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SITTING DAYS—2016

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- **HOBART**    747AM
- **MELBOURNE** 1026AM
- **PERTH**     585AM
- **SYDNEY**    630AM

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FORTY-FOURTH PARLIAMENT
FIRST SESSION—EIGHTH 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. George Henry Brandis QC
Deputy Leader of the Government in the Senate—Senator Hon. Mathias Cormann
Leader of the Opposition in the Senate—Senator Hon. Penny Wong
Deputy Leader of the Opposition in the Senate—Senator Hon. Stephen Conroy
Manager of Government Business in the Senate—Senator Hon. Mitchell Peter Fifield
Manager of Opposition Business in the Senate—Senator Claire Moore

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

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

<table>
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<tr>
<th>Senator</th>
<th>State or Territory</th>
<th>Term expires</th>
<th>Party</th>
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<td>Abetz, Hon. Eric</td>
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<td>30.6.2017</td>
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<tr>
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<td>Brandis, Hon. George Henry, QC</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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<th>Senator</th>
<th>Party</th>
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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.
(2) Chosen by the Parliament of New South Wales to fill a casual vacancy (vice J Faulkner), pursuant to section 15 of the Constitution.
(3) Chosen by the Australian Capital Territory Legislative Assembly to fill a casual vacancy (vice K. Lundy), pursuant to section 15 of the Constitution.
(4) Chosen by the Parliament of Queensland to fill a casual vacancy (vice B. Mason), pursuant to section 15 of the Constitution.
(5) Chosen by the Parliament of Tasmania to fill a casual vacancy (vice C. Milne), pursuant to section 15 of the Constitution.
(6) Chosen by the Parliament of South Australia to fill a casual vacancy (vice P Wright), pursuant to section 15 of the Constitution.
(7) Chosen by the Parliament of Victoria to fill a casual vacancy (vice M Ronaldson), pursuant to section 15 of the Constitution.
PARTY ABBREVIATIONS

Heads of Parliamentary Departments
Clerk of the Senate—R Laing
Clerk of the House of Representatives—D Elder
Secretary, Department of Parliamentary Services—R Stefanic
Parliamentary Budget Officer—P Bowen
**TURNBULL MINISTRY**

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<tr>
<td><strong>Prime Minister</strong></td>
<td>The Hon Malcolm Turnbull MP</td>
</tr>
<tr>
<td><strong>Minister for Indigenous Affairs</strong></td>
<td>Senator the Hon Nigel Scullion</td>
</tr>
<tr>
<td><strong>Minister for Women</strong></td>
<td>Senator the Hon Michaelia Cash</td>
</tr>
<tr>
<td><strong>Cabinet Secretary</strong></td>
<td>Senator the Hon Arthur Sinodinos AO</td>
</tr>
<tr>
<td><em>Minister Assisting the Prime Minister for the Public Service</em></td>
<td>Senator the Hon Michaelia Cash</td>
</tr>
<tr>
<td><em>Minister Assisting the Prime Minister for Counter-Terrorism</em></td>
<td>The Hon Michael Keenan MP</td>
</tr>
<tr>
<td><strong>Assistant Minister to the Prime Minister</strong></td>
<td>Senator the Hon James McGrath</td>
</tr>
<tr>
<td><strong>Assistant Minister for Cities and Digital Transformation</strong></td>
<td>The Hon Angus Taylor MP</td>
</tr>
<tr>
<td><strong>Assistant Cabinet Secretary</strong></td>
<td>The Hon Dr Peter Hendy MP</td>
</tr>
<tr>
<td><strong>Deputy Prime Minister and Minister for Agriculture and Water Resources</strong></td>
<td>The Hon Barnaby Joyce MP</td>
</tr>
<tr>
<td><em>Assistant Minister for Agriculture and Water Resources</em></td>
<td>Senator the Hon Anne Ruston</td>
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<tr>
<td><em>Assistant Minister to the Deputy Prime Minister</em></td>
<td>The Hon Keith Pitt MP</td>
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<tr>
<td><strong>Minister for Foreign Affairs</strong></td>
<td>The Hon Julie Bishop MP</td>
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<tr>
<td><strong>Minister for Trade and Investment</strong></td>
<td>The Hon Steve Ciobo MP</td>
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<tr>
<td><strong>Minister for International Development and the Pacific</strong></td>
<td>Senator the Hon Concetta Fierravanti-Wells</td>
</tr>
<tr>
<td><strong>Minister for Tourism and International Education</strong></td>
<td>Senator the Hon Richard Colbeck</td>
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<tr>
<td><em>Minister Assisting the Minister for Trade and Investment</em></td>
<td>Senator the Hon Richard Colbeck</td>
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<tr>
<td><strong>Attorney-General</strong></td>
<td>Senator the Hon George Brandis QC</td>
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<tr>
<td><em>(Vice-President of the Executive Council)</em></td>
<td>The Hon Michael Keenan MP</td>
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<tr>
<td><em>(Leader of the Government in the Senate)</em></td>
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<tr>
<td><strong>Minister for Justice</strong></td>
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<tr>
<td><strong>Treasurer</strong></td>
<td>The Hon Scott Morrison MP</td>
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<tr>
<td><strong>Minister for Small Business</strong></td>
<td>The Hon Kelly O’Dwyer MP</td>
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<tr>
<td><strong>Assistant Treasurer</strong></td>
<td>The Hon Kelly O’Dwyer MP</td>
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<td><em>Assistant Minister to the Treasurer</em></td>
<td>The Hon Alex Hawke MP</td>
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<td><strong>Minister for Finance</strong></td>
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<tr>
<td><em>(Deputy Leader of Government in the Senate)</em></td>
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<td><strong>Special Minister of State</strong></td>
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<tr>
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<tr>
<td><strong>Minister for Major Projects, Territories and Local Government</strong></td>
<td>The Hon Paul Fletcher MP</td>
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<tr>
<td><strong>Minister for Industry, Innovation and Science</strong></td>
<td>The Hon Christopher Pyne MP</td>
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<tr>
<td><em>(Leader of the House)</em></td>
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<tr>
<td><strong>Minister for Resources, Energy and Northern Australia</strong></td>
<td>The Hon Josh Frydenberg MP</td>
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<tr>
<td><strong>Minister for Northern Australia</strong></td>
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<td><em>Assistant Minister for Innovation</em></td>
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<td><strong>Minister for Immigration and Border Protection</strong></td>
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<td><strong>Minister for the Environment</strong></td>
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<td><strong>Minister for Health</strong></td>
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<tr>
<td><strong>Minister for Aged Care</strong></td>
<td>The Hon Sussan Ley MP</td>
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<tr>
<td>Title</td>
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* Senator Katy Gallagher’s appointment to the Shadow Ministry is effective from 1 November 2015. Senator the Hon. Jan McLucas will serve as Shadow Minister for Housing and Homelessness and Shadow Minister for Mental Health, and represent the Shadow Minister for Northern Australia, the Shadow Minister for Health, the Shadow Assistant Minister for Health, the Shadow Minister for Sport and the Shadow Minister for Indigenous Affairs in the Senate until 31 October 2015.
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Wednesday, 16 March 2016

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. Details will be recorded in the Journals of the Senate and on the Dynamic Red.

Details of the documents also appear at the end of today's Hansard.

COMMITTEES

Community Affairs Legislation Committee

Electoral Matters Committee

Select Committee on Unconventional Gas Mining

Meeting

The Clerk: Proposals to meet have been lodged by the Community Affairs Legislation Committee for a public meeting today from 6.15 pm, by the Joint Standing Committee on Electoral Matters for a public meeting today from 9.30 am and by the Select Committee on Unconventional Gas Mining for a private meeting today from 10.45 am.

The PRESIDENT (09:31): Does any senator wish to have the question put on any of those motions? There being none, we will proceed to business.

BILLS

Commonwealth Electoral Amendment Bill 2016

Second Reading

Debate resumed on the motion:

That this bill be now read a second time.

to which the following amendment was moved:

At the end of the motion, add: 'but the Senate is of the opinion that there is a need to reform Australia's political donation system by lowering the disclosure threshold, banning foreign donations, restricting anonymous donations and preventing donation splitting to avoid disclosure'.

Senator LUDLAM (Western Australia—Co-Deputy Leader of the Australian Greens) (09:31): Last night I spoke about the principle of voters directly controlling who they elect rather than leaving it to self-appointed professional preference allocators. I did express some opinions at the time about how this idea has somehow become controversial during this debate on the Commonwealth Electoral Amendment Bill 2016. There is no question that the Labor Party's principled defence of backroom preference allocators has caught the imagination of some people online, including a few people who I figured were smart enough to know better.

When a ballot paper ends up measuring one metre from side to side, when the Electoral Commission has to hand out little magnifying glasses so you can read the fine print and when you realise that people are going around boasting about how many front parties they have set...
up in order to funnel preferences to themselves something has gone deeply wrong with our electoral system. In the wake of the 2013 election, where the preference engineers had their finest hour in preference slingshotting random candidates past people with 20 times more votes, the Joint Standing Committee on Electoral Matters spent months trying to work out how to put the power back into voters' hands. This is the model that the cross-party Joint Standing Committee on Electoral Matters came up with to abolish the machinery of group-voting tickets and let voters decide who gets elected.

It is true that this bill is not identical to the JSCEM model. It is different in a couple of quite important respects. The JSCEM majority report recommended raising party registration fees—for some reason I still do not understand. This bill fixes that. It also recommended a model that could have effectively promoted a just vote 1 system, which undermines the power of our preferential voting system. This bill fixes that too. Let us hear what the committee had to say:

Labor’s preferred position would also see a requirement that ballot paper instructions and how-to-vote material advocate that voters fill in a minimum number of boxes above the line, while still counting as formal any ballot paper with at least a 1 above the line.

Congratulations! We managed to get the Labor Party model into law. Wonderful!

There has been a bit of debate about the fact that you can already number the candidates in the order you choose and you do that by voting below the line. I want to refer briefly to some research done by Ben Raue on tallyroom.com.au. He actually looked at the data for what happens when people vote below the line, when they decide to exercise their democratic mandate in full, which I have done plenty of times myself, and number all the boxes below the line. The research that he conducted on some of the larger ballot papers—and New South Wales being one of the craziest examples—is that the informal rate, the number of votes that end up in the bin, is as high as 28 per cent for people voting below the line, because it is just so hard. It is particularly hard to get it right when the ballot paper is a metre side to side and you are trying to number of candidates whose names are written in four- or five-point type. Nearly 30 per cent of those votes end up in the bin.

He found a very strong correlation between the number of candidates on the ballot paper and the number of people who simply end up voting above the line. They just cannot be bothered. Rather than punishing these voters for not having the time or the inclination to vote below the line at that 30 per cent risk of their vote ending up informal, we should make voting easier.

We should make the system simpler. That is what the Labor Party's submission to JSCEM said. Well, we got that embedded in the bill, thanks to years of tenacious work by Senator Lee Rhiannon. Labor have decided, for reasons best left to them, to take the low road. And your own spokesman describes your arguments as dumb. He was right. It is hard to disagree. Your speeches may as well have been written by the same software that the ACTU is using for its robocalls.

The press gallery has been nearly unanimous that this is a sensible reform. The Labor Party has been left to run its campaign in the form of high-pitched, unhinging online, which has caught up a few people who figure out that where there is so much smoke there must be fire. But, ultimately, you are just smoke.
I want to acknowledge—because their names have come up a couple of times in this debate—Senators Bob Brown and Christine Milne. They are former Australian Greens leaders who moved the debate forward and prepared the ground with bills, with speeches in here, with dedicated committee work and with running the argument and getting the argument up in the public domain. I want to acknowledge, 12 years ago, Senator Brown moved, on behalf of the Australian Greens in this place, the first bill for a reform similar to that that we are debating today.

I also want to acknowledge Senator Lee Rhiannon, who brought the energy and determination that got this reform done in the New South Wales parliament to this Senate over the last couple of years. Of course, I want to acknowledge Senator Richard Di Natale for standing firm against the self-interested hysteria and outright weirdness that has been thrown at him in the last couple of weeks—for keeping his eye on the bigger picture and getting this done.

There is a lot of anxiety expressed in Labor senators' heartfelt and terribly earnest speeches about how this bill will hand the coalition a Senate majority, which will allow all kinds of hideous bills to be passed in a joint sitting after a double-dissolution election. The numbers, just the raw numbers, to support this argument brazenly do not stand up. But even if they did, it is actually beside the point. Here is a piece of advice for anyone in the ALP who has expressed these sentiments: how about you have a go at winning the next election? What if you went out and actually campaigned on the kind of progressive flagship issues that inspired previous generations of progressives and try to actually win for a change?

The Labor Party's entire strategy for opposing this reform—that you have conveniently forgotten you agreed with until about five minutes ago—has been premised on losing the next election and sitting by, in self-righteous helplessness, while the Abbott Turnbull government passes God knows what. Snap out of it. Get in the fight or get in the bin. There is a reason that you have been abandoned by two generations of progressive voters, and you have been wearing those reasons on your sleeves these past few weeks. If the numbers in this chamber are not reflective of a mix of Labor, Green and progressive Independents then it is because we have not persuaded a majority of the electorate that our ideas should prevail all the way into the legislature. So rather than fighting sensible changes that will finally stop senators from being elected by Glenn Druery's random number generator, get out and campaign on the issues that people actually care about.

I am very much looking forward to putting this bill to a vote and getting it done after 12 long years since Senator Brown first tabled a bill with the same intent as the one that we are debating tonight. Talk it into three o'clock in the morning on Thursday if you want. Talk it into September if you feel like it. In the end, this bill will become law, and not before time.

I rise to speak on the Commonwealth Electoral Amendment Bill 2016. I start by noting Senator Ludlam's confected outrage on the Labor's position on the bill. The Labor Party certainly do not need any advice from Senator Ludlam. He obviously does not really look at the Senate voting patterns at all. He has given a speech proposing advice to the Labor Party, and we certainly would not be taking any advice from Senator Ludlam or the Australian Greens.

This is a bill that has come to this chamber as a result of a backroom deal between the Liberals, Senator Di Natale and Senator Rhiannon that hands the government the conditions it
wants for a double dissolution election. The changes in the bill represent the biggest changes to the Australian electoral system in 30 years. That is a fact. Labor has a number of issues with this bill both in terms of the measures contained in the bill and the process by which this bill was brought before the Senate. The bill before us seeks to introduce optional preferential above the line voting by numbering at least six of the boxes in order of the voter's choice. The bill also seeks to introduce limited savings provisions to ensure that a ballot is still formal where the voter has numbered one box or fewer than six boxes above the line. Other measures in the bill include the abolition of group and individual voting tickets.

Those opposite claim that these changes are about transparency for voters, as do the Australian Greens. But, make no mistake, these changes are about making it harder for minor parties or independents to get elected to the Senate. Not only will these changes make it more difficult for minor parties to be elected, but they will maximise the prospect of major parties being elected, especially the coalition. But, worse than this, the change will disenfranchise three million Australians who vote for parties other than the coalition, Labor and the Greens.

How exactly do the Australian Greens expect be able to explain this to their supporters? How exactly do they expect to be able to explain to their supporters that they have delivered the coalition the double dissolution it so desperately wants? How exactly do they expect to be able to explain to their supporters that they have rammed legislation through the Senate without allowing proper scrutiny? And there has been no proper scrutiny. They can talk about a JSCEM report that was conducted—one that is not fully replicated in the bill before us. What would normally happen is that we would have a proper inquiry into the legislation before us. But that did not happen. Nobody in the Australian Greens can suggest that the sham inquiry into the legislation before us was a proper, transparent process.

As I have already indicated in this place, it is ludicrous to think that the bill could be properly considered by the Joint Standing Committee on Electoral Matters with one public hearing held the day before the committee was required to report to parliament—one public hearing lasting just 3½ hours. It was a sham process. It was a rushed process. It was done in such a hurry that it has been nothing short of a complete farce. So farcical has this process been it would seem more at home in an episode of Yes, Prime Minister, The Hollowmen or The Thick Of It than in our parliament. It has not been in keeping with the parliamentary principles that underpin our democracy. The process has been nothing short of an attack on our democracy.

The rushed and shambolic process has also exposed Senator Di Natale's Greens as the hypocrites that they are—the Greens who have always argued for greater transparency, the Greens who have always argued for greater scrutiny, the Greens who argue for greater respect of the role of the Senate. These are also the positions that were argued by Senator Milne and Senator Brown. They do not talk about the contributions that Senator Milne and Senator Brown made in this place about greater transparency and greater scrutiny at all—because they know that this bill shows that the process has been a complete sham led by Senator Di Natale and Senator Rhiannon. The Greens have been exposed for turning their backs on democracy and transparency. The Greens are exposed for what they really are through this process and the deal they have done with the government on this bill.

In the last sitting period I spoke about the process that the government and the Greens have orchestrated for the consideration of the bill. I would begin reflect on this specifically in
relation to the JSCEM report that came from the farcical inquiry process. The report from the proponents of the bill does not even support the bill in its current form. It would be laughable if it were not so tragic. First we saw the government rush to introduce the bill. The government were in such a rush that they were later forced to introduce six amendments to the bill in the House of Representatives. The day after introducing the bill to the House, the government was forced to rewrite the bill to fix a mistake. The original bill would have prevented assistant returning officers—AROs—from counting Senate first preferences on election night. It took the ABC's Antony Green to point out this error. The government had to rush in with six amendments in the House of Representatives to fix this mistake.

It simply beggars belief for there to be a suggestion that this legislation has followed a process that has scrutiny or transparency in any form. They rushed the legislation through to the point that they did not even have a provision to ensure the votes on election night were counted. No counting on the night? Spare me. They forgot to get the counting right; how many more mistakes are there in this bill? What else has the government missed? There have clearly been further oversights, as the Liberal chair's report recommends further amendments.

The amendments recommended by the chair's report are significant and require due consideration in their own right. The chair's report recommends that the government introduce a system of partial optional preferential voting below the line. It further proposes that voters should be instructed on the ballot paper to mark a minimum of 12 preferences to vote below the line. The report also recommends saving provisions for below-the-line be introduced to ensure that any ballot with at least six boxes numbered in sequential order starting with the No. 1 be considered formal.

The fact that the government members and senators have made such a significant recommendation is just further evidence that the government had rushed this bill without giving appropriate consideration to the issues and outcomes. They have rushed the bill and in doing so have frustrated proper scrutiny of the bill, which raises real concerns about what other errors and unintended consequences might be in the bill.

This is further demonstrated by the fact that both Senator Xenophon and the Australian Greens—the very people the government stitched up with this deal—also made a number of additional comments to the report. They have done the deal and still they cannot agree on reforms. Isn't it about time that Senator Xenophon and the Greens admit that this has been botched from start to finish? They have run in headlong to do a deal with the government for their own self-interest—a deal which was concocted out of political expedience by the government. This government has no interest in properly considering electoral reform. Instead they are interested in maximising their interests at a double dissolution election that they are rushing headlong into.

It is clear from the additional comments made by Senator Rhiannon that even the Greens realise that a rush to a double dissolution election is problematic in the face of the most significant electoral changes in three decades. The fact that Senator Rhiannon has seen it necessary to recommend 'That the Special Minister of State instruct the Department of Finance to work closely with the AEC to ensure that they have the required resources and further that additional money is allocated as required' shows how little faith the Greens have in the government's commitment to genuine, well-thought-out and implemented reforms.
When you have a look at the *Hansard* from the sham inquiry into this bill, you see that the AEC indicated quite clearly that they had little input into this legislation and that they also were not able to tell us how much funding would be given to them to ensure that they were ready for an election that would be coming.

We also have additional comments of Senator Xenophon, who was also a party to the dirty deal to ram this bill through this place. Again we see amendments to the bill recommended. Senator Xenophon, in his additional comments, recommends that the bill be amended to include a ban on advocating that voters vote in a manner contrary to the instructions on the ballot. Senator Xenophon's recommendation is based on Dr Bonham's observation of the impact of the savings measure, which means that a ballot with a '1', an 'X' or a 'tick' in a box above the line would be counted. Given the additional comments it seems that the Greens and Senator Xenophon have stitched up a deal with the government that they have concerns about.

Labor's dissenting report recognises that concerns about the Senate voting process are legitimate—concerns which do need to be addressed. The unexpected outcomes of the 2013 half-Senate election gave rise to concerns about how the proportional representation system used in the Senate was working—concerns that the system was broken. These concerns deserve a suitable and considered response, a thorough and measured response. Unfortunately that is not what we have in the bill before us today.

We must be careful, we must have due diligence, to ensure that in seeking to tackle one problem we do not create another problem. The solution to these issues must prioritise the democratic interest of the Australian people above all other interests. This is an important message that the government and the Australian Greens have seemingly missed. Instead they have chosen to progress Senate voting changes for political expediency and political self-interest. It is clear from the evidence to JSCEM that the changes in the Commonwealth Electoral Amendment Bill will act to shut the door to independents and minor parties. Political scientist Malcolm Mackerras said:

It is not about fairness. It is about the re-shaping of our party system. … There will be only one benefit for the voters. The ballot paper will be smaller.

The way the government and the Greens plan to make the ballot smaller is by making it impossible for minor parties and independents to be elected, and unattractive for them to even try. At the 2013 election, three million voters gave their first preference Senate vote to parties other than the coalition, Labor, the Greens or the Xenophon ticket in South Australia. It is clear that the changes in the bill will disenfranchise people who vote for small parties or independents. The changes will discourage people from standing for the Senate or organising new parties, and will reduce participation in our political system. This is not a desirable outcome for our democracy.

We clearly need to get the balance right on Senate voting reform. This will not be achieved by ramming this backroom deal through the parliament. It could be achieved with proper and robust scrutiny—something that has been denied in relation to this bill. Let there be no doubt that, in spite of the protestations of the Australian Greens, this bill is being rammed through the parliament without proper examination. This is evidenced by the fact that the House of Representatives was forced to vote on the bill before the JSCEM report had even been tabled; in fact, they were forced to vote on the bill before the inquiry had really even commenced. This was also evidenced by the fact that members of the JSCEM inquiry into this bill were not
afforded the opportunity to question the Department of Finance—the department responsible for the bill. Committee members were not able to ask questions of them. The committee was not even given the opportunity to ask questions of the minister in the department's stead. The entire process has been a sham.

The dissenting report from Labor senators notes that, following JSCEM's 3½-hour hearing on the Tuesday, the chair's report was circulated to members at 9:40 pm, giving Labor senators less than 12 hours overnight to prepare our dissenting report, which had to be provided by 8 am the following day. The dangers of ramming this legislation through have already been exposed with amendments being required in the House of Representatives. Now we see in this committee report that the government think there should be further significant amendments to the bill. It is clear that this bill should not be passed in its current form.

A change as significant as a change to the way we elect our Senate representatives deserves proper consideration, proper funding and time for proper implementation. We have seen none of that here. Instead we have a shambolic bill, a shambolic committee inquiry and what I fear will be a shambolic implementation as the coalition rush head long into a double dissolution in July. This place deserves better than this. Our democratic process deserves better than this. The electors of the states and territories deserve better than this. I hope that the Australian Greens will come to see this, but I fear that they will not. I fear that Senator Di Natale's Greens will not see the error of their ways until they have delivered to the Liberals the Senate majority they are seeking.

It is not just Labor that believes that the government and Greens deal is wrong. The list of experts who have concerns about the Liberal-Greens Senate voting deal and the lack of scrutiny is growing. I want to consider what some of these experts have had to say on this important issue. The widely respected economics editor of the Sydney Morning Herald, Ross Gittins AM, has expressed reservations about this dirty deal. His comments were very telling. He said:

... we need time—the usual Senate public inquiry would do—to hear from the experts and examine the properties of the voting system one side of politics has come up with and wants to ram through.

If the Coalition has proposed a move to optional preferential voting, allowing people to express their preference for up to six party groupings, it's a fair bet it believes such a system will advantage it over its Labor rival.

If the left-leaning Greens and centrist Xenophon party are happy to give the Coalition what it wants, it's a fair bet that's because the deal leaves room for their comfortable survival, while raising the drawbridge against the emergence of new minor-party rivals of either leaning.

As I have said, the list of critics of this bill and the way it is being rushed through is long. The former head of the Australia Institute, Richard Denniss, is well qualified to comment on Senate voting. Mr Denniss rightly questions the incredible speed with which this legislation has been introduced and is likely to become law. Mr Denniss says:

Most alarmingly, they have agreed that the new laws should take immediate effect which means that weeks after the creation of the new laws an election using those new laws could be called. What could go wrong?

Indeed, what could go wrong? As I have already said, so hasty has the government been that it has already been forced to make amendments to its own bill and is set to make further significant amendments to the bill.
But why the rush? Why the need for so little scrutiny? Surely, if the government and the Greens are so certain that the changes in the bill are right, and if they are so certain in the deal they have struck, then surely they would have no concerns with some scrutiny of the changes. The answer is simple. The rush is because the Prime Minister is racing to an early election. He is racing towards a double dissolution election. This Prime Minister is so desperate to go to the polls that he is willing to sacrifice principled and transparent processes. He has also been willing to sacrifice the democratic rights of the Australian people, instead prioritising his own interests.

Make no mistake—if passed, this new Senate voting system will shape the political landscape in this country for decades to come. Yet the government have attempted to ram the legislation through parliament with only the farcical semblance of an inquiry process. They and their new coalition members, the Australian Greens, have attempted to sell the dirty deal by claiming the bill implements the previous JSCEM report on the conduct of the 2013 federal election. This simply is not true. They claim it implements 85 per cent of the JSCEM recommendations. This simply is not true. (Time expired)

Senator DAY (South Australia) (09:59): For over 30 years, the Liberals and Greens and others have harvested preferences. They did backroom deals and, I admit, they did them very well. Of course, the occasional independent senator slipped through and was elected, but nobody really batted an eyelid. However, when the 2013 election resulted in the most Independents in Senate history, the Liberal Party went ballistic. They launched a propaganda campaign to convince the media that this was an abomination, that it was wrong and that it was undemocratic. So they responded with a backroom deal of their own—some might say the mother of all backroom deals, which included Senator Nick Xenophon, the supposed champion of the little guy—and perpetrated on this Senate the biggest, anticompetitive, closed shop act in Australian history.

Senator Xenophon's stake in this game is because he is still seething 2½ years later that his running mate Stirling Griff did not get elected on his coat-tails. Why, he protests, didn't the Labor Party preference him ahead of Family First? Maybe Labor wanted only one Nick Xenophon, not two. They had after all worked with Senator Xenophon in this place for six years beforehand and had 10 years of experience before that working with Senator Xenophon when he was a state member of the South Australian Legislative Council, the last five of which were when Labor was in government.

By contrast, South Australian Labor has 12 years of experience working with Family First in the state government. Maybe Labor knew that Senator Xenophon's voting record is clear—he is closer to the Greens than anyone else. And I ran on the platform: 'Every family, a job and a house'. What is so offensive to Labor about that? And the way I see it this very day I am standing alongside Labor trying to save the Senate from those who are grabbing power and keeping it to themselves. I am helping the little guys from being shut out of the game. It seems to me that Labor knew exactly what it was doing preferencing Family First ahead of Senator Xenophon.

When all the pathetic reasons are swept away, the naked ambition of all this is laid bare. The Liberals, Nationals, Greens and Senator Xenophon are locking up the Senate to only those parties who either have been around for a century or got in the Senate through the same
voting system and then kicked away the ladder, preventing anyone else getting in the same way. How cynical can you get?

From now on, to be elected in a normal half Senate election a party would need a primary vote of at least nine per cent—an impossible task. That is the minimum it is going to take from now on to get into the Senate. Do not forget that Senator Xenophon got in on two point something per cent plus minor party preferences. He then used his profile there to launch into the Senate. He is now kicking the ladder out from underneath us.

Which Independents will have a high enough profile to get into this place? Those who have the backing of billionaires perhaps or who are major celebrities. Do you remember the republican debate? Do you remember the concern about who might become Australia’s first president? Well, congratulations, you have done it here. You have locked up the Senate as a club for three parties and, for a short while, Senator Xenophon. Only the rich and famous will be able to get in after them. In reality there will be no new parties—no new environmental parties, no new no pokies parties, nothing. The Liberals have been campaigning for a year against the CFMEU and now they have teamed up with the CFMEU-financed Greens. Make no mistake, this bill is nothing but a grab for power by hypocrites.

It would be easy for people to think that I am speaking out against these Senate voting changes because I might lose my job. Whilst getting rid of me and my cross-bench colleagues is one of the prime objectives of these radical voting changes, that is not my concern at all. I have got plenty of things that I can do. That is not why I tried for so long to get here.

This is a real betrayal of the minor parties and Independents who helped the Liberals get their key polices through the parliament—abolishing the carbon tax, abolishing the mining tax and stopping the boats. They have now teamed up with those who opposed their legislation to get rid of those who supported it. Talk about no good deed goes unpunished.

Since arriving here two years ago I have voted on principle and have treated every piece of legislation on its merits. I have not engaged in horse trading. On 22 February the government threw principle out the window. The claim that these changes benefit the voter is false. These changes do not advantage voters; they disadvantage them. Up until now, a vote has stayed alive throughout the count. As a result of these changes, a vote for an Independent is now, potentially, a dead vote. One of the features of the Australian voting system is that ‘every vote is precious’; a vote never dies. Under this new proposal, three million votes—that is, votes for Independents and minor parties—will die. The government is removing a voter’s right to delegate their preferences to their favourite minor party. If this was genuinely about empowering the voter, people would be given a choice to let their party distribute their preferences above the line or vote 1 to 6 or 1 to 12 below the line. That would be democratic. That would give voters genuine choice.

The Liberals, the Greens and Senator Xenophon want to herd voters like sheep into voting in the way that ensures that they get to stay in the Senate. These changes discard or write off 25 per cent of the electorate far too lightly. That is 25 per cent of people who are not voting for the major parties or the Greens—25 per cent, or over three million people whose votes could die. How? This is basically first past the post voting by stealth. The voters are conditioned to just vote 1, and they will do it again. They will not use the ‘option’ to vote 1; they will just vote 1. If I were a betting man I would wager that the LNP in Queensland, if not around the country, will advertise on television, print and radio and put up banners at polling
booths telling voters to just vote 1, exploiting the saving provisions in this bill. It works a treat in Queensland: about 70 per cent of voters, under their optional preferential voting system, just vote 1. Instead of getting rid of Independents, perhaps the Liberals should ask themselves why people are not voting for them.

This bill abolishes current Independents and prevents the election of any new Independents. I did not think I would ever see the day an Australian government would silence voices of Independents who do not toe a particular party line. They are shutting Independents out of the political process. This is real Third World stuff; it is what they do in Third World countries.

Now let’s step back for a second and consider the timing of this change: just before an election, clearing the decks for a double dissolution. We are not getting tax reform rushed through this place. We are not getting spending reductions rushed through. We are getting voting changes rushed through—changes that supposedly are solely about the voter as the No. 1 priority. Now, there can be only two reasons for that. One is that the government thinks their polling position performance is so bad that they need a bad guy to attack, so they stuff the crossbench full of straw, call them straw men and stab them in the back. That is theory one. They think this is a winner in the polls when they are having a bad time. Reason two is that it has nothing to do with empowering voters at all; it is about stitching up the voting system for a preconceived outcome. You be the judge. The clear implication of this—and, I argue, a miscalculation by the Nationals in the coalition—is that these changes will permanently give the Greens the balance of power in the Senate.

Mark my words: no good will come of this deal—not for the Liberal Party; not for the Nationals, especially their leader, Barnaby Joyce; not for the Greens; and not for the nation. Australian people have a very strong sense of fairness. This will not go down well. This is a very bad thing the Liberals and Nationals are doing, and they will pay a heavy price.

It has, time and again, been the role of this Senate to save governments from themselves. I am going to try to do that here. This is a house of review, not a rubber stamp—or even a green stamp. How desperate and crazy the Liberals and Greens are, rushing into a deal, gambling that one will hold the balance of power while the other will get a Senate majority—which neither wants the other to get. Talk about problem gambling! This mother of all backroom deals is the mother of all gambles by the two key players, and it will end in tears. This is the biggest change to our voting system in over 30 years, and the government has allowed just one week to review it. People make mistakes, especially in this place, and there will be unintended consequences, especially when you have a sham of an inquiry, a rushed draft report and a preconceived outcome.

Let me speak for a minute about the Joint Standing Committee on Electoral Matters inquiry. I have been deputy chair of select committees, and we have allowed everyone to have their say. But I have never seen—and colleagues who have been here a lot longer than I say they have never seen either—the badgering of witnesses and other participating members, the shutting down of questions, the censorship and arrogance that we saw in the inquiry in this place a short while ago. You would be forgiven for thinking Liberal members were told to 'just get the job done, and to hell with the consequences'.

Yes, the government has changed tack and will bring in below-the-line voting, as the Joint Standing Committee on Electoral Matters had previously recommended. Who knows how that
backroom deal was done? But it had little choice, because, of those who made submissions to
the inquiry—and I commend them for doing so at such short notice—the vast majority said
you should have optional preferential voting below the line. The constitutional implication of
this has clearly not been properly thought through: the potential disenfranchising of three
million votes. The sheer magnitude of the lost votes will get the High Court's attention,
because it will affect the outcome. Has the government learned nothing from the Western
Australian re-run election? This will end up in the High Court.

I have great faith in the Australian people. Voters will find another way of having their
voices heard. You need independent people here who do not toe a particular party line.
Independents play a vital role in this place. Yes, a vet, a builder, a blacksmith, a soldier, a
footballer, a sawmill manager and an engineer might provide diversity, but collectively we
bring a perspective to this place that career politicians cannot.

I have to reflect for a moment on the question I asked on Wednesday last about the timing
of this bill. The government had supposedly not made up its mind on 15 February. It was still
making up its mind. It had not made a decision. 'There are still some on our side who want us
to do something,' I was told. 'There are still some on our side who want us to do something'—
how vague could that be? The government was still toying with what to do. That was on 15
February, yet on 11 February the government had given the bill to the Australian Electoral
Commission.

The parties to this deal will be, as the old saying goes, 'hoist by their own petard'. Now, like
many people, I used to think that a petard was some kind of pikestaff or stake and that a
person was hung on it. But that is not what it means at all. 'Petard' is French for 'bomb', and to
be hoist by your own petard is to be thrown in the air or, to use a more common expression, to
have a bomb blow up in your face. Their new slogan is 'No new parties'. The government will
wear this awful deal like a crown of thorns.

If this legislation is passed—as, no doubt, it will be—you will no longer have any real
choice in where you shop politically. A voter will be forced into this political cartel, and there
will be no other brands and no alternate views allowed. That is not democracy.

Senator CAMERON (New South Wales) (10:15): I never thought I would see the day
when I would stand up and say I agreed with Senator Day, but I certainly do agree with many
of the points he has just made. I have disagreed with many of the positions Senator Day has
put forward during his time as a senator, but he has delivered on most of the their agenda. My assessment of Senator Day was that he was
probably the least independent Independent. Senator Day had many things in common with
the coalition, and I do not think he would argue with me about that. He has supported many
coalition policies that I have vehemently opposed, such as the 2014-15 budget bills and the
bills aimed at destroying effective trade unionism in this country. But Senator Day has now
been hoist on his own petard. He is now paying for supporting coalition policies that are a
problem for the working class people of Australia.
I oppose the Commonwealth Electoral Amendment Bill 2016. It has been described as, and is, a dirty deal between the Greens and the coalition. It is not an appropriate response to the issues considered by the Joint Standing Committee on Electoral Matters. The advisory report on the bill contained a dissenting report from Labor senators and members. Labor conceded that there were legitimate concerns about the laws governing the election of senators and about the outcomes of the 2013 half-Senate election. If, however, the current proposal—the one being put forward by the Greens and the Liberals—had been implemented before then, we would not have been able to stop the worst aspects of the 2014-15 budget. Pensioners would have been worse off, families would have faced a $7 co-payment for visits to the doctor and young people who could not find a job would have been left with nothing to live on for six months. That is what would have happened if the system now being proposed had been in place before the last election.

Fortunately, with the opposition of Labor, the support of the Greens in some areas, and the support of some of the Independents, we were able to stop the worst aspects of that 2014-15 budget. Young unemployed Australians, pensioners, young Australian families needing medical support, and elderly Australian needing medical support were all helped by the make-up of the Senate. Having all the Independents in the Senate certainly helped them maintain a decent standard of living and access to decent health care. But the coalition still wants to cut $80 billion out of health and education—and that will be made easier if this electoral bill is passed by the Senate.

I agree with Senator Day that this approach locks out new political entrants. It entrenches the existing parties: the Liberals, the Nationals, Labor and maybe Senator Xenophon and the Greens. It does, as Senator Day says, exhaust preferences early. If someone does not want to vote for the major parties, their preferences will be exhausted. Three million Australians will be disenfranchised under this proposal. There were other ways to deal with this that would have been much more democratic.

I have heard all of the debates and the arguments. I listened to every one of the contributions by Greens senators last night and to Senator Ludlam's contribution this morning. I have to say that the contributions were not very convincing. If we had had this system in place in the past, the Greens would not exist, because Bob Brown would never have got into parliament. The Xenophon party would not exist—the new party that is going to be running at the next election—because Nick Xenophon would not have gotten into parliament. We accept the system is not perfect, but there are proper processes and community consultation that should take place.

This is a victory of self-interest over democracy. I was appalled when the Greens had their so-called negotiations with the coalition. I was a union official for 27 years and if I—or the officials that worked for me when I was an official—had given in so easily on workers' rights and workers' wages and conditions, workers would have been worse off in this country. My union, the AMWU, led the wages campaigns and in many years we had to stand tough and take tough decisions, but we did benefit workers in this country. I know somebody who cannot negotiate when I see them. When you see how Senator Di Natale has been taken to the cleaners on this bill, how he has had his play lunch taken off him by the Liberals, you have to shake your head and wonder where we would be left if—and hopefully this never happens—the Greens ever get the balance of power in the Senate. It would be a really big problem. This
is about self-interest trumping democracy. It is expediency over principle. That is the bottom line in relation to the Greens' position on this.

Senator Di Natale actually challenged Senator Wong yesterday in the Senate to debate marriage equality. He was challenging Senator Wong, saying, 'Let's have the debate.' But, when the opportunity to debate marriage equality was there, what did the Greens do? They sided with the Liberal Party and gagged Senator Wong. The government also had an opportunity yesterday to deal with the ABCC bill—a terrible bill, a bill that would diminish wages, conditions and safety in the building and construction industry. They had the opportunity to deal with the ABCC bill yesterday, but this deal between the Greens and the Liberals meant that, even when given an opportunity by Senator Ricky Muir, the Liberal Party would not debate it—they did not go there. They did not want to debate this great issue that they claim is the huge problem in the building and construction industry.

I know what the big problems are in the building and construction industry. It is not CFMEU officials breaching right of entry. That is not the biggest problem. The biggest problems in the building and construction industry are workers not being paid, workers not being able to go to work and come home safely without being injured, and workers being killed on a regular basis. They are the big problems in the building and construction industry. Yet we have a coalition that want to focus simply on these breaches of civil law and say that they are what is bringing the whole industry down. Every year, $3 billion worth of payments are not made in the building and construction industry. These are bills owed to small subcontractors—bills that small companies have put out—that are not being paid. So small businesses are going bust and small businesses are battling to survive. That has huge implications for productivity in the industry. We could have been dealing with some of those issues if we had a decent government in this country—a government that we do not have. These bills are flawed.

We have heard the Greens pontificating this morning about Labor getting out and winning the next election—'Just get policies and go out and win the next election!' It is about time the Greens actually understood who the real enemy of working class people in this country is. It is not the Labor Party. It is this mob over here who would take away rights at work, reduce pensions and attack working families by pushing up the cost of living through an increase in the GST. They are the real enemies. The Greens have no comprehension of this. All they want to do is attack the Labor Party. If you look at their rhetoric today and last night, you will see who they believe is the real enemy.

They think the Labor Party is the enemy, but we want to get decent pensions in this country, we are supporting changes for the better in health and education, and we want to tax multinational corporations and big business in this country so that there is enough money for us to have decent education and health systems, decent infrastructure and decent public transport systems. We are the party that is pushing those issues. We are the party that has over 70 policies out on those issues. We are the party that has said that capital gains tax concessions favouring speculators should be ended and that ordinary Australians and young families trying to buy a home should be on a level playing field. It should not be the overseas speculators, the big business speculators or the white shoe brigade that gives this mob money for their election campaigns that get a free run in this country. We should be looking after young families battling to get their first home. That is why we have taken a position that the
capital gains tax concessions and the tax rorts that go on in housing should be changed. That is why we have said, ‘You've got to level the playing field up for young families in this country.’

But the Greens, through this bill, are going to create a situation where young families will not be able to get a fair go. Negative gearing benefits go to the big end of town, to the wealthiest people in the country. They are the people that are going to benefit. What are the Greens doing?

Senator Ludlam interjecting—

Senator CAMERON: Here is Senator Ludlam going, ‘Yap, yap, yap.’ Senator Ludlam, I heard your speech. You could not even talk for 20 minutes. You could not even contribute for 20 minutes on this bill. You could not even contribute a full round on this bill. You just waffled on about democracy. You had a chance to deal with the biggest problem with democracy in this country: the ripping-off of democracy by the Liberal Party.

They rip democracy apart. How do they do it? They do it by sitting in the front of their Bentleys with multimillionaires up in Newcastle getting $10,000 in cash. Remember that, Mr Acting Deputy President—that Liberal Party member up in Newcastle sitting in the front of a Bentley with a multimillionaire getting handed a brown paper bag with $10,000 in it? If you wanted to deal with proper democracy, if you wanted to get an electoral system that is appropriate, when you got a bit of power you would have linked electoral reform and electoral financing together. You would have done something about the rorts that go on with the Liberals, with their trust funds all over the place and getting money pushed in by the white shoe brigade, by the property developers, by the big banks and by the big farmer.

If you want to know what the Liberals think about anything or what their policies are going to be, all you have to do is go and look at who gives them the money. We know it is the big farmer, we know it is the banks, we know it is the finance sector and we know it is the white shoe brigade. All of the Liberal Party's policies are designed to support them at the expense of ordinary working families in this country. It is an absolute disgrace that the Greens are supporting the Liberal Party on so-called electoral reform without dealing with the biggest rort that has ever gone on in this country—that is, the trust funds, the associated entities and the rip-offs that this mob are doing on democracy in this country.

Last night the Greens were talking about the four pillars of democracy. We did not hear about one of the big pillars of democracy—that is, how you fund elections. Senator Simms was pontificating about how brilliant the Greens are. Well, we have seen how incompetent they are when it comes to really dealing with the big issues. They did not deal with election funding. When this bill came up, they could have negotiated and said, ‘We're not going to give in to you unless we get a change to election funding.’ But did they do it? No, they did not. They are all about their own self-interest. They are not about democracy; they are about self-interest. The people who did fund the Greens must be looking at what is happening with this mob and saying, ‘Where are they going?’

Senator Ludlam said that it was a complex question and we had to reflect the voting will of the electorate. What happens to those three million Australians who do not want to vote for Labor, do not want to vote for the Liberals, do not want to vote for The Nationals and do not want to vote for the Greens? What happens to those three million? As Senator Day indicated,
they are cut out of the equation. You never get a perfect system, but this system that the Greens are supporting is far from perfect. It is a system that will ensure that the Liberals have a blocking vote in the Senate. That is what is going to happen.

Senator Ludlam interjecting—

Senator CAMERON: Senator Ludlam can yap away all he likes over there. He had a chance to have a go in his contribution, and I thought he failed miserably. I thought, 'This guy has a big reputation; let's hear what he has to say.' But I thought his contribution was probably the weakest out of all the Greens' contributions. It was the weakest contribution, the most intellectually deficient contribution and a contribution that did not go to the rort that was going on. We know what this is about. You can try to fluff this around with all the nonsense and all the rhetoric that you like, but this is about a political deal between the Greens and the Liberal Party to lock out Independents.

People have a go at Senator Lambie, but I would rather have Senator Lambie voting on the key issues than have the Liberals or the Greens voting on some of the issues. I do not understand Senator Lambie on some issues, but she certainly did stand up against the Liberal Party on the key issues of the 2014-15 budget. I was asked about this some time ago and I said that I would rather have in the Senate Independents that actually delivered for working-class people in this country any time against a Liberal—who will look after the white shoe brigade and look after the people who put their money in their pockets for their election campaigns and do not care about workers' rights, do not care about decent pensions, do not care about a decent health system and do not care about a decent education system as long as they are getting their money from the big end of town. (Time expired)

Senator LAMBIE (Tasmania) (10:35): I rise to contribute to the debate on the Commonwealth Electoral Amendment Bill 2016. Everyone agrees that the Senate voting system needs to be reformed. I do not argue that point, but I am happy to go to a double-D election on the changes in this bill. My private polling is showing the same results as the Liberals' polling, which means that, in Tasmania alone, we could pick up three and perhaps four Senate seats in a double-D election.

However, the point that many senators are missing in this debate is that these changes could be illegal and in breach of the Australian Constitution and will result in a successful High Court challenge, which will create more political chaos and dysfunction. According to Australia's leading election expert and foremost academic, Malcolm Mackerras, as this legislation stands written, its changes are most likely illegal and in breach of our Australian Constitution. Malcolm Mackerras gave importance evidence to the Senate committee inquiry that examined this legislation—evidence which the government, the Greens and some of our media completely ignored, and I am struggling to understand why. Essentially, Mr Malcolm Mackerras says that our Constitution will be breached and held in contempt if this legislation passes.

I watched Mr Mackerras's give evidence to the Senate committee and then I was lucky enough to meet for a second time personally with Mr Malcolm Mackerras yesterday, when he said:

1. We must bring Senate voting back to the Constitution. However, the Government's legislation (Commonwealth Electoral Amendment) is breathtaking in its contempt for the Constitution.
2. The Government's proposed Senate voting directions on its ballot paper are dishonest.
3. The Government and Greens are not on the high moral ground when it comes to their proposed Senate voting changes.

4. ABC election commentator Anthony Green is wrong. His propaganda is pandering to the powerful. Mr Malcolm Mackerras's opinion cannot be easily dismissed by the Liberal and Green members of this Senate, who have clearly demonstrated they are in a desperate rush to pass this legislation. The Greens and the Libs want us to ignore Mr Mackerras's expert opinion because he speaks the truth. I will remind the Senate of some of Mr Mackerras's expertise. This information is drawn from the internet, but it has been confirmed by other sources, including Mr Mackerras.

Mr Mackerras is now a visiting fellow in the Public Policy Institute, Australian Catholic University, Canberra Campus. Previously he was an associate professor in political science with the School of Humanities and Social Sciences at the Australian Defence Force Academy in Canberra, in 1999. Mackerras's first published study of Australian politics was *The Australian Senate 1965-1967: Who Held Control?* He followed this with *The 1968 Federal Redistribution*, published in 1969. His first major work was *Australian General Elections*, published in 1972, in which he pioneered the concept of the two-party majority and the two-party swing and introduced 'the pendulum'—a table of federal electorates in order of two-party majority, which is now commonly known as the Mackerras pendulum. He followed this with a series of books before each federal election, such as *Elections 1975*, *Elections 1980*, *The Mackerras 1990 Federal Election Guide* and *The Malcolm Mackerras 1993 Federal Election Guide*.

It is clear that Mr Mackerras, an Order of Australia recipient, is an independent voice of reason and an electoral expert who should not be ignored. Indeed, in his early political days he was a member of the Liberal Party, so when he says that 'the government's proposed Senate voting directions on its ballot paper are dishonest'; that 'the government's legislation (Commonwealth Electoral Amendment) is breathtaking in its contempt for the constitution'; the government and Greens are not on the high moral ground when it comes to their proposed Senate voting changes'; that the 'The ABC election commentator Anthony Green is wrong', and that 'his propaganda is pandering to the powerful', it is time to pause and listen, and to show some respect. If we fail to listen carefully to independent, wise words then this government and their Greens partners will be responsible for leading us into an expensive constitutional political mess. This mess is avoidable, and it will undermine confidence in Australian business and weaken the job security of ordinary Australian workers.

What a sad day this is for over three million Australian voters when the Liberals, Nationals and Greens go into a room, lock the door and emerge with this constitutionally flawed, secret little deal which they will rush through this Senate. If they were genuine about true Senate reform they would have sat down with the majority of the political representatives of the Australian people and our electoral experts like Mr Mackerras and devised a consensus plan that would have been an improvement on the current system—not come up with a plan that will lead to more economic and political uncertainty and will become a lawyers-fest once it finds its way to the High Court five minutes after the Governor-General signs it into law.

Mr Mackerras reminded us that the Greens cannot occupy the high political moral ground and that they cannot be trusted. Tasmanians know just how reckless, harmful and untrustworthy the Greens have been, and how reckless and dangerous some of their policies
are. To remind the Senate of the Greens' lack of judgement and policy failures, you will recall that in July last year I released figures obtained by the independent Parliamentary Library research and business owners, which showed that over the last decade the Greens' opposition to development in Tasmania has caused at least a loss of $5½ billion worth of business and 5½ thousand jobs. The Greens have strangled Tasmania's economy for 10 years. They are responsible for our state suffering the highest unemployment rate in Australia. How can you trust the Greens with the important and fundamental change to our democracy after a decade of mindless, unprincipled knee-jerk development objections totalling $5½ billion in Tasmania?

The Senate committee hearing I took part in last year was further proof that the Greens do not act in our state's best interests. They are coming after our half-a-billion-dollar-a-year salmon and trout industries and the thousands of direct and indirect jobs attached to Tasmania's aquaculture business. I have not even tried to calculate the financial and social cost of businesses which over the years watched the Greens chaos and found that investing in Tasmania was just too hard, so they left and took their money elsewhere. If those businesses were included in the research, the figures could easily rise to more than $10 million and 10,000 jobs that would have been lost to Tasmania over a decade, and I wonder why—through the Chair—Senator Abetz has an issue with doing deals with the Greens. He would know, being a Tasmanian. The party has done the deal with the Liberal Party to change our electoral laws and to game our electoral laws. They are directly responsible for Tasmania's youth unemployment rate, which is the highest in Australia, and for all the terrible social problems—the drugs, the crime, the suicides—that come with a dangerous, hopeless unemployment crisis.

I feel very sorry about the children of asylum seekers who are forced behind barbed wire fences, but at the same time I also feel sorry for the tens of thousands of Tasmanian children who have had productive, prosperous working futures stolen from them by poor judgement and extreme Green policies. The Tasmanian children who are victims of the Greens' political policies may not be behind barbed wire, but they are living on the streets or in housing commission homes with no hope of a good job in either mining, forestry, industry or heavy manufacturing for the future. Tasmanians know that the Greens have a long history of acting irresponsibly and recklessly. They even used taxpayers' money to travel overseas and sabotage our economy and kill real jobs in our forest industry, so it should not come as a surprise that they are acting irresponsibly and recklessly with regard to our democracy.

Apart from this legislation, in recent times the Greens have once again demonstrated why they cannot be trusted and that they have become extreme with their call to decriminalise ice. Coming from a doctor who has taken an oath to do no harm, his statement that we should decriminalise ice has absolutely stunned me. It demonstrates that his judgement is flawed and that he would say anything and do any deal, no matter what the damage to the state or national interest, to get more votes. Without going into all the statistics, from personal experience, I know how deadly and dangerous ice is. One hit can hook; one pill can kill. And zero tolerance, early intervention, involuntary detox, more rehab and the $300 million that you people have promised over there—if you want to pass it out, that would be great—is the only answer to the ice crisis and to tackling it head on.
I have no doubt that this legislation will be passed, and I am proud to be a part of the parliamentary fight against it. However, I am directing my energy into ensuring that the people of Tasmania who want to strengthen their independent voice in this Senate and get more for their state have good candidates to choose from.

While the JLN's No. 1 Senate candidate, Steve Martin, may not be a name recognised in all Australian households just yet, in Tasmania Steve is very well-known and has made a fine reputation as a popular, independent mayor and a respected community leader. Steve topped the polls in the 2009 local government elections, becoming a Devonport alderman. He was elected Devonport mayor in 2011 and was overwhelmingly re-elected as an alderman and as Devonport mayor in 2014.

Steve has mentored young Tasmanians for nearly 23 years, and has just recently celebrated 20 years of community work. Steve and his wife Susanne have also successfully owned and operated two small Tasmanian businesses. So Steve knows that if the Liberal federal and state governments do not take drastic measures to reduce the costs of travel and freight, both north and south across our state border—and treat Bass Strait as part of the National Highway—then our economy and prospects for job growth will always suffer.

Steve understands that I was able to use my Senate influence to force the federal government to increase the Tasmanian Freight Equalisation Scheme by an extra $200 million, and he wants to help me ensure that in the future that money directly lowers the cost of goods, freight and living for Tasmanian families and businesses.

For the past eight years Steve has led the effort to entice the Australian Masters Games to Tasmania and was successful in attracting the games for 2017. That will bring $12 million worth of economic benefit to the state of Tasmania.

Steve entered the political arena in 2003, lobbying for the retention of health services in the north-west, specifically at the Mersey Community Hospital. Together we will fight not only for a better public health service for Tasmania's north-west but for the whole of our state.

If the JLN holds the balance of power in the Senate, we will make it very difficult for the federal government, whether Liberal or Labor, to cut a billion dollars of funding over the next eight years from our public health system and to attack Medicare.

Like all good community leaders, Steve has also devoted a lot of his time to improving educational opportunities for all residents, not just in Devonport but on the north-west coast of Tasmania. For three years he has also been working very hard towards evolving the city of Devonport into a learning community, a place to live and a place to learn. He has said:

Life-long learning will assist us to further enhance our abilities and potential, so that we as a community, region and state can be sustainably resourced and flexible enough to attract and benefit from any and all opportunities that may present. This means jobs and a future.

We have far too many kids absent for far too many days from our schools. Their life potential is under threat. We need to understand why this is happening, where the kids actually are and to better resource our schools to improve and ensure attendance. Better equipping our kids with life tools at an early age is also exceedingly important. Our kids need to gain the ability to not only understand but also be able to cope with and make good decisions about any issue that may confront them.
The JLN also have Rob Waterman, who has spent 30 years in the private sector and the not-for-profit and government health and criminal justice sectors. Rob is currently the CEO of Rural Health Tasmania. If elected to the Senate, Rob would push for a stronger commitment to early intervention and preventative health funding. Rob's experience in the community services industry and in research shows that an early intervention and preventive approach is seven times less expensive than treatment. Over the long term, it reduces health spending and provides a stronger economy. Rob would also continue to fight to reduce unemployment, reduce addiction and domestic violence, and ensure education is more affordable and accessible in rural and regional Australia.

The Liberal government and the Greens think they are being smart by making a deal on this legislation, but it only shows how desperate they are to win this election. What we really have is a deal being done between the party that wants to decriminalise ice and the party that wants to increase the GST, because each thinks it will politically benefit from those changes.

This bill will only cost more for the taxpayer and create uncertainty for the community and business. The Liberals are deliberately picking industrial fights in the construction and maritime sectors. For the short term, they want to bring our economy to its knees, so that there will be a background of economic chaos and industrial unrest in the lead-up to the federal election in order to justify the inconvenience and expense of a double-D election on the Australian voter—every single one of them. The Liberal government will argue the crossbench has caused chaos and the change in laws and a double-D election are necessary to create order once again. When the history books are written, however, the facts will show that it was the Independent crossbench senators who protected the pensioners, the uni students, the farmers, the diggers, the unemployed, the single parents and the veterans from the Liberal/National horror budget of 2014, and guaranteed community consultation.

An absolute majority in the favour of Liberals will not bring order to the legislative process; it will bring back policies such as Work Choices, policies that benefit the big end of town rather than making decisions in the best interests of the nation. The government's argument of a rogue crossbench or a hostile Senate is severely exaggerated and does not hold up in the face of statistics that show the Senate has so far passed just over 73 per cent of the government's legislation. These changes to Senate voting and the threat of a double-D election is nothing but a distraction from the real issues.

My state is still in the midst of a public health crisis and an energy crisis due to the mismanagement of collective state governments. King Island is faced with shipping issues, youth unemployment rates are sky high, jobs are hard to find in Tasmania and the economy is so sluggish that businesses are shedding jobs. That is the truth that is going on in Tasmania. But in parliament this week, the last sitting week, the only thing the Senate is debating seems to be the Senate voting reforms. If the Prime Minister does indeed call a double dissolution on 11 May then that is five sitting weeks that are sidelined for an election campaign. That is five weeks where the government is not performing its function of legislating to move the nation forward.

In the time I have been a Tasmanian senator, I have not had one person come into my office and ask for a change to the Senate voting system. And I have had thousands and thousands of emails to my office and not one Australian has come to me and told me of their concerns about voting reform in this country. My constituents want positive changes and...
improvements to our health, education, social services, veterans' affairs and military pay systems.

This proposed change has not been driven by the people; it is driven by the self-interest that is motivating the Liberals and the Greens. We should be discussing the government's plan to cut $650 million from Medicare bulk-billing. That is the issue which everyone who contacts my office is concerned with today; or the threat of foreign investment, which is driving up the cost of living for Australians and threatening Australian jobs. What about the threat of corruption on our society within government departmental ranks, business, unions and finance sectors? These are issues worthy of our time and debate. Nevertheless, the double-D has been set in motion by a Greens party eager for a ministry. The deal has been settled and we can be sure that they will be preferencing each other in Tasmania. There is no doubt about that.

Senator DASTYARI (New South Wales) (10:52): I rise to make my contribution to this debate on the Commonwealth Electoral Amendment Bill 2016 about Senate voting reform. It is worth noting that a fair bit has been said so far in this debate by some, but I think that a lot more information needs to be sought and more contributions need to be made in this space.

I note that we have a very interesting Senate. We have a Senate with a diverse range of parties and a diverse range of views. I am not a historian of the Senate but I would find it hard to believe there have been many Senates with as diverse a range of views as we have with the myriad parties we have today. I note that by bringing together people from different parties and with different views we are able to share views and evolve as a group. Yesterday morning, Senator Day, who is in the chamber, was at the doors of parliament holding a press conference with other crossbench senators. Senator Day said: 'As an individual I am a nobody.' I do not believe he is a nobody but he was making the point that as an individual he is a nobody but, when they all come together, they are a powerful voice. I thought: if having this debate about Senate voting reform can show Senator Day the bright light of collectivism and the importance of collectivism, then perhaps it has achieved one thing. To hear Senator Day talk about collectivism in a way that would make Senator Rhiannon proud was a sight to behold.

There are very different views in this place and many different political views have been expressed. The reality is this: my views and those of a senator like Senator Day are polar opposites on many contentious issues. On the basics, we all love this nation. We all love Australia, we all want a better Australia, and we fundamentally share core values about what it means to be Australian and what we want to achieve. But as to how that is achieved, there are different views. Someone like Senator Day will come at it from a much more conservative framework than I will. And that is fine. That is healthy. That is a good part of this debate. The reality is that a Senate that is made up of just a few major parties results in a situation where a diversity of views can be lost.

Senator Leyonhjelm is an out-and-out libertarian, and he has come to this place and expressed those views. I did not believe that I shared many of those views but, in working with him on the 'nanny state' inquiry and seeing some of the information he presented, he has convinced me that there are many instances where perhaps regulation it not always the answer. We have Senator Lambie, with her life experience and her passion and drive.
Amongst the many issues she talks about are veterans issues and issues to do with Tasmania. Again, we are better off as a Senate for having this diversity of views.

What has actually happened—let us not pussyfoot around this—is that we have a government that is unhappy with the make-up of the Senate and unhappy with what they feel was obstructionist action. There are two points to make on that. Firstly, it was not obstructionist. The data shows it was not. Secondly, some people simply do not agree with your legislation, but perhaps if you had better legislation you would not have the same electoral problems and problems passing it through the Senate. It is not as if the Senate is rejecting proposals that are immensely popular out there in the community. Hundred thousand dollar degrees are not wanted by our community. The reforms that were being pushed, especially in the 2014 budget around healthcare costs, were not causes that were supported by the community.

