional Development.
- Indigenous Affairs.

The Assistant Minister for Immigration and Border Protection (Senator Cash) tabled the following document:

- Administration—Nauru Detention Centre—Letter to the President of the Senate from the Assistant Minister for Immigration and Border Protection (Senator Cash), dated 2 October 2014, responding to the order of the Senate of 1 October 2014.

The Minister for Veterans' Affairs (Senator Ronaldson) tabled the following document:

- Transport—Victoria—East West Link—Letter from the Minister for Infrastructure and Regional Development (Mr Truss) to the Clerk of the Senate (Dr Laing), dated 1 October 2014, responding to the order of the Senate of 25 September 2014.

The Minister for Veterans' Affairs (Senator Ronaldson) tabled the following document:

- Estimates hearings—Questions on notice—Answers and explanation—Letter to the President of the Senate from the Minister for Finance (Senator Cormann), dated 2 October 2014, responding to the order of the Senate agreed to earlier today (see entry no. 34).