We have a government that has a Senate that they do not agree with, that they do not support, and they have retrofitted an electoral process to get a desired outcome. Let us not kid ourselves. The most likely outcome at the end of this will be a Senate that will have conservatives represented by the Liberal-National Party and there will be the Labor Party, the Greens and perhaps very occasionally another senator representing a minor party. That is not, I believe, a good outcome. The reality is that minor party senators tend to be elected on smaller votes when they are first elected, and then they are given an opportunity to prove themselves. If they are able to prove themselves, they are able to use that profile to build on that vote. To phrase it a different way, it really is a sink-or-swim kind of situation. What we have here is a model that has been designed to defeat that.

We see the desperation of the government to get this legislation passed. Yesterday we had a situation where Senator Muir—another senator who comes from very different experiences into this place—tried to move to consider the government's own ABCC legislation. This was the government's own bill. The government voted that down and it was not even brought on. Then Senator Leyonhjelm tried to move to bring on the Greens' own same-sex marriage bill. I will be corrected if I am wrong, but I believe that was in the name of Senator Hanson-Young. That was voted down by the Greens. Finally, Senator Lazarus tried to bring on the coal seam gas landowner rights amendment, which I believe was also in the name of the Greens. That was voted down.

The government has a view that says that this electoral reform is such a priority, it is a greater priority than actually having a debate about ABCC—which the government itself has prioritised. The government has been out there saying, 'The next election, this election, ABCC, this, that.' You have got government ministers walking the halls of level 2, the press gallery, openly briefing that there will be a double-D election on 2 July or maybe even the ninth, and the issue of the election is going to be the ABCC legislation. Yet they are afraid. They refuse to bring it here. They vote against bringing it here.

There is a whole separate question—and there will be others who will comment on this—about those actions yesterday in relation to the time management motion that led to this bill being debated today and what impact they will have on a potential trigger for a double-D election. I think there is a situation being created here where it is highly likely a lot of this will end up being contested in the High Court, if the government does go down the path it has been openly saying to journalists it intends to go down. We will wait to see. Fortunately, with this
government, one thing we can count on is that what it says it is going to do and what it does tend to be very different from time to time, as I am sure you are aware, Mr Acting Deputy President Bernardi.

But a diverse Senate, a different Senate, a Senate with minority views, a Senate with minority senators, is a better place, a better chamber. The political logic behind the government's actions is clear. The government want to remove what they see as a pesky and unfriendly backbench—sorry; crossbench. They certainly want to remove their backbench, but that is a matter for another day! They want to remove the crossbench and they have politically engineered a system that allows them to do it.

On top of that, the behaviour of the Greens in all of this has really been quite appalling. I note the leader of the Greens party, Senator Richard Di Natale, had a few words to say yesterday about me. I will certainly be taking the opportunity to respond in kind as we go through this morning, and I think there will be plenty of opportunity over the next couple of days. But this is a fallacy of an argument, a fallacy of a point. This is a political fix clouded in the rhetoric of democracy and choice. That is not what this is about. This is about a desperate Greens political party and political leader trying to solidify their own political position.

Let us be clear what the demographers, mathematicians, sociologists and others will say is the outcome of this. In the long term it will mean that a party with a vote like the Greens will be getting will solidify their electoral position. In the short term it will probably mean, based on previous results—again, if you are going to apply previous results—that certainly one of the Greens' South Australian senators, perhaps one of their Western Australian senators and perhaps one of the Victorian senators will not be re-elected. That is a matter for them. But the concern here is this—

_Senator Bilyk interjecting_

**Senator DASTYARI:** It is a harsh way to be removing your own senators, but politics is a tough business. There is a brutality in it. But the idea that says that a party that really benefited from a system that allowed them to grow, that allowed them to attract party support and like-minded party support and consolidate a further Left vote to be able to become a major party would then try and shut the door behind them and stop other political parties from being able to experience that kind of growth and that kind of opportunity I think is appalling. There is an argument that says, 'These crossbench senators were all elected on a very, very small vote, so that makes them unrepresentative.' Let us be clear. There is a quarter of the population that did not vote for one of the larger political parties and voted for smaller parties, and they are being represented in the Senate. There is a group of people who have a broad position which is, 'None of the major parties, thanks,' and that vote is represented by the diversity of the different parties that end up being elected in this place.

The past week has been an incredibly telling one, as we have seen where this relationship between the Greens and the government is really heading. Let us not kid ourselves. The leader of the Greens party, Senator Di Natale, has made a conscious decision that he wants to take the Greens political party to the Right. We have seen a kind of dance that has gone on between the government and the Greens over the past two months. Mr Acting Deputy President Bernardi, I believe you may be familiar with the slippery-slope argument, which other people have used in this chamber before—that you perhaps start off with voting together on tax transparency laws and, before you know it, you are voting together on Senate voting
reform, and who knows where these kinds of situations end up? When you head down that slippery slope, Mr Acting Deputy President Bernardi, you can end up anywhere, as I am sure you are well aware. And that is what worries me. This is a slippery slope. If it keeps going, politics in this country is going to keep getting dragged down to the Right.

Senator Bilyk: I want to see the leadership in hair shirts!

Senator DASTYARI: I was actually wrong, Senator Bilyk—

The ACTING DEPUTY PRESIDENT (Senator Bernardi): Order! Ignore the interjections.

Senator DASTYARI: I will take that interjection, Senator Bilyk. I was wrong. I actually thought—

Senator Back: No! Sammy, you've never been wrong!

Senator DASTYARI: I was as surprised as you were, Senator Back.

Senator Back interjecting—

The ACTING DEPUTY PRESIDENT: Order! Senator Back.

Senator DASTYARI: Mr Acting Deputy President, it is understandable that Senator Back would be surprised that I would be wrong. I was surprised as well. I thought this whole kind of mating ritual dance that was going on between the Liberals and the Greens was going to end up with the Liberal Party being dragged to the Left. I thought we were going to stand up in this chamber one day and Senator Abetz was going to walk in wearing his hemp suit and thongs and start singing Kumbaya, and Senator Bernardi and other more conservative senators in this place were going to come in tieless, wearing their T-shirts and being all Right. Instead, what we have is the Leader of the Greens political party doing fashion shoots, looking like the black Wiggle, in GQ magazine. Senator Di Natale was wearing male Louboutins. I thought I knew a few things about fashion. Clearly, I did not. I did not know there were male Louboutins. I did not know that was a thing.

Senator Xenophon interjecting—

Senator DASTYARI: Senator Xenophon is pointing out his Target suit. Senator Xenophon will not wear a suit over $200, which is very different to Senator Di Natale. I believe the Star Trek skivvy that Senator Di Natale chose to wear for his photo shoot cost $269. How do I know this? Because the shoot was designed to sell designer clothes. All the clothes he was wearing had their little price tags attached, because it was a commercial shoot to flog off expensive clothing, the type of clothing that the people we believe we should be here to represent cannot necessarily afford a lot of the time.

That is why we are passionate about these issues. You talk about the one per cent. The one per cent are the people who are wearing $5,000 outfits, doing fashion shoots. The one per cent are the people who can afford the kind of clothing that Senator Di Natale is now modelling for free. And then he comes to this chamber and makes this argument about progressive politics, about progressive values, about what an amazing left-wing warrior he is. There is nothing more bourgeois than trying to pretend you are bourgeois to fit in. There is nothing more bourgeois than that.

Senator Back: You speak from experience, Senator Dastyari.

Senator DASTYARI: I am shocked.
The ACTING DEPUTY PRESIDENT (Senator Bernardi): Ignore the interjection, Senator Dastyari.

Senator DASTYARI: I have been wrong in the past. Senator Back, I understand the shock and horror.

The ACTING DEPUTY PRESIDENT: Address your comments to the chair, Senator Dastyari.

Senator DASTYARI: I understand Senator Back's shock and horror.

Senator Back interjecting—

Senator DASTYARI: I would not go that far, Senator Back. This is a rort. This is a fix. This is a political process being established by a government that was unhappy with the crossbench. The fact that the Greens political party has gone along with it, frankly, I think is disappointing. I think there is a desperate attempt by the Greens party to drag themselves to the Right. I think they are giving up left-wing values, I think they are giving up left-wing principles and I think they are abandoning the Left of politics. People can do what they want to do. Let us not kid ourselves. I speak from experience here. You have to draw the line somewhere. This is coming from a bloke who did a re-enactment of a mobile phone on the ABC. When I say, 'Are you crazy for doing a GQ fashion shoot, dressed up as the cat burglar and pretend you support progressive values and politics?' Then you know you have gone too far.

When you talk about left-wing values and principles and the working poor and you dress in the type of clothing to sell that clothing—$5½ thousand worth of clothes and a fashion shoot—to show off, to look good, to try and be impressive, to dress up like the cat burglar of Australian politics, when you are prepared to do that, when that is the path that you want to go down, there is a word for that; it is 'ego'. And when you are prepared to sell out progressive values, to sell out progressive senators and to sell what is a Senate that has stood up for some of the poorest, low-paid, hardest-working Australians simply to be able to fit in and get that tick on the back, get that acceptance by that group of fashion connoisseurs then you are not a party of principle and you are not a party of values. What you are is a sell-out, and that is what they have become. This whole process has been about selling out on values and principles and it is about trying to get a short-term political outcome and retrofitting an entire electoral model around it.

I want a diverse Senate. I believe in a diverse Senate. I believe in a different set of views. I think this Senate has been strengthened by the fact that there are so many different senators with incredibly different views, different backgrounds, different political perspectives and different political philosophies working together and looking at legislation. I think the fact that this Senate has genuine conservatives in it like Senator Day or genuine libertarians or socially conservative yet economic liberal people such as Senator Madigan is a better place as a result. What I worry in fear is that, in the search of short-term fix, the government is behaving in a way for its own political self-interests. I am not surprised by that to be honest. I would have expected them to do so. I am surprised that the Greens—

Senator Whish-Wilson interjecting—

The ACTING DEPUTY PRESIDENT: Just a moment, Senator Dastyari. Senator Whish-Wilson, I will ask you to withdraw that comment.
Senator Whish-Wilson: I withdraw, if that is what you would like.

The ACTING DEPUTY PRESIDENT: Thank you. Senator Whish-Wilson, you know that making that comment directly to another senator is inappropriate. Senator Dastyari.

Senator DASTYARI: Senator Whish-Wilson does not like it when some of us criticise the Greens political party and he is entitled to defend his political party. Senator Whish-Wilson is an incredibly passionate advocate for issues like banking and financial reform. I have had an incredible opportunity to work with Senator Whish-Wilson. I hope Senator Whish-Wilson is not No. 2 on the ticket in the double-dissolution election that is coming, because I would like to see him return here. We have disagreed on things. Frankly, I wish he was tough on some of these issues than he has been in the past. I wish he stood firm. I wish you were a little bit stronger on these issues. If you could stand with me, strong on these issues, it would be a better Senate. (Time expired)

Senator XENOPHON (South Australia) (11:12): I may shock and disappoint you, and particularly disappoint Senator Dastyari, but I will not talk about GQ fashion shoots.

Senator Dastyari: Shame.

Senator XENOPHON: Well, ‘shame’, says Senator Dastyari, but I think it is important that we talk about the Commonwealth Electoral Amendment Bill 2016 and about the importance that it has to our democratic system. When all is said and done, at the very core of this bill for Senate voting reform is a principle of democratic will, of equity and of genuinely giving the power back to the people as to how senators are elected, because the current Senate voting system is broken and it needs to be repaired. It needs to be repaired in a way that encourages choice other than for the major parties or, for that matter, significant minor parties. It needs to be repaired so that voters are encouraged to consider alternatives in microparties and Independents, and I believe this bill will do that. Above all, it needs to be repaired to rid Australian democracy of the preference whispering, the backroom deals amongst the party apparatchiks of the major, minor and microparties alike, deals that lead to outcomes where many voters feel particularly cheated that their choice and their will has been subverted. For instance, how many Australian Labor Party voters in the 2013 federal election in South Australia, voting for the ALP Senate team, realised that their vote would end up electing Senator Bob Day from Family First?

Senator Day: All of them!

Senator XENOPHON: 'All of them,' says Senator Day. Senator Day's remarks are quite absurd. I think that maybe we should go halves, Senator Day, on a poll of voters who voted for the Labor Party and ask how many of them thought that they would be electing Senator Day to the Senate.

This is not a criticism of Senator Day or of his party. It is not a criticism of Senator Day himself, who has an excellent reputation as a businessman—a homebuilder—in South Australia. I admire him for his great success in the community; his award from the Australia Day Council was well deserved. But I do make this reflection: Family First policies have very, very little in common with the Australian Labor Party. In fact, many commentators would say that Family First policies are to the right of those of the Liberal Party. That is not a criticism. And yet, Labor backroom operatives preferred seeing Family First in the Senate ahead of candidates from the political centre. Go figure.
Before I discuss the history of the substantive provisions of this bill I will make this reflection: the Senate must unequivocally be a strong, robust house of review. We exist to keep the executive arm of government in check and balance or, as Don Chipp put it best, 'To keep the bastards honest, whomever those bastards may be'. The Senate has been established under our Constitution to guard against abuses of executive power. I believe it exists to ensure that taxpayer funds are not wasted and are, in fact, spent wisely, and to safeguard individuals and sections of the community in this great country of ours who may be particularly vulnerable.

We saw what happened when the coalition had a majority in the Senate from 2004 to 2007: they not only exceeded their mandate they failed Australians who put their trust in them by going too far—by bringing in unfair and unjustified industrial relations laws. In that Howard government era from 2004 to 2007, they used their numbers to fetter the Senate's role as a genuine house of review—a house of review that has an obligation to keep governments to account, not only to their promises but also the promises those in opposition and the crossbench make to those who supported them.

Sometimes the Senate has an obligation to save a government from itself—from its hubris, from blind ideology and from ill-considered ideas that could damage the lives of millions of Australians. The radical higher education reforms ambushed on Australians in the 2014 budget are but one of many examples of this in recent times, as was the cruel and destructive plan to force young people to wait six months for unemployment benefits. This would have had the consequence of many young people becoming homeless and destitute, spiralling into a cycle of poverty and despair that would have been very difficult for them to get out of.

The rejection of those measures are just two of many examples of the Senate doing its job. That is why, as heated as this debate has been and, no doubt, will be in the coming days, I welcome it, because it puts a focus on the Senate as a safeguard for our democracy—a safeguard against abuses of power. That is why I hope and urge Australians—should they vote for the Liberals, or the Nationals, or the LNP or the ALP in the lower house—to vote differently in the Senate; to consider a microparty, a minor party or an Independent. In a sense, the voting reform that has been proposed here requires those two-thirds or more of voters who vote for the major parties in the lower house to consider an alternative in the six choices they are required to make above the line in the Senate. And I should correct that: it is about two thirds—about 75 per cent—who vote for the major parties in the lower house and somewhat less in the upper house.

What this bill does is to require voters to consider an alternative—six choices. There is an additional safeguard in that in a half-Senate election a minimum of 12 choices below the line will have that effect as well and also, for that matter, in a double dissolution, because having 12 choices—rather than having to number all the boxes below the line—would have meant numbering over 100 at the last Senate election for voters in New South Wales. I expect that the closest precedent of voting systems in Australia to what is being proposed here is the ACT voting system, where voters have a choice of at least five above the line or below-the-line voting. Most voters—over 75 per cent—go above the line and comply with the instructions.

This bill is a substantial improvement on the bill recommended by the Joint Standing Committee on Electoral Matters after the 2013 election. Rather than the original recommendations of having voters just mark at least one above the line, it requires at least six
choices above the line. It will mean diversity in this place, but diversity arising out of the will of the voters—not the machinations of backroom deals, party operatives and preference whisperers. And I believe that the sound and fury surrounding these reforms is unambiguously a good thing in highlighting the importance of the Senate in keeping the government of the day to account. It is the importance of keeping the government of the day from not even going close to controlling the Senate. Given that the election is likely to be tighter than many thought it would be six months ago, the best way to ensure that is to vote for a minor party, a microparty or an Independent in the Senate.

I think it is worth reflecting on the history of Senate voting reform and the history of Senate voting systems. From 1949 until 1983 the Senate ballot paper required voters to fill in consecutive numbers for every box next to every candidate. That way, at each Senate election, five—and, from 1984, six—senators were elected from every state under a proportional representation system. The quota for a Senate seat in a half Senate election is 14.3 per cent and can comprise primary votes and preference flows. The proportional representation system avoided the tyranny of the majority, which had a winner-take-almost-all effect. For instance, Mr Acting Deputy President, you are probably well aware that from 1946 to 1949 there were only three opposition senators—the leader, the deputy leader and a whip—facing 33 government senators. With apologies to Paul Keating, that set-up was truly 'an unrepresentative swill'.

While the candidates representing a political party identified as such, optional preferential voting for a limited number of candidates is not allowed. With more and more parties and candidates standing for the Senate, the informal vote crept up to 9.9 per cent in the 1983 election. In fact, it was an 11.1 per cent informal vote in New South Wales—that is almost the equivalent of a full Senate quota. The newly-elected Hawke government tackled Senate voting reform and implemented the system we have today. I note that it was controversial at the time, but the opposition came on board and accepted that it was right at the time.

Since 1984 voters can simply place a 1 above the line for a political party or group representative or, alternatively, undertake the onerous task of numbering every box below the line. With 85.7 per cent of voters choosing the above-the-line option, the 1984 election saw the percentage of Senate informal votes plummet to 4.3 per cent. In 2013 the informal vote was down to three per cent, with 96.5 per cent voting above the line. But this drop in the informal vote has come at a price, arguably, to the democratic will of voters. Political parties were given the power to lodge group-voting tickets which direct voter preferences at their whim. Despite the fact that such group-voting tickets need to be displayed at polling booths and published online, I suggest that almost all voters have no idea where their above-the-line vote could end up.

With due respect to Senator Day, I really believe that very few voters know where their votes end up in terms of the preference flows and the way that they can cascade depending on who gets what in terms of those initial primary votes. That is something that the backroom operators of political parties, and the so-called preference whisperers, have been banking on for years, and more so in recent elections. Many pollies like referring to voters as 'punters', which I find objectionable, and the Senate voting system has shown what a lottery it has become. Most Greens voters would be bemused that the party of coalminer Clive Palmer helped get the Greens in South Australia elected in 2013. It is not a criticism; it is an
observation, and I made the observation about Senator Day. Again to Senator Day, this is not a criticism of him but a reflection on the system.

At this stage, I want to reflect on the former Special Minister of State and Labor Party statesman Gary Gray, the member for Brand, who had this to say in his speech to the House of Representatives on 24 February 2016. I will quote, I think fairly, from parts of his speech. He says:

… in New South Wales these ballot papers have become so big, so complex and so cluttered that in fact we need a magnifying lens to see and to read the names of candidates put forward for election. It is self-evidently the case that our parliament needs to act on electoral reform.

Mr Gray goes on to say:

This bill amends the current Electoral Act, which was first introduced over 30 years ago to reduce informal voting. Unfortunately, that system of ticket voting is now being manipulated and has begun to create unintended outcomes. The report of the Joint Standing Committee on Electoral Matters makes this clear.

He goes on to say:

In the last few years, at both state and federal level, pop-up parties designed to attract small numbers of primary votes have manipulated the system through preference harvesting and vote transfers to produce end results that do not reflect the wishes of voters.

I emphasise that: that do not reflect the wishes of voters. Mr Gray goes on to say:

This is not to cast aspersions on the integrity or capacity of the current independent and minor party senators. While I may not always agree with their positions, it is clear that they are each engaging diligently in the process of policy, discussion and debate, and each of them has been properly elected under the current rules.

But Mr Gray says, and I wholeheartedly agree with him:

My view is that the current rules do need to be changed …

He acknowledges that he lost the debate within the Labor Party, which takes its current position. He does refer to this:

If the 2013 Western Australian Senate result had been upheld, the Sports Party, on 2,974 votes, would have defeated Labor Senator Louise Pratt on 160,141 votes. Fortunately, there is a clear—and the joint standing committee's view was unanimous—way out of the current dysfunctional mess.

He refers to the voting reforms of the optional preferential system above and below the line.

Mr Gray makes this point about the misinformation about this bill—misinformation that his own party and others have been propagating. He says this:

There have been many pieces of misinformation spread about the bill that is currently being debated. Some have said that this bill will deliver the coalition a 38- or 39-member controlling majority in the Senate. I will also table another document, which is modelling carried out by the Parliamentary Library on this bill. It conclusively demonstrates the result under this bill.

And that is not what the misinformation that has been put out there says. It has been debunked. He also said in relation to that modelling:

None of us can predict the outcome of future elections, but this modelling is based on the current bill and was carried out by the Parliamentary Library. We have been told that this bill will increase informality. Informality is a scourge and the better the lower threshold for formality that is in fact enshrined in this bill is a good measure. It allows in the below-the-line voting a better savings provision; and above the line, it also allows a better savings provision.
We have actually seen that improve since that time, Mr Acting Deputy President Bernardi—it is good to see that you are in the chair.

Mr Gray, in his speech to the parliament, says:

We are told that three million-plus voters will be disenfranchised by this bill. We are told that their votes will be wasted or voided. I do not agree with that any more than I would think that a person who voted Liberal in the seat of Brand had wasted their vote. I wish they had voted Labor but, because they voted Liberal and voted for a losing candidate, they did not waste their vote. Their vote was not voided; their vote was not wasted.

Mr Gray reflects quite sadly that he lost the argument in his party room on Senate reform and that the ALP would be opposing them. I think we should heed the sensible, measured and fair remarks of Mr Gray.

I want to deal with the issue of the exhaustion of preferences, and it is referred to in the joint standing committee's *Advisory report on the Commonwealth Electoral Amendment Bill 2016*. I refer to paragraph 3.66 of that report, which I want to put in the *Hansard*. It refers to Adjunct Professor Antony Green. The report says:

Professor Green noted in his submission, and in verbal evidence to the Committee, that in New South Wales Legislative Council elections, more than 80 per cent of ballot papers consist of only a single '1' which creates a very high rate of exhausted preferences. While the voting system advises voters to only vote '1' above the line, he highlighted the fact that:

With a low quota (4.55 per cent) and 21 members to elect, the high exhaustion rates has not significantly distorted the NSW system. Even with the final few seats filled by candidates below the quota, the seats won by party have generally been proportional to the percentage votes by party.

Applied to the higher Senate quota, some contests would occasionally be decided by electing a candidate well short of the set quota.

The requirement to number at least six preferences above the line should mean the exhaustion rate at Federal elections will be lower than for NSW Legislative Council elections.

Professor Green said this in his submission to the committee, which brings me to an issue which I think Senator Day has been quite exercised of, including in a letter to the Mount Barker Courier—a great publication which anyone who lives in the Adelaide Hills and beyond should subscribe to and should read.

Senator Day has accused me of hypocrisy in the way that I was not voted into the South Australian Legislative Council back in 1997. It seems like yesterday back in 1997 when I ran on a No Pokies ticket and it will be on my tombstone that that is still the core issue in my heart: if a government gets it wrong on poker machines, what else is it getting wrong for the people who have been damaged by predatory gambling?

When I was first elected to the South Australian Legislative Council I did so with just on 2.9 per cent of the statewide vote. A full quota for the legislative council in South Australia is 8.33 per cent. I therefore achieved just over a third of the quota—more than any other independent or microparty running at that election. I was actually 10th out of the 11 candidates elected. Carmel Zollo, a very fine person, was the No. 11 person elected for the Australian Labor Party. I obtained preferences not by preference whispering or backroom deals but largely because no-one who preferred me actually thought I would get in. I am sure that some of the major, minor and microparties felt sorry for me that I was running.
It is important to note that the proposed system that I am suggesting here today, of 1 to 6 above the line, would have meant that I would almost certainly have got elected back in that election, because of the primary vote that I had. That is the difference and that is where I take issue respectfully with Senator Day in respect of this. If I had not got elected back in 1997, guess what? I would have accepted the decision, dusted myself off and kept campaigning on No Pokies issues and other community issues. I would have sought the support of the people at the next election working harder, getting my message across and building up more grassroots community support. After all, isn't that what true democracy is about?

If we can go to some of the provisions of this particular bill, there are savings provisions. The optional preferential voting below the line is important, and I commend the Greens and the government for working on this to ensure that we had that safeguard. That is a much fairer system.

Ultimately—and I go back to where I began—this bill at its very core is that the principle of democratic will, of fairness, of genuinely giving power back to the people as to how senators are elected is reformed. This is what this bill will do. The current system is broken. We need to reform it and we will now have an opportunity with an extensive non-gagged committee stage to exhaustively discuss all these issues, should this bill pass through the second reading stage.

I welcome the committee stages of this bill. I welcome a debate on the amendments and the substance of this bill and I hope we do not have to discuss who is on the cover of *Gentlemen's Quarterly* or not—I do not think that is very relevant with all respect to Senator Dastyari. I want diversity in the Senate, but that diversity should occur through the will of the people, not through the backroom operators and preference whisperers.

Senator BACK (Western Australia) (11:32): Mr Deputy President, as you know, the pivotal guiding and overwhelming document which dictates everything that we do in this parliament is the Australian Constitution. I quote from clause 7, dealing with the Senate:

> The Senate shall be composed of senators for each State, directly chosen by the people of the State, voting, until the parliament otherwise provides, as one electorate.

This is absolutely fundamental and at the centre of the issue we are debating today—the Commonwealth Electoral Amendment Bill 2016. Section 7 says—and it demands—that senators be chosen directly by the people.

So Senate reform is about upholding the integrity of the Constitution and, if anybody need be in any doubt as to the fact that the integrity of this Constitution has been trashed, you need only have a look at the voting in Victoria in 2013 of the Senate in which one candidate received 0.51 per cent of the votes being 17,122 and is here today—and I must say makes a very, very worthwhile contribution. However, my point is that another candidate received 389,745 votes, being 11½ per cent of that particular vote, and that person missed out.

If anyone can convince me that we have a system at the moment that upholds the principles of the Senate and the Constitution in terms of integrity, then they will have a lot of effort convincing me. There were in fact 3,499,438 people who registered to vote in Victoria and, if you take away the 17,122, there would be 3,482,316 wondering where their vote went. That is why we are here today.
It is the case, as we know, that it is a fundamental principle of voting systems that a voter intends to vote for the candidate or the party with whom their final vote rests. Unfortunately, because of a capacity to manipulate the system as we now have it—as indeed the Hon. Gary Gray said in his contribution—the process now fails that test. The statistics I just quoted to you, I believe, are absolutely relevant.

What happens now for those who do not understand? Under the current system, we are only allowed to number one box when voting above the line—and 97 per cent of all Australians vote above the line; only three per cent go through the agony of trying to actually allocate below the line. But, of course, once we have put our No. 1 above the line currently, we then lose control of the allocation of our preferences. This is all done opaque behind closed doors and you, the voter, have got no idea at all where your second or subsequent preferences go. Under the reforms, this will change. This group-voting ticket arrangement, according to deals that are negotiated, will go and so it should.

Because we have had the situation—and we have it now where it has resulted in some of the people being here—where a plethora of new single-issue and front parties, some with the same membership and office bearers as existing parties often lodging three different group-voting tickets, have actually manipulated the system. It has got to stop. It has got to be changed.

I have heard in this place the nonsense about three million votes being lost. If you take that to its logical conclusion, if you voted for a person in the lower house or you voted for a party in the lower house that was unsuccessful, the logical extension says that your vote was wasted. It was not wasted. You had the opportunity under our electoral system to indicate the person and the party for whom you wished to vote, and anybody who says to you that that was a voided or wasted exercise does not understand parliamentary democracy. Your vote was highly valued.

The electoral reform committee, on which I sat, following the 2013 election and then the rerun of the Senate in 2014 had three very, very fine Labor Party statesmen as members of that committee: the then senator the Hon. John Faulkner, who I believe was the father of the Senate at that time; Mr Alan Griffin, from the other place; and the Hon. Gary Gray, the member for Brand, from my home state of Western Australia. There could not be three people with more knowledge of the parliamentary democratic system of this country than those three, and I regarded it as a pleasure to serve on that committee with them.

The point I want to make is that they joined other committee members, of which I was one—I recall Senator Rhiannon and Senator Macdonald—and we were unanimous in the recommendations that that committee, under the chairmanship of the now Speaker, Tony Smith, came forward to the parliament to advise. The basis of that report and its recommendations have formed the principal elements of the legislation we are debating today. But why then do we have our political opponents on the other side opposing what was a unanimous report and recommendations?

I say to the young people above me in the gallery that one day they might end up interested in the horseracing industry, as indeed I am and which I have come from. There is an old saying in horseracing: ‘If there's a horse called Self-Interest running, for heaven's sake make sure you back it, because you know it's trying.’ If you have a look at the race book, and if you see under the ownership the name W Shorten, and if you see as the trainer P Wong and as the
jockey D Cameron, for heaven's sake get the chequebook out, because, as you can see in this case, that particular party has totally trashed the recommendations of a unanimous report to the parliament and of three very senior people. I have not heard any criticism of those three. As quoted by Senator Xenophon in his contribution a few moments ago, some of the points made by the Hon. Gary Gray are absolutely prescient about this debate. I just felt very, very sorry to hear that man in his final words in his contribution on 24 February have to say, 'The Labor Party will be opposing this bill.' It is fundamental that this be passed.

For those who do not understand, how does it change? It changes in this way. Instead of just putting a 1 vote above the line, you now have the option, not the obligation, of putting 1 and 2, or 1 and 2 and 3 or 2, 3, 4 and 5, up to 6, so that you—not some gamer in the back room, not some vote whisperer, but you, the voter, and you in the gallery when you become voters; through you, Deputy President—will control your preferences so that you know where your vote goes. And you will not be one of those 3,482,316 people in Victoria who thought that they were voting for somebody else and saw a 0.15 per cent. Equally, it will be the option, as I understand it, that below the line a person will be able to indicate only the number of preferences that they want. That is to be debated in this place.

There is one other point which I think is very valid: the recommendation that the option be there to place the logo of the party against its name. We know that there are many people not of English-speaking background; we know that there are many people in our community eligible to vote, fine Australian citizens, who are illiterate; and we know from the experience of other democratic countries that the use of a logo or the use of different colours is valuable in allowing those people to indicate through the Electoral Commission where they want their vote to go. What is the outcome going to be? I do not know. I do not know what it is going to be; neither does anyone else. We might end up with two Greens from each state. We might end up with three Xenophons. I do not know where we are going to end up.

But what I can say to you is that the system at the moment is broken. The system is being abused. This is the essence of our democracy. At the moment, that requirement under section 7 of the Constitution that 'the Senate shall be composed of senators for each state, directly chosen by the people of the state' is being abused. It needs to be changed. It is very disappointing for me to see the political opportunism of our opponents simply thinking that they can wedge a scenario, when they were part of a unanimous report with recommendations from three of their most senior and most experienced and long-term statesmen. It is absolutely beyond me. I recommend this amendment bill to the Senate.

**Senator GALLAGHER** (Australian Capital Territory) (11:43): I rise to make a contribution on the debate on the Commonwealth Electoral Amendment Bill 2016. In doing so, I will record my opposition to the contents of the bill, to the intent of the legislation and to the manner in which the parliamentary processes have been intentionally curtailed to allow it to be rushed through the parliament. I know that my Labor colleagues and I would welcome the opportunity for this parliament and for the broader Australian community to engage in a sincere debate about how we might work together to improve our democracy. It is regrettable that the cause of genuine electoral reform will be tarnished by this bill, which is the unfortunate and inevitable outcome of this government's desire to pursue this course of action, motivated as it is by naked political self-interest.
I believe we ought to be having a debate in this parliament about how we can invigorate our democracy in the 21st century and how we might modernise our democratic processes to better reflect and address the concerns of ordinary Australians. What new technologies are available to us and what opportunities do they offer to improve transparency and promote the integrity of our political institutions? What lessons can be learned from successes and failures in comparable democracies? What can be done to address the known issues of political disenfranchisement in Australia, such as the fact that hundreds of thousands of young people remain off the electoral roll? How might we consider these challenges and opportunities in totality and find ways to address them?

I do not set these challenges before the Senate from a position of misguided idealism. I do so because Australia, and indeed this federal parliament, has a long and proud history of acting as an incubator for genuinely innovative and democratic electoral reforms that have then be taken up by the rest of the world. It was the Australian colonies in the period before Federation that led the world in abandoning restrictive electoral franchises based on property ownership, and in doing so extended the right to vote to all adult males. We were at the leading edge of jurisdictions around the world in extending the vote to women, and in doing so we changed the very nature of what was understood by democratic participation. The secret ballot, a near universal feature in modern democracies, was so entrenched in Australia by the time of Federation that it was in operation for the election of our first federal parliament in 1901. Its merits were so self-evident it was gradually adopted throughout the world, where it was known as the 'Australian ballot'.

And Labor has a long history of supporting and working cooperatively to maximise the franchise while maintaining the integrity of the system. This includes the longstanding reform proposals we have pursued in this and earlier parliaments to build on these achievements and to enhance the transparency and accountability of our political parties and institutions. We are offering them as amendments to this bill and they include: reducing the donations disclosure threshold from $13,000 to $1,000 and removing CPI indexation; banning foreign political donations; banning anonymous donations above $50 to registered political parties; linking public funding to legitimate political expenditure to discourage candidates running to profit from public coffers; and limiting 'donation splitting' that evades disclosure requirements.

The desire to see these proposals enacted is shared by many senators in this place, including some of those across the aisle—and rightfully so; they are genuine reforms. The reason I make note of these proposals, however, is to highlight their conspicuous absence in the Commonwealth Electoral Amendment Bill 2016, and that of any other attempt at substantive reform.

The bill currently being debated in this chamber does not represent mature and thoughtful electoral reform in the vein of our earlier democratic traditions. It has been hurriedly drafted and now will be hurriedly amended. It is exceedingly narrow in its scope. Despite containing the most far-reaching and consequential changes to our voting system in thirty years, it is being rammed through this parliament without due scrutiny. It does not attempt to view our democracy in a holistic fashion or to improve it guided by democratic ideals. Instead, it is by design intended to provide a crude political advantage for its proponents.

The calculated intent of the government and its allies of convenience in presenting this bill at this time and in this manner is to neuter the parliament's ability to scrutinise; the intent is to
restrict the debate to the absolute minimum of what is procedurally required and to cynically use this legislation to clear the decks of dissent in this place at their earliest possible convenience. And I fear 'debate' may well be too generous a term to use, because in reality this chamber is merely being afforded the courtesy of several hours to note this bill's passage.

The backroom deal between the government and the Greens has already been done for reasons of self-interested political advantage and expediency, and it is being executed with a total disregard for good law-making and respect for parliamentary process. In 1996 Paul Keating said, 'When you change the government, you change the country.' With apologies to former Prime Minister Keating, the applicable dictum in this instance may well be, 'When you change the voting system, you change the country.' Any reforms of the magnitude being proposed within this bill should receive the most exhaustive consideration by the parliament and our broader civil society.

And, with that in mind, it is worth turning to the conduct of the government and the manner in which it has attempted to expedite this bill's passage through the parliament. It deserves to be exposed for what it is; an abuse of process with the deliberate intent to deny proper scrutiny.

This bill was introduced in the House of Representatives on Monday, the 22nd of February, with a suspension of standing orders invoked almost immediately, to facilitate its unrestrained passage through that chamber. Just two days later, on Wednesday, the 24th of February, the government was forced to put forward six amendments to its own legislation. Why? Because the ABC's Antony Green and other bloggers had exposed critical flaws in the bill. This includes, as my colleague Anthony Albanese from the other place has pointed out, an embarrassing failure to include a provision allowing assistant returning officers to count Senate first preferences on election night.

I am forced to wonder whether relying on 'accountability by blogger' is a prescient insight into our future with a neutered and compliant Senate. Perhaps we should feel fortunate that the legislation was referred to the Joint Standing Committee on Electoral Matters for examination at all? And let's be clear: despite the frequent references by proponents of this legislation to the earlier JSCEM inquiry, this bill proposed by the government with its specific legislative instruments had never, ever been considered by that committee. Ultimately, the sum total of that committee's consideration was restricted to a single public hearing, and it was permitted to take evidence for a mere 4½ hours. This patently inadequate process meant the committee had a single evening to consider the evidence presented in that hearing and to synthesize the submissions received before being required to report to the parliament the following day.

Minor parties and Independents with parliamentary representation were allocated a paltry 50 minutes to present evidence at the hearing. Registered political parties that are not currently represented in the parliament—but are legally constituted and in compliance with the requirements of the Australian Electoral Commission—received no time at all to state their case on changes to laws that by all accounts will eliminate their electoral prospects. I think it is fair to say that few very senators would have had adequate time to read and digest even a small number of the 100-plus submissions received by the committee in tandem with its report before being required to deliberate on the legislation and its attendant amendments on the very same day of the report's release.
Of course, for members of the House of Representatives the outcome of JSCEM's cursory inquiry was to be entirely academic. Had the bill been hammered through the Senate as originally planned, they would not have had the opportunity to consider its findings in their deliberations at all. That has now changed, but only because the government has been forced to amend its legislation on the hop after the committee's 4½-hour inquiry exposed elementary flaws in its approach to below-the-line voting, and the bill will now be required to return to the House. It is worth noting that amendments that rework the below-the-line voting system will now pass with the support of the Greens and yet will not be scrutinised at all by the JSCEM prior to their implementation. Fundamental changes to our electoral system deserve to be subject to a proper committee inquiry, not a week-long submissions window followed by a half-day farce.

The legislation's shortcomings exposed through this process, even in the limited time frame allowed by the government, were by no means insubstantial. Respected political scientists and academics, in their submissions to the committee and through media commentary, warned that the legislation as it was drafted would have significant negative consequences. We were advised by these experts that the changes proposed would lead to a significant rise in informal voting, would lead to a large number of exhausted votes for the first time, were logically inconsistent in their approach to above-the-line and below-the-line voting, would only provide the Australian Electoral Commission with the absolute bare minimum time required to educate the public and reform its internal processes in time to conduct the next election, and would have broader unintended political consequences that have not been adequately canvassed.

Having examined the bill, Dr Nick Economou, from the School of Political and Social Inquiry at Monash University, wrote:

If the government's changes are passed, a leap in the informal voting rate will occur. Research into informal voting by the Australian Electoral Commission notes the relationship between rising rates of informal voting and complexities in a voting system. The system will thus go back to disenfranchising voters (most likely from lower socioeconomic backgrounds) in ways that it did prior to the Hawke government's 1983 reforms.

Mr Michael Maley, a former senior official at the Australian Electoral Commission, with 30 years of experience, also raised concerns about the nature of the proposed voting changes. Mr Maley was involved in drafting the current provisions governing Senate elections in 1983, as well as being recognised as the in-house expert on the Senate electoral system. He described the voting system in the bill as 'inconsistent and incoherent' on ABC Radio. Mr Maley noted that the bill diverged significantly from the post-2013-election JSCEM inquiry's recommendations, and he stated:

The Bill's proposal, for optional preferential voting above the line but full preferential voting below the line … makes no sense, and has not been supported by any stated justification.

He noted the government's approach would see:

… identical preferences for candidates may produce a formal vote if expressed … above the line … but an informal vote if expressed … below the line …

Distinguished Professor of Constitutional Law George Williams AO similarly identified the bill's confused treatment of above- and below-the-line voting. He says:
… introducing optional preferential above the line voting, while retaining full preferential voting for below the line, creates an obvious and unfortunate disparity.

Dr Lee Naish, from the University of Melbourne, in his submission exposed further inadequacies. He expressed his concern that the vote counting methodology contained within the bill had:

… a particularly naive way of calculating transfer values, ignoring exhausted votes and ignoring the value of votes before the transfer … Under the new Senate voting rules there will be, for the first time, a substantial number of exhausted votes.

The evidence from the AEC is also critical to note. Officials from the AEC in both their written and their oral evidence to the committee were at pains to stress that an election in late June or early July would provide the commission with only the absolute bare minimum of time it would require to both attempt to educate voters in regard to the changes to voting and reform its internal processes in order to be able to conduct the election. Given the deeply consequential nature of the issues rushed through by such a short period of parliamentary examination, it is clear that this bill requires a further extended period of consultation, scrutiny and debate. It should also be a first principle for us that under no circumstances should we ever proceed with such haste that changes might jeopardise the ability of our internationally lauded Electoral Commission to conduct elections that are beyond reproach.

Moving on from the technical deficiencies exposed in the bill, it is important to canvass its broader political intent and likely outcomes. The intent of this bill, as noted by Emeritus Professor Ross Fitzgerald and others, is to get rid of the dissenting voices in this place at the next election. The outcome is just as easily discerned. The coalition, the Greens and, yes, the Labor Party will benefit. Close to the entire crossbench can expect to be eliminated, with the consequence that the Australian political landscape will be reshaped for decades to come.

In my first speech to this chamber, 11 months ago, I praised the Senate's record in the face of overreach by the then Abbott government. Observing it as an outsider, I was heartened by the way it had stepped up to perform its constitutional role, pushing back against the regressive and unfair agenda it was confronted with and amending and rejecting legislation that was not in the national interest. I defended the Senate against accusations of being feral and chose to characterise it as fearless and fair, as a Senate that had listened to the Australian people when the government had not. My experience in this place over the past 11 months has not changed my view. The contributions of all senators in this place, in my experience, have been overwhelmingly earnest, thoughtful and constructive.

Whatever your political inclination is, there is no denying that at the last election over 3.3 million Australians, one in four voters, chose not to vote for either the coalition, Labor or the Greens in the Senate, nor can we deny this is a new phenomenon. The increasing share of the vote for non-major parties and for parties without representation in the parliament has been trending upwards for decades. Our collective failure, as established parties, to win their favour is just that.

When the parliament ultimately proceeds in relation to electoral reform we must ensure that the voices of these Australians are meaningfully registered at the ballot box. I am opposed to the gaming of Senate preferences by so-called preference whisperers. However, it is not democratic or fair to simply do a deal behind closed doors that corrals their votes to an established party or uses opaque counting procedures to exhaust them. But this is precisely
what the deal between the government and the Greens will do. It will expunge the diversity from this chamber, making it easier in the future for the coalition to achieve a Senate majority. And, casting backwards, it does not require a particularly long political memory to recall what happened the last time both chambers of this parliament were controlled by one side. There was Work Choices, there was the disenfranchisement of over 100,000 people from the electoral roll, and there were guillotined debates, shortened estimates sessions and a one-day inquiry into anti-terror legislation.

Projecting forward, it is abundantly clear what this government would do with a more compliant Senate: $100,000 university degrees, cuts to Medicare, cuts to schools and hospitals, cuts to welfare; punitive measures against the young unemployed; changes to the industrial relations system—all issues that have been blocked by the current Senate and by all available polling, totally reflective of the popular will of the Australian people. Yet the Greens have seemingly resolved that it is worth the risk to pass this legislation and offer a potential rubber stamp to the coalition in order to lock out smaller parties and Independents.

I know a few things about the Greens political party. I have worked with the Greens political party for more than a decade. But yesterday in this place I learnt a whole lot more about what the federal Greens are all about and the extent that they will go to to deliver the agenda that they have set for themselves. I have never in my time of working with the Greens ever seen Greens at the beginning of a day support a gag motion and deny other members in an elected parliament the right to speak. I have never, ever seen that. In fact, I would go further to say that it actually flies in the face of the so-called principles that the Greens political party often lecture other parties about in this place—about the ability to hear different voices and to allow debates to occur.

Yesterday we saw the Greens not once, not twice, not three times, but seven times, in sticking to the deal they have done with the government, vote to enforce the gag on other members in this place. I saw the Greens leader shut down and not allow the Leader of the Opposition in the Senate speak on marriage equality, after generously being allowed five minutes himself to speak. I saw Independent senators, Senator Muir, Senator Leyonhjelm and Senator Lazarus, be given one minute to make their case and then be gagged and told to sit. It was an extraordinary day yesterday. Perhaps it was less extraordinary from the point of the government. Perhaps those tactics are better understood coming from the government. It was extraordinary to actually see the Greens hold hands with the government and move to that side and vote for the gag, as I said, seven times at the beginning of the day—not even after the debate or during the debate but before any debate was allowed.

Yesterday I think we got a real taste of what a future Senate might be like; a future Senate where agreements are reached not on the floor of this chamber but in a backroom somewhere without proper scrutiny. We will all live with the repercussions of that. It will be a Senate where, if there is agreement reached, individual senators will able to dictate who can speak, how long they speak for and what they can speak on. That is what happened yesterday. Yesterday there was a decision taken by the Greens and the government that they did not want to hear from anybody else. They did not want to hear contrary views. They did not want anything to interrupt the speedy passage of this legislation to entrench themselves in a position of comfort at the expense of others. That is what happened yesterday, and that is why this bill should not be supported.
Senator WHISH-WILSON (Tasmania) (12:03): If my political party turned our backs on our hard-fought and long-held principles every time we came under some political pressure, we would not be who we are as a party. We would not be the Greens. We would stand for nothing. If every time we came under political pressure to not do the right thing because of some kind of political strategy or because some stakeholders want us to delay legislation or it is all too hard, we would not be the Greens political party; we would in fact be the Labor Party.

The Greens have campaigned on democratic electoral reform for over a decade. Our party, which was formed 45 years ago, has as one of its core principles—one of its four principles in its charter—participative democracy. It is absolutely crucial to who we are as a party. We are also a party who represents our grassroots members. Our members write our policies and our national council constantly works with the party room on how we deliver these policies and these principles.

Looking at the opportunism in this chamber in the last couple of weeks what we have seen has been nothing short of pathetic student politics from the Labor Party, unlike the Greens, who have campaigned on democratic reform which gives every Australian the right to choose where their preferences go and removes the undemocratic backroom dealing. The Labor Party did support democratic reform in the Senate but—

Senator Bullock: For 2½ years.

Senator WHISH-WILSON: They supported it for longer than 2½ years but now it does not suit their political timetable, because they are not ready to go to an election because they are not a real opposition. It is actually not even about whether or not they support democratic voting reform; they want to defer debate on this bill, the Commonwealth Electoral Amendment Bill 2016. They want us to have this debate after the day a double dissolution passes. This is about a short-term political strategy. It is about what is good for the Labor Party; it is not about what is good for the Australian people and for our democracy.

This debate is to be adjourned before we go in committee, but I want to read a from a document from 2013 relating to the tabling of the report from the Joint Standing Committee on Electoral Matters following the 2013 election. It says:

The Joint Standing Committee on Electoral Matters has an important role after every federal election to review the conduct of that election and provide recommendations for government and the parliament to consider. This interim report tabled by the Joint Standing Committee on Electoral Matters focuses on Senate voting and party registration, which are issues that caused considerable concern in the 2013 election. I am pleased that the JSCEM has tabled this interim report so that policy and legislative decisions can be made to ensure the will of voters at the next Senate election is properly reflected by the senators who are chosen by the people.

The primary concern of JSCEM has been to address the growing practice of preference harvesting by microparties, which has made Senate voting convoluted and confusing; and it has simply warped and manipulated the will of voters.

Warped and manipulated the will of voters.

Above the line voting and group voting tickets for the Senate were introduced in 1984 to address the high level of informal voting. Voters were required to number every square on the ballot paper and mistakes in preference sequences meant votes were declared informal. Since those reforms, the vast majority of Senate votes have been cast above the line. However, the emergence in recent years of
bogus microparties who rely on multilayered preference deals with other parties has distorted this above the line voting system and action needs to be taken. Like the Joint Select Committee on Electoral Reform in 1984, the current Joint Standing Committee on Electoral Matters has been focused on making certain that the will of voters in Senate elections is not distorted or frustrated. This interim report contains what I believe are good recommendations—recommendations that will lead to fair and effective reform of Senate voting and party registration.

The committee's first recommendation for Senate voting is to allow preferences to be used by voters above the line and to make below the line voting less onerous by requiring voters to fill in only six or 12 squares, depending on whether it is a half Senate election or a double dissolution.

Similar reforms were considered in 2009 in the then government's electoral reform green paper—

This is the Labor Party.

Strengthening Australia's democracy. It is unfortunate, I believe, that those reforms did not progress at that time.

Perhaps Senator Polley can tell us why that is the case—through you, Mr Deputy President.

Five years later, there was overwhelming evidence presented to the Joint Standing Committee on Electoral Matters that the Senate voting system was still in need of repair. The evidence is well summarised in chapter 3 of the interim report. Above the line voting has developed to a point where bogus microparties engage in what I call 'game theory' and send preferences through a myriad of politically disconnected parties without any concern as to what a voter's real intention might have been. The 'gaming' of preferences by microparties has bastardised the Senate voting system—Bastardised the Senate voting system—

and the committee's recommended reforms to above the line voting, I believe, should deal with this very difficult problem.

And there is another page there. I am plagiarising, because these words are not my own. These are the words of Senator Faulkner. These are the words of a Labor stalwart—Senator Faulkner—who, as previously noted by Senator Back, was coined 'the grandfather of the Senate'. I think that is a little bit unfair on Senator Faulkner, because he is not actually that old but, nevertheless, he made a significant contribution while he was here. These are his words from just a couple of years ago. He talks about his own government in 2009 not acting on Senate voting reform and makes it very clear that the system has been bastardised.

I am all for diversity in the Senate. I represent a party whose whole story is about getting diversity in the Senate; that is our life's journey to where we are today. But when we talk about diversity in the Senate, let's be very clear, we want diversity that is democratic. How is it that some people get elected on a few thousand votes when the same candidates in the same election do not get elected on 100,000 votes or more? That is not democracy. That is totally unfair and totally undemocratic.

I want to point out something about my political party, the Greens. During the last week the Senate was sitting I was lucky enough to give an adjournment speech on Jeff Weston, a gentleman who was one of the founding members of the Tasmanian Greens. The Greens went on to become the Australian Greens and the Global Greens and Jeff Weston, in fact, was around the table when the United Tasmania Group was formed. The view of Jeff Weston and his friends was that they would not get outcomes in Tasmania to preserve the environment and the wilderness and what the original Greens fought on unless they formed a political party. It was a conscious decision that was made by a group of people. I do not think they
necessarily wanted to form a political party, but they felt, after the loss of Lake Pedder and the threats to the Franklin, that they had to form a political party because the only way they were going to change the world was to have a political arm for the environment movement and get outcomes.

Senator Polley interjecting—

Senator WHISH-WILSON: That was 45 years ago, Senator Polley—through you, Mr Deputy President. It was 45 years ago that that decision was made, and there have been tens of thousands of people in Tasmania and around the country from my party who have put their hands up to be candidates—

Senator Polley: Tens of thousands?

Senator WHISH-WILSON: Yes, across a number of elections—and probably hundreds of thousands of other people who have campaigned and put in endless hours to get my party to where it is today. It is not an easy thing. It is not meant to be an easy thing. In a democracy, it takes time for people to understand who you are and what you represent. We are still continuing to try and let Australians know who we are, what we represent and why they should vote for us, just like any political party is. To say that it is democratic for someone to get elected because they put their name on a group voting ticket or they put their name on a microparty and they have been part of a backroom deal that gets them elected to the Senate does not represent the will of the voters. We have heard so much evidence about voters not knowing where their preferences are going and being horrified when they have found out—if they ever find out, because the system is so complex. That is not democracy.

I would like to see more diversity in the Senate. I would like to see more Independents trying to get into the Senate. That is good for democracy. Senator Brown, whom I replaced, has always welcomed new participants, always in elections, because of the good that does to democracy. But the system has to be fair.

I do not think it is out of school of me to say you have to work hard to get your message across, so people can understand what you are and who you represent, and vote for you. That is what we are talking about here today. We are talking about a reform that has been debated and looked at countless times over a long period of time. This is not a new issue. The actual legislation that we will be looking at, hopefully later today, has been looked at countless times by countless committees. We all have that information in front of us.

I think the real issue is that the Labor Party do not want an early election and some of their stakeholders in the union movement—and we have all spoken to them—do not want an early election either. This is not an issue about timing; this is an issue about getting good reform through. The Greens have made it very clear that we will not do anything to support an early election or a double dissolution. In fact, we have said that the Prime Minister would be a coward if he called a double dissolution. He has a job to do and I do not think he has done a very good job at all letting Australians know what he stands for and what his vision is for this country. He has a lot of work to do to do that and I think it would be very risky for him to call a double dissolution. Nevertheless, we will be ready for it if he does go down that road. But I do not think the Labor Party are ready for it, and I think that is what this is about.
This is about delaying an election for their own political survival. My message to the Labor Party is: stop undermining progressive politics in this country and stop attacking the Greens. Your bucket of mud—

Senator Polley interjecting—

Senator WHISH-WILSON: Throw your pocket of mud at the people on the other side of the chamber, Senator Polley. What you and your stakeholders are in fact doing is undermining progressive politics in this country. I am sure the Prime Minister and Mr Christopher Pyne and others are laughing in their soup at what is going on in the Senate at the moment, seeing you attacking the Greens. That is exactly what they want and you are giving them exactly what they want.

Senator Polley: Do you really think we worry about what Christopher Pyne thinks?

Senator WHISH-WILSON: You are giving them exactly what they want, Senator Polley. What we need to do is actually get on with being a real opposition. Like I said yesterday: go out and sell negative gearing and capital gains tax abolition. I would back you 100 per cent on that; my party do too. We have long campaigned on this. These are the kinds of reforms we need to be focusing on with the Australian people. We need to be making sure this government does not cut funding to the CSIRO and the best climate scientists in the world when it is most desperately needed now. It will absolutely devastate the community, Senator Urquhart and Senator Polley, where we come from in Tasmania. These are the things that actually really matter.

We need to be out there making sure one thing happens—that is, at the next election we can get a democratic result that gets rid of this government. The longer you spend throwing mud and playing student politics in this chamber the less chance we have of beating the coalition at the next election. So I would ask the Labor Party here today to go back and have a look, from a few years ago, at your support for Senate voting reform and ask yourself why you are really not getting behind this now. We know there has been significant conflict within the Labor Party over this. It has been in the papers. We know that you are very conflicted on this, like you are on lots of things. But if you do not stand for something, you will fall for anything. That is the most important thing to me here: you stand for absolutely nothing and you certainly do not stand for democracy if you do not support Senate voting reform. That is what this is.

Senator Williams was right the other day when he yelled to the roof in the Senate the other day in exasperation—which was disorderly, I must say, Deputy President—and said, 'You hate democracy.' It is actually not a bad statement because that is actually this is about. This is about getting democratic voting reform. I am proud to be a member of a political party. Senator Rhiannon, who is in the chamber with us today, got this reform into the New South Wales upper house, where it has been very well received. I have spoken to her and she said that it was very difficult then too; the same kind of thing occurred, the same kind of base political debate, but it has been a good reform. Now we have a chance to get a good reform here in the Senate. It will be something that we can look back on as a legacy.

Senator Cameron came in here a few weeks ago and was having a go at the Greens and said that we are no good at negotiating, we are not hard enough negotiators, we got rolled on tax avoidance, we got rolled on pensions. Apart from the fact that we actually got really good
results for the Australian people, I think Senator Cameron's point is actually quite important in this debate. The strength of the Labor Party and those individuals in the Labor Party who are leading this charge against Senate voting reform—Senator Dastyari, Senator Conroy and Senator Wong, and probably Senator Cameron himself—are good at doing backroom deals. They are hard negotiators. They have enjoyed working with this crossbench, as I have. This is actually about their power. This is about their influence. This is not about doing the right thing by the Australian people and actually giving our children a more democratic future by allowing them to dictate where their votes go in any election and stopping undemocratic backroom deals that do not reflect the will of the Australian people.

If it takes the Greens to be the political party in parliament who have to be the real opposition, who have to have a spine, who have to stay true to their principles, who have to represent a grassroots movement of people who want to see participative democracy, who want to see peace, nonviolence and justice—all the things that my party hold dear—then I am proud to be part of that group that stands in the Senate and has strong principles.

Senator Polley interjecting—

Senator WHISH-WILSON: If you do not stand for something you will fall for anything, Senator Polley, and I am very disappointed that the Labor Party have taken a short-term, populist and highly destructive, disingenuous and dangerous approach to undermining what will be— *(Time expired)*

Senator KETTER (Queensland) (12:23): I rise to make a contribution on the Commonwealth Electoral Amendment Bill 2016. Before I get into that, I want to make a couple of comments about Senator Whish-Wilson's remarks which went to the accusation that the Labor Party's position in relation to this bill is driven by an alleged fear of going to the polls. Let me assure Senator Whish-Wilson that, as far as we are concerned, there has never been a more exciting time to go to the polls. The Labor Party are ready at all times to take to the Australian people our case about the differences between the clear policy positions that we have enunciated and the shambolic situation on the other side. We are not afraid of going to the election, but what we will not do is what the Greens have done, which is to tumble into the government's agenda with their shambolic arrangements and the fact that they are driven by political opportunism and fear. They have a very clear objective of rushing through these very significant changes to our electoral system in the lead-up to a potential double-dissolution election. The reason they want to do that is because they have nothing on the table in terms of clear policies for the Australian people.

The government are looking to pursue their ideological attack on the trade union movement. That is a point that I particularly want to make against the Greens and their position. The Greens claim that they are prepared to stand up for the interests of working people and their representatives, but they are now quite clearly being shown in their true colours. They are siding with the government in its naked attempt to engineer a situation where the attack on the trade union movement can be delivered and can be successful. The Greens have very clearly shown that they have chosen political opportunism and their own self-interest ahead of the legitimate interests of working people. We know that this could potentially lead to a situation where we have legislation before the parliament which goes to further attacks on trade union rights and the rights of working people down the track. The
Greens are now forever exposed as the party of political self-interest rather than any pretension of seeking to advance the interests of working people.

Our major concern is with the process and some of the substantive aspects of the changes that are being rammed through. We do not believe that the climate is right at the present time to rush through the changes that the government is proposing to make. We know that there could well be unforeseen circumstances that arise from any truncated consideration of these significant amendments to our Senate voting system. We are not saying that the system is perfect and we are not saying that we would oppose all changes, but this particular change that is presented to us and the manner in which it is presented to us are of great concern.

The electoral reform bill is one of the most important amendments proposed in many years of Australian parliaments. It will change the face of Australian politics forever. If we are going to make these changes it is critical that we carefully consider what we are trying to achieve and how best to achieve it. The proposed change to our electoral system is a knee jerk reaction by a government that has not been able to persuade the Senate that its shonky policies and legislation are worthy of support. Instead of developing meaningful policies and legislation that will improve Australia for all Australians, the coalition government has shamelessly put forward a raft of policies that blatantly attack the working rights and the economic circumstances of ordinary Australians. These policies include their proposal to hamstring our high-performing industry superannuation funds, attack the unions while ignoring corruption in our corporate sector and allowing the richest Australians to hide their assets. On tax reform, their only considered proposal to date has been a GST increase. No wonder the Turnbull government has received opposition in the Senate. Thankfully, our fair democracy has been able to push back on many proposed policy changes which are harmful to everyday Australians.

Instead of working with us, as the system is set up to do, the government simply want to get rid of those who oppose it. But electoral reform is too important a matter for Australia to be dealt with in such a short manner. I am personally shocked that Mr Turnbull, the Prime Minister who promised us full consultation and engagement on matters of importance, is now trying to push through radical reform to our democratic arrangements on the back of a greasy deal between the Greens, Senator Xenophon and the coalition government. This reform is not an effort to improve Australia's democracy. It is, put simply, a pointed attempt to remove certain elected members of the Senate from power. Rather than respecting the democratic principles that underpin our current arrangements, the Turnbull government is undermining our democracy by trying to weed out its dissenters.

Australia has a long history of innovation in electoral matters. In Antony Green's election guide, he makes the claim:

Australia led the world in abandoning electoral franchises based on property ownership by extending the right to vote to all adult males. Australia also led the world in granting the vote to women, and in the introduction of the secret ballot, a reform that when introduced in the United States was often referred to as the 'Australian ballot'.

Antony also points out that preferential voting is one electoral innovation that has remained uniquely Australian. Most other countries simply allow a single vote to be cast by individuals for their preferred party or candidate of choice. In this system, if your preferred candidate does not get the majority of votes, then your vote becomes worthless. In our proportional
representation system, it is possible for everyone's vote to count, in the sense that the
candidates who get elected are those who have gained the preferences of the largest share of
voters. This is superior to the first-past-the-post system used in many countries, which so
often has disenfranchised the majority of voters. Australia is the envy of many countries for
its preferential voting arrangements because they ensure that every voter's preferences can be
taken into account.

These proposed changes to voting for the Senate will reshape the Australian political
landscape for decades to come, possibly in ways that we cannot even foresee at this stage. I
return to the point I was making about the unintended consequences of a change to our
electoral system which has not been given proper scrutiny. My particular concern is the
impact that this change would have on levels of informal voting. The 2013 election saw 5.92
per cent of total votes cast being informal. That was the highest proportion of informal votes
for nearly 30 years. I would have thought that, in this place, we would be loath to introduce
changes that the public do not understand or that the public do not have adequate time to
absorb. It stands to reason that, if one does not give the voting public the opportunity to
absorb the changes, then the impact on informality is going to be significant.

I note that the only time we have seen a higher rate of informal voting was in 1984, when it
was 6.34 per cent of the vote. It is worthwhile noting that the 1984 election was an anomaly,
in the sense that there had been a change to the voting system. The innovation at that time was
the introduction of above-the-line voting in the Senate. Despite the fact that there were
television ads broadcast to explain to the public what the changes were, the impact of that
advertising was somewhat unexpected, because it appears that the change to the Senate voting
process, the new above-the-line voting process, confused voters, who thought that they could
just mark a single preference for the House of Representatives and then stop. So there was a
spike in informality in the House of Representatives.

I am not suggesting that the changes that were made in 1984 are completely analogous to
what is before us today, but I make the point that changes made can lead to unintended
consequences if proper time is not given to scrutinise the changes through the normal
processes that we have in this place—proper scrutiny through committees and debate in the
chamber. If those normal, sound processes of parliament are circumvented, then we can only
expect that there are going to be some unintended consequences which lead to higher
informality. I would argue, and many others have argued, that a rising proportion of informal
votes is a major democratic concern for us. If we have more informal votes, it means that
fewer voters are having their say at the important time.

I want to return to the truncated process that we have had. We did have a Joint Standing
Committee on Electoral Matters hearing on 1 March. It was a very tightly controlled process,
with very limited opportunity for members of the opposition and crossbench senators to
participate and to ask questions of the Australian Electoral Commission and others. I want to
refer to some of the answers that were given by the Australian Electoral Commission. The
chair of the committee asked about the effect of these changes on the level of informal below-
the-line voting. The head of the Australian Electoral Commission, Mr Rogers, said:

Can I say up-front that I know there has been a lot of speculation about what might happen if the
changes were implemented. I am very nervous about speculating on voter behaviour. There are a whole
range of things that can occur at any election. For us to speculate on voter behaviour—I know there are
some political scientists who do that, and they are normally fairly accurate, but I really hesitate to speculate on what voters might do because they can do a whole range of things. What we think might occur with proposed changes might end up being something very different.

So he was unable to provide an accurate picture. He was also asked to give a view about the impact of informality on above-the-line voting. He made the point:

… I cannot speculate on voter behaviour. What I would say is that the legislation requires that on the ballot paper, as I understand it, we annotate that voters are required to vote six above the line. However, the savings provision that is also provided in the legislation, which is a vote that only contains a vote for I would still be formal, would operate, I think, to save a number of those votes. But, again, I would be speculating on voter behaviour which I am loath to do.

We have the expert in this matter, Mr Rogers of the Australian Electoral Commission, who is quite clearly indicating that there can well be unforeseen circumstances that arise and it is very difficult to predict. When you have experts saying to us that they are not prepared to indicate what might happen, I think it only strengthens the argument that whatever we do in this place on something as important and significant to our Australian democracy as the voting system, it has to be given proper scrutiny and the normal processes have to be followed. It should not be the subject of a truncated sham arrangement, where important matters are not given the proper level of scrutiny that they require and where a bill is rammed through the system.

I note that Mr Rogers has advised that the AEC only saw the bill before us on 11 February. Despite the fact that we have interjections from the other side saying that this is a matter that has been on the table for two years, the bill that is before us today was seen by the Australian Electoral Commission on 11 February. It was then subject to a sham arrangement, to truncated processes of scrutiny through both houses of parliament, and to a sham committee hearing, which was very one-sided. We are finding that all of the issues that need to be considered are not being considered and this could well have significant impacts.

I note Senator Gallagher in her contribution talked about the fact that there are experts that have speculated that the difference in the fact that we have optional preferential above-the-line in the bill and full preferential below-the-line could well have the potential of creating uncertainty and leading to unforeseen circumstances.

I note Senator Back's contribution earlier, he made the worthwhile observation that we are a country that is very diverse and there are many people in our country who are not of an English-speaking background. This highlights the point even further that, if we are going to have changes to a system, we need to have a proper period of time in which the members of the public can absorb those changes and understand them completely. Ultimately, what we are talking about is the expression of the will of the Australian people at the ballot box. I do not believe there is anything more important that we should be talking about in this place. And when we do talk about these types of issues, they should be the subject of full and proper scrutiny, not the subject of a sham arrangement—a dirty deal between the Greens and the coalition.

The concern with the last election that has led to the proposed changes has been this tendency by parties to 'game' the system and to try to swing preferences away from the major party candidates and in effect dissipate preferences. In our most recent election, this resulted in a few candidates becoming elected with a small percentage of the primary vote. But rather
than trying to address the problem of the gaming activities, this new legislation is simply going to curtail the opportunities for small Independents to get elected. This bill serves one function—it is designed to get rid of opponents at the next election. The proposed changes have the potential to reduce Australia to a US style, two-party system, where only those with substantial financial backing have a chance of getting elected. This is something that no Australian should support or endorse. Rather than working with the minor parties, this government would legislate them out of existence.

The enablers of this draconian electoral change, the Greens and Senator Xenophon, have shown a deeply hypocritical side to their political aspirations that few could have foreseen. As we know, Senator Xenophon first entered politics in the 1997 South Australian state election. At that point, he polled less than three per cent of the votes but still went on to win an upper house seat on the preferences of other minor parties such as the Smokers' Rights Party, who, one would have thought, it could be speculated, are not exactly aligned with the antipokies platform. He has the audacity to call out senators who are elected on a similar vote and with similar preference flows.

The Greens are even worse. Many Greens senators and state MPs have been elected on similar margins over the last 20 years and have only built their party on the back of minor party preferences. Senator Di Natale has shown himself to be a slow chugging coal train of a politician, who is prepared to spread all the warm and fuzzy rhetoric about inclusion and tolerance, yet is keen to get rid of the minor parties to recover the Green preferences that have been lost in the past. If minor parties are eliminated from the upper house, we could foresee our Senate reverting to a house of the landed gentry, where massive money and influence will be a key determinant of electoral success.

I am not surprised that the Turnbull government wishes to undermine our democratic institution but I am deeply disappointed that the Greens and Senator Xenophon are so quick to turn against the very system that provides our fair democracy with the diversity of opinion and representation that has served us so well, particularly in protecting us from the nasty policy agenda of the coalition government.

Senator STERLE (Western Australia) (12:43): I rise to speak on the Commonwealth Electoral Amendment Bill 2016. I have sat through some boring, dumbed down, brain-numbing speeches in this Senate, but Senator Ketter's, what an absolutely brilliant contribution that was. Senator Ketter, you have raised the IQ of the Senate chamber from that side—I can tell you. What a fantastic contribution!

Senator O'Sullivan: On your knees.

Senator STERLE: On my knees? What does that mean, Senator O'Sullivan? Are you suggesting I should bow to someone? What a brilliant contribution! In fact I would love to give Senator Ketter more of my time. It was that good. That mob over there, they heard every single word of that. It was all good, but there was fantastic part at the end, and Senator Ketter talked about how did Senator Xenophon actually get into politics.

This has been lost in the contributions around this chamber in the last few days. Senator Xenophon—and good luck to Senator Xenophon—was able to garner the game and get a few votes and a few preferences. He entered the South Australian parliament, I believe, with a three per cent vote. Is that correct? It is, isn't it, Senator Ketter? I do not have that wrong—
three per cent. But now we have Senator Xenophon, who now commands in the 20s I believe, over— (Time expired)

The ACTING DEPUTY PRESIDENT (Senator Seselja): As exciting as that was, Senator Sterle, it being 12:45 pm it is time to move to senators' statements. You will be in continuation when we resume.

STATEMENTS BY SENATORS

Transport Industry

Senator WILLIAMS (New South Wales) (12:45): I hope that Senator Sterle stays here to listen to this speech, because it is very important and involves people that Senator Sterle and I have worked with.

I have always believed in a fair day's work for a fair day's pay. I am sorry that Senator Sterle is leaving, because we have both worked for the transport industry when truckies were being treated very unfairly.

Senator Sterle: You're making me stay now!

Senator WILLIAMS: I have made him come back now! Recently, Senator Sterle and I put out joint media releases and joint media when companies wanted to put truckies back to 90-day, and even 120-day, payments. But there is now one problem that we have coming in.

When the Road Safety Remuneration Tribunal was put through this place when Labor was in government I did not have a lot of bad things to say about it because, as a former pig farmer, I know how Woolworths treated me. I know what the big end of town does to the small Aussie battlers, as I call them.

However, there is an order that has come out which starts on 4 April. It is called a road transport remuneration order. As I said, a fair day's work for a fair day's pay—it is important that people get paid properly. But there are some problems with this order that I think people simply have no idea about. Let me explain it.

The order relates to owner-drivers. So, let's say I have three trucks—I own them—and I drive one, Senator Sterle drives another and, believe it or not, Senator Dastyari drives the other. It has a high seat in it! The order does not relate to the two trucks that Senator Sterle and Senator Dastyari drive that I own; it is only about the one that I own and drive. So here is the problem: a calculator on a computer will set the rate.

I will give an example: imagine I had a four-deck sheep crate or a two-deck cattle crate—it is one stock crate; you can convert them to cart sheep or cattle—and I am based at Broken Hill. If I were to cart a load of sheep down to Adelaide, that is about 500 kilometres. The order relates to when you go 200 kilometres interstate or 500 kilometres within your state. It probably does not even relate in Tasmania because I do not think you go far enough in Tasmania to clock up 500 kilometres. I would charge about $5 a kilo. So I would charge about $2½ thousand to go down to Adelaide and unload the sheep there ready for export or whatever.

Here is the problem: if my stock and station agent phones me from Broken Hill and says, 'Look, I've given you that job. Now, I want you to call into Collinsville Stud,'—a very famous merino stud—at Mount Bryan on your way home and I want you to pick up 20 rams.' It's just a bit of a part load, you run them 10 to a pen on the bottom deck. It is two pens and you
would not have to check them. They could not get on top of each other, they could not suffocate and they could not get down. They can just squat down and go to sleep.

I would then have to go to the calculator and see what price I must charge from Mount Bryan, near Burra, to Broken Hill. It might say that the minimum price is $1,500, so I must charge $1,500 to take those 20 rams back to Broken Hill. Now, when I get back there, the cocky who I have got them for to put out on his station to join his ewes would say, ‘What in the hell are you doing? $1,500 to bring 20 rams? You're coming home empty—what are you doing?’

It gets worse. If I called into another stud and I put another 20 rams on I would have to charge another $1,500. So if I take two lots of rams back, with just 20 in each mob, I have to charge $3,000. So I would not get the job. But if I sent Senator Sterle down in one of my trucks and he brought the rams back I could charge $300 to bring the rams back and I would not have a problem, because I would not be covered under the order. If I sent Senator Dastyari down it could even be worse—but we will not go there!

So here is the problem: when owner-drivers are back-loading they are going to have to charge a minimum rate. I have a stack of emails here from owner-driver companies, and these are just some of them. They are very concerned that if this is not delayed there is going to be real trouble. I commend Minister Cash—and I am glad she is in the chamber now—because yesterday she supported a motion for the Road Safety Remuneration Tribunal to delay this until 1 January next year so that they can get the bumps out of this and we do not have the situation where owner-drivers are actually going to go broke and have their rigs repossessed et cetera.

Being paid fairly is a good thing. As I said—a fair day's work for a fair day's pay. But the ramifications that will send owner-drivers broke are concerning. I will read an email here—I will not give the person's name: 'To whom it may concern, I am an Indigenous Australian living in rural New South Wales, trying to make a living transporting grain during harvest season and moving grain and fertiliser during the off season. As it is very difficult for Indigenous Australians to obtain work and operate their own business to build a future, this order would be another nail in the coffin for us working in the transport industry. The financial effect on rural communities will be massive. For example, fuel depots; tyre and mechanical garages; auto electricians; local shops—like bakers; safety clothes and equipment shops; and the list goes on. I would hate to think of what will happen to battling owner-operators and their families if this law comes in after 4 April—what would be their financial ability to put food on the table. There will be a large number of people in a very dark place mentally, and it will be catastrophic for small towns in rural Australia. I really think that the people who make these decisions have no knowledge of rural Australia, as it affects 35,000-plus owner-operators who will be put out of work. I hope this Road Safety Remuneration Tribunal order can be reviewed, with owner-operators having some say in their future.' A very good point.

That is just one email. So the concern is that this order has now been put in place. The tribunal sits a way away from this place—at arm's length. Whatever decisions it makes are binding. But I think that they have not considered the ramifications. I had a bloke in my office yesterday who has a B-double. He carts grain from just over the border in New South Wales down to Melbourne, and he gets a good rate. When he comes back he brings fertiliser. It is at
a discount rate because he is coming home empty to get more grain. He now has to charge an enormous amount of money to come home. However, if he lived on the other side of the border, 10 kilometres away in Victoria, the order would not apply to him because it is within the state and under 500 kilometres away. So he is now competing with someone just over the border who can actually do the business a lot cheaper. This is very concerning.

I am with Senator Sterle: on many occasions when people are not making money or not being paid, and being dragged out to 90 or 120 days, the first thing they neglect is the condition of their vehicle, with their tyres and steering getting worn. They say, 'Well, we'll do another trip.' The brake line is getting down—'Nah, keep 'em going. We can't afford to replace them.' This is a real issue and a very important issue.

Another contractor goes from Adelaide to Brisbane and back to Perth. He has good rates all the way until he comes to the run from Perth to Adelaide. Going home he charges $2½ thousand for a part-load or a load, but the order says he has to charge $6½ thousand. No-one will pay $6½ thousand for a returning truck to go from Perth to Adelaide. He will lose that job. He said that will be a big hole in his cash flow; hence, he will face financial difficulties.

This Indigenous Australian makes a good point: when every country town has a 'truckie' or a truck stop, where do they buy their tyres? Off the local dealer. Where do they buy their fuel? Off the local dealer. Where do they get their electrical work done? The auto-electrician. Where do they get the service done? Their repairer is the local mechanic. These are vital jobs and businesses in every country town—big or small. We do not want to see these people put out of work. There has to be a time delay on this. I think that is absolutely essential.

I call on owner-drivers, if you are out there listening now on your rigs: please do a submission to inquiries@rsrt.gov.au. Tell them your situation. Tell them you may be losing your contracts on 5 April. Some of these contracts are multimillion-dollar contracts and they need time to be worked through and so on.

I hope widespread support is shown to delay this audit until 1 January so these gremlins can be sorted out so our owner-drivers are not forced to go broke. If they disregard and disrespect the law and say, for example, 'Look, I'll bring those sheep home back from Adelaide to Broken Hill for $300,' they face a $54,000 fine. That would be enough to put any sole operator owner-driver down the tube if he gets a bill for $54,000 in breach. People are not even aware of it. It was announced in December. Many people I have spoken to were not aware of it a few weeks ago. Of course, now it has been out in the media and people are
becoming aware of it. I do hope that people pull together to sort this out properly. (Time expired)

Nepal Earthquake

Halal Certification

Senator DASTYARI (New South Wales) (12:55): In the short break that this chamber had between the two weeks of sitting and this week, I had the opportunity over last weekend to make a very brief visit to the amazing country of Nepal. I was able to go with two of my closest friends, Mr Harish Velji and Ms Aisha Amjad. We were able to go with the support of some amazing Nepalese-Australian community leaders.

Beneath the Himalayas there is an amazing nation of hope and opportunity, but it is also a place of great suffering. We went on a brief trip to be able to visit some of the worst quake-affected areas, to be able to speak directly to some of the victims and some of the communities, and to be able to talk to Nepalese leaders about the work they are doing and the work that has been put together in addressing some of these concerns.

The enormity of the challenges being faced by Nepal following the quake—which is coming to its first anniversary shortly—cannot be underestimated: the impact on the community, the impact on lifestyle and the impact on families. You can throw around figures and you can say that 800,000 houses need to be rebuilt and that over 9,000 people perished. You can say that the Australian response has been fantastic. I think it has been very good—a $28 million package, which the minister, Ms Julie Bishop, should be commended for implementing. The work of the Australian DFAT and the foreign ministry has been sensational in that country. But that does not really tell the story of suffering, that does not tell the story of pain, that does not tell the story of hardship and that does not even grasp the enormity of what has happened.

We are lucky in Australia that we have such an incredible Nepalese-Australian community who have done such a great job in giving back. They have done amazing work fundraising. Over the past year over $2 million has been raised by Australian Nepalese communities through various organisations to be able to give back to their community and to be able to help the quake victims.

Harish, Aisha and I had the opportunity to go right into the heart of quake-affected communities that are now being moved to look at the reconstruction effort. While the government is doing a good job in difficult circumstances, there is a sense of frustration in Nepal and there is a sense of frustration by the Nepalese community. They want more action, they want immediate action and they want to see things happen.

There are many people that I want to thank for this opportunity. I want to begin by thanking the Nepalese Honorary Consul for Australia, Mr Deepak Khadka, a close friend of mine and someone who very kindly put us up in his house for the brief period that we were able to be in Kathmandu. I want to thank the Nepalese government special envoy for the National Reconstruction Fund, and the president of the Non-Resident Nepali Association—the NRNA—Mr Shesh Ghale, who is a prominent Nepalese-Australian leader and an Australian business leader. I want to thank my very good friend Mr Goba Katuwal, who accompanied us on the trip and was able to make this all happen. I want to thank Mr Dila Ram Kharel, my very close friend KC Ganesh, Mr Raj Khanal, Mr Megh Raj Shrestha, my
good friend Mr Prem Sapkota, Mr Sandip Katuwal and Mr Krishna Giri. As leaders of the Nepalese community, all are proud Nepalese and are proud of being Australian Nepalese.

I want to thank Mr Deepak Raj Joshi, the CEO of the Nepal Tourism Board, for hosting a cultural event and for really allowing us to experience the culture of Nepal. I want to thank the UML secretary and former minister, Mr Pradeep Gayawali, for coordinating the visits.

In the brief period of time, we were able to meet with the Prime Minister, the Deputy Prime Minister, the foreign minister and CEO of the National Reconstruction Authority. It was an incredible opportunity to get to the bottom of what has been a very, very difficult period for Nepal.

I want to thank the Australian ambassador Glenn White, who I believe is doing a sensational job in Nepal. The high regard that Australians are held in is incredible. Mr White should be congratulated on not simply helping secure the Australian aid effort to Nepal, which at $28 million was substantial, but ensuring that it was well used and, with others in DFAT, making sure it was effective.

The Australian Nepalese community continues to grow. At present the Nepalese community is 30 times larger than it was 20 years ago, and it will only continue to grow. When you start including students, you are looking upwards of 80,000 or 90,000 Nepalese living in Australia, some of whom have taken up citizenship already and many who aspire to. It is an incredible community. They should be proud of their nation and of what Nepalese Australians have been able to do as part of the rebuilding effort.

In the brief time I have available to me today, I also want to touch on another matter. As some may be aware, I had the opportunity to chair an inquiry into the halal certification of food with Senator Bernardi. I have to say, as part of that inquiry, I experienced hate, vitriol and abuse of a type that I had never experienced before. Before I get to that, Senator Bernardi and I came to different conclusions and views and we perhaps began with different world views on this matter. Senator Bernardi conducted himself with nothing but integrity and class throughout the entire process, even though we disagreed.

As part of that, the state member for Lakemba, Jihad Dib, took me to a halal butcher in the state seat of Lakemba. I had the audacity to post an image of this on my social media and I experienced a type of hate, vitriol and Islamophobic fearmongering that I had never experienced before—a real dark underbelly in the Australian community. It shook me and it surprised me.

I did not realise at the time there was a place for people like me who want to support the halal industry, Sydney and Sydney businesses. I did not realise there was a place where someone like me would belong, a place where perhaps everybody would know my name and where I would fit in. Friends, I have to say, this was before I knew about the Halal Snack Pack Appreciation Society—a group of people who have come together to share the great Aussie tradition of halal meat in a box. I have recently become a member of this esteemed group of halal food enthusiasts.

On my way to Canberra on Monday—a public holiday in Canberra and not many places where you could actually get a meal—I stopped with my brothers and sisters from the Halal Snack Pack Appreciation Society. We went to the King Kebab House in Campbelltown,
referred to as the mecca of halal snack packs. It is a place where people from around the world have travelled to experience this Australian delicacy.

Some senators may not be aware of what a halal snack pack is. It is a styrofoam container containing two incredible ingredients: chips and halal meat. This is a great Sydney tradition. It is a great Sydney food and a movement that has been continuing to grow in recent weeks.

In the minute I have left, I want to give a very quick review of this kebab house. The greeting I got was 10 out of 10. The signage was 10 out of 10—it was very clear I was purchasing halal products, something I know many senators on the other side are concerned about. The sauce: fantastic. The chips, the meat, the packaging, the styrofoam container—I know some of the Greens senators have an issue with styrofoam; perhaps I have from time to time.

Senator McGrath: Did you give it a lick?

Senator DASTYARI: Senator McGrath is asking an important question. If you ever really want to appreciate a halal snack pack, I will take you to Sydney. I will take you to Western Sydney.

Senator McGrath: Done!

Senator DASTYARI: Senator McGrath, I will take you up on that offer. Together, with our friends, our brothers and sisters, from the Halal Snack Pack Appreciation Society, we will experience the delicacy that is a halal snack pack together, bringing together both the conservative and progressive sides of politics in what can only be described as a great Australian tradition of meat in a box. Thank you.

Women's Rights

Senator WATERS (Queensland—Co-Deputy Leader of the Australian Greens) (13:05): I rise today to talk about women's rights. Sadly in 2016, as we all know, we still do not have gender equality: we do not have equal representation in our parliaments or our business community; we still do not have equal pay with the gender pay gap still being above 17 per cent; we have huge gaps in our retirement incomes when it comes to that stage of our lives; we still do the bulk of unpaid domestic work in the home; and one in three of us still face horrific domestic violence. I have spoken about these issues in the chamber many times before—and there are many women and men from all political parties who are working on these issues and I commend them for that.

Today I want to focus on women's rights over their own bodies. Last month, as many listeners would know, was the 10-year anniversary of RU486, the medical abortion drug, being made available. In February 2006, this parliament passed laws which took away the ministerial veto on importing RU486 from the then health minister, who was of course Mr Tony Abbott who held that position at the time. A famous catchcry of that campaign was: 'Get your rosaries off my ovaries.'

Today I want to pay tribute to the women in federal parliament from all political parties who worked on that issue and who united across party lines to get that reform through. Some of them are still with us; others have moved on to other careers. The bill came about via cooperation from many tremendous women, including then Greens Senator Kerry Nettle; then Democrats Senator Lyn Allison; from the Labor Party, then shadow health minister, Julia Gillard—of course later the Prime Minister; Senators Jan McLucas and Claire Moore from
this chamber who still hold those positions; Liberal MP Dr Sharman Stone; and Ministers Helen Coonan and Kay Patterson. It shows that when we work together we can get things done. I think we should all reflect on that, given that we have such huge challenges left in gender issues, sadly, in this day and age.

I want to also give credit and thanks to Dr Caroline de Costa, who is a very well known obstetrician and gynaecologist, who first stuck her neck out to apply for TGA permission to access RU486 and was really the woman who started off this campaign. She remains a fierce advocate for women's rights, and she remains a medical practitioner in my state of Queensland. I want to thank her and commend her efforts over so many years and wish her many more successes and wins.

That is the sort of brave stand that we clearly need to take in Queensland because sadly, in Queensland, abortion is still a crime. It is listed in our Criminal Code. That is also the case in New South Wales. These antiquated criminal laws—in Queensland's case they were written in the 1800s—still say that a woman does not have the right over her own body, because abortion is considered a crime. It is long past time that we changed those archaic laws.

Because of the rules in those utterly outdated and repugnant laws in Queensland, a woman needs to be able to establish that her physical or mental health is seriously in danger from continuing the pregnancy. She needs to find a doctor who will say that her mental health or her physical health would be in serious danger were she to continue with the pregnancy. That is the only way in which an abortion can be legally performed in Queensland. Obviously, that is a huge barrier for the medical community because the legal uncertainty has a very chilling effect on doctors who want to be able to provide patient care and want to be able to empower women. Sadly, those laws are really casting a pall over that.

The combination of those outdated laws and the almost complete absence of publicly available pregnancy terminations makes a termination expensive and really hard to access. From the data that we do have—and it is not perfect—we know that the vast majority of abortions in Queensland are performed in private clinics. It is about 99 per cent versus just one per cent in the public system. That means that women are facing enormous costs. Depending on how far along they are in their pregnancy and whether they are able to access a termination, it can cost up to $1,000. Many Queensland women do not have a spare thousand dollars to have control over their own bodies, and health care should be a universal entitlement, not a privilege for those who can afford it.

In terms of the availability of those clinics, outside the south-east corner there are only clinics on the coastline. There are no clinics available for non-coastal Queensland women. That means, for example, that women in Mount Isa have to travel to Rockhampton, which is miles away, to access a termination.

I believe that the state should not have control over women's bodies and that the provision of pregnancy termination should be safe, should be legal and should be accessible and affordable. We clearly need to take that first step in Queensland and decriminalise abortion, and then we need to move on to make sure that it is safe, legal and affordable. This is a position that many Queenslanders agree with. The last survey that was conducted was in 2009, and it was of about 1,000 people in Queensland. Almost 80 per cent of those agreed that abortion should not be a crime—the law should be changed so that abortion is no longer a crime in Queensland.
In order to do that, of course, we need to change the Criminal Code in Queensland. We would need Queensland state MPs, perhaps with some influence from their federal counterparts, to vote to update those laws. There is obviously some concern that, if we open that can of worms, the rights could be even further restricted, and nobody wants to see that happen, but I do not think that is a valid excuse for doing nothing or for staying quiet, which sadly has been the case for too long. We need a public campaign to restore women's rights over their own bodies and to update those incredibly archaic criminal laws which say that in Queensland abortion is a crime.

I wrote to Queensland MPs. We have 89 of those in our state parliament. I wrote to them late last year and asked them what their position was on this issue and whether they would be prepared to talk to their constituents and to support changing our criminal laws to empower women over their own bodies. Unfortunately, I have not had a response from everyone, and I will send yet another follow-up letter to chase them, but, of the folk that I have heard back from, eight of those support decriminalising abortion; four of them oppose it; and six of them did not really make their position clear in their response. I have not heard back from 71 of them, and they have not gone on the public record to make clear what their position is. I want to thank those MPs who have spoken out on this issue. Clearly, we need more to do so, and I would urge the members of Queensland's Liberal National Party to allow their members a free vote on this issue. My understanding is that that is not the case.

When you have nearly a third of women in Australia who will seek an abortion over their lifetime, it is about time that our laws reflected modern values that trust and empower women to make decisions about their own bodies. As I have said, abortion should be decriminalised and, more than that, it should be safe; it should be legal; and it should be affordable.

There is also the issue of unbiased pregnancy counselling, and that is something that this place could do a lot more to try to remedy. There are, sadly, often anti-abortion organisations which pose as unbiased pregnancy counselling services yet then funnel women away from advice about the full spectrum of their options. That is clearly something we need to do more on, and I look forward to carrying on the work of former senators, particularly former senator Natasha Stott-Despoja, who began some work in that area.

Of course, we still have antichoice protesters outside abortion clinics harassing women as they enter to make what is probably the most difficult decision of their life and doing that in a way that impinges on their dignity, their safety and their privacy. I commend many of the state jurisdictions which are now implementing exclusion zones around abortion clinics. The Greens are the biggest champions for the right to protest; but, when it comes to medical privacy, there needs to be an exclusion zone around those abortion clinics.

Ten years ago we made good progress on women's reproductive rights in this place, by working together across party lines. We sadly still have a long way to go. But I really look forward to carrying on that work and building now on the work federally to update our state parliaments and those criminal laws which, unfathomably, make a woman's control over her own body something that is a question for the state and the Crimes Act. (Time expired)
Live Animal Exports

Senator O'SULLIVAN (Queensland—Nationals Whip in the Senate) (13:15): I rise today to speak about what is potentially another emerging attack on one of the most substantive industries in northern Australia—that is, the live cattle trade.

This chamber would well remember that in 2011 a decision was taken by the then government to suspend live cattle trade out of Australia—in particular to the market of Indonesia. It is now a matter of public record the enormous economic social and human impact that had on literally thousands and thousands—tens of thousands—of people in the north, particularly in the Northern Territory, the northern parts of Western Australia and the northern part of my home state of Queensland. The economic impact is well recorded. Effectively, a billion-dollar industry was brought to its knees overnight. It is also well recorded that we then felt the effects of that right through the domestic cattle market here in Australia, reducing prices down in 2011 to figures that are around about 20 per cent of average prices that we see today—restored after we restored the export markets.

This attack is coming from the chief scientist of the RSPCA in a book co-authored by Dr Bidda Jones and Julian Davies, entitled Backlash: Australia's Conflict of Values Over Live Exports. Before I go to some of the substantive issues raised in this publication, I can say that any cursory glance at it, even without the full academic study, shows that the views expressed by Dr Jones, if not shared—the whole tone of the book is really elitist left-wing ideology—every time there is reference made to someone who might resist the views being expressed by them or indeed expressing views that were supportive of this important valuable industry, they are attacked. So there are statements like: 'With increasing bravado life exporters are again claiming the social licence for their enterprise. We are not persuaded. Neither do we believe, nor do most people who do not have a vested interest in this business, that there is a convincing argument to prevent a planned transition away from live exports.' They are suggesting that every opinion expressed by everybody else is without foundation. That is thousands of families who rely upon this as their core trade, their business enterprises and the industry peak bodies who work very hard.

The Commonwealth government, having learnt the lesson in 2011, having seen the impacts of it, have invested not just financially but also an enormous amount of resource capital in ensuring that our live trade conditions for animals are equal to or higher than anywhere else in the world. Indeed they are. Those who are familiar with the ESCAS program, the 'exporter supply chain assurance system', know that we now follow every unit of live export animal to the destination of slaughter in the countries we export these animals to. There are conditions with respect to the humane slaughter of those animals, and we are the only country to do that. We are the only country on earth to do that of all those countries that export live animals around the world. We do that at a cost of about $50 to $100 per animal. On today's rates, that would represent between five per cent and 10 per cent of the gross value of the transaction. Nowhere else in the world—and indeed there are very few other industries in this country where producers are burdened with the funding requirements to meet these animal slaughter standards. So I can say proudly on behalf of the industry that they are world leaders in this space.

What the book failed to mention—and I looked two or three times from cover to cover—was what are the economic and social impacts not only to our own nation but to our trading
partners in this space? First of all, what the book forgot to publish was that, if we were to stop live exports around the world, the vacuum that would be created with our numbers would be very quickly filled by other countries who export live animals. I promise you none of those countries meet our ESCAS standards. None of them follow the supply chain. None of them are interested whatsoever in what happens to the animals after they have been transported from their shores.

So, in Dr Jones's case, it was seen that Dr Jones had an interest in animal welfare, as long as you were an Australian animal. She was not interested in the global welfare, as we all ought to be, with respect to systems particularly in live animal trade. Let's have a look at Dr Jones's performance in the space of the RSPCA, which is an organisation for which I have enormous respect. I support it conceptually and I believe that we are a nation that has at the core of our beliefs and our values that we should treat animals in an ethical way. If we have a look, there is an estimate that we have about 24 million pets in this country, ranging from dogs and cats to budgerigars and reptiles and some other exotic animals. I just want to make a comparison because I am interested as to why Dr Jones did not turn her considerable talents towards trying to fix the core and fundamental issues within the ambit of the RSPCA.

We have these 24 million-odd pets. If you were to look, at the same period of time, at the comparative figures for the export of animals, we have somewhere in the order of 100 million head of cattle for the same period—about 14.6 million head of cattle in some 1,200 consignments in the comparative period. The RSPCA received 221,222 reports of animal abuse, so nearly a quarter of a million reports of animal abuse. If you related that to the reports of abuse from various sources in relation to the 14.6 million head of cattle, there were 89 reports on the live cattle export trade and 221,000 reports across Australia with domestic pets and animals. So one of the first questions that I would have for Dr Jones, if we were to share each other's company—and I suspect that is becoming more and more remote as I speak—is why they would not concentrate on resolving what is a serious problem amongst animal carers in this country without turning their mind to professional producers of livestock, whose interest it is to care for these animals to the highest possible standard because it is their livelihood. To punish or damage an animal, to scar an animal, to bruise an animal or to do something with that animal that diminishes the quality of the animal, of course, is against the best interests of these producers. So I do find it a bit perplexing that Dr Jones wants to concentrate on this important trade without getting back to the core values of the RSPCA in the first instance.

**Multicultural Women's Council of Tasmania**

**Senator CAROL BROWN** (Tasmania) (13:25): I rise to pay tribute to the Multicultural Women's Council of Tasmania. On Saturday night, I was fortunate to join the council for their International Women's Day dinner in Hobart. This dinner was also a celebration of the council's 10th anniversary of operation within our community. It was a great night—a full and colourful celebration of Tasmania's multicultural communities and the work of the council. For 10 years now, the council has played a very important role as a voice for migrant women in Tasmania. The council has helped welcome migrant women and refugees to Tasmania and has helped many of them to overcome barriers they face, especially in relation to language.

Tasmanians speak around 129 different languages, which shows the growing diversity within my home state. Tasmania, and indeed Australia, has been built on multiculturalism.
We strive to be a fair and inclusive society which respects and supports cultural, religious and linguistic diversity. It is a part of our national identity. We are at our best as a nation when we embrace every faith, every flag and every culture. That reality is at the heart of multiculturalism, and it has been and will continue to be vital to the prosperity of this nation. Migration has made Australia a richer as well as a more culturally diverse and interesting society. The findings in the report *The economic impact of migration* concluded that by 2050 migration will have added over 15 per cent to our workforce participation rate, added nearly 22 per cent to after-tax real wages for low-skilled workers and, significantly, added close to six per cent in GDP per capita growth.

But for us, as a country, to reap the many benefits of a diverse and multicultural community we rely on the hard work of organisations like the council. The council does Tasmania a great service by fostering enduring cultural and social cohesion and, in doing so, supports multicultural communities to make a substantial contribution to our national prosperity—both social and economic. Earlier this year, I was fortunate to attend a citizenship ceremony on Australia Day and watch 68 new citizens from 27 different countries take the pledge. Some of the new citizens had only been in Tasmania for two years and others for more than 40 years. But each and every one of them has contributed to making Hobart the vibrant and diverse city it is today. They have added so much to our community. For many people, over the last 10 years, this contribution is made possible by the work of the council.

In particular, I acknowledge the outstanding contribution to the Multicultural Women's Council by Sajini Sumar. Sajini has worked tirelessly to help migrant women adjust to their new lives. Sajini has been a long-term volunteer amongst the migrant community in Tasmania and is the founding member and convener of the Multicultural Women's Council of Tasmania. In addition to her work through the council, Sajini has served on many community boards, including the Migrant Resource Centre, the International Wall of Friendship and the Multicultural Council for Tasmania. She was also previously the Tasmanian counsellor for the National Ethnic Disability Alliance and is a member of the Network of Immigrant and Refugee Women of Australia. Her work in Tasmania for our newly arrived migrants and refugees has been tireless. She has worked to give a voice to many multicultural women within our community.

I also want to briefly thank the council for the award they gave me. It was a surprise and I was very humbled, and I thank them for their honour. In recognising what women have achieved, it is critical that we look forward to the challenges still to come. And we know that in Australia many women from diverse cultural backgrounds face additional barriers. As the former Sex Discrimination Commissioner Elizabeth Broderick argued, women from culturally and linguistically diverse backgrounds are among the most disadvantaged groups in Australia. She said, 'The barriers for women of multicultural backgrounds remain immense.' We must all work harder to ensure that women from different cultural backgrounds are not discriminated against. We must ensure they are treated fairly and with respect. While we have much to celebrate, progress towards parity has been too slow, particularly for culturally and linguistically diverse women. But I remain hopeful that the work and strong advocacy of organisations like the council will help overcome this.
Economy

Senator LEYONHJELM (New South Wales) (13:30): There was once a country that enjoyed strong economic growth and had government debt of around 22 per cent of GDP—a level not much more than Australia's expected debt in the next year or two. This country proceeded over the subsequent generation to have successive budget deficits, to direct workers into its burgeoning public sector, to raise the tax burden and to produce a business environment characterised by red tape. Voila! You end up with the basket case economy that is Greece. Is Australia treading down the path well worn by Greece? Or are we better than that? If you think we are, then I invite you to confirm it.

My challenge is to everyone who thinks Greece has no lessons for Australia. Tell me which spending cuts you support to stop the growth of the public sector, to stop the growth in the tax burden and to deliver a balanced budget. Tell me which red tape you are prepared to cut. If you think we should deliver a balanced budget but not right now, tell me why not now. What brilliant contortions in economics can justify us having a budget deficit now, when the global financial crisis was nearly a decade ago and when the economy is growing at three per cent? If you do not think we should deliver a balanced budget now, then tell me when. We have not had one since I was in my fifties. You can tell by the lines on my face that that was some time ago.

I previously requested the Senate to commit to a balanced budget by 2020, but my motion was voted down. The government now proposes to balance the budget in 2021. But, on current trends, that is very unlikely. So I ask all senators in this place, from all parties, if you do not agree to commit to a balanced budget within five years or so, by what year will you do so? Or are you comfortable with perpetual budget deficits, ever increasing debt and eventual default? The current Liberal-National government and the previous Labor government signed up to a fiscal strategy of achieving budget surpluses on average over the course of the economic cycle. This is fine, but we are now in the midst of an expected 12-year stretch of budget deficits. Twelve years is the upper limit of the duration of economic cycles, according to many economic estimates. So what we really have is a fiscal strategy of maintaining budget deficits on average over the course of the entire economic cycle.

The Liberal Democrats are alone in proposing an immediate balancing of the budget and are alone in having a credible plan for spending cuts to achieve this. For example, the Liberal Democrats have detailed plans to slash welfare, the biggest area of Commonwealth government spending. The Liberal Democrats would abolish Abstudy, the pensioner education supplement and the Assistance for Isolated Children Scheme. We would abolish Youth Allowance and Austudy for post-school study assistance. We would abolish family tax benefit part B, the national paid parental leave scheme, the childcare benefit and the childcare rebate. The Liberal Democrats would reduce family tax benefit part A and abolish associated newborn, energy, large family and multiple birth supplements. We would lift the age pension eligibility age. We would freeze maximum unemployment payments for the duration of a recipient's unemployment. The Liberal Democrats would means test all welfare payments and include the home in those means tests. We would limit welfare to citizens, and we would limit the growth of welfare payments to the rate of inflation.

This is just a taste of our spending cuts. Beyond the welfare system, the Liberal Democrats have extensive policies to cut spending in each other area of government spending. What is
more, we have policies to avoid the red tape that has suffocated the Greek economy and is threatening to do the same here. Key to this red tape reduction is the repeal of the Fair Work Act—which could more accurately be described as the 'keep unemployment high act'. This act is not needed to allow unions to form, to ensure workplace health and safety, or to prevent workplace discrimination. But it bans work for less than $17.29 an hour and it bans work that does not conform to Soviet-era 'award' regulations. It bans the firing of workers who fail to attend work and the firing of workers without the approval of a tribunal—provisions which discourage businesses from hiring workers in the first place. The act also requires businesses to negotiate with a union irrespective of whether the union enjoys support from workers. Our first priority should be helping to get people into a job in the first place. Feather-bedding those who already have a job at the expense of those who want one is exactly what Greece did.

These cuts to government spending and red tape proposed by the Liberal Democrats are necessary to avoid the path trodden by Greece over the last generation. No other party proposes anything like it. Some politicians know we need to pursue such cuts, but they do not know how to do it and get elected. That is why we need a strong advocate of small government holding the balance of power in the next parliament, to force whatever government we end up with to avoid a future of big spending, more red tape and economic stagnation—in short, to avoid the slow path to Greece.

**Liquid Natural Gas**

*Senator BACK* (Western Australia) (13:37): Before starting, I want to acknowledge and welcome the grandmothers in purple who are with us in the gallery today.

On Monday of this week I was privileged, along with the Minister for Energy and Resources, the Hon. Josh Frydenberg, past ministers Ian Macfarlane and Gary Gray and the member for Durack, Melissa Price, to travel with Chevron to Barrow Island to celebrate a milestone in the Gorgon project: the fact that, by tomorrow or Friday, the first-ever shipment of LNG—liquid natural gas—will leave Barrow Island for clients in Japan.

The project—principally Chevron, minor partners Shell, ExxonMobil and some Japanese electric companies—is a US$55 billion project which is the biggest resources ever project in Australia's history and the largest private sector investment in resources in the world today. Let me put that into perspective: in today's dollars the Snowy Mountains Scheme would be worth about A$8 billion. The Gorgon project on Barrow Island, together with its neighbour, Wheatstone—also a Chevron project, down the road in Exmouth—is worth just under US$100 billion. The first of three trains has now been completed and the Asian *Enterprise*, a new Chevron ship—one of four already built, with two more to come—was alongside. We visited the ship and celebrated with the executives and the staff of Chevron and their associates what is an absolute milestone.

It is an example of environmental responsibility. Barrow Island is an A class reserve which, for many years, was under the environmental responsibility and direction of Harry Butler—an amazing person who died only recently. This is a project that occupies only 1.5 per cent of the land mass of Barrow Island. They have been producing oil on Barrow Island for some 50 years, and the level of environmental responsibility certainly makes it an island that would be well ahead of any others around the Australian coastline, particularly in the
absence of vermin. But it does prove that, alongside responsible environmental management, we can also have a massive oil and gas project.

Let me tell you a little bit about the project in terms of its contribution to Australia and Western Australia: 95 per cent of the 19,000 employees who have worked on the Gorgon project are Australian. There are 5½ thousand still on the island today completing trains 2 and 3, which should be available and operating within about 12 months, and within 12 months the first of the three Wheatstone projects will come on stream. To give you some indication of the scale of this operation, by the time the three Gorgon trains are operating, a ship will leave Barrow Island every 36 hours for the next 40 years—at least 40 years—to supply liquid natural gas to our clients in Asia and elsewhere. And as we all know, the greatest hope for a reduction of carbon pollution around the world is to use LNG to replace other higher carbon-producing sources of energy and electricity. Almost 1,000 contracts are being let to Australian companies. In excess of $25 billion has gone to Australian companies as a result. About $1.6 billion has been spent on exploration within Australia between 2009 and now.

I do want to reflect also on the contribution of the Chevron project, the Wheatstone project and others in the LNG space to the Australian economy. It is predicted that more than $1 trillion will be added to the GDP of Australia, which is about $32 billion per year over the life of this project. We know that about 150,000 full-time equivalent jobs in Australia are being, have been, or will be created. The contribution to the Australian government federal revenue alone from Gorgon-Wheatstone will be in the order of $340 billion—and remember that this is a private sector project without a dollar of government investment. We know that it will add some $320 billion to the real incomes of Australians—around $10 billion a year—with the added value of income tax that will go into the system.

It is not known around the world but, by 2018-19, with the North West Shelf projects, the Ichthys project in Darwin and the existing ConocoPhillips project, with Gorgon and Wheatstone and with the Queensland LNG projects underway, Australia will surpass Qatar as the largest exporter of LNG in the world—an absolutely remarkable performance.

I particularly want to give credit to the inspirational leadership of the managing director of Chevron here in Western Australia, Mr Roy Krzywosinski, whose knowledge of the project was so much in evidence on Gorgon on Monday. No matter what question was asked of his executives or of the operational team, Krzywosinski is so well across Gorgon that he was able to give us detailed information—for example, that $160 million cubic metres of LNG will be going out on the vessel on Thursday or Friday; the capacity over time; the amount of investment. This is world's best practice. This is new, it is the best and it is Australian.

I did not mention in the representation about our capacity into the future. The Shell Prelude project that the Shell company is currently building, having constructed in South Korea the largest floating structure ever built, will be a floating LNG operation offshore of Western Australia—contributing, again, to Australia's LNG capacity. Returning to Krzywosinski, despite the regrettable criticism that has been levelled at him by Western Australian Labor colleagues in this place, he has, with his executive team—his managers, his supervisors and the very caring personnel on Gorgon—led a remarkable occupational safety health and welfare record.

It was interesting to me to look at the quality of the cyclone-proof facilities—the mess, the catering and the gymnasium, which is about the most used structure. To give you an example
of the seriousness with which people take their lives and their roles, we were told that they are entitled to four cans of midstrength beer per day, and the average consumption is one. People’s attention to their physical fitness, to their ongoing training and to their skills development was very much in evidence.

It is important for the Australian community to have an understanding of the scale and the importance of projects such as this one. A feature of the LNG project on Gorgon is the carbon capture and storage program which will, when it is operating, put about 3.2 million tonnes of carbon safely under the ground to a significant depth—the largest carbon capture and storage project anywhere in the world. I should add for my Western Australian constituents that the Gorgon project is committed to supplying a significant amount of domestic gas and the vastly sized dom gas pipes and tanks are already in place, which we saw again as we journeyed out onto the jetty.

What I want to reflect on in the few minutes left available to me is the environmental responsibility that sits beside Gorgon. For example, I purchased almonds and mixed nuts to bring over to Canberra with me for the week. On entering Gorgon, they were taken off me although they were never going to leave my briefcase. Your shoes are checked and your pockets are emptied. Any vehicle going onto Gorgon from Dampier is sterilised. These are huge trucks. They are sterilised and shrink-wrapped in plastic and they are conveyed onto the island.

I think it stands as an example to anyone who is critical of the capacity of resource projects like this one to not only exist beside environmentally sensitive areas such as Barrow Island but to enhance them. I conclude by congratulating Chevron on their partners and saying what a great project this is for the future of Australia. (Time expired)

Forced Adoption

Senator MOORE (Queensland) (13:47): On 21 March 2013, our government made a formal apology to the people who have been affected by past forced adoption policies. Former Prime Minister Julia Gillard made her statement in the Great Hall, which was followed up by Mr Tony Abbott, in his then capacity. Ms Gillard’s apology ended with the following:

Any Australian who reads the Senate report or listens to your stories, as I have today, will be appalled by what was done to you. They will be shocked by your suffering. They will be saddened by your loss. But, most of all, they will marvel at your determination to fight for the respect of history. They will draw strength from your example. And they will be inspired by the generous spirit in which you receive this Apology—because saying sorry is only ever complete when those who are wronged accept it. Through your courage and your grace, the time of neglect is over, and the work of healing can begin. I truly hope that the work of healing has begun.

In the subsequent time, government funding has been provided to a range of services to respond to the needs that had been identified in our Senate report. The Australian government then committed $11.5 million over four years to assist people who had been affected by forced adoptions; $5 million to improve access to specialist services, including counselling and record tracing for those affected by forced adoptions. The concept of having specialist support was so clearly identified.

In our report, a friend of mine, Katherine Rendell, recounted her experience of the complete lack of community support after her child was adopted. She said:
Back home in my community there was no opportunity to grieve, no counselling and no sympathy. The attitude was that it was all in the past.

We needed to ensure that there would be appropriate support and counselling, and particular money was provided to the Australian Psychological Society to work with providers to ensure that they would understand the issues of forced adoption, so that the women and others affected by the processes would not have to recount their stories over and over again and relive the pain, that there would be an acknowledgement that there was special need. So we were particularly pleased by that government support.

Also, there was an acknowledgement that there would need to be access to mental health support because of the trauma that was identified by the women who had their babies taken and by the grown-ups who were the children of those women who never actually received acknowledgement that they had been separated from their parents. This information permeated our Senate report and it was very clear through the national apology and the series of state apologies, as state governments put on the record their concern and their grief, that they acknowledged that women and children had suffered during this part of our history.

Through that inquiry, we consistently saw that women had been damaged for life. I draw attention again to our Senate report. It was released in February 2012—one of the best sellers amongst this Senate's reports. Reading this you cannot not be affected by the openness and the pure pain that comes through the pages. That was acknowledged by our community and our government with the apology.

One of the core aspects of the government response was to acknowledge that this history needed to be recorded so in the future we would know what happened during this time in Australia. Through that, the National Archives have done an extraordinary job in developing a website which is a wealth of information about this period of our history. It also allows people to engage with the website and tell their own stories. There is also the National Archives' travelling exhibition, Without consent: Australia's past adoption practices, which I believe is now in Western Australia. It is an awesome experience to wander through and live with the stories that are on the walls in the display and see exactly how this period of history impacted so many.

We do not know exactly how many women and men were impacted by forced adoption. We know that adoption was a policy that was highly used in Australia, particularly in the period of the 1950s through to the 1980s. How many of those could be considered forced we will never know. But through our Senate inquiry, we found that there were hundreds and hundreds of people who came forward themselves to give us their own experiences. We believe that there are possibly many more who have not yet had that chance.

Some of the research around the process of forced adoptions was done by the wonderful people at the Australian Institute of Family Studies; and, through Dr Daryl Higgins and his team, we now have a history of past adoption practices in our country so that we can understand how the processes operated, how there could be a lack of communication and indeed, how some people were traumatised beyond belief by the separation of mother and child. As part of the process there was also an opportunity for individual communities to have their own acknowledgements and their own displays to show what had gone on and also as a memento for the future. A number of them have now been built. The South Australian government has provided $50,000 for some form of memorial in South Australia. In
Tasmania, a beautiful sculpture titled the Tree of Hope is being planned. There is a special plaque in Queensland which acknowledges this period of our history; and, in Victoria, a friend of mine, Brenda Coughlan, has told me that the Wellington Shire now has their own process to acknowledge a part of our history which we should never forget.

The role of the Senate inquiry was to shine a light shone on this dark period of our history. What has gone on subsequently will continue to remind all of us of what did happen and, most importantly, provide lessons for our future. We know that there has been a refocus on the issues of adoption in Australia. Whilst many of the people who took part in the Senate inquiry and gave evidence about their experiences believed, because of their own experiences, that there should never be adoption in Australia, that is not the practice that we are seeing across Australia at the moment. Several states have reviewed their own adoption processes to facilitate shorter-term processes leading to permanent adoption. There have been a number of public statements put on record by quite famous people to say that we need to move beyond what happened in the past. We have to make sure that we look at the real issue of giving children a strong future and a secure life. No-one doubts that, but my message and the message of the people who told us about what happened to them in the past is: learn from what happened and take those lessons into whatever future policies you have.

The work that the AIFS has done gives us a clear indication of what could happen and what did happen in the past which caused great damage to people's lives, destroyed family security, destroyed health and destroyed wellbeing. We can learn from those things that happened in our past, most particularly around the issues of providing effective services, wraparound services, for everyone involved in any discussion of adoption—children, birth parents and people choosing to take on the role of adoptive parents. There need to be specialised services available in the system to ensure that we do not relive the trauma of the past.

This is an important message. We understand that. Whilst this year we do not seem to have any national acknowledgement of this anniversary, at state level there will be acknowledgement ceremonies next week around the issue of the forced adoption pain in our past.

I want to thank so many women who shared their experiences with us. It is very dangerous to put on record any names, so I just want to say to all of you: we have listened. We have heard what your pain was, and we as a parliament will ensure that it will not be forgotten. I want to end with a quote that was set to me by a woman in Victoria. She said:

When we were young mothers we had no face. No-one noticed us. We were nothing to them and they treated us as lesser human beings and dismissed us as mothers. We now have a face. We are known to politicians because we have worked hard to be heard. I do not want to be ever faceless again. I want them to know who I am and I want them to know what they did to us. I am somebody. I have a face and an identity and I will never allow anyone to dismiss me again.

That statement of strength and resilience responds to the fact that we as a nation have apologised, we have acknowledged and we will never forget.

**Boothby Electorate**

**Senator BERNARDI** (South Australia) (13:57): In the couple of minutes left before question time, I want to reflect upon the contribution that my good friend Dr Andrew Southcott has made in the House of Representatives. Dr Southcott has been a member of parliament for 20 years and he has been a very good friend over that time. I had the great
fortune the other day to spend some time with the Liberal candidate for Boothby, Nicolle Flint. Nicolle Flint is perhaps one of the most accomplished young women to put her hand up for politics—certainly in South Australia in recent times. I am absolutely delighted to say that Ms Flint has been preselected as the candidate for Boothby and she is working tirelessly to represent the interests of the people of Boothby, following in the footsteps of Dr Southcott.

Ms Flint has been a noted journalist. She has never been afraid to put forward a point of view which has stood in the way of the juggernaut of the Labor Party. Of course, they have tried to demonise her for it because some of the misogynists on that side do not like an opinionated young woman putting her hand up for parliament. But Nicolle is not only a young woman with a great history of sticking up for what she believes in; she is also going to make an excellent representative for the people of Boothby when it comes to the election and they are given that choice. Already she has conducted 100 or more interviews and meetings with the community at large. She has been very well received. She is absolutely advocating for reform of the playing fields in Boothby—which also commemorate a significant event during World War II. This is truly a person of substance—a person who is committed to making a massive difference in this place and in representing the people of Boothby.

We have an extraordinary opportunity to see one of the most well-credentialled young people to come into this place and to represent an excellent electorate, following in the great footsteps of Dr Andrew Southcott. Ms Flint is also going to be a doctor, because she is just concluding her PhD studies. Not only is she an advocate, not only is she educated, not only is she a fierce performer—

(Time expired)

MINISTERIAL ARRANGEMENTS

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:00): I inform the Senate that Senator Colbeck, the Minister for Tourism and International Education and Minister Assisting the Minister for Trade and Investment, will be absent from question time today. In Senator Colbeck’s absence, Senator Birmingham will represent the international education portfolio and Senator Sinodinos will represent the tourism, agriculture and water resources portfolios. Senator Fierravanti-Wells will be absent from question time today and indeed for the rest of this week. In her absence, I will represent the international development and Pacific portfolio.

QUESTIONS WITHOUT NOTICE

Budget

Senator WONG (South Australia—Leader of the Opposition in the Senate) (14:00): My question is to the Minister for Finance, Senator Cormann. Will the federal budget be delivered on 10 May 2016?

Senator CORMANN (Western Australia—Minister for Finance, Deputy Leader of the Government in the Senate and Special Minister of State) (14:00): Yes.

Senator WONG (South Australia—Leader of the Opposition in the Senate) (14:00): Mr President, I ask a supplementary question. Will the Turnbull government’s tax policy be announced on 10 May 2016?

Senator CORMANN (Western Australia—Minister for Finance, Deputy Leader of the Government in the Senate and Special Minister of State) (14:01): I can confirm for the Senate
that this year's budget, like every budget in the past, will include the government's plan for stronger growth and more jobs to help the Australian people through the transition from resource investment and construction driven growth to broader drivers of economic activity and growth.

The PRESIDENT: Pause the clock. Senator Moore?

Senator Moore: Mr President, I rise on a point of order. It is on direct relevance. Maybe the minister is getting to it, but the particular question was around tax policy.

The PRESIDENT: Thank you, Senator Moore. I will allow the minister to continue. He has been answering the question.

Senator CORMANN: The problem for the Labor Party is that they are so juvenile. They think they can ask their student-politicky-type questions day in, day out and somehow they are going to have a 'gotcher' moment here. Let me confirm again: every budget, from time immemorial, has got measures on the revenue side of the budget and measures on the expenditure side of the budget. Since we have been the government, we have been working to get spending growth under control, to get the unsustainable spending growth trajectory that we inherited from Labor under control, and we have been working to make our tax system more growth-friendly. That is why in last year's budget we delivered tax cuts for small business. That is why in previous budgets— (Time expired)

Senator WONG (South Australia—Leader of the Opposition in the Senate) (14:02): Mr President, I ask a further supplementary question. Will the Turnbull government provide this parliament, and in particular the Senate, with the opportunity to properly consider the 2016 budget before the election?

Senator CORMANN (Western Australia—Minister for Finance, Deputy Leader of the Government in the Senate and Special Minister of State) (14:02): I look forward to the scrutiny by the parliament of the government's budget and our plan for stronger growth and more jobs over the next four years. Indeed, I look forward to the scrutiny by the Australian people of our plan for stronger growth and more jobs, as opposed to Labor's $50 billion budget black hole, as opposed to Labor's unfunded spending promises. On our side, there will be a team of people working to help the Australian economy to successfully transition—

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

Senator Cameron: Mr President, I rise on a point of order. The issue was about appropriate time for scrutiny. The 2014-15 budget cut pensions. They—

The PRESIDENT: There is no point of order, Senator Cameron. Resume your seat. The minister has been directly relevant and he answered the question in the first 15 seconds of his answer. Minister, you have the call.

Senator CORMANN: In the lead-up to the next election, whenever that will be, the Australian people will have a clear choice between our team, with a plan to assist the Australian economy to successfully transition from resource investment and construction driven growth to broader drivers of economic activity and growth, and, on the other side, a team that is just all about more taxes, more spending, more debt and, of course, who have not learned from their past mistakes.
Australian Labor Party

Senator SESELJA (Australian Capital Territory) (14:04): My question is to the Minister for Employment, Senator Cash. Is the minister aware of any secret deals between unions and Labor governments? What are the implications of these deals?

Senator CASH (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (14:04): I thank Senator Seselja for this very important question. The front page of today's Australian newspaper says it all: 'Labor hands unions veto power over who gets work in the ACT.' Clearly those on the other side and their cronies in the ACT government have learned nothing flowing from the Heydon royal commission, in which we saw secret deal after secret deal exposed, all of them without any benefit to the workers. What do we now have? We have a memorandum of understanding. It is signed—it has been executed—by the Chief Minister, Mr Barr, on 26 March 2015, and on behalf of also UnionsACT. It is an official agreement between the ACT Labor government and the unions. Do you know what it does, Mr President? It sets out in detail the terms and conditions under which the ACT government agencies are to undertake procurement activity—at the behest of the unions, in black and white. Mr President, here is a clause for you. It states that the ACT agencies must 'decline to award a tender proposal for ACT government works or services'—colleagues on this side will be interested—if the tenderer does not agree to meet a checklist of union demands. It is in black and white in the memorandum of understanding. What is worse, it also allows the unions to have access to employee records, including the names, home numbers and addresses of the employees themselves—in black and white, signed by the Chief Minister. (Time expired)

Senator SESELJA (Australian Capital Territory) (14:06): Can the minister advise the Senate of the cost to taxpayers of these deals?

Senator CASH (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (14:06): I have to say in the ACT, it appears there are now four levels of government. You have the legislature, the executive, the judiciary and then of course there is the unions. Labor want to put the unions at the very top of the structure. There is no doubt that, based on this document, the ACT government runs a closed shop. In the ACT, it is determined by the unions and at a cost to the taxpayer. It gets worse, because the Chief Minister this morning—someone clearly with no shame—admitted this: similar agreements had been in place for more than 10 years. This is a longstanding thing. When we look around the chamber, I have to say, unfortunately, Senator Gallagher, it does come to you. What deals did you enter into when you were the Chief Minister of the ACT, in black and white, stitching up your agencies to the behest of the union?

Government senators interjecting—

The PRESIDENT: Order! On my right.

Senator Moore: Mr President, on a point of order: perhaps the minister could direct her questions through you rather than across the chamber as she continues to do.

The PRESIDENT: Thank you, Senator Moore. That is a good reminder for all senators to direct their remarks through the chair and not directly to senators across the chamber.
Mr President, I ask a final supplementary question. What is the government's response to these deals?

Senator CASH (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (14:08): Quite simply, unlike those on the other side, we believe these deals are wrong and they should not be tolerated. Can you imagine the howls from those opposite if a government entered into deal with a business, under which terms the business dictated what unions the government could deal with? Then we would have those on the other side screaming black and blue that it was unfair, that it was cronyism and that it was corruption. When the shoe is on the other foot, they maintain a silence. Government procurement and the tender process should be run by the government for the benefit of the taxpayer, not for the benefit of a particular union or even a particular business. The process should be open, it should be fair and it should be competitive. No-one outside government should dictate to the government the terms upon which it should act.

DISTINGUISHED VISITORS

The PRESIDENT: Thank you, Minister. Before I call Senator Carr, I will draw the attention to senators of a parliamentary delegation from the Kingdom of Cambodia that have just entered the chamber, led by Samdech Heng Samrin, President of the National Assembly. On behalf of all senators, I wish you a warm welcome to Australia and in particular to the Australian Senate.

Honourable senators: Hear, hear!

QUESTIONS WITHOUT NOTICE

Commonwealth Scientific and Industrial Research Organisation

Senator KIM CARR (Victoria) (14:10): My question is for the Minister representing the Minister for Industry, Innovation and Science, Senator Sinodinos. Mr Pyne issued a media release today celebrating 100 years of CSIRO. Does the government believe that cutting 100 climate science jobs is the best way to celebrate 100 years of Australian science?

Senator Cameron interjecting—

The PRESIDENT: Senator Cameron, you have been vocal on every question so far.

Senator SINODINOS (New South Wales—Cabinet Secretary) (14:10): I welcome the honourable senator’s question. There is much to celebrate in this 100 years of CSIRO, a great Australian institution. CSIRO was established because there were industries in Australia that could not afford to do their own research, particularly in areas like agriculture, mining and manufacturing. What CSIRO did, was to bring government together in partnership with those industries to create world-leading innovations. We have seen this with things like the wi-fi and the other great inventions and innovations CSIRO has been involved in.

To celebrate 100 years of CSIRO—I am coming to the crux—we have provided a record $3.1 billion for funding over the forward estimates. Where were you when the former government was slashing $82.9 million from CSIRO and cutting $2.5 million from ANSTO, building the RV investigator but not providing any money so it can operate. You cut 400 staff from CSIRO. Where were you when you were needed? You were missing in action.

Opposition senators interjecting—
The PRESIDENT: Order! On my left. Cabinet Secretary, have you concluded your answer?

Senator SINODINOS: Yes, Mr President.

Senator KIM CARR (Victoria) (14:12): Mr President, I rise to ask a supplementary question. Is the minister aware of yesterday’s comments by Mary Robinson, the former UN Secretary-General’s Special Envoy on Climate Change? I quote:

There is, however, a need for complementary fundamental climate change research. It’s imperative that research funding levels are not just sustained but increased.

Will the Turnbull government reverse its plan to halve CSIRO’s climate science capacity or is a commitment to science innovation just another case of saying one thing and doing another? (Time expired)

Senator SINODINOS (New South Wales—Cabinet Secretary) (14:13): Again, I welcome the question. Mary Robinson is right and the Turnbull government is right. We are getting on with mitigating and adapting to climate change. We are not just worrying about the science. We are doing something about it, and different countries have different sets of policies to meet the commonly accepted set of goals that were set in Paris.

Senator Wong: Mr President, on a point of order: relevance. The minister was asked about climate change research. He is talking about emissions reductions. They are different things. I would ask him to return to the question.

The PRESIDENT: Senator Wong, he was asked about comments of Mary Robinson and the Turnbull government’s position and he answered that first up. That is my understanding. I will call the minister.

Senator SINODINOS: This typifies the difference between these sides of politics. They worry about process and we worry about outcomes. I was talking about outcomes, getting results, and policies in place. That is what this policy is all about.

Opposition senators interjecting—

The PRESIDENT: On my left! You have a senator on his feet waiting to ask a question.

Senator KIM CARR (Victoria) (14:14): Mr President, I ask a further supplementary question. I refer to evidence that CSIRO failed to consult any of its partner agencies or a single university before cutting 100 climate science jobs. In light of this, does the minister agree that climate change modelling and research can simply transition to another body? Was the minister misled by the 1 February CSIRO briefing to the minister proposing such cuts?

Senator SINODINOS (New South Wales—Cabinet Secretary) (14:15): Mr President, in relation to the briefing of 1 February, is he referring to this minister or to the minister?

Senator Kim Carr: To Minister Pyne. Minister Pyne—you represent him!

Senator SINODINOS: Yes. But I was not present at any briefing on 1 February.

Senator Wong: Mr President, I rise on a point of order.

The PRESIDENT: The answer is concluded, Senator Wong.

Senator Wong: The minister should take the question on notice. If questions in a representative capacity can simply be dismissed on the basis that the minister was not at a meeting then it really makes a mockery of question time. He should take it on notice.
The PRESIDENT: The Cabinet Secretary has heard your point of order, Senator Wong, and I will leave it up to the Cabinet Secretary.

Senator Sinodinos: I am happy to take it on notice. I was just simply making the point that I was not there.

Asylum Seekers

Senator HANSON-YOUNG (South Australia) (14:16): My question today is to the Minister representing the Prime Minister, the Attorney-General, Senator Brandis. Attorney-General, today, represented here in the chamber and, of course, around the building, are hundreds of grandmothers from around Australia. They have gathered in this place to lobby your government around the treatment of—

Senator Ian Macdonald: Why didn't they do this when Labor had 2,000 locked up?

Senator HANSON-YOUNG: I will take that interjection, Mr President, and suggest that the senator might want to behave a little better in front of the grandmothers!

Honourable senators interjecting—

The PRESIDENT: Order! On both sides! Get to your question, Senator Hanson-Young.

Senator HANSON-YOUNG: Attorney-General, there are nearly 100 children in Australia right now who are waiting in fear of being deported back to detention in Nauru. They wake up every day with the fear of being put on a plane. Will you resist sending them and instead let them stay in Australia?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:18): Thank you, Senator Hanson-Young, and can I acknowledge the presence of so many Australian citizens who have come to parliament today and who have taken an interest in this important issue.

Can I say to them, through you, Mr President, in reply to Senator Hanson-Young that today there are 34 children in detention—34. During the period of the Labor government 8,000 children were held in detention at one time or another—a figure that peaked in July 2013 at 1,992 in that month. One thousand, nine hundred and ninety-two children were held in detention in July 2013 of the 8,000 who passed through the detention network during the period of the Labor government.

And you, Senator Hanson-Young, chastise this government for a policy failure. If you want to see a policy failure, I suggest, Senator Hanson-Young, that you consider the 8,000 children who were in detention during the six years of the Labor government; that you consider the more than 1,200 people—many of them children—who drowned as a result of that policy failure and compare that to the 34 children, many of them babies, who are in detention now. The story of this government is that the record number of children held in detention inherited from the previous Labor government has reduced and reduced and reduced to the point where today the case load has been almost reduced to nil.

Senator HANSON-YOUNG (South Australia) (14:20): Mr President, I ask a supplementary question. I remind the minister of the Prime Minister's statement that 'one child in detention is one child too many'. There are hundreds of children who are currently on Nauru, held in indefinite detention. Will the Attorney-General please explain to the grandmothers here today how long the children currently on Nauru will remain there?
Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:20): Senator Hanson-Young, I did try to explain to you last month when the High Court handed down its decision in which the offshore detention regime was challenged unsuccessfully that a majority of the judges of the High Court concluded as a matter of fact and as a matter of law that the detention arrangements in Nauru are not conducted by the Australian government. That is not a matter—

Senator Di Natale interjecting—

Senator BRANDIS: Senator Di Natale, you may scoff at the decision of the High Court but we on this side of the chamber respect the decisions of the High Court. It is a fact, Senator Di Natale that a majority of the justices—four of the seven—decided as a matter of fact and as a matter of law that the Australian government does not conduct the offshore arrangements in Nauru. We are responsible for 34—that is the case load within the Australian system.

Senator HANSON-YOUNG (South Australia) (14:21): Mr President, I ask a further supplementary question. Given the Attorney-General's last response—

Senator Conroy: Are you already testing out what a government frontbench seat feels like?

Senator Di Natale: Have you got one for me?

The PRESIDENT: Order! Senator Hanson-Young, commence your question again.

Senator HANSON-YOUNG: Thank you. Given the Attorney-General's last response, could the Attorney-General please clarify if he believes the children on Nauru are simply not his concern, not his worry and that he just does not care?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:22): Senator Hanson-Young I was trying to explain to you—

Senator Ian Macdonald: Why are you so racist about Nauru?

Senator BRANDIS: in as simple terms as possible that we have had this matter tested—

The PRESIDENT: Excuse me, Attorney-General. Senator Macdonald, you will need to withdraw that remark.

Senator Ian Macdonald: I withdraw.

The PRESIDENT: Thank you, Senator Macdonald.

Senator BRANDIS: Senator Hanson-Young, I was trying to explain to you that this issue that you raise was tested, argued and finally determined by the High Court last month. A majority of the judges—four of the seven—reached the conclusion, as a matter of fact and as a matter of law, that I have referred you to. In relation to what Australia is responsible for, Australia is responsible for and has been responsible for, in the life of the coalition government, dealing with the legacy caseload inherited from the Labor Party, under whose administration 8,000 children passed through the detention network in six years, a number that peaked at 1,992. There remain only 34.
Media Ownership

Senator SMITH (Western Australia—Deputy Government Whip in the Senate) (14:23): My question is to the Minister for Communications and Minister for the Arts, Senator Fifield. Can the minister outline why the Turnbull government's media reform package is so important in a transitioning economy?

Senator FIFIELD (Victoria—Manager of Government Business in the Senate, Minister for Communications and Minister for the Arts) (14:23): As I think all colleagues know, the media laws that we currently have, which date back to 1987, have not been significantly changed since that time. In contrast, the media landscape has changed dramatically. Both technology and consumer choice bit by bit have been rendering the existing media laws redundant, which is why the government is proposing to remove what is known as the 75 per cent reach rule and the two-out-of-three rule.

If we get rid of these media rules it will not only allow Australian media organisations to configure themselves in ways that best suit them but also put them in a good position to remain viable and to serve consumers. This is important because it is part of the government managing an economy in transition. Communications can be of assistance to people as they manage the transitioning economy, but the media sector itself is also in transition. So it is entirely appropriate that we make sure that our media laws are fit for purpose and that they reflect the world that we currently live in.

It is very much my hope that my colleagues across the chamber will recognise that the time has come to remove these two outdated media laws. They might have made sense in 1987 when Kylie Minogue was still a resident at Ramsay Street and she was still singing The Locomotion. It was the year that I was finishing university, so 1987 might not seem long ago but it is indeed a long time ago. It is time our media laws changed.

Senator SMITH (Western Australia—Deputy Government Whip in the Senate) (14:25): Mr President, I ask a supplementary question. Will the minister advise the Senate why it is critical that the two-out-of-three rule be abolished?

Senator FIFIELD (Victoria—Manager of Government Business in the Senate, Minister for Communications and Minister for the Arts) (14:25): One of the reasons it is important to abolish the two-out-of-three rule is that the two-out-of-three rule does not recognise that the internet exists. The two-out-of-three rule is predicated on there being only three media platforms: commercial radio, print and TV. It would be self-evident, I think, that that is not actually the world that we live in today. We do not want to see our own Australian media organisations shackled by rules that do not apply to Netflix, Google, Facebook or Apple.

There is no justification for the two-out-of-three rule. Even without the two-out-of-three rule there will be adequate rules still in place to ensure diversity. There will still be ACCC requirements. I do not think lack of diversity in media is something that we need have a fear of.

Senator SMITH (Western Australia—Deputy Government Whip in the Senate) (14:26): Mr President, I ask a further supplementary question. Is the minister aware of any opposition to the removal of the two-out-of-three rule?

Senator FIFIELD (Victoria—Manager of Government Business in the Senate, Minister for Communications and Minister for the Arts) (14:26): I do not, and I do not think my
colleagues on this side of the chamber, actually believe in media bogeymen. There is a fear I have that there may still be some in this place who might. We are essentially ownership agnostic on this side of the chamber. I know there are some on the other side who have what you might call an emotional response to the proposed changes in media law. Let me quote Jason Clare, my counterpart from the other place, who says, 'If you make decisions based on one media company or another then you're not doing your job properly.' I think 'hear, hear' to Mr Clare. He sees things very clearly and very crisply. It is important that when looking at these sorts of issues we do not jump at media bogeymen, we do not decide emotionally and we look at the facts and try and determine good policy.

**Legal Aid**

Senator LAZARUS (Queensland—Leader of the Glenn Lazarus Team) (14:28): My question is for Senator the Hon. George Brandis, representing the Minister for Justice. Last year, in my home state of Queensland we saw 80,000 people turned away from community legal centres and, concerningly, this is an upward trend. Nationwide more than 160,000 people were turned away. The top two specialist areas in which community legal centres provide advice are family law and family violence. In the last 12 months there was a staggering 56 per cent increase in domestic violence casework in Queensland alone. Today we have seen more than 80 family violence experts and community groups contact Mr Turnbull calling for funding increases to these vital services.

In this environment, why is the federal government cutting national funding to community legal centres by 30 per cent next year and ignoring the recommendations of the Productivity Commission for an immediate injection of $120 million per year?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:29): Thank you, Senator Lazarus, for raising that issue. It is a very important issue indeed, and I have got some information that I can provide to you. We have recently commenced a new National Partnership Agreement on Legal Assistance Services. Under the terms of the national partnership agreement, legal aid funding will increase from $207.95 million in 2015-16, the first year of the agreement, to $219.941 million in 2019-20.

There has been some reallocation within the various funding envelopes between states and as between legal aid commission and community legal centres, so there are some legal aid commissions and some community legal centres who are getting more and some who are getting less. That is what happens when you negotiate a new agreement and you make adjustments.

If I may say so, with respect, Senator Lazarus, the right figure to look at is the overall total of the Commonwealth's investment which is, as I have said to you, will increase over the life of the national partnership agreement. Over the next five years, the Commonwealth's total commitment to legal aid commissions, community legal centres and Indigenous legal assistance services will total more than $1.6 billion.

Senator Lazarus, you asked about the issue of domestic violence. In the Women's Safety Package, which the Prime Minister announced last September, there is an additional $15 million for legal assistance services separate from the funding I have already mentioned that
is provided under the national partnership agreement. That provides support for 12 new domestic violence units and four new health justice partnerships. *(Time expired)*

**Senator LAZARUS** *(Queensland—Leader of the Glenn Lazarus Team)* (14:31): Mr President, I ask a supplementary question. Only a small number of community legal centres received funding as part of the Women's Safety Package. In total they received $5 million per year over three years. Why would the government cut funding to community legal centres while, at the same time, supposedly support their work helping victims of family violence?

**Senator BRANDIS** *(Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate)* (14:31): As I said to you, Senator Lazarus, in my answer to your primary question: there has been a reallocation of funding as between community legal centres and legal aid commissions, which are the two largest elements of the provision of legal assistance funded by the Commonwealth. But the aggregate Commonwealth investment of more than $1.6 billion is actually an increase, not a decrease. As I said in answer to your initial question, I think we should really look at the aggregate figure, because there are various avenues through which legal assistance services are provided.

In relation to the Women's Safety Package, there are, as I said, 12 new domestic violence units—this is all new money—and four health justice partnerships. I visited one in Adelaide when I was there for cabinet last week, which provides a whole-of-professional services service to people in the locality of Elizabeth. *(Time expired)*

**Senator LAZARUS** *(Queensland—Leader of the Glenn Lazarus Team)* (14:32): Mr President, I ask a further supplementary question. The looming funding cuts are causing significant uncertainty for community legal centres and their clients across Australia. Don't the people across Australia deserve the certainty of knowing that they will be able to get legal help in times of crisis from July 1 next year?

**Senator BRANDIS** *(Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate)* (14:32): Well they do, they will and they are for the reasons I have already explained. Let me elaborate a little, because I am sure it will be of interest to you, Senator, what the health justice partnerships do. This is a new idea that is being pioneered in my department, recognising the fact that the first responders to domestic violence are more commonly doctors and clinicians than they are lawyers or social workers.

So what we are providing—and we are trialling this at four locations at the moment: in Elizabeth, inner Melbourne, Alice Springs and Greater Brisbane—is a service which provides an initial point of contact with health professionals who will communicate with legal professionals and social workers to provide a whole suite of necessary professional services where a person presents at a hospital or a GP surgery and a women is identified as being in need of assistance across the whole suite of professional services. Those are the new initiatives we are taking to address the very problem you have identified. Senator. *(Time expired)*

**Smart Specialisation Strategy**

**Senator WILLIAMS** *(New South Wales)* (14:34): My question is to the Cabinet Secretary, Senator Sinodinos, representing the Minister for Industry, Innovation and Science.
Can the Cabinet Secretary inform the Senate about the smart specialisation strategy in the Hunter, which was launched by the Prime Minister today?

Senator SINODINOS (New South Wales—Cabinet Secretary) (14:34): I thank Senator Williams for his question. He is a great advocate for all things New South Wales in this parliament, including the role of regional New South Wales and the role of industry, innovation and science in regional New South Wales.

Perhaps unlike those opposite, it was a pleasure to join with the Prime Minister today as well as the member for Paterson to officially launch the smart specialisation strategy put up by the RDA from the Hunter. The smart specialisation strategy is an initiative of the European Union where local regions identify their own particular competitive advantages and work out how to generate increased economic growth from this knowledge.

RDA Hunter has taken the learnings from the EU’s experience and applied it to Newcastle and the Hunter region. It is the first region in Australia to use this model and undertake such an analysis. Working with the EU delegation to Australia, UTS, the Commonwealth and many local business and community partners, RDA Hunter has spent the last three months composing a smart specialisation strategy for their region supported by five underlying principles: locally driven process—locals know what their regions comparative advantages and disadvantages are; a focus on innovation—innovation policy tailored to the local context; functional economic zones, not regional boundaries—for example, based on labour markets or transport flows—and functional zones can include connections between regional centres and cities; more effective spending of public resources; funding targeted to strengthen regional comparative advantage and initiatives to create sustainable jobs and growth; evaluation and monitoring—evidence based feedback into policy with clear benchmarks and measurable goals to assess success and failure.

Senator WILLIAMS (New South Wales) (14:36): Mr President, I ask a supplementary question. Will the Cabinet Secretary outline some of the key outcomes of the smart specialisation strategy?

Senator SINODINOS (New South Wales—Cabinet Secretary) (14:36): Thank you, Mr President. It was found that the Hunter had seven competitive advantages: food and agribusiness; mining equipment technology and services; medical technologies and pharmaceuticals; oil, gas and energy resources; advanced manufacturing; defence; and creative industries. From here the strategy outlines a way forward to play on these identified strengths. It outlined two key enablers that were seen as drivers for these industries. The first is leveraging high-speed broadband. The second is building a strong workforce based on STEM—science, technology, engineering and maths.

I have spoken in this place before about RDA Hunter. They perform a terrific role in one of Australia’s largest regional cities. I particularly want to acknowledge Todd Williams, the Chief Executive Officer of RDA Hunter, who has been a tireless advocate for economic growth in the Hunter region.

Senator WILLIAMS (New South Wales) (14:37): Mr President, I ask a further supplementary question. Will the Cabinet Secretary detail ways in which the government is supporting initiatives such as the smart specialisation strategy?
Firstly, the government is committed to the National Broadband Network—

Senator Fifield: Hear, hear!

Senator SINODINOS: under the stewardship of the best Minister for Communications and Minister for the Arts ever, unlike those opposite, who lived in a deluded Conrovian world where major national infrastructure was literally drawn up on the back of envelopes. This government is getting on with the job of rolling out faster internet connection speeds to Australian households and businesses, including those in Newcastle and the Hunter.

The government are improving STEM outcomes across Australia, building a more STEM-literate workforce, a key component of our Innovation and Science Agenda. Regions like the Hunter will prosper off the back of other nationwide initiatives, including the signing of three signature free trade agreements, with Japan, South Korea and China, and now the Trans-Pacific Partnership.

Senator LEYONHJELM (New South Wales) (14:38): My question is to the Minister for Finance and Minister representing the Treasurer, Senator Cormann. The government's medium-term fiscal strategy is to achieve budget surpluses on average over the course of the economic cycle. Given that the last surplus was in 2007-08, nearly a decade ago, this begs the question: how long do you think the economic cycle goes for? Are there any credible estimates that suggest the economic cycle lasts longer than 12 years, which is the period of continuous deficits from 2007-08 outlined in your most recent budget update? And is there anyone outside the government who believes the government is complying with its own fiscal strategy?

Senator CORMANN (Western Australia—Minister for Finance, Deputy Leader of the Government in the Senate and Special Minister of State) (14:39): I thank Senator Leyonhjelm for that question. Senator Leyonhjelm refers to the last surplus in 2007. Senator Leyonhjelm is of course right that the previous Labor government, back in 2007, inherited a very strong budget position with a strong surplus, no government net debt and a positive net asset position. In contrast, when we came into government in 2013, after six years of Labor, we inherited about $200 billion in accumulated deficits, a further $123 billion in projected deficits—debt and deficits as far as the eye could see—and indeed a rapidly deteriorating budget position. A key driver of that rapidly deteriorating budget position was the excessive spending growth locked in and legislated by the previous Labor government, firstly during the GFC and then in the shadow of an election that they were about to lose.

We have been working hard to turn that situation around. The budget is now in a better position than it would have been if Labor had stayed in government and persisted with their 2013 policy settings. The underlying cash balance is more than $50 billion better than it would be right now under Labor given the unfunded spending promises that Mr Shorten and his shadow ministers have made since the last election. We have faced some additional challenges, global economic headwinds, which is well understood, but also headwinds in the Senate. Indeed, the budget would be in an even better position if the Senate had passed all of our budget repair measures as proposed.
In relation to the question on when the budget is projected to return to surplus: as Senator Leyonhjelm would be well aware from our budget update, based on currently available information, our budget is projected to get back to surplus by 2020-21.

Senator LEYONHJELM (New South Wales) (14:41): Mr President, I ask a supplementary question. Minister, following your election in September 2013, you increased overall government spending in 2013-14, then in 2014-15 and again in 2015-16. You expect to increase overall government spending in the coming years too. Will you take this opportunity to admit that you and your government actually support increased overall government spending?

Senator CORMANN (Western Australia—Minister for Finance, Deputy Leader of the Government in the Senate and Special Minister of State) (14:42): The answer is no. Expenditure today is lower than it would have been if Labor had stayed in government. We continue to work hard to get the unaffordable and unsustainable spending growth trajectory we inherited from Labor under control. When we came into government, we inherited a trajectory taking us to federal government spending of 26.5 per cent as a share of GDP by 2023-24 and rising. As you can see in our budget, as updated at MYEFO, federal government spending as a share of GDP is projected to reduce—to reduce—from 25.9 per cent this year to 25.3 per cent over the forward estimates period.

Senator LEYONHJELM (New South Wales) (14:42): Mr President, I ask a further supplementary question. My party has ruled out a housing tax, a wealth tax, a seniors tax, a workers tax and a carbon tax. The Australian Financial Review published my alternative budgets in 2014 and in 2015, in which I showed that it was quite possible to return to surplus without raising taxes. Minister, I am available until 11 May. Would you like my help to get it right this time?

Senator CORMANN (Western Australia—Minister for Finance, Deputy Leader of the Government in the Senate and Special Minister of State) (14:43): Of course, the government are always happy to work with anyone who is prepared to work constructively with us about putting Australia on a stronger economic and fiscal foundation for the future.

Taxation

Senator GALLACHER (South Australia) (14:43): My question is to the Minister representing the Treasurer, Senator Cormann. Does addressing bracket creep through tax cuts remain government policy?

Senator CORMANN (Western Australia—Minister for Finance, Deputy Leader of the Government in the Senate and Special Minister of State) (14:43): As we have said consistently, of course we always would like taxes to be as low as possible. In the context of the current budget, we will do the best we can to ensure that taxes are as low as possible, but of course we will make judgements, given the fiscal conditions we are in, given where the budget is at, given where the economy is at—given a whole range of factors. We will make judgements on what we can do to ensure that taxes are as low as possible on the basis of what we can reasonably afford.

Senator GALLACHER (South Australia) (14:44): Mr President, I ask a supplementary question. Is bracket creep still a ‘job killer’ and a ‘growth killer’, as the Treasurer said last month?
Senator CORMANN (Western Australia—Minister for Finance, Deputy Leader of the
Government in the Senate and Special Minister of State) (14:44): Bracket creep is a problem.
Bracket creep is a drag on growth. I have actually been asked this sort of question here before.
Right now, bracket creep, to the extent that it is a problem—and it is—is less of a problem
than it has been, because of lower wage inflation. If you look at the most recent ABS
statistics, you can see that wage inflation is the lowest it has been since records were first
kept—since 1988. So obviously that is one of the factors we have to take into account as we
make judgements about what is the best possible approach we can take, given the budget
position we are in, and what we can responsibly afford in the context of our current budget.
These are the sorts of judgements the government is currently making.

Senator GALLACHER (South Australia) (14:45): Mr President, I ask a further
supplementary question. Was the manager of budget business right when he told ABC Radio
today that the government's tax plan would be released before the budget?

Senator CORMANN (Western Australia—Minister for Finance, Deputy Leader of the
Government in the Senate and Special Minister of State) (14:46): Our approach to the tax
system, as I have already indicated, will of course be finalised in the context of the budget,
and relevant announcements will be made when we are ready to make those announcements.

Child Care

Senator EDWARDS (South Australia) (14:46): My question is the Minister for Education
and Training, Senator Birmingham. Will the minister advise the Senate on how the
government's childcare assistance package will support parents who choose to work or to
work more?

Senator BIRMINGHAM (South Australia—Minister for Education and Training)
(14:46): I thank Senator Edwards for his very important question about workforce
participation, and particularly workforce participation that provides the greatest incentive and
support for women to enter the workforce. Subject to the passage of savings measures, our
government is committed to seeing a $40 billion investment in a better childcare system, a
childcare system that will be supported by $3 billion of additional support. Most importantly,
our reforms will make sure that childcare subsidy arrangements in future provide the greatest
level of support and the greatest hours of access to childcare to the families who are working
the hardest, and the greatest value of support, the greatest dollars of support, to families who
are earning the least.

It is an incredibly progressive reform to child care, which targets those hardworking
Australian families who need the support the most. Our estimates are that almost one million
Australian families stand to benefit from the government's proposed childcare changes. On
average, working families earning between $65,000 and $170,000 will be around $1,500 a
year better off. This is about providing the support to help people to get into the workforce, to
return to work, to increase their hours of work—especially mothers who may have taken time
off for childbirth and to look after children in their early years. We are simplifying the system
and, importantly, we are removing the childcare rebate cap that currently imposes a limit on
the amount of work that many families choose to engage in. So, for the bulk of families under
our reforms, no longer will the $7,500 cap be in place. They will be able to work as long and
as hard as they choose to.
Senator EDWARDS (South Australia) (14:49): Mr President, I ask a supplementary question. Have there been any studies into how the package will benefit workforce participation?

Senator BIRMINGHAM (South Australia—Minister for Education and Training) (14:49): Yes, there have been. The research is clear; our childcare reforms will lift workforce participation. These are the types of reforms that, I am sure, grandmothers in the gallery today wish existed when they were raising their children, because these are reforms that make it easier to participate in the workforce.

The estimates are that more than 230,000 families will increase their involvement in paid employment as a result of this. Goodstart, the nation's largest childcare provider, commissioned a PwC study which found that 29,000 additional full-time equivalent jobs would be generated as a result of these reforms. That sent those opposite quiet, Mr President. PwC for Goodstart estimated that that contribution to GDP would be $7.6 billion in 2050. This is a massive help to working families and to the Australian economy. (Time expired)

Senator EDWARDS (South Australia) (14:50): Mr President, I ask a further supplementary question. Is the minister aware of any alternatives to the government's approach?

Senator BIRMINGHAM (South Australia—Minister for Education and Training) (14:50): This government has gone through a comprehensive process to develop the biggest reforms to childcare to support workforce participation in families the nation has ever seen. Those opposite seem just to carp from the sidelines, because I hear and see absolutely no alternative from them when it comes to child care. They have said they support additional investment, but they seem to want it to come out of money that is already allocated. That is typical of the Labor Party; they do not understand you can only spend the money once. But, indeed, everything has to be paid for and everything has to be budgeted for. This is a carefully crafted reform package. Those opposite, when in government, put in place childcare reforms that drove up the cost to families and drove up the cost to the taxpayer. Our reforms are constructed in a careful way to best support families while trying to keep a lid on the inflationary cost of child care, so those families can maximise their income and their workforce participation. (Time expired)

Superannuation

Senator McALLISTER (New South Wales) (14:51): My question is to Senator Brandis, the Minister representing the Prime Minister. Can the minister confirm that from next year two million women will face a tax hike of up to $500 as a result of the Abbott-Turnbull government's decision to axe the low income super contribution?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:51): Senator, what I can tell you is that were there to be a Labor government the Australian people would face increased taxes in five new areas.

Opposition senators interjecting—

The PRESIDENT: Order! Do you have a point of order, Senator Wong?

Senator Wong: I have a point of order on direct relevance.
Opposition senators interjecting—

The PRESIDENT: Order! Just a moment, Senator Wong. Order on my left! I can't hear your leader, who is on her feet.

Senator Wong: I have a point of order on direct relevance. The minister did not even start trying to address this question. He went straight to Labor policy. The question was about the Turnbull government's decision to axe the low-income super contribution.

The PRESIDENT: Thank you, Senator Wong. I will remind the minister of the question. Minister, you have one minute and 45 seconds in which to answer.

Senator BRANDIS: I am merely commenting on the paradox of being asked a question about tax by a Labor Party senator who goes into this year's election, in 2016, only promising tax increases. All you have done in your year of ideas is come up with five ideas, and every one of them was for a new tax. Senator McAllister, you asked me specifically—and I just thought I would provide you with a little bit of context—about the low-income super contributions.

Opposition senators interjecting—

The PRESIDENT: Senator Cameron! Order on my left! Senator Wong! Minister, you have the call.

Senator BRANDIS: Thank you, Mr President. I was hoping I might be heard in silence. The low-income super contribution was to be funded from the proceeds of the mining tax. Consistently with its election commitment, the government repealed the mining tax and is abolishing or rephasing the policies that were funded by it. Something that I am afraid that Labor politicians never seem able to grasp is that everything has to be funded from somewhere. This particular measure was funded by another tax, a tax that was a regressive tax that raised very little revenue, so we were elected specifically on a promise to abolish it.

Senator Kim Carr: Mr President, I have a point of order on direct relevance.

Senator Wong interjecting—

The PRESIDENT: Senator Wong, you have a colleague on his feet. Senator Carr, do you have a point of order?

Senator Kim Carr: The question was directly aimed at the issue of the low-income superannuation contribution. Why has the minister not even referred to it?

The PRESIDENT: Sorry, Senator Carr. The minister directly answered—

Government senators interjecting—

The PRESIDENT: Order on my right! The minister did answer the question. He did confirm what the questioner asked. Minister, you have the call.

Senator BRANDIS: I am sorry, Mr President, but I do not think I can be blamed if Senator Carr does not listen to the answer. I referred specifically to the low-income super contribution and I pointed out—if you care to listen, Senator Carr—that it was to be funded from the mining tax. The mining tax was repealed in conformity with an election promise. (Time expired)
Senator McALLISTER (New South Wales) (14:55): Mr President, I have a supplementary question. Do further changes to the superannuation system remain on the table under the Turnbull government?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:55): Whatever policies or proposals the government has will be announced, in the ordinary course of events, as part of the budget on 10 May.

Senator McALLISTER (New South Wales) (14:56): Mr President, I have a further supplementary question. Will the minister rule out making any changes to superannuation that will leave average income earners worse off in retirement?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:56): Average income earners will always be better off under coalition governments. They will always be better off under coalition governments.

Honourable senators interjecting—

The PRESIDENT: Pause the clock. Do you have a point of order, Senator Wong?

Senator Wong: The minister will have to correct the record.

The PRESIDENT: No, that is a debating point, Senator Wong.

Senator BRANDIS: I was asked whether average workers would be worse off under a coalition government. I can assure you, as has historically been the experience, average income earners are always better off after periods of coalition government. That was the case throughout the period of the last coalition government, the Howard government, in which wages increased by a much greater rate than they increased during the time of the previous or the subsequent Labor government, and it will be the experience of this period of coalition government as well.

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

Senator McAllister: Mr President, I raise a point of order that goes to relevance. The question asked specifically about changes to superannuation that may leave average income earners worse off in retirement, and I would like the minister to answer that question.

The PRESIDENT: I think the minister was very close to being directly relevant, but I will invite the minister to conclude his answer. He has 19 seconds.

Senator BRANDIS: Let me say again that average workers will always be better off as a result of the policies of coalition governments. That was the case over the period of the Howard government and it will be the case under this period of coalition government.

Defence White Paper

Senator FAWCETT (South Australia—Deputy Government Whip in the Senate) (14:58): My question is to the Minister for Defence, Senator Payne. Will the minister inform the Senate how the new Centre for Defence Industry Capability will drive innovation and competitiveness and boost jobs in the Australian defence industry?

Senator PAYNE (New South Wales—Minister for Defence) (14:58): I thank Senator Fawcett very much for his question and particularly for his interest in this issue. The Centre
for Defence Industry Capability is actually a good news story, which of course means that those opposite will not be interested in the least. It was announced last week, with the Prime Minister and the Minister for Industry, Innovation and Science, that it would be headquartered in Adelaide, but it will have national reach. Its role is to develop defence industry and to foster and direct drive innovation in defence right across Australia, as well as opening up important export opportunities. It is in fact a key initiative of the Defence Industry Policy Statement. It is about bringing together the private sector, Defence and AusIndustry and helping to drive a transformative relationship between Defence and industry to deliver exactly the cutting-edge capability our forces require.

What is really innovative about the CDIC is that it will be specifically charged to go out and to work with small to medium enterprises in the defence space right across the country. It is going to be staffed by experts who understand business and understand defence, who will work with individual enterprises on how they can contribute to defence capability and place them in a strong position to win those contracts, and it is going to be a two-way street. What the CDIC will be able to do is to let industry know what Defence needs and to give businesses greater certainty to invest in innovative ideas and in technology and a connection back into Defence—ensuring that Defence knows what capabilities, technologies and solutions exist in industry. So, by working with industry to boost skills, to boost competitiveness and to open up export opportunities, what the Centre for Defence Industry Capability will do is help industry capture more of the defence dollar, create more jobs and drive growth here in Australia.

Senator FAWCETT (South Australia—Deputy Government Whip in the Senate) (15:00): Mr President, I ask a supplementary question. Will the minister outline to the Senate how the Centre for Defence Industry Capability will reset the relationship between Defence and industry to help to deliver the technology required by the Australian Defence Force?

Senator PAYNE (New South Wales—Minister for Defence) (15:00): Through the defence industry white paper and through the first principles review, the government recognises particularly that a strong relationship between Defence and industry ensures that we get the cutting edge technology we need for our Defence Force and jobs growth in defence industries. So the CDIC is going to be co-chaired by a Defence lead and industry co-lead. They will provide the organisation with very strong leadership, and with the expertise to deliver across its three core activities. Firstly, industry development, which will include mentoring for those SMEs that will benefit from that process. They are looking to get into the defence sector. We will also be able to fund skilling programs. Secondly, it will facilitate innovation, including providing grants for companies to be able to more fully develop and commercialise the innovative, cutting edge technology that lives at the heart of the defence industry. And, thirdly, to boost business competitiveness and export, particularly helping companies to access global supply chain programs. (Time expired)

Senator FAWCETT (South Australia—Deputy Government Whip in the Senate) (15:01): Mr President, I ask a further supplementary question. Will the minister inform the Senate how the Centre for Defence Industry Capability will drive jobs and growth in my home state of South Australia?

Senator PAYNE (New South Wales—Minister for Defence) (15:01): Senator Fawcett, as you know, the CDIC will be headquartered in Adelaide just to start with. We know that South
Australia is home to many innovative and leading-edge small to medium enterprises, particularly in the defence sector. Last week, I had the opportunity to visit a very impressive business called Fugro LADS, which supports the Navy in particular by providing laser airborne depth sounder capability using highly innovative technology that originally came from DSTO, as it then was. It is actually mapping the process we want to ensure the Centre for Defence Industry Capability can help Australian industry with. Over the coming years, as that significant acquisition program that we have spoken about before in the chamber unfolds, I know that your home state of South Australia, Senator Fawcett, will grow even more as a defence industry centre. For example, I note the government's commitment to constructing the $30 billion Future Frigates in Adelaide just for starters. So having the CDIC also headquartered in Adelaide will position those small to medium enterprises in South Australia to work closely with Defence. (Time expired)

**Senator Brandis:** I ask that further questions be placed on the Notice Paper.

**QUESTIONS WITHOUT NOTICE: ADDITIONAL ANSWERS**

Commonwealth Scientific and Industrial Research Organisation

**Senator SINODINOS** (New South Wales—Cabinet Secretary) (15:03): Mr Deputy President, I wish to add to an answer I gave in question time yesterday. Regarding the matter Senator Whish-Wilson asked me about yesterday in question time, I have received preliminary advice from the Attorney-General's office that CSIRO is in keeping with its obligations under the Archives Act 1983, but the government will ensure compliance with all relevant legislation.

I have also received advice from the Minister for Finance's office that the Department of Finance cannot see how CSIRO officials have breached their obligations under the Public Governance, Performance and Accountability Act 2013. CSIRO senior staff have been reminded of the policy regarding the private use of emails. If there are further concerns, these are best raised directly with the CSIRO, who are an independent authority with full responsibility for these matters.

Further, in relation to a question from Senator Carr today on a related matter, I have been advised that the minister was provided a brief on CSIRO strategic research prioritisation outcomes on 1 February 2016. I suggest if there are further queries about this matter that they be put on notice as questions on notice.

**Senator KIM CARR** (Victoria) (15:04): by leave—I move:

That the Senate take note of the statement.

I do thank the government for that indulgence. I am particularly concerned about this matter, Minister. I have been here a while now and I do not recall a circumstance where any government agency has publicly acknowledged that on a highly sensitive matter concerning the removal of 350 of our scientists that there has been a use of private email systems to communicate between officers on that matter. The question that arises here goes to some fundamental issues about public servants' responsibilities under the law. But it goes beyond just the legal question; it goes to the ethical question.

There is no issue here about these events actually taking place, because senior officers of CSIRO have acknowledged they have taken place. It is not just at the most senior executive levels where this has occurred; there was evidence presented to the Senate Select Committee
into the Scrutiny of Government Budget Measures by Dr Peter Craig, Director of Collaborations for Australian Weather and Climate Research, where he indicated there were up to seven officers down to the research director level who had been directed to use private emails in consideration of matters concerning the removal there of what we have now discovered to be 100 scientists.

Yesterday, Minister, you were asked a question about the breaches of the law under the Archives Act. Your response to that question in this chamber went to the issue of the Crimes Act, so there was clearly a major confusion about what you were answering. You said that there had been no breach of the law because the information had not been passed to third parties. We simply do not know that. We simply do not know, given how many people are being engaged with this matter and given the way in which CSIRO leaks like a sieve, how a minister can come to this chamber and claim that there has been no exchange of information to third parties involving the use of private emails—not to mention the well-known fact that any of us here who have had executive experience understand about the ability of other governments to actually make inquiries into the operations of ministerial offices or senior public servants' offices. We are all strictly advised about the way we should communicate, particularly involving devices that do not have security clearance. So I am concerned on that level.

I am particularly concerned about the assertions you made today, Minister, that on advice from A-G's there had been no breach of the law. It strikes me that that is an extraordinary proposition, given what the Archives Act actually contains, and, furthermore, that there had been no breach in the law with regard to the Public Governance, Performance and Accountability Act. Again, these are extraordinary propositions, given the acknowledgement that this has occurred. It has been widespread, I know, in the case of one division, but I will assert that these are matters that go to the Land and Water division and they of course go to the Oceans and Atmosphere division. It is my contention that they also go to Manufacturing. There may well be many officers in the CSIRO who have been directed to use private emails and have of course complied with that, down to the research director level.

I am further concerned that these are matters that cannot be dismissed in a cavalier way, as the minister has done today, and simply will require further action in terms of the return to order that we have seen. It has now been asserted that CSIRO, recognising that there is a problem here, has returned information to the organisation—back to the central filing system. These are matters that should be tested. Minister, I look forward to those answers coming back from the CSIRO. We will establish exactly how many officers have been involved and, in particular, who directed that communications be undertaken on a private email system. Who issued that directive? And I am particularly concerned about the role of the government. CSIRO reports to a minister in the government under its act, and there is an obligation on government to ensure that laws are upheld.

Senator WHISH-WILSON (Tasmania) (15:10): I thank Senator Carr for his interest and his experience on this matter, and I thank the minister for his response to my question yesterday. The issue is much broader than the use of private emails. We actually have to put this in context.

I do want to say, before I frame this up, that the big issue for us is that the Senate had put in an order for production of documents. The Senate had put in an order for production of
documents on all correspondence relating to the so-called restructure or reprioritisation within CSIRO. Through you, Minister, we were advised prior to the Senate committee hearings in Hobart and Melbourne that it would not be possible for CSIRO to comply with the order for production of documents because of the amount of time, effort and diversion of resources by CSIRO that it was going to take to provide that information. At the Senate inquiry hearings we heard from senior executives at CSIRO that they had actually provided that information and that they were willing to comply. We now understand from a letter you have written to us, Minister, that the CSIRO will be able to comply by 17 March—of course, two weeks later than we requested. I understand now that it has been extended again to 30 March.

This is not just an issue about the ethics and legality of senior management at a very important organisation, how this pertains to the reputation of the organisation and, of course, the morale of the staff within the organisation. This also has ramifications for us in the Senate and the job we need to do. If the issue were that the OPD could not be complied with in time because private emails were being used and we did not actually know what the correspondence was in the first place, that is of course very concerning. I raised the issue in the Senate inquiry on how the correspondence had occurred—whether it had been phone conversations or private email—and I was actually genuinely surprised when senior management said that they had been using private emails.

Just to quickly put this in context, this whole process that led to the announcement of 350 jobs going at CSIRO—100 of those being in Oceans and Atmosphere in Hobart—has been a total shambles. It has destroyed CSIRO's reputation in climate science, in public-good science more broadly and I think across the board. It has been noted and condemned all around the world, as I said in my question yesterday, including by The New York Times editorial. It has led to what was referred to by senior scientists in CSIRO as a toxic culture within the organisation.

No consultation occurred between CSIRO management and senior stakeholders, all of whom rely on critical work and inputs from CSIRO. To top it off, the CEO, who is on only a two-year contract—and we have not found out why it is only a two-year contract yet; I understand that five years is the standard at CSIRO—has made comments publicly that have led to the devaluation of the work that a number of these career scientists have contributed not just to CSIRO but to all of us in this country. In fact, many of these scientists were ringing the bell on climate change decades ago, before it was recognised, and they are now being told they are not needed anymore.

To rub salt into the wounds, Senator Brandis, the spin that has been put out by CSIRO management is that the science is in and we need to focus on mitigation and adaption. Guess what. The committee has heard 100 per cent of the evidence from the most venerable scientists in the world that their work is used for mitigation and adaption, so either someone has got this completely wrong or it is complete BS. Either way, it does not sit well with one of Australia's proudest organisations, which it was noted in Senate question time we are celebrating today.

This needs to be fixed. This kind of process cannot occur again. The damage that has been done to CSIRO is going to take a long time to reverse and change. The best way to do that is to be fully compliant with the order for production of documents so we can assess this process, to reverse these cuts to the best climate scientists in the world and to increase funding
to this critical area of public-good science. I really worry about the message we are sending to young scientists early in their careers that the only science that actually matters in this country is science that generates short-term commercial returns. A lot of these scientific projects are 20 or 30 years in duration and are absolutely critical to how we manage risk in our economy, in our climate and in our communities. In fact, the value impact of this work will go into the hundreds of billions and trillions of dollars. It is very short-sighted that a process has been put in place where we cannot get information on how these scientists were even valued in terms of their contribution or how this decision was made. I am looking forward to getting that information as soon as possible.

Senator IAN MACDONALD (Queensland) (15:17): I indicate to Senator Nash that I will not keep her long. I just want to congratulate CSIRO on the wonderful work they have done for Australia over many years. I want to congratulate the current management of CSIRO on the way they are now directing the work of that august organisation towards the things that really matter.

I have sat in this chamber for years, hearing Labor and Greens people indicate that the science of climate change is settled. It is a mantra you keep hearing from Labor and the Greens. If that is correct, why are we wasting Australia's rare taxpayer dollars on science that 'is already settled'?

Senator Kim Carr: You really do demonstrate your ignorance, don't you?

Senator IAN MACDONALD: I say what most Australians say. There is a science that, according to Labor and the Greens, is settled. We need those scientists to get on and work out how you can ameliorate the impacts of climate change, how you can build resilience and how you can build recovery. CSIRO management is quite right in directing its limited resources towards those things that matter, not to continue looking at the science, which Senator Carr and Senator Whish-Wilson keep thrusting down my throat as already settled. It is all settled, according to them.

I repeat that Australia emits less than 1.4 per cent of the world's carbon emissions.

Senator Hanson-Young: I can't believe Senator Sinodinos—

Senator IAN MACDONALD: Tell me I am wrong. Is that not right?

The DEPUTY PRESIDENT: I ask senators to direct their remarks to the chair.

Senator IAN MACDONALD: Through you, I ask Senator Hanson-Young: please tell me. Am I wrong? Does Australia not emit only 1.4 per cent of the world's emissions of carbon? It is a pretty simple question to ask the senator who is interjecting. Is there something wrong with that? Are my facts wrong? No answer, so I assume those facts are correct. Australia does emit less than 1.4 per cent of the world's carbon emissions.

Let's say we reduce Australia's emissions by 1.3 per cent of global emissions—that is, just about shut Australia down. Turn off the lights here and stop every vehicle moving in Australia. If we did that, what is a 1.3 per cent reduction in the world's carbon emissions going to do for what I am told the science is settled about, which is that the climate is changing? I know the climate is changing. It has been changing for decades, centuries, eons. But Senator Hanson-Young is always very quiet. Tell me the 1.4 per cent is wrong. Tell me what would happen if you did shut down Australia's 1.4 per cent? What would that do? No answer. These are such simple questions, and you never get an answer about them.
I am delighted that CSIRO are now directing their research and their science to dealing with the changing climate of the world, not continuing to waste money on science which Senator Wong, Senator Carr, Senator Siewert and Senator Hanson-Young tell me and have been telling me for the last five years—interminably—is all settled. Let's use the money that we give to CSIRO to actually do something positive about climate change.

I know the facts always hurt in this chamber, particularly when they are incontrovertible, but there is no loss of employment in net terms at CSIRO. The same number of scientists and support people will continue to be employed. It is just that they will be directing their attention to things that really matter for the Australian people. That is, how you can address the issues of the climate, which we all can see is changing.

Senator SINODINOS (New South Wales—Cabinet Secretary) (15:22): I will keep it brief. The first point I want to make, which is just a contextual point, is that CSIRO is an independent agency. There is a question here about the extent to which the government can be asked to or should interfere directly in the operations of the organisation. Ultimately, once the overall resources to the organisation have been delivered by government as a result of government's broader consideration of the role of the CSIRO within science policy or broader government policy, the disposition and allocation of resources within the organisation is a matter within CSIRO itself.

If the proposition that is being put up here is that we as a government have to make sure that government agencies observe the law and that boards of management are accountable for that, the way we do that is to say to them, 'You must observe the law,' and we hold them accountable for that. In relation to the issues that have been raised by Senator Carr and Senator Whish-Wilson, there is an inquiry already underway within CSIRO. There are consultations going on within CSIRO at the moment to clarify the very matters that are being talked about here, and the minister has made it clear that if there are further concerns they are best raised directly with CSIRO, which is an independent authority with full responsibility for these matters, and they can be held accountable accordingly.

Earlier this week my office approached Senator Waters's office in good faith to provide relevant documents from CSIRO, but she has decided to proceed with an order to produce documents anyway. That is her prerogative. I am quite happy with that. Those processes will continue. The government will play its role. But what I cannot do is sit here and say to the Senate that we will interfere directly to reverse resource allocation decisions which are the purview of the board and management of CSIRO. I will undertake to get back to the chamber about the other issues that have been raised, to the extent that they fall within the purview of government to do so. But I am not giving an undertaking to this chamber that we will change the resource allocation decisions within CSIRO. That is not our responsibility.

Question agreed to.

ANSWERS TO QUESTIONS ON NOTICE

Question No. 2838

Senator WONG (South Australia—Leader of the Opposition in the Senate) (15:25): Pursuant to standing order 74(5), I ask Senator Nash, representing the Minister for Health, why question No. 2838, which I placed on notice on 16 December 2015, remains unanswered.
Senator NASH (New South Wales—Minister for Rural Health, Minister for Regional Development, Minister for Regional Communications and Deputy Leader of The Nationals) (15:25): I can indicate to the chamber that the government is considering its response and will respond in due course.

Senator WONG (South Australia—Leader of the Opposition in the Senate) (15:25): I move:

That the Senate take note of the minister's failure to provide either an answer or an explanation.

Because the Senate's entire time has already been taken up, this will be a more brief contribution than I would like to make on this. But I would make this point: the question I asked was a very simple question which dealt with a MYEFO measure, a Mid-Year Economic and Fiscal Outlook measure. It was not dissimilar in its terms to one of the questions which I referenced yesterday after question time, which also asked for more information on a measure in the Mid-Year Economic and Fiscal Outlook. I think governments should be able to provide detailed information about measures which are published in the budget and budget update.

Yesterday I detailed a measure which had not been answered, and this is in very similar terms. I asked with reference to the 2015-16 MYEFO measure 'more efficient health programs': (1) can the minister provide a list of the 24 health programs which will be cut to achieve $146 million of savings over four years, and (2) can the minister provide a profile of the amount cut from each program over the forward estimates? The minister today has said 'the government is considering its response'. So the government made a decision last year to cut $146 million out of a range of 24 health programs. This, of course, is on top of the $57 billion worth of cuts in the health area, particularly to public hospitals. But, on this one, $146 million of cuts over four years in the Mid-Year Economic and Fiscal Outlook update, they cannot tell us which programs. They are still considering their position.

It is ridiculous. This is already built into the budget, and this information, in the ERC process, would have had to have been part of the way in which Finance costed the measure. It would have had to have been provided to government by Health. The government knows which programs. That is how it can identify in a budget update that there are 24 programs, and now they will not tell us which programs are actually being cut. It is ridiculous.

This government's failure to provide basic information to this Senate on questions on notice really demonstrates its desire to be secretive and not to be transparent when it comes to public moneys, because the question that I am asking and that we are talking about today is not a question where there is an extraordinary amount of work, a question which is obviously not ascertainable without a great deal of detail. It is a question which deals with information which must have been before the government when it made the decision to cut over $140 million from Health. They must know which programs are being cut. That is why the numbers are in the budget. That is why the number of programs—the 24 programs which are being cut—is also in the budget. But they cannot tell the Senate which programs.

I would have liked to have talked longer not only about this government's these cuts but about the $57 billion which the government has cut from public hospitals, but I cannot because of the shortness of time. It has been instructive to see the continued denial by the minister. I understand she has had to leave the chamber for other reasons, but the minister told us yesterday there was no such thing as a cut. Well, it is in her own budget papers. She should have a chat to Joe Hockey, because it is in the budget papers. She should have a chat to the
Australian Medical Association, which has documented last week what these cuts mean to people—what they mean for people's waiting times in our emergency departments; what they mean for elective surgery; what they mean to Australians across this country in terms of their medical outcomes and the health care they get.

There should not be a tricky game around saying, 'No, there are no cuts—despite the fact that it was in our budget papers, there are no cuts.' What the minister should be addressing is the real impact on real people across this country. She fails to do that in question time by pretending there are no cuts, even though it is in her own budget papers. She has failed to do that again by not being up front with the Senate about which programs she has cut in the most recent budget update.

**Senator POLLEY** (Tasmania) (15:30): I have to say to Senator Wong that it is really not all that remarkable, because in estimates I asked an even simpler question about the Minister for Health. That was, since she took over responsibility for aged care, how many aged care facilities had she actually visited? The minister at the table was not able to answer that. Not even the department could. To have them come up with an answer to a question about who has made that decision about the programs and which programs are being cut is probably a bit too difficult for this sneaky, tricky government.

It needs to be put on record yet again that this government's record on health is abysmal. Quite frankly, it is appalling. They will only ever see health as a source of budget cuts. That is quite evident. As far as health is concerned Malcolm Turnbull, the Prime Minister, is even more disastrous than Tony Abbott ever was.

During question time yesterday Senator Nash said that this government is increasing funding to hospitals. What an absolute lie! Go to the budget papers—in the budget papers presented by this government you will see, on page 7, that they have cut $57 billion from public hospitals. That is what Mr Abbott had in his budget when he was Prime Minister. On top of that, we have seen that the Prime Minister, Malcolm Turnbull, has added a further $2.1 billion extra in funding cuts.

No wonder the states are finding it hard to manage their health budgets, when this government, quite clearly, is starving them of funds. We know that that has been part of a strategy by this government to starve the states and territories of funding, which was then going to put pressure on the states to agree to increasing the GST. That is what that was about.

But the essence of this debate is about Australians' health. As I said, Mr Turnbull's cuts to health are actually far worse than those that were brought down by Mr Hockey when he was Treasurer, before he was thrown under the bus by his colleagues here in this chamber and by the Minister for Finance. Mr Turnbull, in fact, has turned out to be worse than Joe Hockey and Tony Abbott when it comes to funding health in this country. Despite promising new leadership and a 21st-century government with a ministry focused on the challenges of the future, Malcolm Turnbull has in fact ripped another $650 million out of Medicare by slashing bulk-billing for diagnostic imaging and pathology. Just think about the consequences and effect that that one act alone will have on the Australian population. It is devastating. There will be women who will not go for their regular mammograms. There will be Australians who will think twice about having their regular tests. We all know in this chamber, because we have spoken about it on numerous occasions, that a lot of Australians have to undertake regular blood tests. We know that some of them will think twice about it, because already
their family budgets are stretched. If it is a matter of whether mum goes to have her blood test done this week or not, more likely than not she will choose to put that off, because it might be the case that she needs to provide schoolbooks for her children. That is another further attack by this government, cutting assistance to Australian families.

Cutting the crucial health workforce training program by $595 million is an outrageous attack. Then go back to aged care. My colleagues often say, 'When you speak in this place, everything comes back to aged care.' The reality is that the cuts around health affect older Australians more, proportionately, than they do the younger generations. That is a fact. The reality is that we know what they have done in relation to the aged care sector workforce. They made a lot of plans and commitments but delivered nothing. They said they would have an audit. How long did we wait for that audit? Now it has disappeared. Recently I put out a media release with Shayne Neumann, the shadow spokesperson on ageing, suggesting that perhaps the Minister for Health could get herself a GPS and maybe that would help her find the audit.

Further cuts have had a real impact on the Australian population. They have ripped another $146 million out of health prevention and eHealth programs. These are two extremely important programs that are very important to the Australian population.

We then continue with Mr Abbott's $1.3 billion hike in the price of essential medicines. Let us not forget that. It is all part of health. Then we look at Mr Abbott's $260 million attack on the Medicare safety net. Then we go to another $2 billion cut in a four-year freeze on Medicare rebates for GP visits. We know what they tried to do last year, when they wanted to put a GP tax on the Australian people by wanting you to pay an extra amount to go and see your GP. First up, you have to be able to get in to see a GP—that is the first issue. Once again, it is attacking the essential services of health, access to a GP, access to pathology testing and access to diagnostic imaging. All are fundamentally important when it comes to providing health. It is a fundamental right of all Australians to have access to good health care.

Now we learn that they go even further. They have not even stopped there. I do not know whether they throw in six steak knives with this, but this government has also been working on privatising Medicare payments. We always know that if they cannot dismantle Medicare in one action then they will go for the back door. They will keep trying, because they fundamentally do not believe in universal health care. They do not believe in Medicare—not one little bit.

We know that this government is renowned for saying one thing and doing something completely different. We recall that before the last federal election the mantra of Mr Abbott, his colleagues and those in this chamber was, 'There'll be no cuts to health, there'll be no changes to the pension and there'll be no cuts to education.' And we have seen that for the 2½ years of this government they have done nothing but cut, cut, cut when it comes to health in this country. We also know that, once again, the kids of Australia are being attacked. If it is not about child care, if it is not about cuts to education, now they are trying to kill off Labor's dental scheme for kids in this country.

These things are all very serious, but there is another danger lurking out there when it comes to the health system in this country. That is the deal that has been done behind closed doors with the Greens to change the electoral systems to elect senators to this place. After the
next election, if the Australian community judges that they should return this government to
government benches and we see the Senate controlled by this government, then there will be
no-one who is able to stop the further cuts when it comes to health. There will be no-one,
because they will have the numbers in this place and they will control it. I, for one, do not
want to go back down that path. I was here under the Howard government when they had
control of the Senate, and we saw them railroad through one piece of legislation after another.

Now at least we have a house of review here. When you have Independents, the Greens,
the crossbenchers, the Labor Party and the Liberal government, you should be able to
negotiate your legislation through this chamber. But what we have seen now is a rubber stamp
for a government that is hell-bent on attacking Australians through the health system, through
the pension and through education, wanting to put $100,000 degrees on the table for our
young people going to university. This is what this government is truly about. But
fundamentally, if you are going to make these changes to health and make these cuts, then the
minister should be able to come into this chamber and justify and name the programs that the
government is making these cuts to. The Australian community and this chamber deserve
nothing less. At least be up-front. At least be honest.

If Mr Turnbull does get control of both houses of parliament after the next election, then
the GST will increase, and that will mean that there will be a GST on everything. Last year
we were able to—with the crossbench—put enough pressure on them, so they have put it in
the bottom drawer. But that draw is still open, because if they win the next election they will
march in here with control of the Senate and they will increase the GST and put it on
everything. Every time you go to the doctor, every time you have a pathology test, every time
you have diagnostic imaging, every time you go to the grocers and buy fresh fruit and
vegetables, there will be a 15 per cent tax on that. That is what is in store for us.

Senator Seselja interjecting—
Senator McKenzie interjecting—

Senator POLLEY: Those people who want to interject now—I love it when they
interject, because they know it is the truth. We know that those on that side who purport to
represent rural and regional Australia are city dwellers. They come in here and tell us
falsehoods, and now they are trying to justify the cuts to health. All you have to do is look in
the budget papers and you will see it in black and white. Mr Turnbull has added a further $2.1
billion worth of cuts to health in this country. That is the truth of the matter. The minister
comes in here, as she did yesterday in question time, and totally and utterly misleads this
chamber and denies that there have been any cuts, but the reality is that we have budget
papers, and we on the side of the chamber have read them. Obviously, not even the Minister
for Health and those who are representing the Minister for Health have bothered to read it,
because they would see it in black and white, so it is not about whether or not you take my
word for it.

I want to turn now to the effect of the budget cuts on the health system of my home state of
Tasmania: $57 billion has been cut out of hospitals, started by Mr Abbott, when he was Prime
Minister, and carried on by the current Prime Minister, Mr Turnbull. The repercussions of
these cuts will be felt in every state and territory. With elective surgery lists growing and
hospital beds and wards being closed, unacceptable waiting times for these services will get
longer. We have already had the AMA come out with its concerns. The AMA is not a natural
ally of ours, on this side of the chamber. Like the GPs who came out and rallied against the GP tax, now we have the AMA being quite up-front about the fact that these cuts are going to hurt ordinary, everyday Australians. That is the AMA.

The figures that were released yesterday also show that the Tasmanian health system will be worse off by $2.7 billion. That is the truth. The state of Tasmania has a Liberal government that has come out and pleaded with this federal government to put more money back into the health budget. The premier and the health minister in Tasmania have been calling on their federal colleagues to return the money. It is not a Labor state government saying that; it is a Liberal state government that have been saying it—and it is all over the media today, if you would care to go and check the Tasmanian papers—because they know that the impact of these cuts will be felt dramatically in Tasmania.

The senators on the other side always listen to me when I am talking about aged care and health—I am sure they do; they probably take no notes—so I am sure they all understand that Tasmania has the fastest ageing population in this country. So these health cuts are going to have an enormous impact on my community, and I will not sit in this chamber and allow a minister to mislead and, quite frankly, lie to the Australian community about the cuts that are going to have a detrimental impact on them.

Let us look at an example. I would have thought that those opposite, particularly Senator Bushby, would be interested. I am sure he would have read the newspapers which reported that, in February in the Royal Hobart Hospital, a 95-year-old woman was left lying on the floor waiting for hours and hours to be seen by a doctor. Surely even those hard heads on that side of the chamber would acknowledge that a 95-year-old woman or any Australian should not be left lying on the floor in a hospital waiting to be seen. That is unacceptable for a nation that is as rich as we are. It is a shame on this government and it is a reflection on the state Liberal government of Tasmania, who have not been strong enough in standing up to this government.

But, then again, what would you expect from this Premier of Tasmania? Just yesterday the Premier of Tasmania said in a heated debate that the Leader of the Opposition should go and slit his wrist. That is the level of debate in this country that we see from the Liberals. They say one thing and do something completely different. A week after launching a campaign in relation to the increase in suicides, we had a premier, not a minister—

**Senator Seselja:** Mr Deputy President, I rise on a point of order. I have resisted, but the point of order is on relevance. I am not sure where Senator Polley is going now, but I do not think it is relevant to the debate, which was begun by Senator Wong.

**The DEPUTY PRESIDENT:** Senator Polley, do you wish to speak to the point of order?

**Senator POLLEY:** Yes. Quite frankly, I am very much relevant when it comes to health and the reputation of this government when it comes to funding and the pressure they are putting on a state government.

**The DEPUTY PRESIDENT:** The motion before the chair is to take note of the response from the minister. It is difficult for me to determine total relevance when I do not actually have in front of me the original question that was asked, but I do understand that Senator Polley and other senators have been arguing to make a case on why the response was unsatisfactory and why the information was needed for these reasons. So I will let you
continue on, Senator Polley, but I will remind senators that they do need to remain relevant to the question before the chair.

**Senator POLLEY:** Thank you, Mr Deputy President. The point has been well made here in the chamber. They are interjecting over something that was said by the Premier of Tasmania, which was reported in the newspaper and which is relevant to the issue of health, the funding of health and the pressure that this government is putting on states when it keeps cutting the funding. A cut of $2.7 billion from the Tasmanian health budget over the next four years is an enormous amount of money—and it is unacceptable.

We need to ensure that pressure is kept on this government when it comes to the effect that their cuts are having. These are real effects. The impact of these cuts will affect people's decisions as to whether they choose to have their blood tests and whether they choose to have a CAT scan. Unlike those of us in this place, some people really do not have the money to spend on these extra costs.

**Senator Bushby:** The funding is going up every year.

**Senator POLLEY:** I would have thought that Senator Bushby would have a better understanding of the Tasmanian community and the level of concern that is in that community when it comes to health cuts. If he cannot speak up in his own caucus to support his state colleagues, that is something that he will have to deal with. But, as I said before, I for one am not going to sit by and allow this government, without being challenged, to continue to cut health funding, because those cuts affect everyone in this country.

For a woman who has suspected breast cancer, the cost that she will have to meet upfront is $554. There are a lot of families across Tasmania and the rest of the Australian community who would not have that sort of money—and I am surprised that those on the government side who are in the chamber would not appreciate that. These are the real implications of the savage cuts the government is making when it comes to health in this country.

Government senators interjecting—

**Senator POLLEY:** We can go on talking about the rest of the cuts. We can talk about your agenda for trying to dismantle Medicare. I am quite happy to talk about that day in, day out. Only last month we had before us motions on ovarian cancer, and a lot of people spoke and supported those motions. Before this year is out, 1,500 Australian women will have been diagnosed with ovarian cancer. There is no screening test and no method of prevention, and it is very hard to detect. So the last thing that we want is for women to not go and seek assistance if they have concerns.

We do not want women's, men's or children's health to be put at risk because they or their parents do not have a big enough credit card. We know those opposite are all about credit cards when it comes to health and education, but we on this side will never inflict on the Australian community the situation where the provision of health in this country is determined by the size of your credit card. We will not do it. We will not just stand by and let this happen. We will always bring to the public's attention the concerns that we have with the attacks on health. *(Time expired)*

**Senator O'NEILL** (New South Wales) (15:52): I note that we have some young people here with us who are visiting from school. I am not quite sure what school you are from, but you are paying great attention to the debate that is happening here, and I thought I might...
commence my remarks by explaining what is happening here. I used to be a teacher, and one of the things that teachers do from time to time is set homework. When you go away and you do your homework, you are responsible for returning it to your teacher and, in a way, what we are talking about is some homework that was set for the government. There is a budget and there is also a thing called MYEFO, which is the budget that happens at the end of each year; so we have the budget in May and then we have the MYEFO in December. In the lead-up to that MYEFO in December, the government made some decisions about more things that they were going to cut. We know that they got advice from very important people who advise the government—that is, the Department of Health—and we also know they got advice from the Department of Finance.

Senator McKenzie: Mr Deputy President, I rise on a point of order. As we are conducting what seems to be a lesson in the Senate today, I would like it to be an accurate one. When we are speaking in this chamber, it is appropriate to actually speak to the chair of the chamber rather than to the gallery.

The DEPUTY PRESIDENT: I am not sure there was actually a point of order. It will be a moot point any moment now, anyway.

Senator Polley: Mr Deputy President, I rise on a point of order. I want it to be noted on the record that the good senator has chased away these schoolchildren, who were listening intently.

The DEPUTY PRESIDENT: All right. Thank you for your assistance, Senator McKenzie. There is no point of order. Senator O'Neill, you have the call.

Senator O'Neill: Perhaps the students, on leaving the chamber, might decide that they want to have a look online where they can read what I say, because I am going to continue the lesson. Let me tell you that the lesson is not just for the students who were sitting in the chamber today; it is also for this shameful government, which is abrogating its responsibilities. Young people would understand about homework. There are only two reasons why you do not hand in your homework: you do not hand it in because you have no time— and we know that is not the case because they did it. They actually made these cuts in the MYEFO, in the mid-year budget, so we know they did their homework. The reason that it is not on the record and the reason why the minister has not provided the answer is because their homework, for want of a better term—their answer to this question—is so bad that they do not want to put it in the light of public scrutiny. They do not want anybody to see it.

I am thinking back to what was going on in my life on 16 December, which was when this notice was given. I remember that 12 December was a big day in my family—my son turned 19 and, just a few days before, my grand-niece was born. It seems quite a long time ago. An awful lot has happened in the lives of most Australians between 16 December and now—people have paid bills, people have responded to inquiries, people have done their work. But this government are so arrogant that they do not think they should answer the questions that are put on the public record to let the Australian people see what they are doing.

What was the question that was asked? The question that was asked was from Senator Wong to the Minister representing the Minister for Health, as long ago as 16 December, with reference to the Mid-Year Economic Fiscal Outlook. A measure in it was identified—a title, if you want—that says: 'More efficient health programs'. The question was: 'Can the minister
provide a list of the 24 health programs which will be cut to achieve $146 million worth of savings over four years?' The second part was: 'Can the minister provide a profile of the amount cut from each program over the forward estimates?'

Those opposite told us in black and white in the figures that they presented that there would be $146 million gone. They know it adds up to $146 million but they are refusing to tell the Australian Senate and, through refusing to tell the Australian Senate, they are refusing to tell the Australian people and we know why. What they have done to the health of this nation since they have got in is absolutely shameful. There has been $57 billion cut from health—$57 billion! This has a massive impact on our hospitals all around the country.

And what did the minister have to say when she did come to the chamber and in response to Senator Wong saying, 'Well, it has been three months. It might be time for an answer.' I think I got her words accurately. She said: 'The government is considering its response and will return an answer in due course.' That is, basically: 'We do not want you to know, and I would rather come down and be embarrassed and say: "I am hiding my homework because it is so bad. I would rather do that as a minister of the Crown than come in and tell you the truth about the savage cuts that they are going to take to these important programs in health".'

What are those programs? What do we know at this stage? The little bit of information that they had to leak out for their budget revelation in December is that they are cutting $40.4 million in 2014-15; $36.9 million in 2015-16; $36.9 in 2016-17; and $31.8. And they say they are going to achieve these savings by—and this is a carefully abused word, I think, in this context—'redesigning'. They say they are redesigning 24 health programs. They say they are going to make these programs operate more efficiently, including programs associated with four things; firstly, population health.

Population health is where we have investment in finding out about what is going on—epidemiology, figuring out what is going on in our community—but it is also where we have programs that help to keep people well. What are those opposite cutting? Are they cutting the colon programs? Are they cutting advertising about BreastScreen? What are they doing? What are they cutting in terms of population health? They do not want to answer the question.

If we really believe in keeping ourselves healthy as a nation we should be investing in preventative health and using population health data to make our country more healthy, not less healthy. But that is what they have cut.

They have also cut medical services but we do not know which ones because they will not tell us. They are also cutting e-health, electronic health. We know there is a massive transformation being undertaken around the country to try to get all of our records and details into electronic form, so that if you are travelling you can get your records. I know that many Australians who come to visit us here in the parliament travel around the country. If you become unwell when travelling and if your records are digitised, the person who looks after you when you are away from home has full access to your records. That is e-health. The government are cutting that.

They are also cutting their investment in health workforce. Whether they are directly cutting the health workforce or cutting the preparation and planning for an effective health workforce, we do not know because they will not answer a question, despite the fact that they made the announcements before Christmas. They know what they are cutting. They know
right now, today, that they could bring that information forward and put it out publicly, but they are avoiding that scrutiny.

All of these things are vitally important. What we are seeing is a very significant problem and we are seeing it day after day with this government. They are determined to take away the health care of the people of this nation. They call it 'efficiency', but ordinary Australians call it something very different. We call it cuts to health. We call it cuts to access. We call it a deliberate attack by a Liberal-National coalition on Medicare in many, many circumstances. We have seen the cuts of $146 million over four years as the 'more efficient health program'. We have seen them call another program of cuts to the tune of $141 million over four years as 'mental health streamlining'.

I know that people here in the chamber and people who might be listening to this see many, many images of their local members—and they are particularly numerous at the moment as the Liberal-National Party are in government—crying crocodile tears all around the country and bleating about how much they care about mental heath, how much they care about mental health in the bush, how much they care about mental health for men, how much they care about mental health for women. But they have cut $141 million from mental health and they call it 'streamlining'.

Senator McAllister: Because there is no money.

Senator O'NEILL: There is no money because they have actually spent money on absolutely the wrong things. They have ripped money hand over fist out of health. They cannot help themselves. Many people would be well and truly aware of the incredible impact that the changes that this government have been pushing for in diagnostic imaging and pathology services are having on the community. People are scared to death—and perhaps that is not too much of a stretch. They are scared because of the growing cost of getting the basic services that they need to look after their bodies.

We know that people with chronic illness or people who need tests for cancer or breast screening, or tests on a regular basis to manage their diabetes or their mental illness in this new 'streamlined' world that we are hearing about from this government are incredibly anxious. In the last couple of weeks, I have had almost 2,000 emails from people saying, 'Please stop this government from attacking the bulk-billing incentive in pathology labs'.

I want to put on the record the fact there is a very different view between the Liberal-National Party and the Labor Party about people getting access to essential services, particularly essential health services. As a senator for New South Wales with my office in the seat of Robertson, I was very pleased, along with two Labor candidates—Anne Charleton, Labor's candidate for the seat of Robertson, and Emma McBride, our candidate for the seat of Dobell—to welcome Mr Shorten to the Central Coast. When Mr Shorten arrived, we did a tour of the pathology lab in Gosford, which is about an hour and a half north of Sydney.

This pathology lab provides an opportunity for real-time testing of samples so that the hospital next door can get the pathology results and do the operation and respond appropriately in real time. That can only happen because that pathology lab is active and working on the Central Coast right near the hospital. It is a small region with only about 350,000 people. It is a great region, nonetheless it is a regional centre. Over 1,500 pieces of
pathology action are taken every single day at that lab for our direct and local community. It employs eight to 10 people on a regular basis with great jobs.

Mr Shorten said, 'What the bulk-billing incentive does is provide just enough money which allows the pathology centres to be able to let people be bulk-billed for vital tests, including diagnosis and treatment of diabetes and other chronic diseases. It is about providing bulk-billing for patients who need cancer treatment for leukaemia.'

When we were in the lab that day, I saw a blood sample of a local young person who has acute lymphatic leukaemia. We looked down the microscope and we saw it. That diagnosis is absolutely essential. When I looked at the sample, I could not tell if that blood came from a rich person, a poor person, a black person or a white person; it was just blood cells—blood cells that needed analysis and blood cells that are being analysed in a fair and equitable way under the current system. But that system is under incredible pressure and is just about to be pulled away.

I was very well informed by Dr Stephen Fairy, a representative from Sonic Healthcare. He explained about the way the government are currently using statistics around diabetes testing, which really misrepresent what is going on. The scale of diabetes in our community is not registering on the Medicare items that are related to diabetes. That is because there is a thing called 'coning' in Medicare that prevents overuse of the system. When our doctors order a full blood count and we go off and have our blood taken, the top three items will be charged but not the following parts of the doctor's order. So many of the items at the bottom, including the diabetes testing, which costs about $10 per item, are actually done for free as part of a job lot, every time somebody gets a full blood count done that has more than three items. So there is no fat in the system. This is what Mr Ferry had to say: 'Pathology is so critical that without pathology medical practice would be almost impossible. Laboritories like the one we have seen today perform thousands of tests every day, providing results to doctors and hospitals that allow them to diagnose and treat patients with a variety of medical conditions, including cancer and chronic diseases like diabetes.'

We are fortunate in Australia because our pathology laboratories are among the best in the world in terms of quality, safety and efficiency. What is more, 98 per cent of all pathology services provided outside of hospitals are currently bulk-billed. If the proposed fee cuts come into effect, that will change. The Medicare fees that allow pathology companies to bulk-bill are absolutely vital. The pathology industry has absorbed fee cuts for many, many years, but now with intense cost pressures that is no longer possible. Many of our laboratories are financially stressed. Mr Ferry said—and I think about what this means for the people I live and work with—that if that laboratory goes from the Central Coast, the people who are in having operations will no longer be able to get real-time analysis. If somebody has an operation where they might have their lung being checked and the doctor is able to get an analysis and do a treatment straightaway for some sort of cancer, there is only one operation involved. But this government knows better. They believe that it is okay to put a barrier between people and the health-seeking behaviours that they have been encouraged to undertake. Labor has built a culture in this country that it is good to prevent ill health, that it is great to seek assistance, that it is a good thing to go and get your blood checked, to manage your diabetes, to manage your mental illness, to keep your medication levels right. Labor
believes that, and we made sure that funding was in place to ensure the best possible health outcomes for people.

I am really concerned about the failure of this government to answer this important question. I have described some of the things that we know this government are doing. What they are hiding is more than we do not want us to see, that they are refusing to give us an answer on. There is this culture of silence. It seems to be endemic in the Liberal-National Party. I said yesterday when I spoke on a matter related to this that, in the great state of New South Wales, under the leadership of Premier Baird, we have two very different views about fighting for fairness for the state between the two ministers. We have an education minister, Minister Piccoli, who has actually been able to stand up to this federal government and say, 'Give us the money that you took out of education. Give us your 5 and 6 of the Gonski funding. Don't leave us without the money. Give it to New South Wales.' He is fighting for it. In contrast, the health minister for New South Wales, Minister Skinner, has gone AWOL—absolutely missing in action. We cannot find her on the record, at all, saying anything to the federal government about the cuts that have been inflicted on the state of New South Wales. Let me tell you: it is the worst of the whole country. If we break it down, using the best evidence that we have from the Parliamentary Budget Office, we see that $17.7 billion has been ripped out of New South Wales, with barely a word of complaint from the minister for health in New South Wales. Indeed, on every occasion when she has been invited to come and put the case for New South Wales on the public record, to help us get the information to stand up for the people of New South Wales in this parliament, she has been missing in action. I repeat my invitation for the minister to come and give evidence to Senate Select Committee on Health and put on the record just how much Tony Abbott, Malcolm Turnbull, Joe Hockey and Scott Morrison have decided to take away from the great state of New South Wales and the health budget that we are entitled to.

In Queensland $10.8 billion has gone, in the Australian Capital Territory it is $1.7 billion and in Victoria it is $13.5 billion. In Victoria, where we did have the health ministry come and speak to us, we have had it put on the record and it is in *The Age*, where it says, 'federal funding cuts to Victoria's health system over the next decade equate to closing down two major institutions.' That is what the Victorians put on the record: a massive cut to their budget. In Tasmania it is $1.2 billion, in South Australia it is $4.2 billion, in the Northern Territory it is $0.8 billion, and in Western Australia it is $6.5 billion. These are the real cuts and they are written into the budget. This government actually put those numbers in the budget, but they continue to deny that they have cut funding from health. And that is why it is of great concern that this minister has chosen not to bring in her homework and not to show the tardy and disgraceful piece of work that she has been complicit in, in taking away more and more health services from the people of Australia.

Question agreed to.

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

*Commonwealth Scientific and Industrial Research Organisation*

**Senator Kim Carr (Victoria) (16:13):** I move:

That the Senate take note of the answers given by the Minister for Finance (Senator Cormann) and the Cabinet Secretary (Senator Sinodinos) to questions without notice asked by the Leader of the
Opposition in the Senate (Senator Wong) and Senator Carr today relating to the timing of the 2016-17 Budget and to the Commonwealth Scientific and Industrial Research Organisation.

Today the Minister for Industry, Innovation and Science, Mr Pyne, put out a statement celebrating 100 years of the CSIRO and its predecessor. Of course, there is much to be celebrated when we talk about the CSIRO and Australia's history: its extraordinary record of success and, of course, the amazing manner in which the CSIRO has reached into the hearts and minds of Australians to the point where I think it is regarded as not just our premier publicly-funded scientific agency but one of the great national institutions of the Commonwealth. It is one of those entities that enjoys enormous public support.

So it is with some irony that, on the celebration of 100 years of the CSIRO and its predecessor organisation, we are faced with the question of: why is it that this government has cut $115 million from this great organisation, which has led to one of the biggest numbers of job losses in the agency's history? Further, this is a government that has cut $22 million from climate science programs in the Environment portfolio, which of course flows into the CSIRO. It is remarkable that we find that the international reputation of the CSIRO is under such acute examination now. Nearly 3½ thousand of the world's top climate change scientists have signed a letter highlighting their deep concern that this government's policies have led to the CSIRO reducing its climate change capacity by 50 per cent. One hundred of our leading scientists in the climate change area are to be removed. It is said that they are to be replaced by 25 scientists in the same area.

I find it ironic that, in this moment of celebration of 100 years of Australian science, we are looking at a situation where 350 jobs are now going from this great organisation, in particular in the Oceans and Atmosphere, Land and Water, and Manufacturing divisions and in Data61—that is the organisation that was forced to be created because this government withdrew funding from NICTA, our premier ICT research organisation in the country. These business units, as the government now prefers to call them, are now responding to these budget cuts and, as a consequence, we are losing the capacity for this nation to be able to speak on the international stage on matters of significance, particularly on matters around climate change. We saw Mary Robinson, former UN Secretary-General's Special Envoy on Climate Change, highlighting this point of criticism.

What has struck me in the various proceedings that I have been able to participate in is just how many incredibly experienced, world-respected scientists have come out to protest what is happening within the CSIRO. There are people there who have had 30 years experience—former heads of division, people of enormous international repute—complaining bitterly about what is going on within the CSIRO. The failure of the CSIRO executive to be able to deal satisfactorily with this criticism is truly astounding.

I am particularly concerned about the proposition that the way in which the management of the CSIRO operates is to try to communicate with one another in private, through a private email system. We know, from the evidence that has been presented, that officers down to the research director level have been instructed—instructed!—to communicate with private emails. I say this is a prima facie breach of the Public Governance, Performance and Accountability Act and the Archives Act and that the government has a responsibility to deal with breaches of the law. But it is not sufficient for us to say the CSIRO is entirely responsible for the circumstances where we are seeing such massive assaults on the
capabilities of this nation, because the CSIRO is obliged to follow government budgetary policy, and this has come about as a result of these budget cuts.

Senator SESELJA (Australian Capital Territory) (16:18): I would like to speak to the question re the budget, because I think it is important that we talk about budget strategy, about controlling spending and growing the economy, because that is what the coalition believe in. We have done that in all sorts of ways. We have done it through getting rid of the carbon tax and the mining tax and through small-business tax cuts, instant asset write-off, red-tape reduction, free trade agreements, the TPP and, of course, things like the ABCC, which is about productivity, about growing the economy. The best way to get the budget under control, to cut people's taxes, is to grow the economy and to control your spending. The ABCC is a key measure in that fight. It is a key productivity measure.

Today we read about an alternative approach that is anti-productivity, that goes in completely the opposite direction. What I refer to is the dodgy deal between the ACT Labor government and UnionsACT—unions such as the CFMEU—and the institutionalised corruption that goes with that.

Senator McEwen: Madam Acting Deputy President, I rise on a point of order. The question that Senator Wong asked of Senator Cormann was about whether the federal budget would be delivered on 10 May and/or whether the Turnbull government's tax policy would be announced on 10 May. I have not heard the senator address the answers to either of those questions.

The ACTING DEPUTY PRESIDENT (Senator O'Neill): Senator Seselja, I ask you to be mindful of the nature of the question that was asked and to stay close to that topic if you can.

Senator SESELJA: I am, and I made very clear the chain—because getting the CFMEU and that lawlessness under control is a productivity measure that grows the economy and helps us get the budget under control. That is a big part of our budgetary strategy. The Labor Party do not want to hear about this, but the kind of institutionalised corruption that we read about today needs an airing.

We have seen the alternative approach, and it goes like this. This is a veto deal for the unions in the ACT—unions like the CFMEU—over procurement by the ACT government. We know from the trade union royal commission that the CFMEU targets some companies, particularly those without an EBA. We have seen the cases of Boral and so many others. We have seen the standover tactics here in Canberra and around the country. Under this agreement with the likes of the CFMEU, the CFMEU, who have that history of standover tactics and corruption, get a list of the tenderers. It gets worse. We have got a union who have a pattern of criminal and unlawful behaviour. Further than that, they control the preselections of ministers and the Chief Minister who signed this agreement.

Senator McEwen: Madam Acting Deputy President, on a point of order: I would ask you to bring the senator back to the motion before the chair, which is to take note of the answers given by Senator Cormann to the questions asked by Senator Wong—that was, 'Will the federal budget be delivered on 10 May?' and 'When will the Turnbull government's tax policy be announced?' There was nothing in the answer to that question about trade unions at all. I ask you to bring the senator back to the motion before the chair.
The ACTING DEPUTY PRESIDENT (Senator O'Neill): Senator Seselja, can I encourage you to hear the words that were in the question and if you can confine your remarks to that, that would be helpful.

Senator SESELJA: I absolutely am. I will respond to the point of order.

Opposition senators interjecting—

The ACTING DEPUTY PRESIDENT: Please take your seat, Senator Seselja. I have ruled on the point of order. This is a second point of order. Senator McEwen.

Senator McEwen: Madam Acting Deputy President, on a point of order: Senator Seselja's response then or his continuation of this motion to take note of answers is directly defying your ruling of requiring him to return to the motion before the chair. I ask you again to return him to the motion before the chair.

Senator SESELJA: Madam Acting Deputy President, on a point of order: this is now a tactic, because they do not want to hear about the corruption in the union movement.

The ACTING DEPUTY PRESIDENT: That is not a point of order, Senator Seselja.

Senator SESELJA: No, it is. I am responding to the point of order.

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

Senator SESELJA: It is a tactic.

The ACTING DEPUTY PRESIDENT: It is a debating point.

Senator SESELJA: I will respond to the point of order. I made it very clear.

The ACTING DEPUTY PRESIDENT: Senator Seselja, it is not about making a point. It is not about debating the chair.

Senator SESELJA: I am trying to respond and I am being interjected on. If I could respond to the point of order—

The ACTING DEPUTY PRESIDENT: This is a question of relevance that has been ruled on.

Senator SESELJA: I will put to you a couple of points. We often have wide-ranging debate in these motions to take note. I would make the second point that, in addressing questions of budgetary matters, I am entitled to refer to productivity, growing the economy and union corruption, which affect that. And our efforts to clean that up are directly relevant to our efforts to grow the economy and bring the budget back into surplus.

The ACTING DEPUTY PRESIDENT: That was a fine debating point, but I have ruled on the point of order by Senator McEwen. I would ask you to confine your remarks in a way that is somewhat resembling the nature of the question that was asked, because you are ranging very far and wide. I will give you the call and I ask you to respond appropriately.

Senator SESELJA: I thank for your ruling, because I can understand why the Labor Party do not want to hear about this. We believe that productivity is important for getting the budget under control. When you see measures that undermine productivity, as we see in the ACT now with this deal between the Labor Party and CFMEU, we think it needs to be addressed. Do you know what happens if you address it? If you do not allow the stand-over merchants in the CFMEU to rule the roost, do you know what happens? You get better productivity in the
building industry. You know what happens then? You get better economic growth. You grow the economy. What part of growing the economy is not relevant?

The ACTING DEPUTY PRESIDENT: Senator Seselja, resume your seat.

Senator Carol Brown: Madam Acting Deputy President, on a point of order: he is nowhere near the question before the chair. He is deliberately ignoring your request to do so. I know they do not have much of a tax policy, and I know he probably does not want to talk about it, but he should try to state—

The ACTING DEPUTY PRESIDENT: Senator Brown, you are now engaging in debate, so please resume your seat. Senator Seselja, that was a debating point not a point of order. Senator Seselja, you are responding to the answer that was given by the minister in response to the question. Please contain your remarks that are close to both the question and the answer. You have the call, Senator Seselja.

Senator SESSELJA: Which is exactly what I am doing, because we believe, in order to get the budget under control, you have to grow the economy. There are all sorts of handbrakes on the economy and one of them is union corruption. We are prepared to stand up against it. The Labor Party prefers to do deals with those who engage in it. They take money from them; they owe their preselections to them and now they outsource procurement to them here in the ACT. We have the very person who has pleaded guilty for blackmail here in the ACT, who is part of the CFMEU, and who is the sub-branch president of the Labor Party here in Canberra. The conflict of interest and the potential for corruption, when you give him a list of potential contractors, undermines confidence. People in the building industry who see this type of corruption and the turning of a blind eye by the ACT Labor Party is something we see around the country unfortunately. We heard today that these kinds of deals are not unique to the ACT. If you want to grow the economy and the Labor Party is interested in it, I will give you a tip: do not do deals like ACT Labor has done with unions ACT; do not sell out to corrupt unions; and do not give corrupt unionists and stand-over merchants a veto power over your procurement in the ACT or anywhere else. (Time expired)

Senator GALLACHER (South Australia) (16:27): What a disgraceful performance that was. The simple questions before the Senate were: are we going to get a budget on the 10th; are we going to have look at a tax policy; and will we get time to debate the tax policy before the election? Senator Seselja gets a bomb and throws it over there, starts a bushfire down the road and says, 'Look over there. Do not look at the budget. Do not let's debate the budget before the election. Let's start a fire somewhere else and hope the fire engines all run that way.' What an absolute disgrace.

We know that there is a very serious period before the Australian electorate, and we need to know exactly what is going on. I want it put on the record again: revenue for 2015 and 2016 is expected to be $405.4 billion, an increase of 5.5 per cent on the estimated revenue of 2014-15. And we know that expenses in 2015-16 are expected to be $434.5 billion, an increase of 3.4 per cent on the estimated expenses for 2014-15. We do have a picture that we are spending more than we are earning, and all we are saying is that this government should come clean about how it is going to address that. Senator Macdonald makes the point, 'I have been here 25 years. You wait till the budget and you will find out the day after.' I have also been here a short amount of time and I have learned this: things that are floated are backgrounded and put in the media. We know that the Treasurer allegedly, as reported in the
media, has ruled out tax cuts. We know that a short while ago he was saying that bracket creep was a job destroyer and a growth risk, and we know that there are economic commentators well versed in the skill of estimating the drag on GDP that bracket creep may cause.

So it is fair enough; we know that the Manager of Opposition Business as late as today has said that there will be a tax policy out there. The only problem is that they do not seem to know which one they are going to bring out! They take one step forward and one step back: negative gearing is going to put house prices up and then it is going to put house prices down. They have no clear strategy or idea. Their only strategy is akin to what Senator Seselja's performance was—to talk about something which is totally irrelevant to what is before the Australian people.

Now, there has been a royal commission into alleged union corruption. There will be findings in all of that and that will be dealt with appropriately. That is an appropriate line of inquiry and it will take its course in the public domain. But the question before the chair today was about having a budget on 10 May. We know that there has been backgounding that the House of Representatives can be recalled and they can put a budget through. We could be recalled to 3 May or we could be recalled a week early. It is a simple question: is the budget on 10 May? We do not really know; we will find out—

Senator Scullion: We'll let you know.

Senator GALLACHER: Yes. The next thing is: will we get a tax plan before that? 'We'll let you know.' Then, 'Will we get time to debate it before an election'—a really important question.

Senator Williams: Yeah—of course you will!

Senator GALLACHER: What? Half a day? Will we be recalled?

Senator Carol Brown: Will we have estimates?

Senator GALLACHER: Will we have estimates? Brilliant! Yes! Post every budget there are the estimates, where we actually have the paperwork which is a metre high and we try to burrow through it to find out what is going on. And when we do find out it is not always borne out. We know now, if we go back to Senator Carr's question, that one of the most fundamental things to Australia's growth and prosperity—the research and development conducted by CSIRO—has been diminished.

We know of 10 things that they have invented over the last 40 years or there about, from wi-fi to Aerogard. We know that there was a considerable sum of money repatriated to Australia as a result of the wi-fi technology and that has gone towards enhancing their facilities. As a member of the Public Works Committee I have been briefed across all of that. But it is an absolute disgrace that when we have scientists who are measuring the ice cap and doing critical work in the Antarctic, and who can show us maps of what the results will do to places in West Australia which are currently growing wheat and which will no longer be able to grow wheat, that the critical science has been abandoned by this government and it was not obvious in the budget. So we need to be able to look at a budget, pull it to pieces and ask the questions. Senator Wong simply asked if that were going to happen. We did not expect a fire to be lit on the CFMEU work.
Senator McKENZIE (Victoria) (16:32): I would also like to speak to the motion to take note of answers to questions during question time from Senator Carr and Senator Wong.

The CSIRO and science in general have no greater friend than the National Party and, indeed, the Turnbull government. The CSIRO was set up by the National Party in 1926—by the minister at the time, Earl Page. It was set up specifically to grow and develop the agricultural industry and to increase ag productivity at the time by focusing on eradication of pests and improving our stock here in Australia. So the CSIRO has always, from its very inception, had a very close relationship with industry and scientists coming together to solve real-world problems on the ground.

I think that our commitment to science as the heart of our economic agenda going forward is unequivocal. This government is unequivocal about its backing of our scientists and the national infrastructure program—and I will get to that. Senator Carr and the former government oversaw the funding cliff that essential national scientific infrastructure program had under their government. They were full of bright ideas and very ready and quick with the press releases, but not so good on the implementation or the follow through.

When we go to our government's commitment to science we go to the $1.1 billion innovation agenda, where we are increasing the relationship between science and industry and where we want to increase the number of people not only working in STEM areas but also the number of students studying it. That requires a range of strategies to actually improve and increase turning young people on to the fabulous world of science. As a person who studied mathematics, I get excited about this stuff. The future is in the science, technology and mathematics subjects. The 21st century is going to be full of opportunity and potential, so get on board!

We are actually going to address the culture that exists in this country, where industry does not naturally go to universities to help solve their issues within their businesses, and nor do universities naturally seek out partnerships with small to medium enterprises. So we have incentivised those relationships. We want to increase the collaboration and cooperation between industry and universities, and also between universities. I think we have seen in other areas how Australia's university sector, when it collaborates, can come up with some really exciting results.

One of the things that I am quite excited about is increasing the access to data, because by making government data public to all researchers—not just to those in the CSIRO, but all the researchers in all our universities and our centres of excellence will have access to that data—that will actually drive innovation policy outcomes that we have not even thought about yet because that data has been locked away. As I have said, and as the Prime Minister has said many times, science is at the heart of our economic agenda.

If you listened to those on the other side you might think that we do not actually appreciate science or the CSIRO. But this government is providing the CSIRO with a record $3.1 billion worth of funding in the 2015 budget over the forward estimates. As I said, when we actually look at the Labor Party's vision for science, it does not extend beyond the front page. I particularly want to point to the NCRIS program. It is significant national infrastructure that is shared amongst our scientists, our leading universities and, indeed, academics across the world who are coming to Australia and doing their research in a collaborative fashion. Labor
only funded that infrastructure and then said, 'No, it's not an ongoing program.' So we had a crisis that they did not solve over the forward estimates; we had to come in and solve it.

**Senator Carol Brown:** You're not listening to them; that's not what they're saying!

**Senator McKENZIE:** So do not come bleating to us now about a lack of commitment to science and scientists in this country, because it is our government that is backing them—backing them not only with new ways to address the challenges of the 21st century but supporting the work in very real and tangible ways by supporting their infrastructure. Those opposite are very good at the bright ideas but they lack the courage, conviction and diligence to actually see the implementation.

When we go to the issue around climate change research, the CSIRO has assured that Australia will have actual climate change models that will be relevant to us and assist us to deal with the challenges going forward in the 21st century around that.

I will go to the tax issues. When I looked at the Labor Party's tax policies they were taxing the poor with the cigarette tax, they were taxing housing with the negative gearing, they were taxing jobs with the good old carbon tax, and the classic tax was the mining tax, which did not get any revenue at all. So let's not look— *(Time expired)*

**Senator McALLISTER** *(New South Wales)* *(16:37)*: I seek to make comments principally on the answers provided by Senator Cormann—noting that the debate has so far ranged much broader than that. Of course, what Senator Cormann was asked was about the timing of the budget, whether or not we would know the government's tax policy before the budget, and whether or not there would be adequate time to scrutinise the budget. These are important questions, and they are particularly important questions for this government and this Prime Minister.

As we know, just five months ago Malcolm Turnbull stood out in the courtyard outside here and he declared that he would be challenging the then Prime Minister, Tony Abbott, for the leadership. Apparently his reason—and he made it very clear at the time—was that there was an urgent need for economic leadership. That was the pitch. That was the pitch to his party room and that was the pitch to the Australian people. He said of the then Prime Minister:

He has not been capable of providing the economic confidence that business needs. Now we are living as Australians in the most exciting time. The big economic changes that we're living through here and around the world offer enormous challenges and enormous opportunities.

And we need a different style of leadership. We need a style of leadership that explains those challenges and opportunities … that respects the people's intelligence, that explains these complex issues and then sets out the course of action … and makes a case for it.

It all sounds pretty good actually, but what a fall from grace it has been in that very short period of time—in just five months.

I understand what the Prime Minister was trying to say at that time: that when you are facing complex economic issues, and when you are facing an economic transition with many variables, government should do what it can to provide certainty and confidence to the community, to business and to families. You would think, if that is the priority, that it would be pretty easy to commit clearly to a date, time and place for the federal budget. After all, it is pretty much the same time every year. Instead, for reasons which are almost inexplicable to
me and I suspect for many Australian voters, the government has created an incredible aura of absolute chaos by being utterly incapable of giving a straight answer about where and when the budget will be held. We now have endless speculation that the budget will be brought forward, even though the original date is just eight weeks away.

The Treasurer has said simply that they are working towards a 10 May budget, which sounds like weasel words if you have ever heard them. Today Senator Cormann did say that the budget would be delivered on 10 May, but Senator Scullion just then interjected, telling opposition senators on this question, 'We'll let you know.' It is utterly unclear to me, and I believe to everybody else in this place and I suspect some people on the government benches, when this budget is actually going to take place.

As Mr Bowen, Labor's shadow Treasurer, has pointed out, this is not a trivial issue. The question of budget timing is not trivial, and governments do not muck around with it in this way. If government were choosing to do this, it would be a break with precedent. It has not been done since the 1950s. For more than 60 years we have worked on the assumption that the budget timetable has been clear and understood. But now, only weeks before the budget, the government cannot tell us what day it is on, let alone what is in it. Honestly, it is a sign of complete and utter desperation.

The longer Mr Turnbull is in office, the worse the government's position gets and the clearer it becomes that there is, in fact, no economic plan and the economic leadership that was promised is not going to be delivered. It seems to me that the Prime Minister has been reduced to quite desperate measures and the people around him are following along. They are rushing towards an election because they presumably hope that the complete lack of economic leadership shown by the Prime Minister and his cabinet will not catch-up with them before election day. I think the public are onto them.

There is nothing calm and methodical about this process without a clear budget timetable. There is nothing calm and methodical about a set of budget propositions which come and go, which swing like a weathervane in the wind depending on the mood of the Treasurer and the Prime Minister and whether or not they bothered making a phone call to one another. Watching the coalition trying to decide what goes in their budget is like watching— (Time expired)

Question agreed to.

Asylum Seekers

Senator HANSON-YOUNG (South Australia) (16:43): I move:

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

I rise to speak in relation to the answers given by the Attorney-General to my question earlier today. Firstly, I would like to acknowledge that the hundreds of grandmothers who travelled to Canberra today from all over the country did so because they desperately want to have an engagement and a dialogue with their elected representatives. They feel that their views and concerns of how Australia is treating vulnerable people seeking asylum, particularly children and mothers, are not being heard by those in this place and primarily by the Prime Minister, Malcolm Turnbull.
Earlier today I addressed the group of grandmothers who travelled here. Many of them arrived very early this morning on buses from places like Brisbane, Melbourne and Sydney. I spoke to them about why they were so passionate about this issue. Each of them raised some very important points. They are such a vocal and powerful voice in our community because they are some of our most senior Australians. They are people who have seen various policies in this country and how those policies have impacted on vulnerable people in different ways. Of course they bring not just compassion to this debate but also wisdom and they feel very strongly that, when it comes to the protection of children, the advice from doctors and medical health experts needs to be heeded.

We also had the president of the Australian Medical Association with the grandmothers earlier this morning, describing the detention of children as institutionalised child abuse. These senior women in our community want us as politicians to sit up and take note. These policies are being developed, as they rightly say, in everyone's name in this country. They are being developed in their name and in the future consciousness of our country.

The next generation of Australians, their grandchildren and their great-grandchildren are going to be asking the very direct question: why was it that our parliament sat silently and allowed hundreds and hundreds of children to be locked up, detained and subjected to what medical experts say is child abuse?

We heard from the Attorney-General that the numbers of refugee children and families here in Australia is being reduced, and that is good. Of course that is good, but the trick of this government is the lack of counting and acknowledgement of the hundreds of children and their families who have been shipped off to Nauru. Those children, as we heard from the Attorney-General, seem to cause no concern to the current government. That is simply not good enough.

The Australian government signs the cheques for the detention of these children and their families on Nauru. The Australian government's department personnel are the staff who walk these children onto every single plane to fly them to Nauru to dump them. The policy of this government is to try and wash their hands of this responsibility. To say they simply do not care and that it is not up to them is ludicrous, absurd and nobody buys it. We all know that the only reason there are hundreds of children suffering on Nauru is that the Australian government has put them there and is keeping them there.

It is time that we had an exit strategy from Malcolm Turnbull and his government, because this cannot last. These children deserve a childhood. They deserve a voice in this parliament. They have been given that today from these wonderful grandmothers from around the country, and it is time the Prime Minister listened.

Question agreed to.

**PETITIONS**

*The Clerk:* Petitions have been lodged for presentation as follows:

**Euthanasia Laws Act 1997**

To the Honourable President and members of the Senate in Parliament assembled:

Your petitioners ask that the Senate note:
the importance that many people in the Australian Capital Territory and other Australian Territories place on their right to die with dignity;

that the ACT is subject to an undemocratic and discriminatory restriction, imposed on the ACT through a federal law called the Euthanasia Laws Act 1997, commonly known as the 'Andrews Bill';

that the limitation discriminates against people in the ACT, who do not possess the same rights as people living in Australian states.

Your petitioners ask that the Australian Parliament:

Repeal the limitation imposed by the Euthanasia Laws Act 1997 and restore the right of the ACT and other Territories to pass laws on the issue of euthanasia.

by Senator Di Natale (from 874 citizens)

Radioactive Waste

To the Honourable President and members of the Senate in Parliament assembled:

The petition of the undersigned shows,

That the dangers and disadvantages of locating a nuclear waste dump within five kilometres of the Hill End Historic Site would impact on many thousands of tourists and school children who visit Hill End annually. A nuclear dump would undermine Hill End as a historic tourism site and affect its nationally recognised artist residency program. It will reduce land values in the area and adversely affect local business and farming properties as a result.

We, the local community, unanimously object to the Hill End/Sally's Flat area being chosen as a potential site for a national radioactive waste management facility. It would cause detriment to the lives of the residents far beyond the asserted benefits of hosting a national radioactive waste facility. Your petitioners ask that the Senate: support the immediate removal of the proposed site at Hill End/Sally's Flat from consideration as a location for a national radioactive waste management site.

by Senator Rhiannon (from 2779 citizens)

Petitions received.

Centrelink

Senator SIEWERT (Western Australia—Australian Greens Whip) (16:48): by leave—I present to the Senate a petition relating to Centrelink, from 36,889 citizens, which is not in conformity with the standing orders as it is not in the correct form.

BUSINESS

Withdrawal

Senator WILLIAMS (New South Wales) (16:49): I move:


Withdrawal

Senator WHISH-WILSON (Tasmania) (16:49): At the request of Senator McKim, I move:

That Business of the Senate notice of motion No. 1085 relating to the establishment of a select committee be discharged from the Notice Paper.
POSTNOMES

Postponement

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

Business of the Senate notice of motion no. 1 standing in the name of Senator Xenophon for today, proposing a reference to the Environment and Communications References Committee, postponed till 11 May 2016.

General business notice of motion no. 1083 standing in the name of Senator Waters for today, relating to protection of the Great Barrier Reef, postponed till 17 March 2016.

Presentation

Senator Di Natale: To move:

That the Senate—

(a) notes:

(i) the tragic drug overdoses, including loss of life, that occurred over the past summer at music festivals around the country,

(ii) the Parliamentary Drug Summit on 2 March 2016 heard from experts in the drug and alcohol field who outlined harm reduction strategies that, if available at the time, may have prevented the overdoses and deaths,

(iii) that as a harm-reduction intervention, drug testing is available in several European countries, and

(iv) that drug testing has been shown to change the black market, change drug users' behaviour, enable the provision of information to drug users, capture data about substances present in the drug scene and create the potential for an early warning system;

(b) applauds the efforts of Dr Alex Wodak and Dr David Caldicott to implement a privately-funded drug testing trial at public events in New South Wales where drug use is common; and

(c) encourages the Australian Government, and state and territory governments, to work with health professionals, community organisations, event organisers and drug users to implement publicly-funded drug testing trials.

Senator McAllister: To move:

That the Senate—

(a) notes the importance of good dental health for an individual's overall health;

(b) recognises the important role of water fluoridation in promoting good dental health in our communities;

(c) condemns:

(i) the anti-fluoridation activists who prevent the implementation of evidence-based policy such as water fluoridation, and

(ii) the Abbott/Turnbull Governments' cuts to the historic $4.6 billion investment in public dental services made by the Gillard Labor Government; and

(d) calls for all funding to public dental services and the Child Dental Benefits scheme to be restored.

Senator Rhiannon: To move:

That the Senate—

(a) notes that:
(i) electricity network operators in New South Wales are in the process of shedding thousands of jobs,
(ii) in the past 12 months, Ausgrid has shed 879 jobs, Endeavour Energy 155 jobs and Essential Energy 350 regional jobs through voluntary redundancy, and further job cuts are being pursued,
(iii) on 7 March 2016, Essential Energy filed an application with the Fair Work Commission to terminate the Essential Energy Enterprise Agreement 2013 which, if successful, will allow the company to significantly reduce workers' pay and conditions and deliver widespread forced redundancies,
(iv) a decision by the Fair Work Commission called Aurizon Operations Limited and others [2015] FWC FB 540 (22 April 2015) set a dangerous precedent for the termination of agreements without the consent of employees or their unions, and
(v) further job losses in New South Wales electricity distribution businesses will cause significant economic and social harm and negatively impact on the safety and security of the electricity network; and

(b) calls on the Federal Government to amend section 225 of the Fair Work Act 2009 to:
(i) prevent an employer from applying to the Fair Work Commission to have an enterprise agreement that has passed its nominal expiry date terminated, and
(ii) require employers and workers to undertake negotiation and conciliation and, where necessary, arbitration in the Fair Work Commission to determine a new and fair enterprise agreement.

Senator Rhiannon: To move:
That there be laid on the table by the Minister representing the Minister for Agriculture and Water Resources, no later than 17 March 2016, the proposed draft Australian national standard on egg labelling to be considered by the Meeting of Ministers for Consumer Affairs to be held on 31 March 2016, and any associated documents.

Senators Madigan, Day, Leyonhjelm, Wang, Lambie, Xenophon, Lazarus and Muir: To move:
That—

(a) the Senate notes that:
(i) the President's report to the Senate on government responses outstanding to parliamentary committee reports as at 1 December 2015, listed the report of the Select Committee on Wind Turbines as among the reports the Government had failed to respond to within the required 3 month timeframe, and
(ii) the Government still has not provided a formal response to the committee's report, although it has been some 7 months since the report was tabled; and

(b) there be laid on the table by the Minister representing the Minister for the Environment (Senator Birmingham), no later than 3.30 pm on 10 May 2016, the Government's response to the report of the Select Committee on Wind Turbines, dated August 2015.

Senator McEwen: To move:
That the Senate—

(a) acknowledges that:
(i) 23 July 2016 marks the centenary of Australia's participation in the Battle of Pozières,
(ii) 24,000 Australian soldiers lost their lives in the battle, and
(iii) no other battle in World War I equalled the horror of the Battle of Pozières as measured by lives lost and soldiers wounded; and
(b) thanks the Australian Pozières Remembrance Association Inc., together with the village of Pozières, for creating a Memorial Garden in Pozières to pay tribute to Australia's World War I defence personnel.

Senator McKim: To move:
That the following matter be referred to the Environment and Communications References Committee for inquiry and report by 30 June 2016:
The response to, and lessons learnt from, recent fires in remote Tasmanian wilderness affecting the Tasmanian Wilderness World Heritage Area, with particular reference to:
(a) the impact of global warming on fire frequency and magnitude;
(b) the availability and provisions of financial, human and mechanical resources;
(c) the adequacy of fire assessment and modelling capacity;
(d) Australia's obligations as State Party to the World Heritage Convention;
(e) world best practice in remote area fire management; and
(f) any related matter.

Senator McEwen: To move:
That the Senate—
(a) notes the comments of the of the Leader of the Australian Greens (Senator Di Natale) in the debate on the Commonwealth Electoral Amendment Bill 2016, stating 'Labor joined with the Coalition to support the invasion of Iraq';
(b) reminds Senator Di Natale that Labor consistently opposed the 2003 war in Iraq; and
(c) calls on Senator Di Natale to correct the record.

Senator Smith: To move:
That the Senate—
(a) notes that on 8 November 2015, Myanmar held its first openly contested election in 25 years;
(b) congratulates the people of Myanmar on the peaceful and efficient conduct of the election, which was a powerful demonstration of the people's wish to transition to democracy;
(c) notes:
(i) the result of the election, which delivered a significant majority to the National League for Democracy (NLD), the political movement led by pro-democracy campaigner Ms Aung San Suu Kyi,
(ii) the election by Myanmar's Union Parliament on 15 March 2016 of Mr Htin Kyaw as President, and
(iii) the election of Mr Henry Van Thio to the office of Second Vice-President, and its particular significance for the Chin and Christian communities of Myanmar, given this is the most senior office to be held by a Chin person since the Union of Burma was formed in 1947; and
(d) recognises that the selection of the Myanmar's president and vice-presidents is an important step in its political transition, whilst noting the need for further reforms to strengthen representative government in that country.

Senator Wong: To move:
That the Senate affirms the previous announced decision of the Government to deliver the 2016-17 Budget on 10 May 2016.

Senator Whish-Wilson: To move:
That the Senate—
(a) notes the Economics References Committee report received on 11 March 2016 into the collapse of forestry managed investment schemes, a $4 billion Ponzi scheme facilitated by the lax lending standards of the Bendigo and Adelaide Bank and the ANZ bank;

(b) notes that during the term of the 44th Parliament, the following financial scandals have been uncovered:

(i) 1,100 Commonwealth Bank clients were given unsuitable advice, and another 8,000 are having their cases reviewed,

(ii) 1,000 National Australia Bank clients were given unsuitable advice,

(iii) 160 Macquarie Bank clients were given unsuitable advice, and thousands more are having their cases reviewed,

(iv) 8,500 ANZ Bank clients were charged for services they did not get,

(v) IOOF is alleged to have engaged in insider trading, front running and other misconduct,

(vi) the ANZ Bank is alleged to have rigged the Bank Bill Swap Rate, and

(vii) the Commonwealth Bank is alleged to have engaged in fraud to unfairly deny life insurance claims; and

(c) calls on the government to establish a Royal Commission into crime and misconduct within the financial services sector.

Senator Fifield: To move:
That the hours of meeting for Tuesday, 10 May 2016 be from 12.30 pm to 6.30 pm and 8.30 pm to adjournment, and for Thursday, 12 May 2016 be from 9.30 am to 6 pm and 8 pm to adjournment, and that:

(a) the routine of business from 8.30 pm on Tuesday, 10 May 2016 shall be:

(i) Budget statement and documents 2016-17, and

(ii) adjournment; and

(b) the routine of business from 8 pm on Thursday, 12 May 2016 shall be:

(i) Budget statement and documents—party leaders and independent senators to make responses to the statement and documents for not more than 30 minutes each, and

(ii) adjournment.

Senator Williams: To move:
That the Senate—

(a) notes—

(i) the Contractor Driver Minimum Payments Road Safety Remuneration Order 2016 that will still come into effect on 4 April 2016, forcing self-employed drivers to charge rates 35 per cent higher than trucking companies, deliberately placing them at a competitive disadvantage,

(ii) that this order unfairly targets self-employed drivers, while exempting transport companies that employ drivers,

(iii) the main outcome of this order will force self-employed drivers out of the market by requiring them to charge for transport at a higher rate than large company-owned competitors, and

(iv) that leading industry representatives, including the Australian Industry Group, the National Road Transport Association, the Australian Livestock and Rural Transporters Association, the National Farmers Federation and the Council of Small Business of Australia have all supported calls to review this anti-small business decision; and

Senator Williams
(b) supports this delay so that these small business owners are not unfairly targeted and driven out of the market by being forced to charge uncompetitive rates.

**Senator Urquhart:** To move:

That the Senate—

(a) recalls the decision of the Australian Greens to vote with the Liberal and National parties to oppose the introduction of the Carbon Pollution Reduction Scheme; and

(b) recognises the significant role played by the Australian Greens in opposing action on climate change and the subsequent damage to Australia’s future.

**Senator Rice:** To move:

That the Senate—

(a) notes that:

(i) the Turnbull Government is yet to commit funding to any major public transport projects in our urban centres,

(ii) the recent audit of East West Link federal funding showed significant flaws in the Liberal Government’s approvals and funding decisions for that proposed project, and that there are strikingly similar features of the funding decisions for WestConnex and Perth Freight Link toll roads,

(iii) communities in Sydney, Perth and Melbourne are standing up and saying they do not want more polluting toll roads pushed through their urban neighbourhoods, and

(iv) investment in well-designed public transport infrastructure is a more effective, economic, equitable and less polluting means of tackling congestion than new toll road projects; and

(b) calls on the Government to withdraw funding for WestConnex and the Perth Freight Link, and prioritise funding for public transport in our major urban centres before polluting toll roads that further embed car-dependence in our cities.

**Senator Lazarus:** To move:

That the Senate—

(a) recognises the damaging impact of yellow crazy ants in northern Queensland on:

(i) rainforests, including a 60 hectare World Heritage Area within an 800 hectare infestation south of Cairns,

(ii) ecotourism,

(iii) farming, including the infestation of 230 hectare of sugarcane,

(iv) Australian wildlife and pets, including many endangered species endemic to northern Queensland rainforests,

(v) the health of residents, including the risk of temporary blindness if sprayed in the eye with formic acid,

(vi) the safety of schools,

(vii) the liveability of the region, and

(viii) property values; and

(b) calls on the Government to urgently commit funding to the Yellow Crazy Ant Eradication Program to fund it for 3 years past June 2016.

**Senator Lazarus:** To move:

That the Senate—

(a) notes that:
(i) the Daniel Morcombe Foundation was established as a lasting legacy to Daniel by parents Bruce and Denise Morcombe in 2005 after their son Daniel was abducted and murdered in December 2003 while waiting to catch a bus on the Sunshine Coast, and

(ii) the foundation has two main aims: to educate children on how to stay safe in a physical and online environment, and to support young victims of crime;

(b) recognises the important work of the foundation in:

(i) assisting educators and parents in the education of children about their personal safety, by funding the development of child safety educational resources,

(ii) assisting young victims of crime through financial support in addition to that provided by Government agencies, and

(iii) empowering all Australians to make their own local communities safer places for children;

(c) congratulates Denise and Bruce Morcombe on their selfless and tireless work to protect children from harm and recognise their call for the establishment of a national 'Sex Offender and Child Homicide Offender Public Website', known as Daniel's Law, which would list 'the worst of the worst' child sex offenders, including those convicted of killing a child; and

(d) calls on the Federal Government to establish a working group comprising state and territory government representatives, law enforcement, child safety advocates and other relevant professionals to consider and develop solutions to issues affecting children's safety, including for example the possible viability of the establishment of such a register.

Senator Lazarus: To move:

That the Senate—

(a) recognises:

(i) the importance of community legal centres, as one of the four key free legal assistance providers in Australia, in:

(A) playing a central role in combatting the current Australian domestic violence crisis as a front-line service,

(B) providing free legal advice in areas such as family violence, family law, credit and debt, employment and housing,

(C) providing crucial early intervention to stop legal problems escalating and community legal education, and

(D) assisting 216,000 people nationally in 2015, nearly 50,000 of whom are in Queensland, in

(ii) that in 2015, 160,000 people were turned away nationally, 80,000 of whom were in Queensland, and there is rising demand for services, and

(iii) that the planned funding cuts will directly affect the ability of people in Queensland, and across Australia, to access the legal help they need; and

(b) therefore calls on the Government to:

(i) urgently halt funding cuts to community legal centres due to take effect from 1 July 2017,

(ii) commit to increasing funding in line with the recommendations made by the Productivity Commission, including a minimum of $14.4 million per year to community legal centres,

(iii) remove restrictions on community legal centres using Federal Government funding to undertake vital law reform and policy advocacy work, and

(iv) invest long-term in community legal centres, Family Violence Prevention Legal Services and other legal assistance services.
The chair of the Standing Committee for the Scrutiny of Bills (Senator Polley): To move:
That the following amendment to standing order 24 operate as a temporary order from 10 May 2016 until the end of the 44th Parliament:
Add the following paragraph:
'(1)(d) If the committee has not completed its inquiry into a bill due to the failure of a minister to respond to the committee's concerns, then immediately prior to the order of the day relating to the bill being called on, a senator may:
(i) ask the minister for an explanation as to why the committee has not received a response; and
(ii) the senator may, at the conclusion of the explanation, move without notice—That the Senate take note of the explanation; or
(iii) in the event that the minister does not provide an explanation, the senator may, without notice, move a motion with regard to the minister's failure to provide an explanation.'

Senators Moore, McKenzie, Siewert, and Brown: To move:
That the Senate—
(a) recognises that:
(i) 21 March 2016 marks the 3rd anniversary of the former Prime Minister Julia Gillard's apology on behalf of the Australian Government to people affected by forced adoption or removal policies and practices, and
(ii) this apology, on behalf of the Australian people, acknowledges the policies and practices that forced the separation of mothers from their babies created a lifelong legacy of pain and suffering;
(b) acknowledges:
(i) the profound sadness and remorse, in the unreserved apology,
(ii) the hope that the apology will assist healing through shining a light on a dark period of our nation's history, and
(iii) the Australian Government's response provided funding for:
(A) an increased awareness and understanding of the experiences of individuals affected by forced adoption practices in the community,
(B) developing guidelines and training materials for mental health professionals to assist in the diagnosis, treatment and care of those affected by forced adoption practices, and
(C) the National Archives of Australia to document the experiences of those affected by forced adoption and provide information about how to access records; and
(c) notes:
(i) the bravery of the survivors who participated and gave evidence to the Senate inquiry into the Commonwealth contribution to former forced adoption policies and practices, and
(ii) the 20 recommendations of the report of the inquiry were significant in instigating the National Apology for Forced Adoptions.

Senators Fifield, Moore and Siewert: To move:
That the Senate—
(a) notes that:
(i) World Down Syndrome Day will be celebrated internationally on 21 March 2016, and the theme for this year's commemoration is 'My Friends, My Community', and
(ii) people with Down syndrome must be able to enjoy full and equal rights to include the opportunity to participate fully in their communities;

(b) recognises that, sadly, the reality remains for many that prevailing negative attitudes result in low expectations, discrimination and exclusion; and

(c) joins with Down Syndrome Australia, Down Syndrome International and the Australian Down syndrome community in:

(i) supporting the 'My Friends, My Community' conversation, and notes that when children with Down syndrome are given opportunities to participate, all children benefit from this shared environment of friendship, acceptance and respect for everyone and high expectations are created, and

(ii) acknowledging these environments prepare all today's children for life as tomorrow's adults, enabling adults with Down syndrome to live, work, and participate, with confidence and individual autonomy, fully included in society alongside their friends and peers.

Senator Lazarus: To move:

That the Senate—

(a) acknowledges the importance of Australia's shipping and maritime industry, and its contribution to the Australian economy and national defence capabilities;

(b) notes that some 7,000 people are employed directly in shipbuilding yards across Australia, and a further 24,000 people in associated industries;

(c) recognises that 1,800 shipbuilding jobs have been lost in Australia since 2013, and the need to protect and retain Australian jobs for Australian workers;

(d) understands the Federal Government is currently in the process of awarding a large Australian Government shipbuilding contract for the build of defence supply vessels to a Spanish company, Navantia, which will create some 3,000 jobs in Spain and further decimate the Australian shipbuilding and maritime industry; and

(e) calls on the Federal Government to immediately halt any further negotiations with the Spanish company, and instead work with the Australian shipbuilding and maritime industry to immediately establish the capability to build the ships in Australia which will provide Australian jobs for Australian workers.

Senator Simms: To move:

That the Senate—

(a) acknowledges that:

(i) a strong public education system is key to investing in the next generation, and building a fair, successful and cohesive society,

(ii) the Student Start-up Scholarship allows students from disadvantaged or low income backgrounds to purchase necessary study items such as textbooks and course equipment, and

(iii) by turning the Student Start-up Scholarship into a loan, hundreds of thousands of low-income students are being saddled with an extra $6,150 of HELP debt; and

(b) calls on the Government to:

(i) reinstate the Student Start-up Scholarship as a grant and not a loan, and

(ii) increase support for higher education students from disadvantaged or low income backgrounds.

Senator Xenophon: To move:

That the Senate—

(a) notes that:
(i) the Minister for Defence has declined to provide documents commissioned from Macroconomics.com.au Pty Ltd relating to the potential impact on the Australian economy in accordance with the 17 November 2014 order for production of documents,

(ii) on 23 February 2016 the Minister advanced a public interest immunity claim that the Department of Defence commissioned the documents to inform the Cabinet’s consideration of the build of the future submarine,

(iii) in 1975 the Senate by resolution laid out its position with respect to public interest immunity claims indicating that while the Senate may permit claims of public interest immunity to be advanced, it reserves the right to determine whether any particular claim will be accepted,

(iv) on 3 March 2016 a further order for production of documents was made by the Senate requiring the Minister for Defence to provide the basis for the public interest immunity claim made in the Senate on 23 February 2016, and

(v) on 16 March 2016 the Minister failed to comply with the order for production of documents of 3 March 2016 indicating that the Government would not disclose legal advice; and

(b) does not accept the public interest immunity claim made by the Minister for Defence in relation to the order for production of documents of 17 November 2014, and that there be laid on the table by the Minister for Defence, by the next day of sitting, the documents commissioned from Macroconomics.com.au Pty Ltd, including economic modelling and other examination of the potential economic impact of the SEA1000 submarine project on the Australian economy, among other subjects.

Senator Gallacher: To move:

That the following matter be referred to the Foreign Affairs, Defence and Trade References Committee for inquiry and report by 11 May 2016:

The partial suspension of sanctions against Iran, with particular reference to:

(a) the nature and scope of public consultation prior to the making of the Autonomous Sanctions (Suspension of Sanctions—Iran) Instrument 2016, the Autonomous Sanctions (Designated Persons and Entities and Declared Persons—Iran) Amendment List 2016, and the Autonomous Sanctions (Designated Persons and Entities and Declared Persons—Iran) Amendment List 2016 (No. 2);

(b) the adequacy of the explanatory statements accompanying the regulations for the removal of certain activities and entities from the sanctions regime;

(c) the extent to which any removed entities have institutional or financial ties to any entities that continue to be designated, and the nature of such ties;

(d) the impact of lifting sanctions on the conduct of ran in international affairs and on Australia's national interest;

(e) the Australian Government's decision to re-open a trade office in Iran; and

(f) any related matters.

The PRESIDENT (16:50): Does any senator wish for the question to be put on any of those notifications? If not, we will proceed.

BUSINESS

Leave of Absence

Senator SIEWERT (Western Australia—Australian Greens Whip) (16:51): by leave—I move:

That Senator McKim be granted leave of absence for the 17 March 2016 for personal reasons. Question agreed to.
Rearrangement

Senator RYAN (Victoria—Minister for Vocational Education and Skills) (16:51): On behalf of Senator Fifield, I move:

That consideration of the business before the Senate on Wednesday, 16 March 2016, be interrupted at approximately 5 pm, but not so as to interrupt a senator speaking, to enable Senator Paterson to make his first speech without any question before the chair.

Question agreed to.

COMMITTEES

Rural and Regional Affairs and Transport References Committee

Reference

Senator KIM CARR (Victoria) (16:52): Mr President, I wish to indicate that Senator Rice would like to have her name added to the list of the movers of this motion. I, and also on behalf of Senators Xenophon, Madigan, Wang and Rice, move:

That the following matter be referred to the Rural and Regional Affairs and Transport References Committee for inquiry and report by 25 August 2016:

The state of Australia's rail industry and how government procurement, including through the Australia Rail Track Corporation, and other policy levers can improve the value for money, competitiveness, stability of work and capability of the rail manufacturing industry, with specific reference to:

(a) the importance of the national rail industry as a regional employer and activity generator, and the potential costs of further decline of rail manufacturing on the national and relevant regional economies;

(b) the state of the rail industry, barriers to growth and improved productivity, and the potential of Australia's rail industry as a skills and technology incubator, supplier of domestic rail needs as well as potential exports;

(c) the potential for Australia to benefit from a nationally coordinated approach to rail manufacturing standards and rail procurement projects given the size of the Australian rail industry; and

(d) any other related matters.

Question agreed to.

MOTIONS

Polio

Senator McEWEN (South Australia—Opposition Whip in the Senate) (16:52): At the request of Senator Singh, I move:

That the Senate—

(a) notes that:

(i) 14 March 2016 marks Commonwealth Day for 2.2 billion people living in 53 countries,

(ii) in 1987, when Commonwealth leaders met in Vancouver, more than 350,000 cases of polio paralysed and killed children in 125 countries annually, and in the following year, the Global Polio Eradication Initiative (GPEI) was formed, bringing together Rotary International, the Centers for Disease Control and Prevention [CDC], the World Health Organization [WHO] and the United Nations Children's Emergency Fund [UNICEF] united in a common cause: to eradicate polio once and for all,
(iii) as India and Nigeria have recently been removed from the list of polio endemic countries, polio remains endemic in just one Commonwealth country – Pakistan – where progress has been significant, with 80 per cent fewer cases being recorded in 2015 compared to 2014,

(iv) in the words of the new Commonwealth Secretary General Designate, The Rt Hon Baroness Patricia Scotland, the eradication of polio is 'an exemplary example of what the Commonwealth can do when it collaborates and works together with focus to bring something about',

(v) a funding gap of $1.5 billion for implementing the GPEI's current strategic plan threatens to derail this progress,

(vi) investment in polio eradication will yield the ultimate return for future generations of children who will be free of this devastating disease while global health will benefit from the program's knowledge and experience, as was demonstrated in 2014 when the use of polio infrastructure enabled Nigeria to stop the spread of Ebola,

(vii) the full eradication of polio could be the first milestone success of the new Sustainable Development Goals, providing the blueprint for reaching children with life saving interventions in some of the most remote, vulnerable and socially excluded communities and living up to the theme of Commonwealth Day 2016 of 'An Inclusive Commonwealth', and

(viii) at the most recent Commonwealth Heads of Government Meeting held in Malta in November 2015, Commonwealth leaders, including Prime Minister Malcolm Turnbull, agreed to accelerate action and renew financial support to eradicate polio once and for all; and

(b) calls on the Australian Government to follow through on this renewed commitment and pledge to the GPEI.

Question agreed to.

National Day of Action against Bullying and Violence

Senator McEWEN (South Australia—Opposition Whip in the Senate) (16:53): At the request of Senators Bilyk and Polley, I move:

That the Senate—

(a) notes that:

(i) the 6th National Day of Action against Bullying and Violence is being held on Friday, 18 March 2016,

(ii) this annual day is Australia's key anti bullying event for schools, and encourages all students to 'take a stand together' against bullying and violence in schools, the classroom and beyond,

(iii) cyberbullying is a serious concern for young Australians, and it can happen at any time where there is access to online technology, and

(iv) everyone has a role to play to keep children safe from bullying and violence; and

(b) calls on the Government to urgently act to legislate against 'revenge porn' which is extremely distressing, demeaning and can lead to real world violence and harassment.


The PRESIDENT: Leave is granted for one minute, Senator Ryan.

Senator RYAN: Thank you. The coalition government recognises that cyberbullying is an issue of concern. This week, the Children's eSafety Commissioner, Alastair MacGibbon, has been in Parliament House providing online safety training for MPs, senators and staff in preparation for the National Day of Action against Bullying and Violence.
Technology related crime is a complex issue which involves both state and Commonwealth offences, and we acknowledge that revenge porn is emerging as an issue of concern in the community. That is why this government put it on the COAG agenda to ensure that the Commonwealth, states and territories are working together to ensure there is a coordinated approach. COAG decided on 11 December 2015 that all jurisdictions would consider whether specific offences are necessary to prohibit the distribution of intimate images and a threat do so without consent.

At the Commonwealth level, it is already an offence to use the internet, social media or a mobile phone in a menacing, harassing or offensive manner. Under this offence, section 474.17 of the Criminal Code, there have been over 320 successful prosecutions for a broad range of conduct. The government understands the importance of ensuring that there are effective laws in this area and is considering the issue in consultation with law enforcement agencies, prosecutors and other experts.

Question agreed to.

Tait, Ms Sarah

Cervical Cancer

Senator WANG (Western Australia) (16:55): I, and also on behalf of Senators Nash, Cash, Moore and Peris, move:

That the Senate—

(a) notes the tragic loss of Sarah Tait, Australian rowing champion, following her battle with cervical cancer;
(b) expresses sincere condolences to Sarah's husband Bill and their children Leila and Luca, Sarah's parents Simon and Barbara, and Sarah's family and friends for their loss;
(c) expresses gratitude for the important services and support that Sarah and her family received from the Royal Women's Hospital in Victoria, the Peter MacCallum Cancer Centre and the Caritas Christi Hospice that helped Sarah maintain her quality of life with her children and family;
(d) acknowledges that Sarah Tait is an inspiration to all Australians, especially Australian women in sport, having achieved great personal and professional heights, including:
   (i) receiving a silver medal in 2000 at the age of 17 for her efforts as part of the Junior Women's Four at the World Rowing Junior Championships in Croatia,
   (ii) competing in the 2004 Athens and the 2008 Beijing Olympic Games,
   (iii) winning the World Championships in Japan as part of the Women's Eight in 2005, and winning a silver medal as part of a pair at that same regatta,
   (iv) securing a bronze medal in the coxless pairs at the World Rowing Championships held in Slovenia in 2011,
   (v) winning a silver medal at the 2012 London Olympic Games following the birth of her daughter, Leila,
   (vi) captaining the Australian women's rowing team at the 2008 and 2012 Olympic Games,
   (vii) captaining the 2010 and 2011 World Rowing Championships, and
   (viii) being a positive role model for mothers in professional sport and inspiring Rowing Australia's family friendly policy, and more broadly cultivating a more family friendly environment for coaches and athletes in competitive sport;
(e) notes that cervical cancer is the fourth most common cancer in women, and is sadly one of the most difficult cancers to detect; and

(f) acknowledges that the Minister for Health (Ms Ley) will announce the Medical Research Future Fund (MRFF) advisory board members in the near future, and that the appointment of board members to the MRFF will enable the consideration of further research into the detection, prevention and treatment of rare types of cervical cancer.

I seek leave for 1½ minutes to make a short statement.

The PRESIDENT: Leave is granted for one minute only, Senator Wang.

Senator WANG: Thank you, and I thank the chamber. Today the Senate pays tribute to the inspirational sporting star Sarah Tait, champion rower, loving wife, mother and daughter, who died tragically on 3 March after her battle with a rare cervical cancer.

Rare and undetectable cancers claim the lives of one child every four days, an adult aged 20 to 39 every day and 10 adults aged 40 to 59 every day. I look forward to the health minister's imminent announcement of board members to the Medical Research Future Fund and also to reviewing the recommendations of the Just a little more time report, which is being tabled today, so we can prevent these rare and undetectable cancers from taking more lives.

The PRESIDENT: Thank you, Senator Wang. You did not need the extra time after all. Question agreed to.

DOCUMENTS
Australian Electoral Commission
Order for the Production of Documents

Senator McEWEN (South Australia—Opposition Whip in the Senate) (16:56): At the request of Senator Collins, I move:

That the Senate—

(a) rejects the public interest immunity claim made by the Minister for Finance and the Special Minister of State, Senator Cormann, on Thursday, 3 March 2016, asserting that the disclosure of communications between ministers, ministerial staff, departmental officers and the Australian Electoral Commission relating to changes to voting laws on the grounds 'that this would disclose information that formed part of the deliberations of Cabinet' and that 'disclosure of this material would be contrary to the public interest';

(b) further rejects the decision of the Minister to claim public interest immunity on redacted portions of other documents 'on the grounds that some relate to Cabinet deliberations; to the commercial interests of the Commonwealth which would be harmed in the event of disclosure; and to the private information of Commonwealth officers (including junior officer information)'; and

(c) orders that there be laid on the table by the Special Minister of State, no later than noon on Thursday, 17 March 2016, all documents recording communications with the Australian Electoral Commission by:

(i) the Minister for Finance,

(ii) the Acting Special Minister of State,

(iii) the Special Minister of State, and

(iv) the Department of Finance,
relating to proposed changes to the Senate voting system, including the Commonwealth Electoral Amendment Bill 2016, since 1 September 2015.

Question agreed to.

Commonwealth Scientific and Industrial Research Organisation

Order for the Production of Documents

Senator KIM CARR (Victoria) (16:57): I seek leave to amend general business notice of motion No. 1089, standing in my name for today, concerning an order for the production of documents relating to the CSIRO's Oceans and Atmosphere Division.

Leave granted.

Senator KIM CARR: I move the motion as amended:

That there be laid on the table by the Minister representing the Minister for Industry, Innovation and Science, no later than 9.30 am on Wednesday, 30 March 2016:

(a) all documents that were ordered to be laid on the table by the Senate on 29 February relating to the restructuring of the CSIRO Oceans and Atmosphere division;

(b) any briefing or correspondence from the CSIRO to the Minister or the Department of Industry, Innovation and Science relating to the order for production of documents agreed by the Senate on 24 February relating to the restructuring of the CSIRO Oceans and Atmosphere division;

(c) any briefing or correspondence from the CSIRO to the Minister or the Department of Industry, Innovation and Science relating to the orders for production of documents agreed by the Senate on 29 February relating to the restructuring of the CSIRO Oceans and Atmosphere division; and

(d) any other documents held by the CSIRO relating to the orders for production of documents agreed by the Senate on 24 February and 29 February relating to the restructuring of the CSIRO Oceans and Atmosphere division.

Question agreed to.

Order for the Production of Documents

Senator WATERS (Queensland—Co-Deputy Leader of the Australian Greens) (16:58): I seek leave to amend general business notice of motion No. 1082, standing in my name for today, concerning an order for the production of documents relating to the CSIRO Oceans and Atmosphere Division.

Leave granted.

Senator WATERS: I move the motion as amended:

That there be laid on the table by the Minister representing the Minister for Industry, Innovation and Science, by no later than 9.30 am on Wednesday, 30 March 2016, the following documents assembled by Dr Alex Wonhas and now held by the Commonwealth Scientific and Industrial Research Organisation (CSIRO) or the Minister for Industry, Innovation and Science, relating to the restructuring of the CSIRO Oceans and Atmospheric division:

(a) the written briefing prepared in December 2015 by Dr Ken Lee, director of the CSIRO Oceans and Atmosphere division for submission to the CSIRO executive for the 'Deep Dive' meeting;

(b) documents from November — December 2015 demonstrating the consultation that was undertaken with the Oceans and Atmosphere Flagship Research Program Leaders in preparing the above briefing;
(c) any written communication from Dr Alex Wonhas or Dr Larry Marshall to the CSIRO Oceans and Atmosphere division subsequent to the briefing mentioned in paragraph (1) requesting a proposal for more extensive restructuring;

(d) documents from January 2016 demonstrating any consultation that was undertaken by Dr Ken Lee with the Oceans and Atmosphere Flagship Research Program Leaders in developing the proposal for more extensive restructuring;

(e) all written communication from December 2015 until the present between the CSIRO Oceans and Atmosphere Flagship and either Dr Alex Wonhas or Dr Larry Marshall in relation to any proposed more extensive restructuring including:
   (i) communications detailing the scope, rationale and implications of the restructuring;
   (ii) guidelines or criteria to be used in choosing specific areas to be restructured; and
   (iii) the rationale for a reduction of 100 EFTS.

(f) documents from December 2015 until the present demonstrating the consultation process that is being undertaken with the Oceans and Atmosphere Flagship Research Program Leaders, including guidelines or criteria being used, to determine the specific research groups and teams to be restructured;

(g) any written briefings for Dr Alex Wonhas or Dr Larry Marshall for the CSIRO executive meeting on or around 27 January 2016 concerning proposed restructuring in the CSIRO Oceans and Atmosphere Flagship;

(h) the minutes or other records of any CSIRO board meeting which considered the restructuring of the Oceans and Atmosphere Flagship;

(i) all project description and project budget documents for projects concerning the Cape Grim observing station and the associated Gas Lab analysis, for the past five years up to and including 2015-16; and

(j) any written communication between Dr Larry Marshall and CSIRO staff concerning clean coal technology from November 2015 until the present.

Question agreed to.

COMMITTEES
Electoral Matters Committee
Reporting Date

Senator BUSHBY (Tasmania—Chief Government Whip in the Senate) (16:59): At the request of Senator Reynolds, I move:

That the time for the presentation of the report of the Joint Standing Committee on Electoral Matters on its inquiry into financing of participants in the political process be extended to 22 June 2016.

Question agreed to.

MOTIONS
Polio

Senator BACK (Western Australia) (17:00): I seek leave to amend general business notice of motion No. 1087 standing in my name.

Leave granted.

Senator BACK: I move the motion as amended:

That the Senate—

(a) recognises that:
(i) 14 March marks Commonwealth Day for 2.2 billion people living in 53 countries,
(ii) in the words of the new Commonwealth Secretary-General Designate, The Rt Hon Baroness Patricia Scotland, the eradication of polio is 'an exemplary example of what the Commonwealth can do when it collaborates and works together with focus to bring something about',
(iii) in 1987, when Commonwealth leaders met in Vancouver, more than 350,000 cases of polio paralysed and killed children in 125 countries annually, and in the following year, the Global Polio Eradication Initiative (GPEI) was formed, bringing together Rotary International, the Centers for Disease Control and Prevention [CDC], the World Health Organization (WHO) and the United Nations Children's Emergency Fund (UNICEF) united in a common cause: to eradicate polio once and for all,
(iv) today polio remains endemic in just one Commonwealth country – Pakistan – following the removal of both India and Nigeria from the list of polio endemic countries in recent years, and even in Pakistan progress has been significant, with 80 per cent fewer cases being recorded in 2015 compared to 2014,
(v) a funding gap of $1.5 billion for implementing the GPEI's current strategic plan threatens to derail this progress,
(vi) at the most recent Commonwealth Heads of Government Meeting held in Malta in November 2015, Commonwealth leaders, including Prime Minister Malcolm Turnbull, agreed to accelerate action and renew financial support to eradicate polio once and for all,
(vii) the Australian Government has committed up to $72 million to polio eradication and routine immunisation over 4 years, of which up to $36 million is committed to the GPEI from 2015 to 2018,
(viii) Australia has contributed a total of US$67.35 million to the GPEI from 1985 to 2014, ranking the third highest Commonwealth donor, behind the United Kingdom and Canada,
(ix) strong routine immunisation systems and national health systems are critical to prevent polio resurgence and other communicable disease outbreaks,
(x) in addition, Australia's core contributions of $12.4 million to the WHO for 2015-16, $21 million to UNICEF, and $250 million pledged to Gavi, the Vaccine Alliance for 2016-2010, also support routine immunisation, including polio,
(xi) living up to the 2016 Commonwealth Day theme 'An Inclusive Commonwealth', the full eradication of polio could be the first milestone success of the new Sustainable Development Goals, providing the blueprint for reaching children with life-saving interventions in some of the most remote, vulnerable and socially-excluded communities, and
(xii) investment in polio eradication will yield the ultimate return – future generations of children will be free of this devastating disease while the health of the world will long benefit from the program's knowledge and experience, as was demonstrated in 2014 when the use of polio infrastructure enabled Nigeria to stop the spread of Ebola; and
(b) calls on the Australian Government to follow through on this renewed commitment and pledge to the GPEI.
Question agreed to.

FIRST SPEECH
The PRESIDENT (17:00): Pursuant to orders, we will move to the consideration of a first speech by Senator Paterson. I indicate the presence in the gallery of former Senator Ronaldson, who Senator Paterson has replaced, and also former Senator Alston. I remind
senators that it is always the custom that first speeches are heard in silence. With that, I have great pleasure in calling Senator Paterson.

Senator PATERSON (Victoria) (17:00): It is a great honour to be here today. Less than two weeks ago I was a private citizen. Ten days ago I was chosen by my fellow Liberal Party members to fill this casual vacancy. One week ago I was nominated by the Victorian parliament to take up this role. Yesterday I was sworn in. It has been quite a ride.

I am particularly honoured to be filling the shoes of Senator Michael Ronaldson, who has joined us here tonight. Ronno has been a tireless servant of the Liberal Party for many decades. His parliamentary and ministerial service was distinguished. First as a member of the House of Representatives and then as a senator and a minister, Ronno was a model public servant. I am very conscious of his important role as a voice for regional and rural Victorians. He also happens to be a terrific bloke and a class act. I wish him well in his retirement.

Like many in the Liberal Party, I do not fit the caricature of a Liberal that our political opponents and some in the media like to imagine. I come from a traditionally Labor voting family of long-term union members, and I went to public schools. But, after many years of debating my parents over the dinner table and stirring my teachers in the classroom, I joined the Liberal Party at age 17 because I passionately believe in Liberal values.

I am a Liberal because I believe that we are most likely to achieve human flourishing if we give people freedom. I am proud to call myself a classical liberal, because I recognise that we are the custodians of a set of ideas that goes back centuries. We have inherited an incredibly proud intellectual tradition. Throughout history, liberals have fought for human progress. It was people who called themselves liberals who helped emancipate slaves, enacted religious freedom, and established the principle that all should be equal before the law.

I have come to this place to fight for the things liberals have long fought for: freedom of speech, personal responsibility, federalism and free markets. Of those, freedom of speech is particularly close to my heart. It is our most fundamental freedom. Without it, we have no capacity to argue for and defend all our other freedoms. For me, the antislavery campaigner Frederick Douglass put it best:

To suppress free speech is a double wrong. It violates the rights of the hearer as well as those of the speaker.

We are all diminished when anyone's freedom of speech is taken away. Even if the law never prevents us from saying things we might want to say, today it certainly prevents us from hearing things which we might want or need to hear. It prevents us from knowing what our fellow citizens believe. It denies us the opportunity to refine our thinking and develop our own ideas. Freedom of speech and freedom of thought are inseparable. For as long as I am in this place, I will stand up for free speech.

Another liberal idea I will stand up for while in this place is the dignity of work. The economic case for work is clear. But there is a powerful moral case for work that also must be made. As Arthur Brooks, the President of the American Enterprise Institute, has persuasively argued, the key to human happiness is earned success. We know, from study after study, that people who work and provide for themselves are better off on every measure. They are happier and healthier; they live longer and are better connected to their community. There is
nothing more important to someone's self-esteem than feeling like they are of value to others, and there is no better way to achieve that than through paid employment.

I believe it is our duty to remove every obstacle we can to work. Every intervention we make in the labour market which makes it more difficult to get and keep a job should be avoided at all costs. We must make it as easy and cheap as possible to employ people, so that anyone who wants to work is able to. The most important reason why we must reform our welfare and industrial relations systems is not that it is good for the budget bottom line or the economy. We must do it because it is good for people.

In recent decades we have seen how liberal ideas can transform people's lives for the better. In the last 30 years, more than 680 million people were lifted out of poverty in China as that nation cautiously and partially embraced liberalism. Many more stand to have their lives transformed if China continues down the path towards economic freedom. The gap between life expectancy in India and the United Kingdom in 1960 was 30 years. Today it has narrowed to 15. India is booming, because it too is making steady but gradual progress towards free markets.

The World Bank believes the globe is on track to eliminate extreme poverty by 2030, a task that seemed unimaginable only a few decades ago. This process will accelerate if more countries, particularly those in Africa, continue to liberalise their economies. I want to share a potent example of this. By 2009, Africa's largely government-controlled telecommunications companies had managed to connect only four per cent of Africans to a telephone line. Just five years later, the largely privately run mobile phone networks were reaching 84 per cent. This has not just given the people of Africa the capacity to connect with family and friends. It has also introduced, on a widespread scale, access to the banking system and low-cost finance, which has the potential to unleash entrepreneurship and the durable economic growth that can end poverty as we know it. I am very pleased to be associated with an Australian charity which is putting these principles into practice. The Human Capital Project uses funds donated by Australians to help Cambodians who cannot afford to attend university. In return, these students agree to pay a proportion of their future earnings back into the program to be reinvested in future students. It resembles a completely private HECS system. One day, it may even be self-sustaining. In the meantime, it is proving that free markets and civil society can combat poverty without government.

The remarkable gains in living standards that we have witnessed in recent years have occurred thanks to liberal institutions, such as property rights, the rule of law and free trade. As my friend Daniel Hannan compellingly argues in his book *Inventing Freedom: How the English-Speaking Peoples Made the Modern World*, it is these institutions which separate the West from the rest. Australia is a free and prosperous nation because we have long respected these institutions. But there is nothing inevitable about this. If we want to maintain our unique way of life, we must pass these values on to the next generation. As much as possible, the education system should facilitate this. Sadly, it is becoming increasingly difficult for parents to choose a school which reflects their worldview and which will teach it to their children.

One of the reasons for this is the national curriculum. I must confess I am not a fan of the national curriculum on many grounds. I do not like centralising policy in Canberra. I do not think that removing our ability to compare competing state curriculums was a good thing. I do not think the best educational outcomes will arise from a one-size-fits-all product. But I also
believe that our current national curriculum is unbalanced and skewed towards a left-of-centre world view, although I do acknowledge the government's efforts to improve it. I am particularly concerned that the cross-curriculum priorities, which are to be taught in all subjects, are more aligned with progressive values than liberal or conservative ones. Those cross-curriculum priorities are: sustainability, Aboriginal and Torres Strait Islander histories and cultures, Asia and Australia's engagement with Asia. These are all worthy areas of study. But here are some alternative cross-curriculum priorities which I believe are equally worthy and which may have been included if the original authors of the curriculum came from the other side of the political fence: for example, the importance of the free enterprise system to a prosperous country, how to secure paid employment and why the dignity of work leads to a happy life, and the British heritage of our political institutions and our unique democratic freedoms.

I do not outline these ideas to suggest that the curriculum should be rewritten to reflect my personal views, although the annual Lowy Institute poll which has repeatedly found that only a minority of young Australians believe democracy is the best system of government indicates it might not be a bad idea. If the coalition rewrites the curriculum to reflect our values each time we win office, and Labor does the same, we will be no better off and students will suffer. Instead, I believe that parents are best placed to choose what they think is most important for their children to learn.

Accordingly, I propose that instead of one national curriculum the federal government should license multiple competing private curricula with a set of basic minimum standards. This will not only allow schools and parents to select a curriculum which reflects their values but would also open up the school system to much more diversity, specialisation and choice. It was through educational entrepreneurship and experimentation that the charter school movement in the United States discovered that one of the keys to closing the achievement gap between wealthy and poor students was longer school hours. This would never have been possible in a regulated public system. It was only through testing alternative methods of teaching that it was discovered. I believe our national curriculum should facilitate the same competition.

I am a strong supporter of the State of Israel. I admire greatly what they have built in just a few short years. Today, Israel stands not just as a beacon of liberal democracy in a sea of despotism in its own region but as a shining example to the entire world of how to build a prosperous, tolerant, harmonious and creative country in the toughest of circumstances. I am proud of the generally bipartisan support that Israel has enjoyed from successive Australian governments. But I think we can do more to demonstrate our solidarity. Like many nations, Australia has chosen to locate our embassy in Israel in Tel Aviv. But Tel Aviv is not Israel's capital city—Jerusalem is. Every nation deserves the right to choose its own capital city. Since 1950, Israel has asserted it is Jerusalem. Since 1967, it has administered the entire city. The Israeli government have demonstrated time and time again that they are the best custodians for the religious and historical sites that are of significance to people of many faiths. I do not believe that the international community can continue to refuse to recognise their capital city of choice and the clear reality on the ground. It would be a symbolic but important step for Australia to formally recognise Jerusalem as Israel's capital city and to move our embassy there.
I am very aware that—whether they like it or not—I will be seen by many as a representative of my generation. One issue which I intend to take up on their behalf is the inequity of intergenerational debt. On all current trajectories, it is my generation which will be left with the task of repaying the debt accrued by this one. In November, gross federal government debt passed $400 billion for the first time. Taxpayers are now paying well over $1 billion a month in interest payments. There is no more sobering exercise for a young person—if they are looking for one—than to read successive intergenerational reports while contemplating these figures. Not only will we be paying back this debt but we will be doing so in an economy with a rapidly declining ratio of workers to non-workers.

Clearly, this is not going to be solved overnight. Nor is there a silver bullet. But I would like to propose one modest measure which may help: the reintroduction of a Commonwealth debt ceiling. It was, ironically, a policy introduced under Wayne Swan as Treasurer. It was abolished in 2013. The debt ceiling required the government of the day to seek approval from the parliament to increase Commonwealth borrowings. As a matter of principle, I think it is a good one. Default settings can be powerful. Right now, our default setting is to increase debt with no end in sight. In my view, the default setting should instead be that there is a cap on Commonwealth debt unless the government of the day can justify an increase.

Anyone who gets here, particularly at my age, has had a lot of help along the way. I have been privileged to have two wonderful professional mentors, both of whom are here tonight. The first is my new colleague and former boss, Senator Fifield. I twisted his arm at the ripe old age of 19 to hire me in his office. What I did not know I made up for in overconfidence! The courage, conviction and political judgement he showed in 2009 during the emissions trading scheme debate is a standard that I will always strive to meet.

The other is John Roskam, for more than a decade now, the visionary Executive Director of the Institute of Public Affairs. Since 1943, the IPA has played a major role in Australian public life. But, under John's leadership, it has become a powerhouse of ideas and the first line of defence for the liberties sadly taken for granted by many in this place. From him I have learnt the indispensable role of values in political life and the importance of bold policy ambition.

Honourable senators will be pleased to know that their former colleague and IPA Chairman Rod Kemp is well. He would be here tonight if he was not in France with the lovely Dannielle. The Kemp family, including Rod's brother David and their father CD, have contributed much more than their fair share to public policy in this country, and we are better for it. Through John and Rod I want to thank all my former colleagues at the IPA for their support and friendship over the past five years. I look forward to them holding me to account as I have done to others in this place. I am pleased to be joining what I hope is a growing IPA alumni network in parliament, including my friends the Speaker Tony Smith and Senator Ryan.

Many are cynical about the sorts of friendships that one can forge in politics. But my experience, so far at least, contradicts that view. I have been blessed with many strong friendships thanks to my involvement in the Liberal Party, particularly in my time as a Liberal Student and Young Liberal. I have many friends here tonight, and some who could not be, who have not just been good companions over the years but also worked very hard to see me take this place in the Senate. They include Aaron Lane, Jess Wilson, Gideon Rozner, Simon
Breheny, Luke Tobin, Byron Hodkinson, John Shipp, Annabel Clunies-Ross, Rohan D'Souza, Julian Barendse, Christopher Koch, Georgia Letten, Brendan and Sara Rowswell, Yoni Cukierman, John Osborn, Andrew and Steph Campbell, Evan Mulholland, Adam McKee, Max Williams and Matthew Lesh. I am very optimistic about the future of the Liberal Party because this energetic, talented generation of Liberals is now ready to step up to make their contribution to public life.

One of the most admirable things about the Liberal Party is its volunteer nature. There are thousands of Australians who contribute their time and energy to the party for no reward and often little recognition, simply because they believe in Liberal values. I know that I am a beneficiary of their selflessness. So I particularly want to thank those who have supported me on this journey, including Norma Wells, Bev McArthur, Noel Pink, David Wood, Cathy Finn, Andrew Ronalds, Noni Bartlett and Patti Sandars.

Of course, I owe the greatest debt of gratitude to my family, especially my parents Murray and Julie. Although they do not share my politics, they have been remarkably tolerant and maybe even a little bit proud of my political endeavours. I am holding out hope that I can at least persuade them to vote for me below the line! They instilled in me a great sense of self-belief and supported me every step of the way. To my equally passionate and much more philosophically-sound brother Alexander: good luck for your wedding on Saturday to the lovely Ali.

My No.1 co-conspirator in all of this, though, has been my amazing wife Lydia. She is, and always will be, the first and last person I turn to for advice. Over the past few months she has balanced supporting me with growing her new, agile and innovative start-up business. My greatest achievement is undoubtedly persuading her to marry me. To the Bevege family: thank you for raising such a remarkable person and welcoming me into the clan.

Tonight I have laid down the markers by which I will one day judge my own contribution. I hope that I can live up to them. If I am ever lost for direction I will remind myself of President Calvin Coolidge's measure of his own time in office: 'Perhaps one of the most important accomplishments of my administration has been minding my own business.' I thank the Senate for the courtesy it has extended me this evening.

Honourable senators: Hear, hear!

MOTIONS

Syria

Senator HANSON-YOUNG (South Australia) (17:24): I ask that general business notice of motion No. 1079, relating to the ongoing conflict in Syria, be taken as a formal motion.

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

Senator Ryan: Yes.

The PRESIDENT: Formality has been denied.

Senator RYAN (Victoria—Minister for Vocational Education and Skills) (17:24): Mr President, I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator RYAN: The Australian government supports international efforts to end the fighting in Syria and ease the suffering of the Syrian people. Since 2011, Australia has
provided $258 million in humanitarian assistance for the Iraq and Syria crises, including almost $70 million in the past five months alone. Most recently, at the Supporting Syria conference in London, the foreign minister announced a further $25 million in assistance for Syria and its neighbours, as well as Iraq. The assistance would be provided through the UNHCR, UNICEF and the World Food Program, along with international humanitarian organisations and Australian NGOs. Australia is also deploying 10 Australian civilian corps specialists. These specialists will provide much needed technical expertise to our UN partners in humanitarian and development sectors. In total, the government's response to the crises in Syria and Iraq—humanitarian, resettlement and military—amounts to over $1.6 billion, which is significant by any terms.

Senator HANSON-YOUNG (South Australia) (17:25): Mr President, I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator HANSON-YOUNG: I think this is absurd—the idea that we are sending our Defence personnel into these environments, the fact that we spend hundreds of millions of Australian taxpayers' dollars on these operations and that the rest of the world is asking Australia to be clear about our humanitarian responses. I acknowledged in the motion everything that the government has done and pay absolute tribute to that, but it is not enough. Then there is the fact that they are not even prepared to allow this to be discussed here today. If they want a full-on debate then I will find an opportunity to bring on a full-on debate. We have asked in the chamber many times to debate our involvement in Iraq and Syria, and the government continue to shut it down. It is a disgrace.

BUSINESS

Days and Hours of Meeting

Senator CAMERON (New South Wales) (17:27): I move:

That the resolution of the Senate of 15 March 2016 relating to the hours of meeting and routine of business for the week be amended as follows:

(a) in paragraph (4) add to the list of bills "Fair Work Amendment (Protecting Australian Workers) Bill 2016 (contingent on introduction)"; and

(b) add the following new paragraph "(4)(c) for the purposes of this order, the consideration Fair Work Amendment (Protecting Australian Workers) Bill 2016 be listed and considered as a government business order of the day.

Senator RICE (Victoria) (17:27): Mr President, I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator RICE: Attempting to bring this bill on for debate at this time is yet another cynical stunt by the Labor Party that is designed to stall Senate voting reform. We only saw Senator Cameron's bill for the first time yesterday, and the temporary work visa inquiry that addresses these issues is yet to report. The inquiry has uncovered serious abuses of people's rights at work, and its findings deserve a serious response. Debating this bill this week is not that. In the short amount of time we have had to examine Senator Cameron's bill, it is clear that it does contain many positive provisions that will address challenges facing workers including, for example, sham contracting. The Greens are very likely to support the bill; however, it contains complex amendments and needs to go through a proper committee
process. I note that my colleague Adam Bandt, the member for Melbourne, has already introduced a bill that would protect franchise workers, and it was the Greens who moved to include the abuses that 7-Eleven were committing in the temporary work visa inquiry. Labor are going on and on about due process for Senate reforms yet, when it comes to protecting rights at work, Senator Cameron is just dumping a bill on the Senate.

Senator CAMERON (New South Wales) (17:28): Mr President, I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator CAMERON: It is hypocritical of the Greens to sit here and basically support the coalition to knock this off when we could be debating the issues that are important for ordinary working class people in Australia. These are people that you have no idea about; people that the Greens do not seem to have any compassion for these days. These are people who are the victims of phoenixing. These are the people who are the victims of companies doing the wrong thing, like 7-Eleven. We have seen 7-Eleven employees intimidated, 7-Eleven employees subjected to criminal activity by their employers, and you sit here and back this in. To not deal with this matter is pure hypocrisy, and another example of the Greens losing the plot.

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

The Senate divided. [17:33]

(The President—Senator Parry)

Ayes ......................23
Noes ......................36
Majority ...............13

AYES


NOES

Abetz, E  Bernardi, C  Bushby, DC (teller)  Colbeck, R  Di Natale, R  Fawcett, DJ  Johnston, D

Back, CJ  Birmingham, SJ  Canavan, MJ  Cormann, M  Edwards, S  Hanson-Young, SC  Lindgren, JM
STATEMENT BY THE PRESIDENT

Photography in the Chamber

The PRESIDENT (17:36): I advise senators that I have had a request from the media to take photographs of divisions in the remaining hours and days of this sitting of the Senate. I have raised this before with the Senate and I have indicated that, if the concurrence of the Senate is granted, I would indicate that photographs must only be broad shots of the chamber, that individual senators or groups of senators not be the focus of any particular shot and that the media rules or otherwise be complied with at all times. If there is not concurrence, I will advise the media accordingly.

Is there concurrence for shots of divisions to be taken?

Senator CONROY (Victoria—Deputy Leader of the Opposition in the Senate) (17:36): I am all for a discussion on this; I am just not sure that this is the right moment to discuss it, that is all.

The PRESIDENT (17:37): In that case, if I do not have total concurrence, I will discuss it with party leaders in the morning.

Senator RYAN (Victoria—Minister for Vocational Education and Skills) (17:37): Mr President, I was going to suggest that course of action.

Senator DI NATALE (Victoria—Leader of the Australian Greens) (17:37): This may be redundant but I do not see why we should be preventing photographers from coming in and taking photographs. I do not see any problem with it.

Honourable senators interjecting—
**The PRESIDENT:** Order on both sides! I will raise the matter again in the morning but I will consult with the major party leaders.

**MOTIONS**

**Renewable Energy**

**Senator Di Natale** (Victoria—Leader of the Australian Greens) (17:38): I move:

That the Senate—

(a) notes that:

(i) clean energy is the key to Australia's future prosperity and supports the jobs, investment and technological innovation that is created in Australia through clean energy technologies,

(ii) Australia was on track to achieve around 28 per cent of its electricity sourced from clean energy in the year 2020 until the Government and Opposition voted together to lower the target to 23 per cent in June 2015, and

(iii) as a result of Australia being the first country in the world to have reduced its legislated renewable energy aspirations, no wave of new jobs and construction have commenced 9 months after the passage of the Renewable Energy (Electricity) Amendment Act 2015 (the Act), despite significant global capital seeking to invest in the energy systems of the future; and

(b) urges energy retailers, Origin Energy and Energy Australia to make their intentions clear whether they will facilitate the imminent construction of new Australian clean energy projects or whether they will pass the penalty price for non-compliance with the Act onto their Australian customers.

**Senator Ryan** (Victoria—Minister for Vocational Education and Skills) (17:38): Mr President, I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

**Senator Ryan:** On behalf of the government: since 2011-12 there has been significant growth in many areas of industry to 2014-15. Large-scale solar PV jobs are up 1,560 per cent, from 50 to 830 jobs; wind jobs are up 11 per cent, from 1,110 to 1,230; hydro jobs are up 23 per cent, from 1,480 to 1,820; and biomass jobs are up seven per cent from 1,380 to 1,470. Australia's renewable target will see 23.5 per cent of electricity coming from renewable sources by 2020. That is a doubling of large-scale renewable energy supported by the RET over the next five years. We fixed the RET target last year, and investments in projects to create almost 400 megawatts of capacity have been announced and significant further announcements are expected in the coming six months.

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

The Senate divided [17:40]

Ayes ......................10
Noes ......................46
Majority .................36

**AYES**

Di Natale, R  
Lazarus, GP  
Rhiannon, L  
Siewert, R (teller)  

**Hanson-Young, SC**  
**Ludlam, S**  
**Rice, J**  
**Simms, RA**

CHAMBER
A YES

Waters, LJ
Whish-Wilson, PS

N O E S

Back, CJ
Bilyk, CL (teller)
Brandis, GH
Bushby, DC
Canavan, MJ
Colbeck, R
Conroy, SM
Dastyari, S
Fawcett, DJ
Ketter, CR
Lindgren, JM
Ludwig, JW
Madigan, JJ
McEwen, A
McKenzie, B
Moore, CM
O'Neil, DM
Parry, S
Payne, MA
Ruston, A
Scullion, NG
Smith, D
Wang, Z
Bernardi, C
Birmingham, SJ
Bullock, JW
Cameron, DN
Carr, KJ
Collins, JMA
Cormann, M
Edwards, S
Gallacher, AM
Leyonhjelm, DE
Lines, S
Macdonald, ID
Marshall, GM
McGrath, J
McLucas, J
Muir, R
O'Sullivan, B
Paterson, J
Reynolds, L
Ryan, SM
Sinodinos, A
Sterle, G
Williams, JR

Question negatived.

**Days and Hours of Meeting**

**Senator MUIR** (Victoria) (17:43): I, and also on behalf of Senators Day, Wang, Lazarus, Lambie and Leyonhjelm, move:

That—

(a) the Senate notes:

(i) That the building and construction industry is a significant driver of economic activity in Australia, producing around 8 per cent of Australia's gross domestic product,

(ii) That the building and construction industry comprises over 330,000 businesses nationwide, and directly employs over one million people, which is around 9 per cent of the total workforce,

(iii) comments by the Treasurer (Mr Morrison) in The Australian on 1 February 2016 where he stated that re-establishing the Australian Building and Construction Commission (ABCC) was an important economic reform that must be passed by this Parliament,

(iv) That the Prime Minister (Mr Turnbull) has stated that re-establishing the ABCC was absolutely vital, and

(v) that it has had an opportunity to debate legislation to reinstate the ABCC but has declined to do so; and

(b) the resolution of 15 March 2016 relating to the hours of meeting and routine of business for this week be amended by adding to the list of bills in paragraph (4) the "Building and Construction Industry
(Improving Productivity) Bill 2013 [No. 2] and Building and Construction Industry (Consequential and Transitional Provisions) Bill 2013 [No. 2]”.

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

The Senate divided. [17:45]

(The President—Senator Parry)

Ayes ......................7
Noes ......................51
Majority ...............44

AYES

Day, RJ
Lambie, J
Lazarus, GP
Leyonhjelm, DE
Muir, R (teller)
Wang, Z
Xenophon, N

NOES

Back, CJ
Bernardi, C
Bilyk, CL
Birmingham, SJ
Brandis, GH
Bullock, JW
Bushby, DC (teller)
Cameron, DN
Canavan, MJ
Carr, KJ
Colbeck, R
Collins, JMA
Conroy, SM
Cormann, M
Dastyari, S
Di Natale, R
Edwards, S
Fawcett, DJ
Gallacher, AM
Hanson-Young, SC
Johnston, D
Ketter, CR
Lindgren, JM
Lines, S
Ludlam, S
Ludwig, JW
Macdonald, ID
McEwen, A
McGrath, J
McKenzie, B
McLucas, J
Moore, CM
O’Neill, DM
O’Sullivan, B
Parry, S
Paterson, J
Payne, MA
Reynolds, L
Rhiannon, L
Rice, J
Ruston, A
Ryan, SM
Scullion, NG
Siewert, R
Simms, RA
Sinodinos, A
Smith, D
Sterle, G
Waters, LJ
Whish-Wilson, PS

Question negatived.

Income Management

Senator SIEWERT (Western Australia—Australian Greens Whip) (17:48): I move:

That the Senate—

(a) notes that:
(i) compulsory income management failed to meet policy objectives as assessed by the final evaluation of the Northern Territory Intervention,
(ii) the cashless welfare card is a harsher form of income management, and
(iii) the evidence suggests that the cashless welfare card will not help people struggling with substance abuse, and may hurt many people on income support; and

(b) calls on the Government to:
(i) abandon income management,
(ii) halt the unnecessary cashless welfare card trial in Ceduna, and
(iii) adopt evidence based policy that will genuinely support individuals and communities struggling with substance abuse.


The PRESIDENT: Leave is granted for one minute.

Senator RYAN: The government will not be supporting this motion. I am pleased to advise that yesterday saw the first cashless welfare debit cards issued as part of a trial in Ceduna aimed at reducing welfare fuelled alcohol, drug and gambling abuse. The government has worked closely with the Ceduna community on the co-design of the cashless debit card trial over the last 12 months, which provides a Visa cashless debit card to all working-age income support recipients, along with additional drug and alcohol and other support services. Over $1 million of additional services have been put in place in preparation for this trial. This includes additional drug and alcohol services, a 24/7 mobile outreach service and financial counselling.

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

The Senate divided. [17:50]

(The President—Senator Parry)

Ayes .................. 10
Noes .................. 45
Majority .............. 35

AYES

Di Natale, R
Ludlam, S
Rhiannon, L
Siewert, R (teller)
Waters, LJ

Hanson-Young, SC
Muir, R
Rice, J
Simms, RA
Whish-Wilson, PS

NOES

Back, CJ
Bilyk, CL (teller)
Bullock, JW
Cameron, DN
Carr, KJ
Collins, JMA
Dastyari, S

Bernardi, C
Birmingham, SJ
Bushby, DC
Canavan, MJ
Colbeck, R
Conroy, SM
Day, RJ
Mandatory Telecommunications Data Retention Scheme

Senator LUDLAM (Western Australia—Co-Deputy Leader of the Australian Greens) (17:52): I move

That the Senate—

(a) notes that:

(i) the expensive, intrusive and ultimately pointless mandatory telecommunications data retention scheme was introduced in the 2015-16 Budget at a cost to taxpayers of $153.8 million,

(ii) mandatory data retention forces Australian Internet service providers and telecommunications carriers to retain comprehensive records on their customers' Internet and telephone habits for a period of 2 years,

(iii) the full cost of the scheme is in excess of $300 million but costs just 15 cents per day to circumvent via simple steps such as those helpfully articulated by the Prime Minister (Mr Turnbull), and

(iv) since the Australian Labor Party supported the Government in passing the bill, the number of additional agencies requesting warrantless access to metadata has included the Australian Taxation Office, the Australian Border Force and the Victorian Racing Integrity Commissioner; and

(b) calls on the Government to repeal the scheme.

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

The Senate divided. [17:53]

(The President—Senator Parry)

Ayes ......................12
Noes .....................42
Majority.................30

AYES

Di Natale, R
Hanson-Young, SC
Question negatived.

**MATTERS OF PUBLIC IMPORTANCE**

**Climate Change**

The PRESIDENT (17:57): I inform the Senate that at 8:30 am today Senators Moore and Siewert each submitted a letter in accordance with standing order 75, proposing a matter of public importance. The question of which proposal would be submitted to the Senate was determined by lot, and again Senator Moore is having a lucky week and won the lot. As a result, I will read out her letter:

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

Prime Minister Turnbull's failure to take action consistent with his words on climate change.

Is the proposal supported?

More than the number of senators required by the standing orders having risen in their places—
The PRESIDENT: I understand that informal arrangements have been made to allocate specific times to each of the speakers in today’s debate. With the concurrence of the Senate, I shall ask the clerks to set the clock accordingly.

Senator LINES (Western Australia) (17:57): I want to speak on this matter of public importance today on the failure of our Prime Minister to act decisively on climate change. Climate change must be one of the very biggest issues that the whole world is facing. Certainly when Labor were in power, we had a record on climate change to be absolutely proud of. At least with Mr Abbott, you knew where you stood. He describes climate change as ‘crap’ and there was no pretence about where Mr Abbott stood on climate change.

What we have seen with this new Prime Minister, Mr Turnbull, is he is all pretence. He says one thing and does another. The views that he held just a couple of years ago, he no longer holds. We really have to dig in and look at what that is really about, and it really is about Mr Turnbull saying what is most important to him is remaining the Leader of the Liberal Party and certainly remaining the Prime Minister of Australia. Obviously he will do whatever it takes, including compromising all of his values, to retain that job, because nothing else would explain the fundamental shift we have seen from Mr Turnbull on the issue of climate change. I think Mike Seccombe, in *The Saturday Paper*, summed it up well when he said:

A policy of ‘indirect action’ may be one way Malcolm Turnbull can hang on to the reins of the Coalition while keeping his emissions reduction dream alive.

And that, for me, really sums it up. It says that the Prime Minister really has a policy of indirect action, and that it is absolutely about retaining his job as Prime Minister. We all know that 44 members did not vote for Mr Turnbull, and that is a significant group to have against you. Most people in that group are from the extreme Right: the people who do not support marriage equality, who do not support the republic, who do not support climate change. They are the group that have well and truly harnessed the Prime Minister, Mr Turnbull.

It is also worth remembering that the government's adoption of Mr Turnbull, like Mr Howard's adoption of an ETS, was poll-driven. It was driven by the polls. Certainly the party did not want Mr Turnbull; they were forced to accept him because of the disaster that Mr Abbott had turned into. After a year and a half of terrible opinion polls, Liberal Party members knew they were headed for oblivion if they did not take some drastic action. It is a shame that in his quest Mr Turnbull lost his taste for climate change along the way, but that is the reality of it.

Remember the first time Mr Turnbull lost the leadership? Mr Turnbull lost the leadership in opposition because he wanted to take a bipartisan position on emission reduction. If we are serious about climate change in this country, and if we are serious about our contribution to the world issue of climate change, then it does need to be a bipartisan position. That was a view that Mr Turnbull was prepared to embrace, before he became the Prime Minister and before he got into the Lodge. That is certainly one of the things he has sacrificed along the path to become Prime Minister. In fact, that path—Mr Turnbull’s journey to be Prime Minister—is just littered with his personal beliefs that he used to hold; they are strewn across the roadside as he made those long strides to become the Prime Minister.

What we know is that Mr Abbott's views on climate change—even though they depart drastically from mine and from the Labor Party's—were his views and he was prepared to
clinging to those views. Ultimately, some of those views—not climate change—brought him down. And we know, and Mr Turnbull knows full well, that he only won the leadership last year because Mr Abbott had turned into a nightmare in the polls. Australian voters were well and truly sick of Mr Abbott and, in that vein, Mr Turnbull looked and sounded like a breath of fresh air. Australian voters welcomed that, but I tell you what: that fresh air has now become almost as polluted as it was under Mr Abbott. It is very clear that Mr Turnbull is interested in his own power, in retaining the leadership of the Liberal Party and of being Prime Minister at all costs. He has been prepared to not just compromise his values and beliefs; he has sold them down the river.

And in Paris, Mr Turnbull completely sold us out. Our leader, Mr Shorten, was there, along with our shadow environment minister, Mr Mark Butler. Again, according to The Saturday Paper, some detailed analysis conducted by Germanwatch, Climate Action Network Europe and other affiliated environmental groups scored Australia third last—not third from the top; third from the bottom—among 58 countries, ahead of only Kazakhstan and Saudi Arabia. That is how low we have stooped with regard to climate change under the leadership of Mr Turnbull. Our shadow environment spokesperson, Mr Butler, said that the global pact showed Mr Turnbull's policies, including pollution reduction targets and an intention to abolish several climate related agencies, were 'massively out of step with the rest of the world'. That is where we are now, and Mr Turnbull has taken us there because his quest for power overwhelms any ambitions or beliefs he might have had about changing our climate policy.

There is a clear choice for Malcolm Turnbull, although at this point he does seem to have made the choice to stick with the right wing, the Tea Party members in his own party. He has a choice to set Australia up in line with the rest of the world or to remain at the bottom of the countries at the Paris summit.

Let us look at the government's record. In the past two years, the government has: abolished a price on pollution; abandoned an emissions trading scheme; slashed the Renewable Energy Target; cut funding to carbon capture and storage; cut funding to climate change adaptation programs in the Pacific; and tried, and is still committed to trying, to abolish the widely respected and innovative Climate Change Authority. It also wants to abolish the Clean Energy Finance Corporation and the Australian Renewable Energy Agency. Why does it want to do that? Because it does not want those agencies' eyes on it; it does not want those agencies' eyes on the very poor record of the indirect action of Mr Turnbull and his government on climate change. That is why it wants those agencies gone. If you look at the Clean Energy Finance Corporation in particular, we know under Mr Abbott that the government tried to push the corporation in the direction of windfarms. When that failed, they abandoned it—they left it alone for a little while, but they have recently confirmed that is still an agency—despite its massive success and the innovation it has been involved in. In my own state of Western Australia, the wave energy technology that is really now coming to fruition was funded by the Clean Energy Finance Corporation.

Labor never accepted the spurious argument that hanging at the back of the pack, waiting for all other counties to act before we did, was a good policy position. It is still not a good policy position. The science on climate change is clear, and it is well established. We want to, in government, set up a consultation process to determine our final target, and we want to use the Climate Change Authority's baseline target of a 45 per cent reduction on 2005 levels as
our starting point. Labor want to look at how we approach an internationally linked ETS and a goal of 50 per cent of Australia's energy generated from renewables by 2030. We have, for the first time in this country's history, put together an electricity modernisation plan. That has never been done before, but it is something that needs to be done. Change does not come unless you have good plans and good policies in place, and Mr Turnbull has shown us well and truly he is not interested. (Time expired)

Senator REYNOLDS (Western Australia) (18:07): I too rise to speak on this so-called matter of public importance today, which is sadly just another attempt by those opposite to take a very poorly aimed shot at the government to, I think, hide their complete lack of policy and new ideas in this area. I really wait with bated breath for the ALP to one day introduce an MPI on matters of real concern to those we represent in this place—things like household bills and budgets, education, ensuring that we have a growing economy or how we develop the jobs not only for today but also for tomorrow. Unlike those opposite, this government does understand that all of these things are matters of great concern to Australians today. That is why this government is working to transition our economy to meet the challenges of a rapidly changing, increasingly interconnected and highly disruptive international economy.

Contrary to what we have just heard from Senator Lines, we are addressing climate change with all of these things in mind. Australia is the 12th-largest economy in the world, yet we are responsible for only 1.5 per cent of global emissions. I will say that again: we are responsible for only 1.5 per cent of global emissions. Here on this side this government starts from the position that we want to ensure that we deliver real and sustainable environmental outcomes while ensuring that we do not kill our economy but instead develop it and enable it to grow and transition.

The policies we are now implementing—which I will go through in a minute in a very factual sense to show that we are actually making a difference—unlike the policies of those opposite, are policies that this government has had for five years. They are the policies that we took to the last election and they are policies that we have been implementing for well over two years. Those opposite might not recognise it, but taking clear policies to the electorate and actually implementing them is good government. It is all about consistency and balance. This government is demonstrably and factually delivering what it promised at the election: that we would lower emissions while at the same time lowering electricity prices for all Australians.

All of us in this chamber are Australians. We all love our country and we all want to leave it in a far better state than we found it. What we do disagree on in this place—quite vehemently, sometimes—is how to achieve that and how we are going to work together to leave a better country than we found. I find it incredibly sad that those opposite attempt to paint us on this side as heartless and soulless, as wanting to destroy our environment and to leave it in a worse state than we found it. We have just heard it again from Senator Lines—calling us Tea Party people over here and really trying to say that we do not care. Of course we care. Of course we love our environment and want to leave it in a better state. But we also realise that it has to be done with balance and with sound and consistent policies.

What is really sad when listening to those opposite talk about this issue is that they cannot stand it when those of us on this side of the chamber have not only credible environmental policies but environmental policies that are demonstrably working. They hate it. The sad thing
about them going in with that attitude is that not only do they hate that policies that are working for our environment come from this side of the chamber, but they would actively undermine and get rid of them. So let us have a look at what alternatives they would implement. They criticise us for having policies for five years and for implementing them. They hate it when the policies are actually achieving something.

What environmental policies would those opposite offer us instead? They have had five different policies in just over five years, and still the Leader of the Opposition cannot make up his mind. The only discernible policy from those opposite on the environment—unlike ours on this side—is that they would reintroduce Labor's disastrous carbon tax. It has already comprehensively been shown to be a completely disastrous policy, because not only was it costing the economy billions and costing taxpayers thousands of dollars extra per year in their electricity bills, but—to add insult to injury—it did not work. It made no discernible difference.

What are some of the facts of what we are implementing? First of all, on the international scene, Australia now has a strong and credible emissions reduction target. Australia's reductions and emissions per person and per dollar of GDP will actually be amongst the highest in the world. Fact: we will have a 52 per cent reduction in emissions per person, which is the second-highest amongst G20 countries. That is a fact. The next fact is that we will have a 65 per cent reduction in emissions per unit of GDP.

What are the facts on the Emissions Reduction Fund? Despite all of the bluff and bluster we hear from those on the other side, the fact is that we are achieving real and significant reductions with the Emissions Reduction Fund at around one per cent of the cost of the carbon tax. We have clear evidence that it is cheaper and more effective. As I said, the government's Emissions Reduction Fund is just one per cent of the cost of Labor's disastrous carbon tax. Where are the facts? The fact is that in just the first two auctions of the government's Emissions Reduction Fund nearly 92.8 million tonnes of emission reductions have already been secured over 275 projects at an average price of $13 per tonne. As a result of that, Australia demonstrably now has one of the most effective systems in the world for reducing emissions. It has gained the attention of the international community and is now being picked up by no organisation less than the World Bank.

The world is progressively rejecting carbon taxes and embracing direct-action-style approaches. Why do they like direct-action approaches? It is because it is not just talking; it is not just implementing a useless tax; it is getting in there and implementing actual effective change. In line with that, the World Bank has recently launched a $100 million reverse auction that replicates many features of Australia's own emissions reduction fund.

What are the facts in relation to government support for innovation in emission reduction and renewable energy? If you listened to those opposite, you would think that the government was not doing anything or was actually reversing what has been done in the past. This government absolutely supports innovation in emission reduction and renewable energy. We are currently providing over $15 billion in support for renewables and lower emissions—the strongest support ever, I suggest. Where are the facts? Where is the evidence? Australia is now the world leader in abatement innovation. We have the highest penetration of household solar in the world. Over 15 per cent of Australian households have solar PV or solar hot water
systems. We are now leading the world in soil carbon research and abatement, with nearly eight million tonnes of abatement secured under the ERF.

This government has also introduced measures to reduce vehicle emissions, a National Energy Productivity Plan and a safeguard mechanism covering the largest emitting facilities in the economy. This government is also supporting climate research through the $145 million National Environmental Science Program and the $9 million National Climate Change Adaptation Research Facility. This government is very proud of its record on renewable energy in Australia.

Australia has the highest proportion of households with solar panels. As I said, it is about 15 per cent. To put it in perspective, the next largest is Belgium at around 7.5 per cent—half of Australia. Germany is next at 3.7 per cent. More than $3,000 in government mandated rebates have been provided for these solar systems. The renewable energy target will see more than 23.5 per cent of Australia's electricity coming from renewable sources in 2020 under this government.

It beggars belief that the opposition would really sit here today and deliver this MPI with a straight face given the effect that their climate change policies—or the lack of effect that their climate change policies—have on our economy. They still threaten to bring them back. This government is delivering policies that actually work, that not only help our economy to grow but also help protect our environment in the process. (Time expired)

Senator WATERS (Queensland—Co-Deputy Leader of the Australian Greens) (18:17): I rise to speak to this matter of public importance:

Prime Minister Turnbull's failure to take action consistent with his words on climate change.

How true that is, because in the current Prime Minister we have a reincarnation of Mr Tony Abbott when it comes to climate policy—and really every other policy, for that matter. We have a truly woeful carbon pollution reduction target from this government—one that is less than half of what the science says Australia should do to have even a two-thirds chance of avoiding dangerous global warming. It is less than half of what the science says is the bare minimum.

Interestingly, even if that woeful target were met by this government's inadequate policies, Australia would still be the highest per capita polluter on the entire planet. We have that mantle at the moment. Should these targets be implemented, we will still be the world's biggest polluter on a per capita basis. It is just unbelievable that the government can somehow crow about the target being in any way adequate.

Of course, we have seen this government axe the carbon price, which was effective and bringing down pollution. We have seen this government preside over budget cuts to the CSIRO which have now wreaked upon its staff massive cuts to its climate scientists. We have seen the Emissions Reduction Fund—a misnomer if I ever heard one—paying tonnes of taxpayer moneys to polluters without an appropriate safeguard mechanism, so they are getting paid to keep polluting. Finally, this government has slashed the renewable energy target. Sadly, on that last point both of the big parties joined to slash the renewable energy target.

This is, sadly, where the commonalities start to reveal themselves. Both of the big parties—Labor and the coalition—take enormous donations from fossil fuel companies, whether they are coalminers or coal seam gas companies. Both of these big parties have never refused a
coalmine application—certainly not at this federal level. Both of the big parties have never refused a coal seam gas application under our federal environmental laws. They are both wedded to big coal—the money it trucks into their re-election campaigns and the dirty-energy economy that it is hitched to.

Coal is killing our reef. Already this week and last we have seen the beginnings of serious coral bleaching. I am from Queensland and I know how important the Great Barrier Reef is to our economy. It employs almost 70,000 people. It brings in $6 billion every year. That is money that it could keep bringing into our economy if we look after this place. It does not have a time limit on it, unlike the coal industry, which is now in structural decline, sacking thousands of its workers and polluting the world's climate. We are killing our reefs with this addiction to coal that the big parties have hitched our economy to.

We know that with even a two-degree warming of this planet we will lose all of our coral reefs. If we manage to stabilise at 1½ degrees, we will still lose 90 per cent of our coral reefs. That is the dire situation that our climate scientists are telling us we are in. We have seen the Great Barrier Reef Marine Park Authority raise the coral bleaching threat to level two just this week. We know that the US National Oceanic and Atmospheric Administration has also done the same for global coral reefs. We know that the clear choice is between coal and the reef. It is what one of our learned coral reef climate scientists, Professor Terry Hughes has said: 'The choice is stark. It's coal or the Great Barrier Reef.'

We choose the Great Barrier Reef and we choose clean energy because we know that clean energy is more job-intensive. I have already mentioned the thousands of workers who have already been sacked from the coal industry in the last few years. They are also now seeing a resurgence of black lung disease. This is a dirty industry for workers and for our environment.

It is really clear that we can get on board that global transition to clean energy, which was so evident in the climate talks that I was privileged to attend at the end of last year. There is a transition towards clean energy. Australia could stand to make an awful lot of prosperity out of that, generate an awful lot of jobs and safeguard those amazing places like the Great Barrier Reef. We could safeguard our food producing ability by protecting our agricultural land not only from the direct impact of coal and coal seam gas pockmarking holes through it and digging it up but from the terrible worsening of drought and extreme weather events that climate change will bring if we do not tackle it.

The Greens are committed to clean energy. We are committed to tackling global warming. There will be a stark choice at the coming election.

**Senator PERIS** (Northern Territory) (18:23): I too rise to offer my support for this matter of public importance, which quite rightly criticises Prime Minister Malcolm Turnbull's giving in to the ultraconservative climate change deniers in his party. As my colleague Senator Lines pointed out this evening, for years Mr Turnbull has championed the cause of climate change policies. For years he has stood up to the Mr Abbotts in his party who have denied that climate change is real.

The Northern Territory is one of the most pristine natural environments in the world. It is relatively untouched and has always had protections from environmental damage. I would hate to see the Northern Territory's environment irreversibly damaged because this Prime
Minister of Australia, Mr Turnbull, caved in to a few special interests in his own party, despite previously being committed to and championing the combating of climate change.

Make no mistake, the Northern Territory is feeling the effects of climate change. The Northern Territory environment is faced with the great challenge of climate change, like everyone else on the planet. The facts speak for themselves. Just last month, in the month of February, Darwin received negative rainfall. February is the middle of the monsoon season in the Top End, and it usually averages around 14 inches of rain for the month. Yet this February, in a month that usually has over 20 days of rain, monsoonal storms and sometimes cyclones, there was more atmospheric evaporation of rain than downpour of rain. It was also the hottest February on record in Darwin. The average temperature was 33.5, compared to the previous record of 33.1. The February record has been smashed.

It is impossible to deny that this is an accident. It is impossible to deny that this is an isolated occurrence. This is far from a unique story. In fact, examples of this are occurring all over the world, and it is expected to get worse into the future for not only the Northern Territory but also the rest of the planet.

We also know that tidal levels around the Northern Territory coast are rising. Sea levels are rising, and since the early 1990s northern Australia has experienced increases of up to 7.1 millimetres per year. That is almost two metres since the early 1990s. This is higher than the international trend and extremely worrying for the Northern Territory's environment.

It is not just the environment that is threatened by this. The Northern Territory's infrastructure and economy are at risk of dangerous climate change effects. In fact, the federal government's own environment department has warned of this. In their report on climate change impacts on the Northern Territory it states:

Climate change will lead to sea level rise and potentially greater storm surges which will impact on coastal settlements, infrastructure and ecosystems. Between 260 and 370 residential buildings, with a current value of between $100 million and $134 million may be at risk of inundation from a sea level rise of 1.1 metres. A 1.1 metre sea level rise will also put 2045 kilometres of the NT's roads, up to 24 commercial buildings and 32km of railways at risk. These assets have an estimated value of up to $1.8 billion, $500 million and $100 million respectively.

That is over $2 billion worth of damage just in infrastructure. This does not take into account economic impacts like job losses, added health and welfare costs and the complete destruction of the top end economy if an event like this took place.

Climate change is not just an environmental issue. It is also an economic one. As we all know, especially those across the chamber, the Northern Territory relies on the agricultural industry. But it is an industry that relies on consistent and predictable rainfall. Territory farmers know that all too well, which is why they have repeatedly stressed to me the importance of action on climate change. The Northern Territory cattle industry relies on healthy rainfall in the top end. They cannot afford to lose that. Our fruit industry and agriculture relies on constant weather patterns.

The Northern Territory economy also relies on tourism. How can that industry expect to survive if our rivers, waterfalls and wetlands cannot survive the effects of climate change? People do not visit the Northern Territory to go to the opera. They visit the Territory to see and experience the amazing natural environment the Northern Territory has to offer. Several Territorian industries are under threat. If the Northern Territory sea levels rise too much, our
mangroves will suffer, and Territorians know all too well that our mangroves are the breeding hub that makes our coastlines some of the richest fisheries in the world. Our barramundi, crabbing and prawn industry would suffer as a direct result of sea level rises caused by climate change.

It is a shame that the Prime Minister, Malcolm Turnbull, has not taken responsibility for climate action. In fact, our Aboriginal ranger groups across the Northern Territory have taken responsibility. They are caring for country. They have taken it upon themselves to protect our land and seas not only for themselves but for all Australians. Just like President Barack Obama and new Canadian Prime Minister, Justin Trudeau, have done in their countries, we also need to incorporate Aboriginal science and traditional knowledge into decision making. These people have lived on and understood their country for thousands of years, and in the US and in Canada they acknowledge climate change and respect the role their indigenous people can play in combating climate change.

Through initiatives like carbon farming, Aboriginal ranger groups have harnessed their knowledge of the land to minimise the effects of climate change. Unfortunately, the Northern and Central land councils have reported cuts to the programs which support these ranger groups in the Northern Territory and, I might add, in the top end of the Kimberley. It is also a shame that Australia is not behind our international friends when it comes to climate change.

As I said previously, climate change is an environmental issue and an economic issue. It is real. What has this Prime Minister done? Not much—in fact, nothing. He has rolled back climate change measures, and has been a member of a government that has tried to defund and shut down government clean energy solutions. He has caved into the conservatives on the direct action climate policies, which reward big businesses for doing what they should be doing anyway in trying to reduce emissions. I wholeheartedly support this matter of public importance. Mr Turnbull has failed to stand up against members of his own party and stand up for action on climate change. He is playing a dangerous game with the Northern Territory's and Australia's environment and economy.

I will finish my speech by telling the story of an elderly Aboriginal man who, when we were talking about climate change, said to me, 'We do not have a planet B, so we have to look after the one that we have. We borrow this Earth from our future generations and it is everyone's responsibility to take care of it.'

**Senator BACK (Western Australia) (18:31):** I am delighted to rise to affirm the excellent work undertaken by the Turnbull government on the question of climate change. As I flew from Barrow Island over the Pilbara the other night on my way back to Canberra, I remember commenting to my colleagues on the beautiful Pilbara that we could see out of the window. What was it 10,000 years ago or hundreds of thousands of years ago? It was a sea. It was the ocean. The ocean receded and that is why we have the Pilbara today. Of course climate changes. It has always changed. The term climate change is jolly nearly an oxymoron, because climate changes by its nature.

I want to reflect briefly on the work undertaken by this government, led by environment minister Greg Hunt, and that is the Emissions Reduction Fund, which is delivering outstanding results, as we all know. In just the first two auctions—the third is to be held in April—93 million tonnes of emission reductions have been secured. 275 projects of practical
emissions reduction have been contracted. And what is the average price? I will repeat it for those who did not hear it: it is $13.12 per tonne.

I am going to tell you about the proposed Labor Party program in a few minutes time. The ANU economist Warwick McKibbin—this is not the coalition or the Liberal Party; this is a respected economist from the ANU—estimates that the cost of Labor's target of 45 per cent below 2005 levels is no less than a cool $200 per tonne. But let us talk a bit about some of these 500 projects that are now registered under the Emissions Reduction Fund. It is a shame that Senator Peris has left, because probably the most successful of all is the West Arnhem Land Fire Abatement Project, which is in the Arnhem Land of the Northern Territory. It has been funded by ConocoPhillips and independently assessed by CSIRO, by my very great colleague Dr Jeremy Russell-Smith. They guaranteed to abate in excess of 100,000 tonnes of carbon dioxide equivalent each year, and in consideration of that ConocoPhillips pay them $1 million. That is just one, but it is the first of many bushfire management schemes in the savannas of Northern Australia that are acting practically. It is no wonder that the World Bank has recently launched a $100 million reverse auction. The World Bank has developed this $100 million reverse auction that replicates many features of the Emissions Reduction Fund.

Previous speakers spoke about coal. Coal is not produced at any great levels in my state of Western Australia, but let me give you some statistics in relation to coal and global efforts to reduce carbon emissions. Australian low-sulphur, high-energy coal is having this effect just in China—these are figures from recent years: new coal generation has effected annual emission savings of some 400 million tonnes of carbon dioxide equivalent by changing from dirty, low-energy, high-sulphur coal in China to Australian coal. How does that figure of 400 million tonnes equivalent compare with the EU's emissions trading scheme? I will tell you. The figure of 400 million tonnes equivalent compares with a lousy 35 million tonnes equivalent that has been saved by the EU's program—less than 10 per cent of the saving from China changing over to Australian coal.

How long will it be before we are going to see a contribution by others? Again, I can quote to you: in China, obviously one of the biggest energy users in the world, it is expected that coal-fired power stations now, under construction and planned into the future will be generating 1,360 kilowatts of power from coal. It will be generating 10 gigawatts from renewable energy sources.

So what we have, under the Turnbull government, is direct action, which is working at a price of some $13 per tonne, and of course we see a whole range of projects being undertaken. What do others think of the scheme? It was the subject of so much vehement criticism when we were in opposition. That reminds me that our policies have now been consistent for the last five or six years. Our opponents in the Labor Party have had a new one about every year during that five or six years. Let me quote from the Chief Scientist, Dr Alan Finkel, in The Australian Financial Review of 2 February this year:

… a lot of what's been achieved through the direct action plan is as economically effective as any other scheme it's ever come up with, including regulation or carbon pricing.

That was the Chief Scientist. On 12 November, Geoff Lipsett-Moore of Nature Conservancy said, 'Many projects across Northern Australia have been successful in this round of the ERF funding, so it is a win for people, for the climate and for nature.'
The big question is, of course, what is the alternative? What would our opponents be doing? We know that the leader in the other place, Mr Shorten, has already committed Labor to a return of a carbon tax. We know how devastating that was in Australia—certainly in our state of Western Australia. As I have said, the respected ANU economist McKibbin has estimated that, should Labor be successful in government and bring in their target of 45 per cent reduction below 2005 figures by 2030, the cost equivalent would be in the order of $200 per tonne. Remember again what we have achieved in the coalition government in just the 2½ years. The World Bank has picked up this as a most effective scheme.

The world is rejecting carbon taxes. They are embracing direct action style approaches, because they know they work and because they know they are within a time frame and a capacity in which we can work. Have a look at what happened when the Chicago futures market embraced and embarked on a carbon trading program. It halted very quickly. Have a look at the EU scheme. We know that it is a failure, and it has failed.

It is a little bit rich for Senator Peris to talk about what the coalition is doing when we know very well that Labor, in government, itself paid $5.5 billion to brown coal generators in this country with absolutely no obligations to reduce emissions. This government has a plan. This government is enacting that plan. This government is achieving its results at costs that are wearable for the Australian consuming public. I commend the point to the Senate.

Senator LAMBIE (Tasmania) (18:39): I note that in the past Prime Minister Turnbull has supported an ETS, an emissions trading scheme. I rise to contribute to this matter of public importance, which focuses on Prime Minister Turnbull's failure to take action consistent with his words on climate change. In doing so I take this opportunity to speak about the JLN's policy on a carbon tax and an ETS.

I acknowledge that climate change is real. I also acknowledge that ice core sampling by scientists in the Antarctic shows that over the last 600,000 years the average world temperature has changed and has been much higher than today's average temperature, and it has also been much colder. I note that most scientific climate projections indicate that Australian citizens, by ourselves, have no hope of stopping world climate change—no matter what measures we take. Whether it is a carbon tax, which is a fixed charge on energy, or an ETS, which is a floating price on energy use, it is clear that a government making Australian pensioners, businesses and families pay more for their energy will never stop world climate change. It will only increase the cost of living for our families and kill off Australian jobs and businesses, and for no return. Therefore, the JLN opposes the introduction of a carbon tax or an ETS.

In the meantime Australia must prepare for world climate change by boosting the numbers and resources available to our emergency services, our military, our medical professionals and our farmers. We must always make political decisions which protect our energy, water, food, national security and Australian workers' job security. In the meantime, while Australia waits for the world agreement on carbon tax or an ETS, the JLN strongly supports the following two measures, which are assured to quickly lower carbon emissions while keeping power prices low and while guaranteeing reliability of supply. The first is the doubling of baseload renewable energy in the form of hydroelectricity. The second is a community debate, followed by a national referendum, on the introduction of nuclear power generation. There is a danger in using renewable electricity, which does not have the ability to deliver baseload
power 24/7, which is not affected by the availability of wind or sunlight. And that danger is a very high energy cost for all Australians.

Germany, which relies for 12.33 per cent of its energy on renewable sources, according to Parliamentary Library research, has average household electricity prices at US37.26c, or A$0.67c per kilowatt hour, which is almost double that of Australia's electricity prices already.

Senator KETTER (Queensland) (18:42): The records for February 2016 indicate that it was the warmest month ever measured globally, at 1.35 degrees Celsius above the long-term average. Even more concerning, February 2016 was more than 0.2 degrees Celsius warmer than January 2016, which held the previous monthly temperature record. Climate change is indeed the greatest challenge we face as a society. The costs of doing nothing are incalculable. In my own state of Queensland, some regions have been suffering the worst drought in their history. Drought conditions have affected farm production and incomes, leading to reductions in agricultural employment and a reduction in their standard of living. Currently, around 80 per cent of Queensland is drought declared, and the agricultural sector is in serious trouble. Worse still, these conditions impacting Queensland's agricultural industry are expected to be sustained by the current El Nino weather pattern. But it is not Mr Turnbull who worries about life in the bush; he does not have to live the struggle. It is the farmers who suffer—the very people who produce the grain for our bread and the sugar for our tea. They are the ones who live through climate change.

This issue does not stop with the agricultural sector. It trickles down and flows through the veins of the Australian landscape. Our Great Barrier Reef is also under threat. The reef alone contributes more than $5.6 billion to the Australian economy and provides employment for more than 70,000 people. Yet it is being destroyed as a result of climate change. Coral bleaching, rising sea levels, rising sea temperatures and ocean acidification are all a result of inaction. Does that mean nothing to the Prime Minister? Why does he want to continue down this path?

This is not just a problem for the future. We are already experiencing the extremes of climate change that threaten the future of every Australian. Given the scale and imminent threat that we face, I am alarmed that the Turnbull government continues to uphold its do-nothing stance on climate change. In the past two years the Abbott-Turnbull government has: abolished a price on pollution; abandoned an emissions trading scheme; slashed the Renewable Energy Target; cut funding to carbon capture and storage; tried to abolish the Climate Change Authority and the Clean Energy Finance Corporation; and imposed massive cuts on CSIRO.

We all remember when Mr Turnbull was a champion of climate change and was prepared to join with Labor in a bipartisan approach to introducing an emissions trading scheme. But now we can see Mr Turnbull's true colours as a leader: rather than taking on one of the greatest challenges this country faces, Mr Turnbull has traded up for the cheap thrill of policy-free leadership.

This government has slashed CSIRO's budget by $115 million, with 350 CSIRO staff targeted for redundancy—it seems to be its entire climate-monitoring capacity. I am embarrassed to hear Mr Hockey trying to defend Australia's appalling and inadequate response to climate change in response to *The New York Times* editorial attacking these
massive cuts to the CSIRO. And what did *The New York Times* editorial board have to say on 4 March this year? They said:

Certainly there are good reasons for research institutes like Csiro to cooperate with industry in the search for ways to adapt to a warming planet. But to do this at the expense of research and monitoring — undermining the search for commercially viable solutions that Csiro proposes to join — makes no sense.

Further on they said:

The cutbacks could also obstruct Australia's role in supporting the landmark climate agreement reached in Paris in December, which, among other things, calls on scientifically advanced countries like Australia to assist developing countries with advice and support.

Even Mary Robinson, special envoy to the United Nations, has made an appeal for Australia to rescind these cuts.

Labor is prepared to fix things. Only Labor has a policy to strengthen the renewable energy sector and to commit to more ambitious CO2 reduction targets. Cutting Australia's climate research capacity and reputation for quality science not only brings into question Mr Turnbull's commitment to innovation it is a blatant attempt to silence the work that holds the government to account on its climate change policies.

**Senator IAN MACDONALD** (Queensland) (18:47): We have a government now which is actually seriously doing something about carbon emissions. Unlike many other nations around the world—including, I might say with some regret, the United States—the Australian government and the Australian people are actually meeting their targets. And we did this under the old Kyoto accords. Australia was one of the few nations in the world that actually met their emissions reduction target.

We are playing our part in reducing global emissions. Our reductions in emissions per person and per dollar of GDP will be amongst the highest in the world, and I would have thought that the Greens political party and the Labor Party would actually be congratulating us for that. Under the new regime of Malcolm Turnbull and, previously, Tony Abbott, Australia is achieving a 52 per cent reduction in emissions per person. That is the second-highest of the G20 countries. We are also achieving a 65 per cent reduction in emissions per unit of GDP.

Madam Acting Deputy President, you may be aware that Professor Warwick McKibbin, a respected economist from the ANU, has estimated that the cost of Labor's proposal would be something like $200 per tonne. Even when Labor was going to buy credits from the rest of the world the cost was originally only $20. Then it was $22, then $27 and then $45. Now, a few years later, Labor's proposal will, according to respected economists, be $200 per tonne.

We are conducting auctions to buy back emissions reductions, and we have secured 275 projects—importantly, can I emphasise—at an average price of $13.12 per tonne compared with Labor's $200 per tonne. So successful has the coalition's buyback scheme been that in fact the World Bank has adopted it and has recently launched a $100 million reverse auction that replicates most of the features of the coalition's Emissions Reduction Fund.

I often make the point in this chamber that any serious environmental work ever done by a federal government in Australia has been done by the governments of the Liberal and National parties. Contrast that with the Labor Party. You will recall, Madam Acting Deputy...
President—if you like having nightmares, you will think back!—how they presided over, and how the then environment minister, who turned out to be the worst environment minister in Australia, surpassed only by her title as the worst finance minister in Australia, presided over, putting all the eggs in the Copenhagen basket. And Copenhagen was an absolute, complete and unabated flop. There was complete rejection of any serious addressing of the concern that is confronting the world.

I asked my Greens friends earlier on today, ‘Tell me how Australia, which emits less than 1.4 per cent of all emissions of carbon, can be the cause for all the ills that you tell us are happening to the world by carbon emissions?’ Of course, it is a patently ridiculous argument that no-one will ever answer because the facts are so simple: Australia emits less than 1.4 per cent. Even if you shut Australia down completely—no lights in this building, no cars running on our streets—what would 1.4 per cent of the reduction in the world's carbon emissions do for the climate that is changing?

But I come back to the coalition's record. With the coalition you know that they will do sensible things about the environment. I am delighted to see that Senator Waters is here in the chamber, because I have often said to her that any serious attempt or action on the marine environment has been the work of Liberal governments. I was delighted yesterday to attend a function put on by—and you might be surprised that I was there—a booklet entitled The big blue legacy: the Liberal National tradition of marine conservation. It is a great book, Senator Waters. I have actually got you a copy. You can read the centre page, which I often talk about in this chamber. Sometimes people do not believe me when I talk about these, but I am sure those sorts of people would believe the Marine Conservation Society and WWF. They have it there starting in 1975, as I always do, with the Fraser government prohibition on oil and gas drilling in the Great Barrier Reef. It goes right through the Fraser government, the Howard government, the Greiner government in New South Wales and the Barnett government in Western Australia. There it is, a record. Do not believe me—I say this all the time. Have a look what the people involved in marine conservation actually say about the record of Liberal and National Party governments.

As with our marine approach to the environment, so with our climate change approach: we are implementing programs that work and do not cost Australians their livelihood and their economy. This matter before the chair is a patently ridiculous one which has no substance and will no doubt be ignored by the Senate as it is by the rest of Australia.

Senator LAZARUS (Queensland—Leader of the Glenn Lazarus Team) (18:54): I speak on behalf of Queensland when I say that I am concerned about the impact of climate change not only on the environment, as we have previously heard about, but also on jobs in the tourism industry. Tourism employs approximately 120,000 people in Queensland and represents approximately 4.5 per cent of the GDP, which is considerably more than the national average of around 3.6 per cent. This means the tourism industry represents almost six per cent of Queensland's workforce. I can attest to this. I have personally visited different parts of North Queensland to get a feel for how my state is engaging with the world, and we offer many great sites, activities and experiences—some of them extreme—all based around our wonderful environment.
Queensland's natural beauty is fundamental to the success of this industry, and we boast five World Heritage sites. These are the Great Barrier Reef, Fraser Island, the Gondwana Rainforests, the Riversleigh fossil site and the wet tropics area from Cooktown to Townsville. Tourists come from all over the world to experience the natural wonders of Queensland. Not surprisingly, they do not come to check out the CSG mining infrastructure out the back of Chinchilla. In fact, no-one does—not even the Prime Minister, even though he promised me he would.

Given the importance of tourism to my home state, I call on the government to act seriously when it comes to climate change, because increasing temperatures and changing rainfall patterns are damaging our rainforests and the Great Barrier Reef is under threat from increasing acidity and sea surface temperatures. The people of Queensland are sick of hearing the government say one thing and do another. For all his talk of innovation and the role of science, the Prime Minister has failed the nation on the issue of climate change. In fact, he has failed full stop.

The PRESIDENT: The time for the debate has now concluded.

COMMITTEES

Environment and Communications Legislation Committee

Scrutiny of Government Budget Measures Select Committee

Membership

The PRESIDENT (18:56): I have received a letter requesting changes in committee memberships.

Senator CASH (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (18:56): by leave—I move:

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

Environment and Communications Legislation Committee—

Appointed—

Substitute member: Senator McAllister to replace Senator Singh for the committee’s inquiry into the provisions of the Broadcasting Legislation Amendment (Media Reform) Bill 2016

Participating member: Senator Singh

Scrutiny of Government Budget Measures—Select Committee—

Appointed—

Substitute member: Senator Carr to replace Senator Singh on Friday, 18 March 2016

Participating member: Senator Singh.

Question agreed to.

BILLS

Biological Control Amendment Bill 2016

Law and Justice Legislation Amendment (Northern Territory Local Court) Bill 2016

First Reading

Bills received from the House of Representatives.
Senator CASH (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (18:56): These bills are being introduced together. After debate on the motion for the second reading has been adjourned, I shall a motion to have the bills listed separately on the Notice Paper. I move:

That these bills may proceed without formalities, may be taken together and be now read a first time.

Question agreed to.

Bills read a first time.

Second Reading

Senator CASH (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (18:57): I move:

That these bills be now read a second time.

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

Leave granted.

The speeches read as follows—

BIOLOGICAL CONTROL AMENDMENT BILL 2016

Established pest animals and weeds are a significant economic, environmental and social burden for Australia.

The cost of agricultural production losses attributable to pest animals was estimated to be more than $620 million in 2009, and a 2004 study estimated the agricultural cost of weeds to be nearly $4 billion per annum. Anecdotal evidence suggests that those figures are now likely to be significantly greater.

Pest animals and weeds are also a major threat to Australia's biodiversity, and to the condition of our natural resource base – by accelerating the erosion of fragile soil, stirring up waterways and reducing water quality and outcompeting native species. The social impacts of pests and weeds are difficult to measure, but are no less significant than the economic impacts.

The ongoing management of pests and weeds requires significant effort and investment by landholders and governments. Biological control – which is the management of a pest through the use of its 'natural enemies' (such as insects, fungi and viruses) – is an important tool in the arsenal, and one with a proven track record.

Perhaps the most well-known biological control success story in this country is the release of the myxoma virus – which causes myxomatosis – in 1950. This was the world's first vertebrate pest biocontrol, introduced in an attempt to control wild rabbits. In the 1920s, just 70 years after being introduced into Victoria, rabbit populations had exploded to more than 10 billion across Australia, and the impacts were devastating. Some farms were abandoned because of rabbits. The release of myxoma virus in 1950 killed 99.8 per cent of infected rabbits and brought huge relief to our farmers, and reprieve for the natural environment.

Resistance to myxomatosis began to build over time, and to combat this calicivirus was released in 1996. The combination of myxoma virus and calicivirus currently limits wild rabbit populations to about 15 per cent of their potential numbers. Without these biological control agents, the annual cost to agriculture alone would be in excess of $2 billion. Even with the biological control agents, rabbits cause more than $200 million in production losses every year.

The Commonwealth Biological Control Act 1984 – and mirror legislation in the states and the Northern Territory – provides a legislative framework for assessing proposed biological control activities to ensure that they are in the public interest. The Act also includes structured consultation
requirements, which provide an opportunity for the community to have their say about proposed biological control activities.

The Act then provides for the declaration of 'target organisms' (for example, the weed Patterson's curse) and 'agent organisms' (for example, the crown weevil), and contains provisions to ensure that biological control activities are subject to liability protection and can proceed without interruption by litigation.

Today the government brings forward the Biological Control Amendment Bill, to provide clarification, and greater certainty for future biological control programs where the scientific consensus recommends the use of viruses to control damaging pests or weeds.

The Bill provides that the definition of an organism under the Biological Control Act specifically includes viruses and sub-viral agents. Sub-viral agent is a taxonomic category that includes viroids, satellite viruses and prions – agents that are smaller than viruses and have some of their properties. This category is included because it is plausible that sub-viral agents may also be useful as agents for biological control in the future.

The need for this Bill has arisen out of ongoing contemporary scientific debate as to whether a virus can be classified as an organism. A living thing must meet certain taxonomic criteria relating to structure and function in order to be considered to be an organism. Because viruses are incapable of reproducing without a host, the majority scientific view at this point in time is that they are not organisms.

It should be noted here that some scientists would however, consider a virus to be an organism, and biological science by its very nature is constantly evolving in light of new knowledge and evidence. Given that there is also debate about whether a virus can be considered to be a living entity (as it is neither alive nor dead), the Bill also omits the term 'live' from references to agent organisms.

These minor amendments are proposed in order to avoid doubt and to remove ambiguity, making it clear into the future that despite the scientific debate, the Act is intended to support the declaration of viruses as agents and targets for biological control activities. This will provide greater certainty for stakeholders who research, deliver and benefit from biological control programs, including scientists, farmers, land managers and the community.

The proposed amendments are consistent with the original intent of the Act, which was established to provide an equitable means of determining whether a proposed biological control program is in the public interest and, where appropriate, authorising the release of biological control agents.

The Act is part of a suite of approval processes which are in place to ensure that there are no unintended consequences or ongoing adverse impacts associated with biological control programs. Candidate biological control agents undergo extensive testing to assess risk to domestic agricultural and native species, and release of a biological control agent requires approvals under the Quarantine Act 1908 – which will be replaced by the Biosecurity Act 2015 in June of this year –, the Environmental Protection and Biodiversity Conservation Act 1999 and the Agricultural and Veterinary Chemicals Code Act 1994.

The Bill will support future biological control programs, including the proposed national release of a new naturally-occurring strain of rabbit calicivirus, known as K5. Pending approvals, the release of K5 will boost existing biological control agents, and help to overcome resistance that is building in wild rabbit populations. Importantly, there is an effective vaccine available to protect domestic and farmed rabbits against the K5 strain. The benefit cost ratio of the calicivirus boost program is estimated at 563 to 1, taking into account the benefits for agriculture and for carbon sequestration. We simply can't afford to compromise such an opportunity.

The Bill also supports the potential future release of a biological control agent for common carp. Carp are the worst freshwater aquatic pest in south eastern Australia, currently making up 80–90 per
cent of total fish biomass in the Murray Darling Basin. Following seven years of testing, Australian scientists have determined that the naturally-occurring *Cyprinid herpesvirus* offers a genuine option for the biological control of carp.

Considerable work is required before a release of the virus could occur, including further research, legislative approvals and community consultation. However, should it be recommended that *Cyprinid herpesvirus* be listed as an agent organism under the Biological Control Act, the Bill will ensure that there will be no ambiguity as to the legal status of the declaration.

The state and Northern Territory governments, as owners of the mirror laws to the Commonwealth Biological Control Act, have been consulted during the drafting of the Bill. The successful operation of the mirror law scheme is dependent on national consistency, and complimentary amendments are expected to be pursued by the state and Northern Territory parliaments. This is in keeping with the original purpose and spirit of the scheme, to ensure that the administration and legal status of biological control has a uniform basis throughout Australia.

The Bill supports this government's strategic approach to farming smarter, as outlined in the 2015 White Paper on Agricultural Competitiveness, which supports giving farmers better tools and control methods for pest animals and weeds. Biological control is a cost-effective, highly specific and self-sustaining control method, but one that should be used as part of an integrated approach to pest management – experience has shown that a combination of control methods used together ensures a longer term effect on the target, be it a pest animal or a weed.

The Bill will not affect the existing basic scientific, technical or safety procedures and standards applying to biological control. Biological control agents will continue to be subject to considerable testing prior to release in Australia. Further, the Bill does not compromise the original purpose of the Act, which is to provide a publically acceptable and equitable means of determining whether a proposed biological control program is in the public interest.

**LAW AND JUSTICE LEGISLATION AMENDMENT (NORTHERN TERRITORY LOCAL COURT) BILL 2016**

The Law and Justice Legislation Amendment (Northern Territory Local Court) Bill 2016 will make consequential amendments to Commonwealth legislation arising from the enactment of the *Local Court Act 2015* of the Northern Territory.

The Local Court Act amalgamates the Northern Territory Local Court and the Court of Summary Jurisdiction into one court, called the Northern Territory Local Court. The Local Court Act also makes changes to the title of judicial officers of that court. It is expected to commence by proclamation on 1 May 2016.

A number of Commonwealth Acts confer jurisdiction on State and Territory courts. Without amendments to Commonwealth legislation, some of the provisions of the Local Court Act will have unintended consequences for the jurisdiction of the Northern Territory courts. A change in title for judicial officer holders of the Northern Territory Local Court may change the effect of Commonwealth legislation that confers power and jurisdiction on Northern Territory courts. In some instances, this will mean that Northern Territory Local Court Judges will have expanded jurisdiction. In other instances, Commonwealth legislation will no longer apply to Local Court Judges, including provisions that confer jurisdiction on magistrates. Finally, despite the Northern Territory Local Court being a court of summary jurisdiction, some Commonwealth Acts may no longer extend this jurisdiction to the Local Court.

The Law and Justice Legislation Amendment (Northern Territory Local Court) Bill 2016 will make amendments to address each of these unintended consequences. It achieves this by making minor technical amendments to the *Acts Interpretation Act 1901* and other Commonwealth legislation to ensure the continued effectiveness of provisions that confer jurisdiction or powers on judicial officers.
This Bill is important in a variety of contexts, including in relation to criminal law matters where functions performed by Northern Territory Local Court Magistrates are depended upon for the purposes of Commonwealth criminal matters, for example the issuing of warrants.

Debate adjourned.
Ordered that the resumption of the debate be made an order of the day for a later hour.
Ordered that the bills be listed on the Notice Paper as separate orders of the day.

Territories Legislation Amendment Bill 2016
Passenger Movement Charge Amendment (Norfolk Island) Bill
First Reading

Bills received from the House of Representatives.

Senator CASH (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (18:58): I move:
That these bills may proceed without formalities, may be taken together and be now read a first time.
Question agreed to.
Bills read a first time.

Second Reading

Senator CASH (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (18:58): I move:
That these bills be now read a second time.
I seek leave to have the second reading speeches incorporated in Hansard.
Leave granted.

The speeches read as follows—

TERRITORIES LEGISLATION AMENDMENT BILL 2016

Today I introduce into Parliament two Bills that will continue the Australian Government's commitment to reforms for Norfolk Island.

Despite being an Australian territory, Norfolk Island has been excluded from many of the national reforms and developments that this Parliament has enacted since Norfolk Island's self-government in 1979.

This situation has contributed to the Norfolk Island community being left behind in the standard of government services being delivered, and excluded from the frameworks around which our economic prosperity has been based.

Last year, the Government announced a broad reform agenda to rectify this situation, and the Parliament passed reforms that would extend federal taxation, social security and Medicare to Norfolk Island from 1 July 2016. Both sides of Parliament recognised the urgency and importance of these measures and they were passed with bi-partisan support.

The Bills I am introducing today continue this reform agenda by extending a broad range of Commonwealth laws to Norfolk Island.

The Territories Legislation Amendment Bill amends the definition of Australia to include Norfolk Island, as it currently includes the external territories of Christmas Island and the Cocos (Keeling) Islands. This amendment will have the effect of making the default position for all Commonwealth legislation be that it applies to Norfolk Island as it does to other parts of Australia.
The Bill extends legislation that is vital to growing the Norfolk Island economy, including the *Fair Work Act* and other employment laws.

It amends the *Commonwealth Electoral Act* to ensure the Norfolk Island community is properly represented in this Parliament.

It also makes a range of other changes to ensure certain Commonwealth laws apply to Australia’s external territories as they do on the mainland.

**Extension of Commonwealth laws**

The Bill continues the reform process for Norfolk Island by ensuring most Commonwealth laws extend to Norfolk Island.

It amends section 18 of the *Norfolk Island Act*, as well as including Norfolk Island in the definitions of ‘Australia’ and ‘the Commonwealth’ in the *Acts Interpretation Act*.

For the first time, the default position will be that laws passed by this Parliament apply to Norfolk Island unless expressly stated not to apply.

In considering this change the Australian Government has examined each piece of Commonwealth legislation.

Where it was determined that a piece of Commonwealth legislation required further consideration or consultation with the community before being extended to Norfolk Island, it has been excluded.

For example, the telecommunications legislation and the corporations legislation have not been extended to Norfolk Island in this Bill, as they will require complex transitional arrangements. They will be considered in a future reform Bill.

**Planned extension of the Fair Work Act**

The Bill extends the *Fair Work Act* and other federal employment legislation to Norfolk Island.

Currently, workplace relations on Norfolk Island are regulated under Norfolk Island employment laws. These laws differ considerably from those that apply in the rest of Australia.

For example, the minimum wage on Norfolk Island is $10.70 per hour, compared with the current national minimum wage of $17.29 per hour.

There are protections under the *Fair Work Act* including national minimum employment standards and modern award wages and conditions which do not currently cover employees on Norfolk Island.

I understand many in the community acknowledged the need to improve conditions and protections for workers.

I also know many businesses wanted to see a phased approach to these changes, to give business a reasonable chance to adjust and to avoid a negative impact on employment.

The Department of Employment and the Fair Work Ombudsman visited Norfolk Island and consulted with businesses and stakeholders in August 2015.

To address the concerns of the business community, the Bill will insert rule-making powers in the *Fair Work Act* and other legislation which will allow the Minister for Employment to make transitional arrangements.

The Minister for Employment has advised me that she will use this power to facilitate a phased extension of specific provisions of the Fair Work Act. This will ensure employment protections are in place for workers and employers are given appropriate time to adjust to the changes.

We will continue to consult with the Norfolk Island community to ensure the extension of these laws is as smooth as possible.

**Electoral arrangements**

Federal electoral arrangements applying to Australian citizens on Norfolk Island are unique.
Australian citizens residing on Norfolk Island are able, but not compelled, to enrol to vote in federal elections.

Residents who do choose to enrol may to self-identify as a 'person of a state' where they have an existing connection, to determine which electorate they will vote in. If they do not choose an electorate, they are enrolled in the default electorates of either Canberra in the ACT, or Solomon in the Northern Territory.

The effect of these unique arrangements is that many Norfolk Islanders do not participate in electing federal representatives. In a community of 1,800, the Australian Electoral Commission advises that only 232 people were enrolled to vote federally in the last election.

Those that are enrolled have their representation scattered between members and Senators in all States and mainland territories except for South Australia.

There is no single Member of Parliament who is formally tasked with representing and advocating for the community of Norfolk Island.

The single electorate with the largest number of Norfolk Islanders enrolled is Canberra and I acknowledge the work of successive members for Canberra and ACT Senators who have informally represented the Norfolk Island community.

The Bill provides dedicated representation for the Norfolk Islander community in the Parliament by including voters in a single federal electorate – the Division of Canberra.

Voting will be compulsory as it is on the mainland and Norfolk Islanders will have Senate representation through the senators for the ACT.

Other changes

Finally, the Bill makes a range of other changes to Commonwealth legislation to ensure it applies equally to Australia's external territories.

The Bill repeals a provision in the Norfolk Island Legislation Amendment Act 2015 which inadvertently restricted access to social security payments for New Zealand citizens living on Norfolk Island.

This anomaly was discovered by the Parliamentary Joint Committee on Human Rights and I thank the committee for drawing this matter to the Government's attention.

The amendment in the Bill will make sure New Zealanders on Norfolk Island receive the same level of access to social security payments as New Zealanders living on the mainland.

This is a positive outcome and demonstrates the commitment of the Australian Government to ensure New Zealand residents who are an integral part of the Norfolk Island community are able to access government services and payments where they are eligible.

The Bill will extend child support arrangements to the Christmas Island and the Cocos (Keeling) Islands, correcting another anomaly. This will align those territories with the arrangements that apply on the mainland and which will commence on Norfolk Island on 1 July 2016.

The Bill makes a minor change to the definition of 'Norfolk Island Regional Council' to remove the requirement that the Council be a 'body corporate'.

This change will provide flexibility in the reform of Norfolk Island's governance arrangements, and ensure that the Regional Council can be properly constituted under the New South Wales local government framework.

Conclusion

In combination, these reforms will continue the Government's commitment to improve services on Norfolk Island and provide a strong foundation for economic growth.
I would like to thank the people of Norfolk Island for their active engagement with the reform process and their spirited commitment to placing Norfolk Island on a more sustainable and robust footing.

I will continue to work with my Ministerial colleagues to ensure that Norfolk Island does not continue to be disadvantaged through its exclusion from Commonwealth laws, and that Australian citizens on Norfolk Island have the same rights and responsibilities as those on the mainland.

PASSenger MOVEMEnT CHARGE (NORFOLK ISLAND) AMENDMEnT BILL 2016

The Passenger Movement Charge Amendment (Norfolk Island) Bill 2016 relates to the broader Norfolk Island reform legislative package, which is being implemented through the Territories Legislation Amendment Bill 2016.

The Passenger Movement Charge Act, together with the Passenger Movement Charge Collection Act, applies a financial charge upon the departure of a passenger from mainland Australia to another country.

The charge also applies to departures from the Indian Ocean Territories to another country.

This Bill, together with the Territories Legislation Amendment Bill, will extend these arrangements to Norfolk Island so that people departing Norfolk Island for another country will also be liable to pay the charge.

Debate adjourned.

Corporations Amendment (Life Insurance Remuneration Arrangements) Bill 2016

Migration Amendment (Character Cancellation Consequential Provisions) Bill 2016

Registration of Deaths Abroad Amendment Bill 2016

Tax and Superannuation Laws Amendment (2016 Measures No. 1) Bill 2016

Telecommunications Legislation Amendment (Access Regime and NBN Companies) Bill 2016

Treasury Legislation Amendment (Repeal Day 2015) Bill 2016

First Reading

Bills received from the House of Representatives.

Senator CASH (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (18:59): I indicate to the Senate that these bills are being introduced together. After debate on the motion for the second reading has been adjourned, I will be moving a motion to have the bills listed separately on the Notice Paper as indicated on today's Order of Business. I move:

That these bills may proceed without formalities, may be taken together and be now read a first time.

Question agreed to

Bills read a first time.
Telecommunications Legislation Amendment (Access Regime and NBN Companies) Bill 2016
Treasury Legislation Amendment (Repeal Day 2015) Bill 2016
Explanatory Memorandum


Corporations Amendment (Life Insurance Remuneration Arrangements) Bill 2016

Migration Amendment (Character Cancellation Consequential Provisions) Bill 2016

Registration of Deaths Abroad Amendment Bill 2016

Tax and Superannuation Laws Amendment (2016 Measures No. 1) Bill 2016


Second Reading

Senator CASH (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (19:00): I move:

That these bills be now read a second time.

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

Leave granted.

The speeches read as follows—

CORPORATIONS AMENDMENT (LIFE INSURANCE REMUNERATION ARRANGEMENTS) BILL 2016

This Bill amends the Corporations Act 2001 to better align the interests of financial advisers who sell life insurance products with their customers.

These changes represent the most significant improvements to the remuneration arrangements in the life insurance advice sector since the Wallis Inquiry recommendations were implemented in 2001. Consumers will benefit through improved quality of advice as a result of better alignment of interests, more product choice and enhanced competition.

In introducing this Bill today, the Government is implementing part of our broader commitment to ensure better consumer outcomes from the financial system, as set out in our response to the Financial System Inquiry. It is the product of hard work and compromise on the part of industry and I want to publicly acknowledge and thank industry for their constructive engagement. This Bill shows what can be achieved when Government, business and the community comes together to achieve better outcomes.

In particular I wish to specifically acknowledge the work of the Association of Financial Advisers, the Financial Planners Association and the Financial Services Council in working together to achieve
sensible reforms for the sector which will benefit consumers through the provision of more appropriate advice and the long term sustainability of the industry.

Following the final industry agreement of November 6 2015 the industry participants had this to say:

The "Minister for Small Business and Assistant Treasurer the Hon Kelly O'Dwyer's statement on the way forward on life insurance advice is a positive first step in lifting industry practices to improve consumer outcomes," Financial Services Council (FSC) Director of Policy Andrew Bragg said.

The Financial Planners Association (FPA) welcomed the industry package as "fair and workable" and said that

"The Government"s final response to proposals by The Hon Josh Frydenberg MP on 25 June and the FSI Report, is a sensible outcome that will help ensure the sustainability of the industry," CEO of the FPA Mark Rantall.

The Association of Financial Advisers (AFA) acknowledged the timely and collaborative approach taken by the Government and AFA National President, Deborah Kent said that the "reduced clawback to two years brings greater fairness to the Life Insurance Framework" and is "a great relief for our members, particularly those that own and operate small businesses."

The life insurance sector is vital for our community. Life insurance advisers and product manufacturers help to provide essential financial security to Australians and their families.

However, recent inquiries have shown that there is a clear need for change in the sector.

A series of reports have identified a range of worthwhile improvements. These include a review by the Australian Securities and Investments Commission, otherwise known as ASIC; the Trowbridge Review commissioned by industry; and the Financial System Inquiry.

TheASIC Review identified a strong correlation between high upfront commissions in the sector and poor consumer outcomes, including high lapse rates where consumers are 'churned' through products. It also found unacceptable levels of poor quality advice. In particular, 45 per cent of cases reviewed involved high upfront commissions failed to meet the relevant legal standard for financial advice. This is unacceptably high.

Rather than acting unilaterally, the Government asked industry to respond to ASIC's Review so that any reforms were driven by industry itself. The result of this was the Trowbridge Review, chaired by industry veteran John Trowbridge.

The Trowbridge Review recommended a package of reforms, including a significant reduction in upfront commissions to limit the inducement for advisers to write new products for consumers where the circumstances did not warrant it.

Further, the Financial System Inquiry recommended a complete abolition of the current upfront commission model for life insurance advice and a move to level commissions where the commission is the same for each year of the policy.

Following these reports, the Government called on industry to propose sensible and genuine reform. This Bill gives effect to the reform package agreed by the life insurance industry.

While the Corporations Act broadly bans conflicted remuneration in the financial services sector, life insurance policies held outside of superannuation have been largely exempted from this ban.

This Bill removes this exemption for life insurance advisers receiving conflicted remuneration, such as commissions, for life risk insurance products and enables ASIC to determine the acceptable benefits payable for these products.

Under the approach in the Bill, advisers will be able to receive commissions for selling life risk products, provided certain requirements are met. These requirements are twofold. Firstly, there is a cap on the size of allowable commissions. Secondly, they relate to 'clawback' arrangements, where a share
of the upfront commission will be paid back to the life insurer by the adviser if a policy is cancelled (or the premium is reduced).

I will take each of these requirements in turn.

Upfront commissions, which provide an incentive for advisers to replace or 'churn' policies where there is no consumer benefit, will be significantly scaled down. ASIC will have the power to ensure that they will go from an average of 110 to 120 per cent of the premium today to a maximum of 60 per cent from 1 July 2018. Permitted ongoing commissions will be set at a maximum of 20 per cent.

Currently, upfront commission arrangements are the dominant remuneration arrangement, covering 82 per cent of advisers.

It is not uncommon for upfront commission models to pay 110 per cent of a new business premium to an adviser with an ongoing commission of around 10 per cent.

By reducing the incentive to churn clients through products, the new commission structure will provide a better basis for advisers to give advice that is more appropriate to consumer needs.

Commissions will be calculated on the total of the product premium, the product fee and frequency loading (the extra amounts charged to make payments on a monthly basis rather than annually).

No caps will be placed on level commissions, or on fee-for-service arrangements as these arrangements are less likely to result in an incentive to provide inappropriate advice.

The second element of permissible payments relates to clawback requirements.

Clawback, refers to the share of the upfront commission that will be paid back to the life insurer by the adviser if a policy is cancelled (or the premium is reduced). Under the industry agreement an insurer may recover 100 per cent of a commission from the financial adviser in the first year of a policy; and 60 per cent in the second year.

The clawback provisions will significantly reduce the incentive for advisers to unnecessarily replace policies after the expiration of the first year of the policy. At the same time, advisers will not be required to pay back the full amount of the upfront commission earned if the policy lapses in the second year of the policy.

The Government has responded to industry concerns about ongoing business viability by moving from a three to a two year clawback period. However, through these reforms the Government is ensuring that there are strong incentives to prevent replacement of policies where there is no consumer benefit.

The Bill gives ASIC the power to create an instrument which covers acceptable commissions and clawback amounts. The Government acknowledges that the final form of the instrument is a matter for ASIC, as the independent regulator.

Payments made to advisers by insurers on or after the commencement day come under the new legislation. The new legislation also applies to payments made to advisers under policies entered into before the commencement day but where the product is issued after the commencement day, subject to a three month grace period.

The Bill contains provisions which grandfather certain payments. These provisions are consistent with those introduced as part of the Future of Financial Advice laws and allow certain arrangements to continue to be subject to attract the current commission levels.

These legislative changes strike the right balance between protecting consumers and recognising the need for ongoing business viability and industry stability.

The Government believes that consumer interests will be best served by a competitive life insurance sector which delivers products appropriate to consumer needs and includes both small and large participants.
Being such a significant reform to the sector, Government understands that it is important for business to have time to adapt to this change. That is why there are transitional provisions which scale down the maximum permissible upfront commission over three years.

Following a four week consultation period on the draft legislation, over 20 submissions were received. I thank people for their views and for taking the time to contribute to the development of this legislation during this time and part of the earlier reviews.

Industry also has a role to strengthen the quality of advice and insurer practices. The Financial Services Council will develop a Life Insurance Code of Conduct to set best practice standards for insurers. In addition, the life insurance industry will develop a new industry standard to widen Approved Product Lists to broaden the choice of products available to consumers.

ASIC will undertake a review of the reforms in 2018. If this 2018 Review does not identify significant improvement in product churn and the quality of advice, the Government will move to mandate level commissions, as was recommended by the Financial System Inquiry. The Bill enables ASIC to collect necessary information from industry to monitor and enforce the reforms, including in electronic form.

ASIC will also conduct a broader review of Statements of Advice. The objective of this review, which will commence in the second half of 2016, is to make disclosure simpler and more effective for consumers, as well as assisting advisers to make better use of these documents. The review will also consider whether the disclosure of adviser remuneration could be made more effective, including through prominent upfront disclosure of commissions. The Government will look favourably at any recommendations to achieve these aims.

The full details of the amendments are contained in the explanatory memorandum.

MIGRATION AMENDMENT (CHARACTER CANCELLATION CONSEQUENTIAL PROVISIONS) BILL 2016

The Migration Amendment (Character Cancellation Consequential Provisions) Bill 2016 makes a number of amendments to give full effect to the substantive amendments made by the Migration Amendment (Character and General Visa Cancellation) Act 2014.

The Character and General Visa Cancellation Act significantly strengthened the character and general visa cancellation provisions in the Migration Act to ensure that non-citizens who commit crimes in Australia, pose a risk to the Australian community or represent an integrity concern are appropriately considered for visa refusal or cancellation.

The Character and General Visa Cancellation Act also introduced:

- mandatory cancellation of visas held by non-citizens in prison who do not pass certain limbs of the character test,
- a revocation power specifically for mandatory cancellation decisions, and
- a new power for the Minister to personally set aside, in the national interest, a decision made by his or her delegate or the AAT to revoke a mandatory visa cancellation decision.

The consequential amendments set out in this Bill will ensure that the mandatory cancellation-related powers are reflected consistently and comprehensively throughout the Migration Act, according to the original intent of the changes made in late 2014. This will ensure that the Government has the capability to proactively and robustly address character and integrity concerns.

In particular, the Bill will ensure that confidential information that is critical to decision making under the new character cancellation provisions is given the same level of protection that is currently afforded to confidential information relating to other character provisions in the Migration Act.

This Bill will also give full effect to the policy of mandatory cancellation, by putting beyond doubt that a non-citizen who is the subject of a mandatory character cancellation decision is available for
removal from Australia if they do not seek revocation within the relevant time period, or are unsuccessful in having their visa reinstated.

Further, the Bill seeks to strengthen our ability to identify non-citizens suspected of being of character concern by aligning the definition of 'character concern' in the Act with the strengthened 'character test' in section 501.

Consistent with the original intent of the Character and Cancellation Act, this will facilitate the lawful disclosure of non-citizens' identifying information where a non-citizen is suspected of being of character concern.

This Bill demonstrates this Government's clear and continuing commitment to ensuring that non-citizens who pose a risk to the Australian community are dealt with effectively, efficiently and comprehensively.

I commend the bill to the chamber.

REGISTRATION OF DEATHS ABROAD AMENDMENT BILL 2016

This bill amends the Registration of Deaths Abroad Act 1984.

The primary purpose of this bill is to correct an anomaly in the Registration of Deaths Abroad Act 1984. The correction will allow the 'Registrar of Deaths Abroad' to register deaths in prescribed circumstances.

Under current arrangements, applicants can remain in a procedural 'limbo' as they negotiate with State or Territory registrars to register an overseas death. By permitting the appointment of a federal Registrar of Deaths Abroad, this bill will simplify the registration of deaths abroad.

The bill will provide the Foreign Minister with the flexibility to appoint any State or Territory registrar as the Registrar of Deaths Abroad.

The bill will also validate the prior appointment of the ACT Registrar-General as the Registrar of Deaths Abroad and any previous registrations of deaths under the Act.

The amendments will allow the Registrar of Deaths Abroad to register deaths that could have been registered under the law of a State or Territory, where the State or Territory concerned has provided notice that it will not register a death.

In order to ensure that only the Registrar of Deaths Abroad can register deaths under the Act, the bill removes any references to 'registering officers' from the Act.

I commend this bill to the House.

TAX AND SUPERANNUATION LAWS AMENDMENT (2016 MEASURES NO. 1) BILL 2016

Mr Speaker, this Bill is an important part of the Government's program to level the playing field for Australian businesses and restore integrity to Australia's tax system.

This Government is absolutely committed to creating a better tax system, with taxes that are lower, simpler and fairer.

We are committed to a tax system that ensures everyone pays the right amount of tax.

But we also want to make sure the tax system does not impose unnecessary red tape or inappropriately restrict taxpayers from conducting their affairs as they see fit.

This Bill modifies the scope of Australia's tax laws to make sure they apply fairly and appropriately.

Mr Speaker, Schedule 1 of this Bill, applies the goods and services tax (GST) to digital products and services imported by Australian consumers.

It levels the playing field – it ensures Australian businesses selling digital products and services are not disadvantaged relative to overseas businesses that sell equivalent products in Australia.
With the introduction of this Bill, the Government will require overseas vendors to collect and remit GST on the sale to Australian consumers of digital products and services.

Overseas vendors selling digital products or other services, such as 'apps' and downloads of digital content, will be required to register, collect and remit GST on their sales to Australian consumers.

As an example, a software subscription service provided by a resident supplier attracts the GST. However, currently a similar software subscription service provided by an offshore provider may not attract the GST. This creates an uneven playing field and may create distortions in consumer choices.

This legislation will apply the GST to the non-resident supplier, and thus, levels the playing field for Australian business.

This example highlights an anomaly that has existed in the GST system for some time.

Mr Speaker, when we came to Government, we inherited a tax system from Labor that had failed to keep pace with the changing times and with the growing importance of intellectual property, digital technology and integrated global supply chains.

This Government however is determined to reform our tax system and ensure that it is fit for purpose, modern and fair.

This measure is the product of this Government's extensive work with international tax authorities. Australia has been working with the G20 and OECD, alongside other stakeholders, to address weaknesses in the current rules that create opportunities for base erosion and profit shifting.

Action 1 of the OECD Base Erosion and Profit Shifting Action Plan deals with the tax challenges of the digital economy, including the difficulties of collecting value added taxes, such as the GST, on cross border sales in the digital economy.

This legislation applies the OECD destination principle, which recommends that consumption should be taxed in the destination country of the imported digital products or services.

The European Union has recently implemented this model, and several other countries, including Japan and New Zealand, are in the process of developing similar rules.

Mr Speaker, this measure will restore tax neutrality and level the playing field for domestic Australian businesses.

It is estimated to have a gain to GST revenue of $350 million over the forward estimates which will be allocated to the States and Territories, who have agreed to this measure.

Indeed, this measure is a result of significant stakeholder engagement, from both resident and non-resident businesses, and their advisors.

Mr Speaker, Schedule 2 of this Bill, implements an announced but un-enacted measure from the 2010-11 Budget, which seeks to avoid non-resident businesses from being drawn into the Australian GST system unnecessarily.

This measure is about reducing red tape and inefficiencies in our tax system so that businesses can get on with the task of creating jobs and growth.

It achieves this intent by limiting when GST will apply to supplies involving non-resident businesses.

The measure came from the Board of Taxation's Review of the Application of GST to Cross-Border Transactions.

The Board of Taxation identified that too many non-resident businesses were being drawn into the GST system on business to business transactions where it was not appropriate.

The measure ensures that fewer non-residents are unnecessarily drawn into Australia's GST system, reducing the costs of compliance for business and simplifying administration for the Australian Taxation Office.
Together these two measures ensure that only those overseas businesses that should be in our GST system are in the system and collecting GST on their sales to Australian consumers.

At the same time, businesses that shouldn't be caught in the system are removed, reducing red tape and simplifying administration and compliance.

These two GST measures, Mr Speaker, demonstrate the Government's commitment to simpler, fairer taxes.

Mr Speaker, Schedule 3 of this Bill takes important steps to improve Australia's taxation laws for primary producers.

The changes contained within this Schedule increase the flexibility of farm management deposits, a vital risk management tool for primary producers, to assist primary producers to become more self-reliant.

These changes were announced in the Agricultural Competitiveness White Paper on 4 July 2015, and are the product of extensive stakeholder feedback and consultation.

Farm management deposits help primary producers deal with uneven income between years, which frequently occurs as a result of weather variations, natural disasters and changing market conditions. These events are impossible for primary producers to predict or plan for, making it difficult for them to prepare financially.

The Farm management deposit scheme is an example of how the tax system can be designed to be fit for purpose and address the needs of the taxpayers to which it ultimately should serve.

Farm management deposits help primary producers manage their financial risk by allowing them to set aside pre-tax income from primary production in a special account which can be drawn from in later years. Income deposited is tax deductible in the year the deposit is made, and included in assessable income in the year it is withdrawn.

However, there are a number of restrictions currently placed on farm management deposits that impair their effectiveness.

Mr Speaker, this Government is committed to continuously seeking to improve our tax system.

These amendments, which are part of this goal, double the amount a primary producer may hold in their farm management deposits from $400,000 to $800,000. This will provide primary producers with the flexibility to manage even greater income volatility and better manage with the funds they have set aside when a downturn occurs.

Mr Speaker, these amendments also allow a primary producer affected by drought to access their funds held in a farm management deposit early if they need them. Farm management deposits usually need to be held for at least 12 months before they can be withdrawn. Currently, a primary producer that withdraws their funds held in a farm management deposit within 12 months as a result of drought will lose access to the tax advantages of that farm management deposit.

This schedule removes this tax impediment and allows a primary producer subject to drought to receive the tax benefits from a farm management deposit even though they have withdrawn some of their funds within the 12 months.

In previous years, a declaration of exceptional circumstances would also allow for early access. However, provision for an exceptional circumstances declaration was removed with the introduction of the farm household allowance, which replaced a number of ad-hoc forms of income support for primary producers.

Primary producers will now be able to determine their eligibility by referring to rainfall data on the Australian Bureau of Agricultural and Resource Economics website at the time of withdrawal, rather than waiting on a Ministerial declaration.
These amendments also provide primary producers with the flexibility to use farm management deposits as offset accounts for other business loans they hold. Currently, farm management deposits may not be used as a mortgage or other interest loan offset. The Government is removing these restrictions to allow farm management deposits to be used as an interest loan offset.

Financial institutions and primary producers may now determine what arrangements work best for them in relation to farm management deposits.

This measure will allow financial institutions and primary producers to use farm management deposits to reduce the interest a primary producer pays on a business loan.

Mr Speaker, in summary, both the GST amendments and the farm management deposit amendments respond to our changing economy and contemporary business needs.

The Coalition Government recognises that Australia's GST law needs to adapt to the increasing role the international digital economy is having on Australia.

Likewise, our domestic law and concessions need to adapt to the difficult conditions primary producers encounter.

The first of the GST measures ensures that overseas businesses pay GST on sales to Australian consumers.

The second GST measure reduces red tape by removing non-resident businesses from the GST system which should not be brought in.

Likewise, the changes to farm management deposits reduce red tape for primary producers, and provide primary producers with greater flexibility in dealing with farm management deposits.

These measures ensure Australia's taxes are up to date; and are fairer, simpler and fit for purpose.

TELECOMMUNICATIONS LEGISLATION AMENDMENT (ACCESS REGIME AND NBN COMPANIES) BILL 2015

The Telecommunications Legislation Amendment (Access Regime and NBN Companies) Bill 2015, which I am introducing today, is intended to enhance the regulatory framework for telecommunications; implementing, in part, the Government's response to the Vertigan panel. Given the importance of this sector to our economy and society, it is incumbent on us to ensure the regulatory regime operates as best as it can so that we have a competitive, innovative, and responsive telecommunications market.

On 11 December 2014, the Government set out a roadmap for reform in the telecommunications sector which will see several restrictive aspects of existing market regulation gradually replaced with enhanced, competition-friendly settings. The roadmap also outlined the Government's response to an independent review carried out by a panel of experts chaired by Dr Michael Vertigan AC.

The panel concluded, amongst other things, that the current regulatory structure should be adjusted to better support competition and recommended changes to this effect. Specifically, the panel considered that regulatory arrangements and processes should be better focussed and streamlined.

The bill contains measures that respond to recommendations made by the Vertigan panel to improve the operation of the telecommunications access regime and NBN Co's line of business obligations. These measures support the Government's objective of establishing a more competitive regulatory framework that will, in turn, provide greater certainty for industry and more innovative, effective and efficient service delivery for consumers.

The bill also includes amendments to provide continued certainty for NBN Co during the NBN's roll-out throughout Australia.

The bill better coordinates the interaction between the facilities access regime in Schedule 1 of the Telecommunications Act 1997 and the access regime in Part XIC of the Competition and Consumer Act 2010, making it clear that Part XIC processes have precedence in the regulation of access to facilities. This will provide greater certainty and clarity for the telecommunications industry.
It also introduces a new obligation to make it clear that access providers need to give access to in-building cabling that they own or control, where use of that cabling is necessary for the supply of an active declared service. This will mean that competing service providers are able to supply carriage and/or content services using a declared service over that cabling and this will provide greater certainty for access seekers.

To encourage greater service innovation on the National Broadband Network (NBN), NBN Co will be given flexibility in conducting pilots and trials of new services over its network through a relaxation of its non-discrimination obligations. Specific conditions, for example, a limit on the duration of a pilot or trial and a requirement to notify the ACCC, will need to be met for a pilot or trial to take place. If, at any stage, the ACCC was to reach the view that the pilot or trial did not meet these conditions (that is, it was not 'genuine'), the ACCC would be able to take enforcement action.

The bill includes a number of fine-tuning changes to improve the operation of the telecommunications access regime in Part XIC of the Competition and Consumer Act 2010. These changes will achieve greater consistency of approach in regulating access, streamline processes, and provide industry with greater certainty in relation to the operation of the regime.

The bill provides NBN Co with greater flexibility in its business operations by amending its line of business restrictions to permit it to dispose of surplus assets and to allow regulations to be made to relax restrictions on NBN Co supplying non-communications goods or services, or its investment activities. It does not mean that NBN Co will be able to sell retail services or that its line of business will expand beyond the provision of Layer 2 wholesale services.

The bill also modifies existing authorisations that allow NBN Co to operate a specified number of points of interconnection and sell its key services as a bundle, ensuring NBN Co can continue these practices under a price capping regime. These changes will mean NBN Co can continue to roll out the NBN according to its current design and business model with confidence, minimising delay and cost risks. As such, the bill supports the object of ensuring that superfast carriage services are reasonably accessible to all people in Australia, wherever they reside or carry on business. These authorisations, will cease once the NBN is built and fully operational, having served their purpose of facilitating the rollout.

The Telecommunications Legislation Amendment (Access Regime and NBN Companies) Bill 2015 makes some minor but helpful changes to the regulatory framework. Further legislation proposed for next year will deal with some of the more significant issues set out in the Government's telecommunications policy roadmap. This bill represents the first phase of reforms, promoting greater efficiency, transparency, competition and innovation in telecommunications services.

I commend the bill to the House.

TREASURY LEGISLATION AMENDMENT (REPEAL DAY 2015) BILL 2016

Excessive and unnecessary regulation reduces productivity and investment, stifles job creation, creates uncertainty and saps confidence. Achieving a reduction in regulation across the economy represents an enormous opportunity to increase Australia's productivity and competitiveness.

The Government committed to cutting red tape costs by $1 billion a year to improve our nation's competitiveness, help to create more jobs and lower household costs.

This target has now been well exceeded, with the Government announcing more than $2.45 billion in regulatory savings, just two years after election.

The Treasury portfolio has delivered some big reforms, including recent reforms from Australian Securities Investments Commission to facilitate business to take up digital disclosure – leading to an annual saving $299 million and the Australian Taxation Office upgrade of ATO online, providing access for business to manage their tax affairs in a digital environment. Upgrades to the online portal are estimated to have an annual saving of $109 million.
But we have not just delivered reforms for big business.

For example, the changes to the Pay As You Go instalment system entry thresholds removed an estimated 447,000 small businesses from the system.

– This means that 45,000 small businesses that have no goods and services tax reporting requirements will no longer have to lodge a business activity statement.

– The remaining 402,000 small businesses with modest or negative income that are still required to lodge a business activity statement will no longer have to interact with the Pay As You Go instalment system.

– This reform will save small businesses around $67 million each year in red tape.

From 1 July 2015 we expanded access to the Small Business Superannuation Clearing House. This change means an additional 27,500 employers can now use this free service to pay their employees' superannuation. Using the free clearing house service saves small businesses time, and reduces their paperwork.

The reforms through the new Franchising Code we introduced on 1 January 2015 will deliver an estimated $8.6 million per year in red tape savings across the sector.

The small business and jobs package announced in the 2015-16 Budget builds upon these initiatives.

This Bill forms part of the Government's commitment to repeal counterproductive, unnecessary and redundant legislation and consequently removing associated regulations.

Schedule 2 to this Bill will amend superannuation laws to enable the Australian Tax Office to pay certain superannuation amounts, such as unclaimed super balances, directly to people with a terminal medical condition. It will also remove the requirement for superannuation funds to lodge a Lost Members Statement with the Australian Taxation Office.

The first change ensures that people who are dealing with the tragic circumstances of being diagnosed as terminally ill or injured do not also have to deal with unnecessary complexity to get access to superannuation savings held by the Australian Taxation Office.

Superannuation balances are generally able to be released tax-free to people with a terminal medical condition.

Super funds can already pay balances they hold directly to such people when a valid claim is made.

However, the law only permits the Australian Taxation Office to pay Australian Taxation Office-held or administered super amounts (such as unclaimed super) directly to terminally ill or injured people in limited circumstances. In most cases, when a terminally ill person makes a claim, the Australian Taxation Office first has to transfer the money into an existing account in a super fund before they can access it. This creates unnecessary delays and paperwork for people wishing to access their super.

In fact, if the person does not have a super account, the red tape they face increases. For example, if a person on finding out that they are terminally ill withdraws their balance and closes their super account, the person will need to create a new account just to receive their unclaimed super held by the Australian Taxation Office.

This Government will not subject people to needless bureaucracy, particularly, when they are facing such difficult life circumstances and are likely to be at their most vulnerable.

Enacting this Bill will allow the Australian Taxation Office to pay super amounts they hold or administer directly to a terminally ill or injured person. This will eliminate a pointless step in the claims process and provide people faster access to their super when they need it most.

Schedule 2 will also remove an additional reporting requirement for super funds.

Let me explain by giving you some context.
The Commissioner of Taxation maintains a register known as the Lost Members Register, which contains details of members who have been reported by their super providers as lost. This register is maintained for the purpose of reuniting people with their lost super. The Register is updated periodically, using information reported to the Australian Taxation Office by super funds.

This information is currently reported to the Australian Taxation Office by super funds twice a year through the Lost Members Statement. This is a requirement under superannuation law.

However, since 2013 similar information has also been reported by funds to the Australian Taxation Office as a result of a separate reporting obligation under tax administration law.

This Bill will remove the requirement for funds to lodge the Lost Member Statement. In effect, this will remove an additional reporting burden for funds and reduce their compliance costs.

The information required for the Lost Members Register will, however, continue to be collected under tax administration law. Furthermore, people will continue to be able to use myGov to search the register for their lost super.

Schedule 3 to this Bill contains amendments to the Corporations Act 2001 to modify the notification and reporting obligations applying to certain corporations that have property in receivership or property in respect of which a controller is acting.

These amendments remove the unnecessary compliance costs, reputational damage and investor confusion caused by having to include ‘in receivership’ on all of a company’s public documents, rather than on only those documents that relate to the affected trust. The amendments will also reduce the administrative burden on corporations’ officers by reducing the matters upon which they are required to report to a ‘controller’.

Schedule 4 to this Bill repeals inoperative acts and provisions of the tax law. This includes the repeal of the Commonwealth Borrowing Levy, which has been inoperative since 1997, repeal of the tax-exempt infrastructure borrowing concession, which has been inoperative since 2012 and the repeal of various provisions relating to tax concessions for equity investments in small and medium enterprises, which have been effectively inoperative since 1999.

Full details of these measures are contained in the explanatory memorandum.

TREASURY LEGISLATION AMENDMENT (REPEAL DAY 2015) BILL 2016

Excessive and unnecessary regulation reduces productivity and investment, stifles job creation, creates uncertainty and saps confidence. Achieving a reduction in regulation across the economy represents an enormous opportunity to increase Australia’s productivity and competitiveness.

The Government committed to cutting red tape costs by $1 billion a year to improve our nation’s competitiveness, help to create more jobs and lower household costs.

This target has now been well exceeded, with the Government announcing more than $2.45 billion in regulatory savings, just two years after election.

The Treasury portfolio has delivered some big reforms, including recent reforms from Australian Securities Investments Commission to facilitate business to take up digital disclosure – leading to an annual saving $299 million and the Australian Taxation Office upgrade of ATO online, providing access for business to manage their tax affairs in a digital environment. Upgrades to the online portal are estimated to have an annual saving of $109 million.

But we have not just delivered reforms for big business.

For example, the changes to the Pay As You Go instalment system entry thresholds removed an estimated 447,000 small businesses from the system.

– This means that 45,000 small businesses that have no goods and services tax reporting requirements will no longer have to lodge a business activity statement.
The remaining 402,000 small businesses with modest or negative income that are still required to lodge a business activity statement will no longer have to interact with the Pay As You Go instalment system.

This reform will save small businesses around $67 million each year in red tape.

From 1 July 2015 we expanded access to the Small Business Superannuation Clearing House. This change means an additional 27,500 employers can now use this free service to pay their employees' superannuation. Using the free clearing house service saves small businesses time, and reduces their paperwork.

The reforms through the new Franchising Code we introduced on 1 January 2015 will deliver an estimated $8.6 million per year in red tape savings across the sector.

The small business and jobs package announced in the 2015-16 Budget builds upon these initiatives.

This Bill forms part of the Government's commitment to repeal counterproductive, unnecessary and redundant legislation and consequently removing associated regulations.

Schedule 2 to this Bill will amend superannuation laws to enable the Australian Tax Office to pay certain superannuation amounts, such as unclaimed super balances, directly to people with a terminal medical condition. It will also remove the requirement for superannuation funds to lodge a Lost Members Statement with the Australian Taxation Office.

The first change ensures that people who are dealing with the tragic circumstances of being diagnosed as terminally ill or injured do not also have to deal with unnecessary complexity to get access to superannuation savings held by the Australian Taxation Office.

Superannuation balances are generally able to be released tax-free to people with a terminal medical condition.

Super funds can already pay balances they hold directly to such people when a valid claim is made.

However, the law only permits the Australian Taxation Office to pay Australian Taxation Office-held or administered super amounts (such as unclaimed super) directly to terminally ill or injured people in limited circumstances. In most cases, when a terminally ill person makes a claim, the Australian Taxation Office first has to transfer the money into an existing account in a super fund before they can access it. This creates unnecessary delays and paperwork for people wishing to access their super.

In fact, if the person does not have a super account, the red tape they face increases. For example, if a person on finding out that they are terminally ill withdraws their balance and closes their super account, the person will need to create a new account just to receive their unclaimed super held by the Australian Taxation Office.

This Government will not subject people to needless bureaucracy, particularly, when they are facing such difficult life circumstances and are likely to be at their most vulnerable.

Enacting this Bill will allow the Australian Taxation Office to pay super amounts they hold or administer directly to a terminally ill or injured person. This will eliminate a pointless step in the claims process and provide people faster access to their super when they need it most.

Schedule 2 will also remove an additional reporting requirement for super funds.

Let me explain by giving you some context.

The Commissioner of Taxation maintains a register known as the Lost Members Register, which contains details of members who have been reported by their super providers as lost. This register is maintained for the purpose of reuniting people with their lost super. The Register is updated periodically, using information reported to the Australian Taxation Office by super funds.
This information is currently reported to the Australian Taxation Office by super funds twice a year through the Lost Members Statement. This is a requirement under superannuation law.

However, since 2013 similar information has also been reported by funds to the Australian Taxation Office as a result of a separate reporting obligation under tax administration law.

This Bill will remove the requirement for funds to lodge the Lost Member Statement. In effect, this will remove an additional reporting burden for funds and reduce their compliance costs.

The information required for the Lost Members Register will, however, continue to be collected under tax administration law. Furthermore, people will continue to be able to use myGov to search the register for their lost super.

Schedule 3 to this Bill contains amendments to the Corporations Act 2001 to modify the notification and reporting obligations applying to certain corporations that have property in receivership or property in respect of which a controller is acting.

These amendments remove the unnecessary compliance costs, reputational damage and investor confusion caused by having to include 'in receivership' on all of a company's public documents, rather than on only those documents that relate to the affected trust. The amendments will also reduce the administrative burden on corporations' officers by reducing the matters upon which they are required to report to a 'controller'.

Schedule 4 to this Bill repeals inoperative acts and provisions of the tax law. This includes the repeal of the Commonwealth Borrowing Levy, which has been inoperative since 1997, repeal of the tax-exempt infrastructure borrowing concession, which has been inoperative since 2012 and the repeal of various provisions relating to tax concessions for equity investments in small and medium enterprises, which have been effectively inoperative since 1999.

Full details of these measures are contained in the explanatory memorandum.

Debate adjourned.

Ordered that the bills be listed on the Notice Paper as separate orders of the day.

The PRESIDENT: In accordance with standing order 115(3), further consideration of these bills is now adjourned to 10 May 2016.

Transport Security Amendment (Serious or Organised Crime) Bill 2016

First Reading

Bill received from the House of Representatives.

Senator CASH (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (19:01): 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 CASH (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (19:01): 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—
TRANSPORT SECURITY AMENDMENT (SERIOUS OR ORGANISED CRIME) BILL 2016

Organised crime is a serious threat to our security and prosperity as a nation. Recently, the Australian Crime Commission estimated that organised crime cost the Australian economy $36 billion annually. In 2013, this Government made a commitment to ensuring that people with a history of serious or organised crime would not receive a security clearance to work at our Australia's airports and seaports. In 2015, the Government also committed to comprehensive action on the drug ice. The National Ice Taskforce, in its final report released late last year, estimated that there are currently well over 200,000 Australian users of the crystalline form of methamphetamine (commonly known as the drug 'ice'). The National Ice Taskforce identified as a key priority the need for targeted and coordinated law enforcement efforts to disrupt the supply of ice, specifically by protecting the aviation and maritime environments against organised crime by strengthening the eligibility criteria for the aviation and maritime security identification card schemes, also known as the ASIC and MSIC schemes.

The Transport Security Amendment (Serious or Organised Crime) Bill 2016 will amend the Aviation Transport Security Act 2004 and the Maritime Transport and Offshore Facilities Security Act 2003 (which I will henceforth refer to as the Aviation and Maritime Acts). This Bill is aimed at reducing criminal influence at Australia's airports and seaports by strengthening the ASIC and MSIC schemes.

The Aviation and Maritime Acts establish a regulatory framework to safeguard against unlawful interference with the aviation and maritime sectors. Unlawful interference is defined in the Aviation and Maritime Acts as conduct that threatens the safe operation of aircraft and airports, ports and ships, and thus, behaviour which may cause harm to passengers, crew, aviation and maritime personnel and the general public or damage to property. This Bill will create an additional purpose to prevent the use of aviation and maritime transport or offshore facilities in connection with serious or organised crime. This additional purpose will only apply in relation to the administration of the ASIC and MSIC schemes and not the regulation of the aviation and maritime sectors more broadly.

The ASIC and MSIC schemes are important security measures that are intended to protect Australia's aviation and maritime sectors. The ASIC and MSIC schemes require all persons, including foreign nationals, who require unescorted access to secure aviation and maritime areas, including offshore oil and gas facilities, to undergo a comprehensive background check. The background check includes a criminal history check, a national security assessment and for non-citizens an immigration status check.

Under the current system, if an applicant for an ASIC or MSIC is convicted of a wide range of serious and minor aviation or maritime security-relevant offences, this person is likely to be given an adverse security status. The list of aviation and maritime security relevant offences is contained in the Aviation Transport Security Regulations 2005 and the Maritime Transport and Offshore Facilities Security Regulations 2003 (or the Aviation and Maritime Regulations), and is collectively known as the eligibility criteria for the ASIC and MSIC schemes. Applicants who receive an adverse security assessment are ineligible to be granted an ASIC or MSIC. However, they can make an application to the Secretary of the Department of Infrastructure and Regional Development for discretionary approval to be granted an ASIC or MSIC, depending on the nature of the offence (known as the discretionary card process).

The amendments proposed by the Bill provide the regulatory framework to enable the introduction of new eligibility criteria for the ASIC and MSIC schemes. The new criteria better targets serious or organised crime, and will ensure that people with a history of serious or organised crime do not receive clearance to access secure areas and exploit our aviation and maritime sectors in connection with serious or organised crime. However, modelling suggests that the new eligibility criteria will also result in more people with minor criminal offences being found eligible for an ASIC or MSIC, without needing to go through the discretionary card process.

The new eligibility criteria will be set out in the Aviation and Maritime Regulations and introduce additional categories of offences such as offences under anti-criminal organisation legislation, foreign...
incursion and recruitment offences, illegal importation of goods and interfering with goods under Border Force control.

Currently, the same offence can have different implications depending on whether you are applying for an ASIC or MSIC. This Bill will provide for the alignment of the eligibility criteria in the Aviation and Maritime Regulations, so that the same criteria apply across the aviation and maritime sectors.

The Bill also promotes greater consistency between the Aviation and Maritime Acts. The changes will also result in greater transparency and accountability, with express regulation-making powers, for the administration of the ASIC and MSIC schemes, rather than the current reliance on general regulation-making powers in the Act. Specifically, the Bill will amend the Maritime Act to clearly provide for all persons seeking to access secure maritime zones to undergo background checks. This change in the Bill seeks to reinforce and clarify the legislative basis for a system that is already in place in administering the ASIC and MSIC system, and reflects existing provisions in the Aviation Act.

This Bill will also result in greater transparency and accountability, with express regulation-making powers, for the administration of the ASIC and MSIC schemes, rather than the current reliance on general regulation-making powers in the Act. Specifically, the Bill will amend the Maritime Act to clearly provide for all persons seeking to access secure maritime zones to undergo background checks. This change in the Bill seeks to reinforce and clarify the legislative basis for a system that is already in place in administering the ASIC and MSIC system, and reflects existing provisions in the Aviation Act.

This Bill will continue to give effect to Australia's international obligations under the Convention on International Civil Aviation, the International Convention for the Safety of Life At Sea and the International Ship and Port Facility Security Code. It will also improve the Government's ability to combat transnational and domestic organised crime.

Importantly, this Bill implements one of the government's key strategies in the fight to combat the drug ice. In December last year, the National Ice Taskforce, chaired by Ken Lay APM, released its final report, which made 38 recommendations across five priority areas. One of these recommendations, adopted by the Government in its response to the final report, was to continue to protect the aviation and maritime environments against organised crime by strengthening the eligibility criteria for holders of ASICs and MSIC. This Bill will give effect to this element of the Government's comprehensive package of action across the five key priority areas, which together are intended to tackle Australia's ice problem head on.

I commend the bill to the House.

The PRESIDENT: In accordance with standing order 115(3), further consideration of this bill is now adjourned to 11 May 2016.

Parliamentary Entitlements Amendment (Injury Compensation Scheme) Bill 2016

Social Services Legislation Amendment (Family Measures) Bill 2015

Tax Laws Amendment (Small Business Restructure Roll-over) Bill 2016

Assent

Messages from the Governor-General reported informing the Senate of assent to the bills.

Sitting suspended from 19:02 to 19:30

BILLS

Commonwealth Electoral Amendment Bill 2016

Second Reading

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

to which the following amendment was moved:

At the end of the motion, add:
but the Senate is of the opinion that there is a need to reform Australia's political donation system by lowering the disclosure threshold, banning foreign donations, restricting anonymous donations and preventing donation splitting to avoid disclosure.

Senator STERLE (Western Australia) (19:30): I have seen a lot in my time in here, but I have to say that something as shameless and slimy as the deal that has been struck between the government and the Greens just astounds me. And, my goodness me, the performance yesterday of the Greens leader, Senator Di Natale was extraordinary to say the least. First off, Senator Di Natale issued a challenge to Senator Wong and then gagged her for making a contribution. I just could not believe it. I know he is under pressure but, crikey, I would have thought that the pressure would not have mounted until at least Thursday—and hit it yesterday. How embarrassing for the Greens—but, even more, how embarrassing for Senator Di Natale, the Greens leader. The Greens also assisted the coalition in delaying the debate on the ABCC bill. Then the Greens, the bastions of progressive politics, said no to a debate about marriage equality and anti-coal seam gas bill debates. If the Greens had supported Senator Leyonhjelm's motion, the same-sex marriage bill would have been voted on before the Senate rises this week. Thanks to the Greens, this will not happen.

Senator Siewert: It is going to happen tomorrow.

Senator STERLE: The Greens are happy to support the government's ridiculous situation of a $160 million plebiscite. You are shameless. You seriously are shameless. You reckon a $160 million plebiscite is alright—$160 million of taxpayers' money. We in this place get paid $200,000 a year, and you think it is alright that we do not have to make a decision and you think it is alright to support that pathetic, weak escape hatch that will let the people decide after $160 million is spent. I am not going to fall into that silly game. I do not think it is going to be anywhere near that but, at $160 million, you are guilty. You can scream as much as you like from the corner, but you are guilty.

You might ask what all of this was for yesterday. It was so they could sure up this filthy, little voting reform legislation to knock off the crossbenchers in the Senate. It is my belief that, as far as the government and the Greens are concerned, nothing else matters. Their grubby little deal takes precedence over anything else—and I have mentioned those other bills.

The government claims that this bill, the Commonwealth Electoral Amendment Bill 2016, implements the recommendations of the Joint Standing Committee on Electoral Matters in its interim report on the conduct of the 2013 federal election, but this is not the case. This bill is not the product of the JSCEM recommendations. It is the product of their slimy little deal cooked up behind closed doors. I have heard the Greens carry on about cooking up deals behind closed doors and how they are going to stop it. It still rattles my head. I have no idea what they are talking about. They have just done one.

The government likes to say that this legislation at least implements the substance or 85 per cent of the JSCEM recommendations, but this is not true. The deal done between the Greens and the government is designed to serve partisan interests. It is as plain and simple as that. These reforms aim to exhaust preferences early so Independents and so-called micro parties are deprived of votes. Its objective is to prevent new players from entering the Senate, thereby entrenching the electoral dominance of existing players. Whether the Greens choose to acknowledge it or not, the principal beneficiary of the new voting system will be the Liberal Party. The Liberal Party's motivation for supporting this legislation is to achieve lasting
electoral dominance in the Senate for the conservative parties and, over time, a lasting Senate majority in their own right.

As I have said before, if there is a problem with Senate voting laws, Labor believes that the appropriate response is for parliament to deal with it through a considered, principled and transparent process—not by rushing through an ill-thought-out piece of legislation that was conceived behind closed doors by the leader of the Greens, Senator Di Natale, and his best mates—Senator Xenophon and the Prime Minister. The outcome must be and be seen to prioritise the democratic rights of the Australian people above all other interests, especially partisan self-interest. There can be nothing more important to public confidence in the parliament than the integrity of laws which dictate who is elected to the House of Representatives and the Senate. The Commonwealth Electoral Amendment Bill 2016 fails this test.

This bill was not the product of any principled and transparent parliamentary process. It is the tawdry outcome of a slimy deal between the conservatives and the Greens. The Australian public cannot have confidence in the coalition or the Greens, as this legislation lacks scrutiny, lacks credibility and lacks integrity. Integrity is something that is very important to me. Let us have a look at the definition of the word as explained in the Oxford Dictionary. It says: 'Integrity: the quality of being honest and having strong moral principles'. Let me say that again for those listening and particularly those in that corner to my left: 'the quality of being honest and having strong moral principles'. The Greens, in joining with the government to rush through these reforms and in shutting down debate on issues that they claim to be their own, like marriage equality, have shown that they are neither honest nor do they stand by their morals.

In my previous remarks, I took great delight in informing the Senate of what could happen to the Greens as a result of the reforms and if there is a double-dissolution. I would like to remind the Greens and those listening that it could mean that we might be saying bye-bye to either Senator Siewert or Senator Ludlam in Western Australia or—it gets better—we might be saying bye-bye to Senator Simms or Senator Hanson Young in South Australia. I put this contribution on social media and not at any point was I or have I been confronted by anyone who had a problem with what I said. Doesn't that say something?

I again have to ask the question: do the Greens know what they are getting themselves into? Quite a few commentators have said that the Greens have not properly done their homework on this matter. There has been a growing chorus of academics and analysts who have criticised this legislation cooked up by this sneaky new coalition that we have seen develop. Malcolm Mackerras has said that this legislation is: 'A filthy deal concocted by an unelected dud prime minister in the Greens Party’—they are not my words, that is from Mr Malcolm Mackerras—a party known for its moral vanity.'

Do the Greens really know what direction their leader is taking them in? One thing that is very clear is that Senator Di Natale is moving the Greens more and more towards the right. Under his leadership, the Greens are growing ever closer to the conservatives on the other side of the chamber. This is not the first time that Senator Di Natale has sold out the Australian public via a deal with this government. First we had Senator Di Natale's sneaky deal with the Abbott-Turnbull government to cut the payments of part pensioners. Then we had Senator Di Natale's little deal with the Abbott-Turnbull government to water down tax
transparency laws for multinational companies. Now we have Senator Di Natale's filthy deal with the Abbott-Turnbull government to alter the laws governing the election of senators, which will increase the chances of the coalition gaining a majority in this Senate.

As leader, Senator Di Natale has spent a lot of time talking about these grubby deals in the Senate chamber. For a party that prides themselves on fighting for a better Australia, including advocating for Indigenous affairs, climate change and asylum seekers, I am baffled by how little Senator Di Natale has actually focused his time on any of these issues in this place. Compared to one speech on Indigenous affairs, two speeches on climate change and four speeches on asylum seekers, Senator Di Natale has given a total of 16 speeches on separate deals the Greens have done with the government since becoming leader. In his desperate ploy to deal himself into political relevance he is dealing the Greens out of their political values.

In putting his desperate desire for mainstream media attention before the Greens' political values he is sacrificing his party's integrity on the altar of his own vanity. He continues in his words, 'At some point in the future, we will be a party of government,' Senator Di Natale said. I nearly wet my pants—sorry about that! 'Never say never' is the quote I would use about everything in politics.

Senator Payne: Sorry?

Senator STERLE: I will take that back. I should have said that I nearly wet my pants laughing.

An honourable senator interjecting—

Senator STERLE: Do you think it is funny? I think it is hilarious. You might think that might happen, Senator.

On 9 March, Charis Chang wrote an article online at news.com.au entitled 'Greens leader Richard Di Natale says the party will form government one day'. I did find this article both humorous and insightful. It extensively covered the views of Senator Di Natale as the leader of the Greens with respect to their love-in with the government. It also provided a range of views concerning the coverage of Senator Di Natale in the GQ magazine—a photo shoot with men's magazine GQ went live online at 7.00 am and has sparked comparisons to children's music groups, hipsters, Steve Jobs and one famous American folk duo, that being Simon and Garfunkel,' Chang reported.

Senator Kim Carr: They wore socks!

Senator STERLE: That is not fair, Senator Carr. When one reader asked who Senator Di Natale was following the article, another consumer responded by saying, 'He is that tactical turtle-neck guy.' Another tweet went on to suggest that, with that black skivvy, he could become the new member of The Wiggles. So in that vein, I say this to you, Senator Di Natale—and, as a father, I know this line all too well—Wake up, Jeff! Seriously, wake up. Senator Di Natale's approach is a world away from the view of former leader Bob Brown, who often talked about 'replacing the bastards'—and I am quoting Senator Brown's words there—not joining them at the cabinet table'.

Bob Brown must be absolutely livid with what has become of his beloved Greens party. Senator Di Natale in the article later acknowledged that some people in his party would rather not do anything with the Liberal Party. He continued though, and said: 'But it is my view and
the view of my party room that you have to put policy first and then the politics look after itself,' he said.

I do find this a bit rich. This deal has nothing to do with policy. It is being done purely out of self-interest and that is it. It is very interesting that Senator Di Natale has opened up the Greens to forming government with the conservatives. Greens senators ought to think very carefully about what their leader is signing them up to. Senator Di Natale is basically saying that Senator Simms may one day be on a joint ticket with Senator Bernardi on the Safe Schools program and marriage equality. Senator Di Natale is also saying that Senator Hanson-Young may one day be on a joint ticket with Senator Cash on asylum seekers and women's policies. Senator Di Natale has also signed Senator Ludlam up to a joint ticket—are you ready for this?—with Senator Brandis on terrorism laws and data retention. Senator Waters must have been delighted to hear that she may one day share Senator Seselja, Senator McGrath and Mr George Christensen's environmental policy. The mind boggles as to how the Stalinist senator from New South Wales, Senator Rhiannon, could even share a policy platform with Senator Abetz. But this is the direction the Greens are heading in.

I say to the Greens senators: if you do not like the direction that Senator Di Natale is taking you in then do something about it. Take 20 steps out of this place and publicly tell the Australian people that you will never support a Liberal-Greens coalition government. I dare you to! This new love affair, however, is not all rosy and peachy, as some might have you believe. While Mr Michael Kroger might have walked off the reservation a bit, conservatives from the Liberal right, including Senator Abetz and Senator Bernardi, are not as welcoming of the Greens as their party officials are.

Mr Jeff Kennett, in an article written by Joe Kelly and Rick Wallace in The Australian, said that a preference deal with the Greens was a 'major departure from what's happened in the past'. Senator Abetz has publicly and very clearly shown his disgust in the Greens/Liberal-National coalition. Most recently he said that he was alarmed that Liberal preferences had helped elect Senator Rhiannon in 2010, which sadly forced out my mate former Labor Senator Steve Hutchins. I would be alarmed at that too. I suppose in one way it is like a happy ending: the Liberals helped Senator Rhiannon get elected and now their parties are going to become aligned. I think Senator Abetz will regret that move.

Senator Bernardi went further and labelled the Greens a 'dangerous bunch of extremists' and warned they would never assist in the formation of a coalition government, a view which is quite contrary to that of Senator Di Natale, who said, 'He is confident that one day that mob over there will be a party of government. Please!' At the end of the day, the Greens have done a quick and dirty deal with the government to change the Senate preference system without allowing time for proper and fair scrutiny of this reform. This will ultimately lead to the coalition having greater control over the Senate and the purge of the minor parties, neither of which will be good for our democracy nor our country. We are opposing this grubby deal between the government and the Greens because it will purge the Senate of small parties and Independents, prevent new parties from ever getting elected, exhaust the votes of no less than 3.3 million Australians and risk turning the Senate into a rubber stamp for coalition governments.

Just for the Greens benefit, I want to enlighten them on entering into this slimy deal. If it is the case that the coalition are the winners out of this and the coalition get to that magic
number of 39 senators in this place, or that Senator Xenophon may have a brain snap and want to back-in the government on some terrible IR issues, working people will remember you as the ones that contributed to the loss of more jobs in this nation. Whether we like it or not, it is no secret that the government want to get rid of the Road Safety Remuneration Tribunal. Congratulations if your deal delivers that, because you will have given another win to the government!

Let's not forget a very important factor. To the Greens senators and the Greens supporters out there in radio land listening to this: if you deliver that number of senators to the coalition, where they do not need to deal with anyone on this side of the chamber, you will be responsible, should Minister Cash follow her desire to emulate her political idol in, one, Maggie Thatcher, for delivering the death knell to hundreds of thousands of young Australians who rely and depend on penalty rates in the hospitality and retail sectors.

We know what Minister Cash and the government have done. They have flicked over the recommendations of the Productivity Commission. We are not stupid; we know what the Productivity Commission is going to come back to. Of course, it would be foolish to think that they are not going to recommend that penalty rates be adjusted, removed, changed, downgraded—whatever. If that does happen to the thousands of young Australians and other Australians who rely on the penalty rate system in the retail and hospitality industry to make ends meet, you will not have to worry about me standing here—the little, fat truckie from WA with the big nose having a crack at you; the rest of Australia will remind you at every opportunity what your slimy deal with the government can deliver in this chamber to hundreds of thousands of Australians who relied on us on this side who have actually had dirt under our fingernails and do not pretend to be the champions of the working class because we would never in a pink fit do a deal that would screw them over.

Senator KIM CARR (Victoria) (19:49): The coalition and the Greens talk a lot about transparency in relation to the Commonwealth Electoral Amendment Bill 2016 and they argue that it is necessary to make the allocation of preferences transparent and clearly reflect the will of voters. This is a particular irony because what has become really apparent are the motives that rest behind this bill's supporters. This is a bill that is not being rushed through the parliament with quite unseemly haste because the government want to create a more democratic system for electing the Senate. This is a bill that is being rushed through this parliament because the government are frustrated with the way in which the Senate has operated. Remember, this is a Senate that refused to allow the $7 Medicare co-payment, refused to allow the $100,000 university degree and blocked most of the inequitable measures of the 2014 budget.

The Turnbull government want to eliminate as much of the crossbench as it can because it is uncomfortable with what has actually occurred in these last two years and they now feel comfortable with its new best friend, Senator Di Natale. In that process, the government are not acting out of altruism; the government are actually hoping to shore up its own vote. It is pushing this legislation through the parliament to give it an option of a double-dissolution election in which the crossbenchers will not survive. The government are afraid that if they do not have these changes, they will see an increase in the number of malcontents that they cannot control. So the government have made a decision that the crossbenchers have to go.

CHAMBER
I find it truly remarkable how this government have stumbled blindfolded into this minefield. It is quite clear that when this process started, the government thought it was riding particularly high in public opinion and it could ride out any opprobrium that would come from these clearly unnecessary and unreasonable measures. But, of course, what we have now discovered is that the government have not thought through the implications of a double-dissolution election in the time lines that they are proposing. They did not think through the implications of having to call a double-dissolution election the day after the budget. They did not think through the implications of having no supply and of having to try to get a supply bill through this parliament in a day. They did not think through the implications of a three-month election campaign fought in winter. They did not think through the implications of what it is like to go to your electorate when your position has deteriorated so dramatically in public opinion and when, on the best measures we have available, it would appear that the parties are pretty much fifty-fifty.

What we do know about first-term governments is this: the average swing against a first-term government is 3.5 per cent. If you look at the historical evidence on that, you will find it is the case. What is the swing required to remove this government? It is 3.4 per cent. With the government's indecision and its completely chaotic condition, it is quite possible that that may well be the outcome. This government has not thought through the implications of its actions in its desperate effort to purge the crossbenches, because they cannot get their draconian measures through in this parliament. As I say, they have wandered blindfolded into the minefield of politics in the Senate and, of course, sought to find a simple solution to what is quite a complicated problem. They have even decided to remove their poodles—the people they have relied upon for 80 per cent of the votes in this chamber. They have decided that they are dispensable. The ruthlessness of this position really is quite breathtaking.

Senator Day has warned the government about these unintended consequences. He has even suggested that he should take this matter to the High Court—and heaven knows he has got the resources to do so. Maybe that is another unintended consequence they have not thought about. Despite the fact that he has voted with the government 80 per cent of the time, Senator Di Natale says, 'Senator Day's remarks are made out of self-interest.' Isn't that amusing? The self-interest of the Greens in this matter is breathtaking. The Greens remain the major beneficiaries of the existing voting system in the Senate, and now they want to make sure that they deny the opportunity for anyone to come along behind them and replace them. What they want to do is to deal themselves into the power equation of this country. As I have said before, they are pretty much like the Democrats in many respects. There are a group of very, very wealthy people now who dominate the Greens. Inner city politics is run by people who are exceptionally wealthy. They have the best social conscience that money can buy, but they adopt an increasingly conservative position—which is befitting their personal wealth.

It is not surprising, therefore, that Senator Di Natale's appeal to be respected, to be loved, to be appreciated by the conservatives of this country should take on such vigour. We saw that in the interview with Senator Di Natale in GQ magazine just last week. In one of his answers to the journalist's questions about the Greens forming an alliance with the Liberals, he said:

In my view it's much more likely that the opportunity rests with Labor, but you should never rule out any possibility, though it's unlikely... 'Never say never' is the quote I'd use about everything in politics.
I am really quite interested to know what Green voters would say about that, because the principle of 'never say never' is not a sentiment that I have traditionally experienced in this chamber—certainly not from the work of Bob Brown and Christine Milne. It is an extraordinary proposition in many respects, because many of us appreciate the point of why we are actually in politics. We are defined as much by what we oppose as what we support. I noticed an article in the Herald Sun this week in which Shaun Carney wrote about Senator Di Natale's remark. This an article headed 'Flirting is a tricky game'. Flirting is a tricky game indeed for the Greens—with or without socks. It states:

Politicians are supposed to say 'never'. That’s why people support them. This is particularly so for the Greens, whose supporters are especially purist on such things as open borders, the undesirability of all military action, giving security agencies more powers and coal.

There are times when we simply must say 'never'. But apparently that is not the view of Senator Di Natale—not anymore, anyway. He is intent on dealing his party into power and his mantra now is 'whatever it takes'. That means he is prepared to do the dirty deal with the Liberals. He is prepared to deliver the Turnbull government the power to implement their inequitable measures from the 2014 budget. He is prepared to become the quisling of the hard right of the Liberal Party. Senator Abetz was reported yesterday as saying, 'The way you allocate preferences says a lot about what you are as a party, what you stand for and what matters to you.' It is not often that I agree with Senator Abetz but he is probably right about that. Every indication is that that is not the way the Greens see the world these days.

The president of the Liberal Party in Victoria, Mr Kroger, has spoken warmly about the prospect of an electoral pact with Senator Di Natale. He said, 'The Greens are not the nutters they used to be.' Well, Senator Di Natale, with the lack of candour that deserves, no-one is enjoying being courted. It is quite clear that that is the case. He does enjoy the courting game. He is openly selling his party's favours, such as 'never say never'. He was more than happy to have preferences directed to the Greens in inner city seats like Wills, Grayndler, Batman and Sydney.

He can say, 'We'll never put the Liberals ahead of Labor,' but in those inner city seats it does not matter, because their preferences would never be counted. That is how they see the world. But in the outer suburbs, he says, 'We'll just give an open ticket,' to favour the Liberals. He sent a member of my staff a very indignant email just recently, complaining about what my colleague Senator Dastyari had said about the Greens. Senator Dastyari had called them a cancer on progressive politics. Well, the cap fits. What we see generally is that progressive parties do not do dirty deals with the Liberals to cut pensions and reduce tax transparency for large corporations, and they certainly do not do dirty deals to help the coalition win control of this chamber.

The government and the Greens have cobbled together a deal to protect their specific interests. The government is seeking a blocking majority, a minimum of 38, which is best secured through a double dissolution, because it is easier to secure seven seats out of 12 in a double dissolution, where the quota is cut in half, than it is to secure just three seats out of six in a half-Senate election. The deal, which would abolish the group and individual voting tickets and introduce optional preferential voting, would see a situation which would encourage the strongest possible result for the conservative parties and bolster the Greens' position, as they see themselves as the great fixers of political power.
It is said that there is a savings provision involved in these propositions. We all know what the Electoral Commission has said—that a vote of '1' above the line will be formal. The effect of this arrangement may well be to have a first-past-the-post system for this chamber in this country. It comes down to a very simple proposition—that people can put '1' above the line and do not have to allocate any preferences. In my view, that will become increasingly the case.

The Howard government, when they secured a majority in this chamber back in 2004, gave us Work Choices. They had not mentioned it in the election campaign. That majority allowed them to pursue their long-held obsession with destroying the trade union movement, destroying people's capacity to organise, getting rid of penalty rates and getting rid of people's rights at work. What troubles me greatly about these arrangements is that that is exactly what we will see again. We know there is a deep train of thought that runs through politics in this country, whether it be on our side or on the other side of the chamber. We saw it with health care. Labor struggled to secure Medibank and Medicare. That struggle went right away at trying to undermine it. On trade union issues, the struggle around rights at work is a ribbon that has run right through the middle of politics since Federation, through the history of the Commonwealth. If the coalition secure a majority in this chamber and in the other chamber, it will lead to opportunities for the very hard right of Australian politics to secure their dreams. That is what really concerns me about the arrangements the Greens have entered into.

They say the benefit of that is that the Greens will be entrenched as the balance-of-power party. That is not necessarily going to happen either, because, if Senator Xenophon is able to secure the sorts of votes I expect he will, he may well find that he is in the position of influence, and he may well take an entirely different view to the Greens on some questions. These arrangements will in fact enhance conservative values in Australian politics.

If people were genuinely concerned about what is happening with regard to the election of senators with very few votes—and I think there is a legitimate issue for people to be concerned about—it would have been better to have a proper look at what other countries do and to ensure that the proportional representation system is not distorted. I have long supported the view that we need a threshold in the election process. Right around the world, that is what occurs. The threshold is as high as 10 per cent in some countries, like Turkey, but in many places it is two or three per cent. In Denmark the threshold is two per cent. Four or five per cent is typical in most European countries that use proportional representation systems. Some would say, 'It doesn't fit with our constitutional principles.' That has never been tested, and it has never been properly discussed how those matters could be overcome. Section 7 of the Constitution talks about the principle of being directly elected. We will see what happens if this bill, which will be passed, is put into law, because Senator Day has said he is prepared to take that matter to the High Court.

I think there is a possibility for action to introduce systems other than the one that is being proposed here. The Joint Standing Committee on Electoral Matters, which the government says was so important to its deliberation on this matter, presented a whole different set of arrangements. The joint committee proposals are not the same as those that are being
considered here this evening. The bill before the Senate does not match the recommendations of JSCEM. The government has said that it implements the substance of them. On other occasions, it has said that it implements 85 per cent of them. The truth is: this bill is very different from the proposals that were discussed by the joint committee.

We have the prospect here of contests being pursued in this chamber which will have, in many senses, unknown circumstances. I am very concerned about the direction that one can expect will arise from these measures. I think many Green voters would equally be very concerned about the direction that these measures are taking us in. I know for instance in the article I referred to there are matters here that would appear to be simple, but Ted Baillieu found in Victoria, after discussions following the election of Adam Bandt in the seat of Melbourne, that the Liberals were not served by providing a preference deal with the Greens. There was a proposition that arose essentially out of the result of a rank and file revolt within the Liberal Party itself about such preference arrangements between the Greens and the Liberals. I think the proposition we have here is of course in part a down payment on that preference arrangement. I raised the question with the director of the Liberal Party, Mr Nutt, who has confirmed the discussions were had just this weekend. Mr Kroger has met with the Greens to further these talks in regard to the arrangements that have been mentioned. I think the point was made well in the Herald Sun last Tuesday:

Meanwhile, what are the Greens idealists to make of this new development, with a leader who contemplates partnering up with the Liberals? Just because leaders and party officials make deals or private agreements, it doesn’t mean their supporters will honour them. Supporters tend to attach themselves to parties because of their beliefs, not because of ‘arrangements’.

It concerns me greatly that we have a measure before us here tonight, which will invariably be carried in one form or another, and a new-found zeal from the coalition and the Greens in the name of enhancing transparency to reinforce the privilege of those already privileged in our society and undermine the best hope that the most under-privileged people have in this country—that is, a Labor government in the future with progressive policies passed through progressive laws passed through this parliament. That is what is at stake here.

Senator O’NEILL (New South Wales) (20:09): I rise too tonight to speak on the Commonwealth Electoral Amendment Bill 2016 and to put my remarks on the record with regard to this outrageous piece of legislation that we are seeing pushed through the Senate with what I think can easily be described as unseemly haste and with a degree of arrogance and hubris from those who will inflict this on the Australian people despite 30 years of our electoral reform holding us in good stead and delivering for us a very stable democracy that has become increasingly representative of the breadth of views and the different types of talents that are happily an indication of the sophisticated country that we are.

What disappoints me about this particular piece of legislation is that it is dressed up as reform. There is a saying—a monkey in silk is a monkey no less. This is absolutely not reform; it is something much other than reform. As members of the Labor Party, we do not believe that by putting a sticker that reads ‘reform’ on a piece of legislation that it constitutes reform. The window dressing might be good enough for the grand alliance, the Greens, the National Party and the Liberal Party—now one great and awful alliance—but it is deeply concerning to see that the Liberals and the Greens announce a deal that will favour themselves. The Green party politicians, the Liberal party politicians and the National Party
politicians believe in this abortive and arrogant way of proceeding in the chamber to bring about the most significant change to our operation as a nation in 30 years.

The proposal that the Greens and the coalition have put forward with this piece of legislation effectively consigns three million votes to the bin. In the last election, more than three million Australians exercised a vote for a party other than one of the major parties. I always find it hard to understand why people would not just automatically and every time vote Labor. The reality is we have a range of views in our community and there are people who do not want to vote for the Labor Party but they do not want to vote for the coalition party. They do not want to vote for the National Party, who are letting them down profoundly, particularly in regional Australia on the areas of health and education. Of course I can understand why many people who might have voted National before will not be voting again for them this time. But there are people who do not want to vote for the Greens either.

What they did in that last election was—and there are three million Australians who made this decision with their vote—vote for candidates other than those from these three parties which dominate the political landscape of the country. It looks like the legislation will get through because of this dirty deal. Three million people voted at the last election for candidates other than those from these three parties. Their votes are going to 'exhaust'. They are 'exhausted' simply means they are not counted. They are going to end up not being involved in the election of anyone. Twenty-five per cent of the voting public will end up with no representation of their view of who should be here, and that hardly seems fair.

The Senate is supposed to represent more than three main parties. I bemoaned much of the commentary here in the chamber over the last couple of sessions, where people have been speaking about their delight with what they are trying to enact here. It is supposed to be a positive for democracy that we have a range of views. It can hardly be a positive for democracy when you construct a system and do a deal here in the Senate to discount the value of the votes of three million Australians. I do not think you can possibly consider it reform to leave three million people and their will out of the democratic process—not just delete them out, but to actually construct a model which will exclude them from registering that kind of response.

Imagine if the Liberals were in control of the Senate when Tony Abbott was Prime Minister? That is what is being cooked up here—control of the Senate by the Liberal and conservative forces of this country. Already we would have seen them implement their 2014 budget. They would have just got the rubber-stamp and said, 'Here, off we go—let's do it!' Students would now have been in a deregulated market and paying $100,000 for a university degree. We would have seen cuts to Medicare. We would have seen the $7 GP tax become law. We would have seen further cuts to family payments from the ones we have already seen. We have been able to hold up so much of the worst excesses of this government.

Labor is absolutely up for reform. But just because the Liberals and the Greens have done a deal, drawn up this bill and put a 'reform' sticker on the front page does not mean this piece of legislation should be allowed to continue to masquerade as a piece of reform. Reform that entrenches the control of the right wing of the Liberal Party and reform that entrenches control of the balance of power to the Greens is not reform. It is a recipe for economic problems and it is a recipe for gridlock in Australian politics. When Labor looks at reform we
want to make sure that it does not harm the interests of the Australian people. I support reforms that are sensible, but not reforms like this, that are constructed deliberately to wipe away every minor and different voice.

The bill was brought into the parliament by the Greens, and it reflects this deal that I have been talking about, done between the grand coalition of the Liberals, the Nationals and the Greens parties together. But in their haste to bring it in and in trying to pretend that it has come from the Joint Standing Committee on Electoral Matters they have tried to muddy the situation so much that some clarity around its true status is a little hard to find.

The Senate system of voting recommended by the joint committee is not the system that is in the bill that has now come before us. What we are debating now is not what has come from JSCEM. It is what the Greens, the Liberal Party and the National Party decided was in their own interests. One of the key challenges in this deal is that future voting under this bill, which sees the biggest changes since 1984, means that people will have to vote in a very different way from what they have become accustomed to.

Our concern, as the Labor Party, arises from that change in practice and the increase in informal votes that is likely to flow from that. But we also have concerns that there are challenges, like how we present how-to-vote cards to our supporters, given the requirement to indicate one to 12 or one to six above the line on the ballot paper. This is going to be complicated and it is going to be very challenging. I was actually able to attend the hearing the other morning, which was in no way any representation of the best practices of this Senate. To see questions so controlled and contained by the chair that morning; to see the relevant committee prevent the finance department coming to that meeting to answer any questions and to see the gross misuse of the committee process to achieve this dirty deal was a real insult. It was an insult to the people of Australia and it was something that I will not forget. It was like something that I have seen at the movies, where people's rights were clearly removed. It was completely inappropriate.

These changes that look like we are going to have happen will give rise to a degree of complexity, as I have indicated, that will almost certainly lead to a rise in informal votes, and the proposed system that we see relies on a large number of voters exhausting their votes. We are not satisfied that it is democratic. It is easy to have suspicions about the intent behind this, because the stated aim of these reforms is, in fact, to wipe out minor party players. It is easy to be sceptical, which is not my general disposition towards life, but when the Liberals and the Greens are doing this with a clear and expressed hope to produce more senators of their own persuasions you can hardly call it a good piece of legislation—a fair piece of legislation. It is certainly not a reforming piece of legislation.

It is also very interesting that the Greens have decided that they are now the best minor party in the land. They have decided that they do not want anybody else to come in and have a go. Having been the beneficiaries of the system that we have had in place over the last 30 years and securing their place, now they want to pull up the drawbridge and everybody else can go home. They just want to stay here themselves and get rid of those other smaller parties.

From Labor's perspective these are very big changes which, as I have indicated, might mean a growing informal vote but which also mean that a lot of voters are going to have their ballot papers exhausted. That is not democracy in action and it is not support of diversity, and
The display of the arrangement between the Greens, the Liberals and the National Party is absolutely nothing like a democratic kind of arrangement.

The Greens should go out amongst their voters and tell them that they have done another dirty deal—another dirty deal!—with the Liberal Party. In fact, through this piece of legislation and through putting their votes with the government of this day they are permanently providing a blocking vote in the Senate for the conservative forces. They have sacrificed all their principals on so many issues, but this is particularly iconic. They have sold out to the conservatives of this country.

The Greens are getting into bed with Mr Turnbull. Let's have a look at what it is that they have actually decided they are going to join up with. Mr Turnbull and Julie Bishop conspired to assassinate the duly-elected Prime Minister in his first term—Mr Abbott. The result is a deeply divided and dysfunctional government that is constantly contradicting itself and backflipping on itself. It is unable to provide any degree of certainty and security to the Australian population or to our businesses and our economy. They cannot even confirm, despite many requests to do so—that the budget will happen on the date for which it is indicated. They cannot even confirm that basic requirement of a government.

Senator Scullion: We'll let you know!

Senator O'NEILL: I will take that interjection. The interjection from Senator Scullion, in which he said, 'We'll let you know,' reveals the hubris and arrogance that is the telltale of the way in which we have seen this government operate from the minute they got in here. I know that you recall, Acting Deputy President, the early days in which we arrived in this chamber. We can see how contemptuous the government have been of the people who have come here on the crossbenches.

I recall the first dinner that I had with Senator Muir and his wife, with Senator Lazarus, with Senator Day, with Senator Leyonhjelm, with Senator Dio Wang and with Senator Lambie. We had conversations right at the beginning of their journey here. For many of them it was their first encounter with this place, with this chamber, and instead of giving them the respect that they deserved as elected representatives the government concocted their program for this place in a way which forced the new senators to vote very quickly on the legislation that they were putting forward. It was a ploy. They came and they thought: 'They're all new Johnny-come-latelies sitting on the side benches there. They don't know what they are doing. They don't deserve our respect, because really we should not have the riffraff like them in here. They don't belong in here.'

We have seen that Senator Muir is perhaps one of the most maligned of all of these. Senator Muir has been maligned in the press and then maligned so many times by this government because he has come from working in a sawmill. I remember my first conversations with him. He had a cup of tea with me at about 10 o'clock one night and I said to him, 'What would you normally be doing at 10 o'clock at night?' He said: 'I probably wouldn't be sitting here in a suit. I'd have different clothing on. I'd have some sawdust in my hair and I'd be making sure I didn't drop sawdust into my coffee.'

Senator Gallacher: He would be having a beer. It was 10 o'clock.

Senator O'NEILL: Probably it would have been. No, he was at work at the sawmill. It would have been 10 then. He was probably having a beer in my office. The reality is he
represents a person who has a basic education in Australia, who legally secured a position in this Senate and who arrived with a skill set that he identified was not a perfect match for here—but this is a country that believes in people participating in democracy. That is what I thought it was—that we would make space for everybody to be here and that if you could get here you would be accepted and you would be able to participate. But instead what we have seen is it has hit a point where the government have been so arrogant, so rude and so insulting to the crossbench from the very beginning that they cannot govern in the way that they want. So they have cooked up this deal with the Greens to get rid of the problem, because everybody in the parliament should be like them. They come in here with this veneer of civility, education and entitlement that they belong here—that is what the Greens have signed up with. They are absolute advocates for themselves and absolute excluders of diversity in the most arrogant and shameful way, to put on the record, in so many ways they think the crossbench are beneath the role of this Senate.

I do not agree with them. I accept the fact the Australian people sent the people here that we have here and I accept—despite their too often voting with the government in my view—their right to be here and their contribution to this place. That has never been forthcoming from the government. That is why they are delighted that they finally got the Greens, who also have that air of ascendancy and sense of entitlement. I think in his comments Senator Carr was quoting an article called 'Political flirting is a tricky game,' in which the writer of that piece described the Greens as purists. They are purists in a different way. But the two purists have got together to get rid of the riffraff. That is what is going on here—the arrogance that comes with that. That is what they are saying.

What we are seeing with this piece of legislation is not reform; rather we are seeing a purge. We are seeing a smugness that will see the exclusion of a variety of voices. We will see fewer Independents, we will see fewer small parties and we will probably see no new parties because of what the government, in their deal with the Greens, have been able to stitch up. The sort of dirty deals that we are seeing daily with the Greens were probably an indication that they were going to go this far all the time—although I continue to be surprised that they actually have done that.

Under his leadership the Greens are growing ever closer to the conservatives on the other side of the chamber, because we look at the deals that have been done. The first deal that Senator Di Natale did with the Abbott-Turnbull government was to cut the pensions of part-pensioners. That is what the Greens party voted for in their warm-up to this grand finale that they are trying to enact here. Then we had Senator Di Natale's dirty deal with the Abbott-Turnbull government to water down the tax transparency laws for multinational companies. Labor and the Independents were ready to make sure that the whole lot of multinational companies—we had the votes—had to show Australia what they were going to get. The reality is that they absolutely sold out the people of Australia and agreed with the Liberal-National government to provide an absence of scrutiny of tax transparency laws.

The next deal we had was the filthy deal to alter the laws that govern the election of senators, and that is what we are debating here tonight—clearly increasing the chances of the coalition to gain a majority of the Senate. In this desperate ploy to deal himself into the centre of political relevance in his own mind, this deal by Senator Di Natale with the Greens has sold out all of their political values.
Senator Ludwig, in his contribution to this debate, indicated—I usually rely on his ear on the ground—that he has heard in respect of this legislation that there are more than eight amendments that will need to be moved by the government itself because the bill is so flawed due to the government rushing it through the committee and this place. That is why the scale of what is happening is enormous, the impact is devastating and we should resist this at every turn.

Senator GALLACHER (South Australia) (20:29): I too rise to make a contribution in this lively debate. I want to just put on the record some of the feedback that my office has been getting about the electoral reform bill. In particular, it is addressed to one Senator Robert Simms. It says:

Dear Robert,

Stop the feigned bleeding heart crap, you're not the only gay victim, the Greens have done a greater disservice to democracy and egalitarianism by supporting a revised senate voting system that will virtually ensure that almost 25% of Australians—

Senator SIMMS: On a point of order—

The ACTING DEPUTY PRESIDENT (Senator Edwards): Senator Gallacher, if you could just resume your seat.

Senator SIMMS: I am sorry, Mr Acting Deputy President—

The ACTING DEPUTY PRESIDENT: Do not apologise. What is your point of order?

Senator SIMMS: I am not sure how the language that was just used was parliamentary but I do not consider it to be parliamentary. I think the statement should be withdrawn.

The ACTING DEPUTY PRESIDENT: Senator Gallacher, it would appear that it was a personal reflection on Senator Simms, so if you would not mind withdrawing it.

Senator Cameron: It is not on this issue.

Senator McKenzie: This is: I would like to support Senator Simms's point of order that that was a personal reflection on the senator.

The ACTING DEPUTY PRESIDENT: Senator Gallacher, I just would ask you to withdraw. Let me get into this seat and take control.

Senator GALLACHER: If it may please the Senate and you, I will withdraw—

The ACTING DEPUTY PRESIDENT: Thank you, Senator Gallacher.

Senator GALLACHER: the imputation on Senator Simms's character or whatever you require.

The ACTING DEPUTY PRESIDENT: Thank you very much.

Senator Cameron: I draw your attention to the state of the chamber.

(Quorum formed)

Senator GALLACHER: Going on with my line of communication, it says:

… the Greens have done a greater disservice to democracy and egalitarianism by supporting a revised senate voting system that will virtually ensure that almost 25% of Australians won't be properly represented in the Senate of the Australian parliament by non-leading party parliamentarians.

The Liberals, Nationals, Labor, and Greens at the 2013 federal election received 76.5% of primary senate votes and preferences giving them 89.5% of senate seats or 68 seats, whereas minor and micro
party and non-partisan senate candidates received 23.5% of primary senate votes and 10.5% of senate seats or 8 seats.

It remains to be seen just how the Greens interpretation of democracy will play out, but if 23.5% of primary senate votes won by micro and minor party and non-partisan candidates cannot achieve between 8 and 18 senate seats in future senate elections then the fault in such a non-egalitarian senate voting system rests predominantly with the self-interested Greens who claimed the higher ground in supporting the Coalition Government in the legislation for the revised senate voting system.

Robert, contrary to that purported, you and the rest of the Australian Greens in the Australian parliament are an unmitigated disgrace to true democracy and egalitarianism.

The ACTING DEPUTY PRESIDENT: Senator Gallacher, I would ask that you address your comments to the chair and address participants in the chamber by their correct title. Thank you.

Senator GALLACHER: Senator Simms—contrary to that purported, you and the rest of the Australian Greens in the Australian parliament are an unmitigated disgrace to true democracy and egalitarianism.

Senator Simms: Give me their name; I'll write them a letter.

Senator GALLACHER: And:

Kindest regards,

Harry Power

I am sure you will write them a letter, Senator Simms. That is why they responded to you. This is the response. It is your unmitigated disaster—a disgrace to true democracy and egalitarianism. That is not from our side of the table but from their side of the table. That is one of their supporters. That is one of their supporters' contributions to this debate. I just mention that in passing.

This is a bill that has managed to pass the House of Representatives without a joint committee report even being completed. It is a done deal. It is a process. Most of us in political life or even in business life, union life or just life in general know what a deal is. It is a meeting of people's inclinations—the way they want to go forward.

It appears very clear that the Leader of the Australian Greens, the new leader, is quite a departure from the Christine Milne model or the Bob Brown model. The Senator Di Natale model is quite different. It is a pragmatic power grab. There is no doubt about that. Senator Di Natale seeks more influence, and good luck to him. He seeks more influence with whichever government is elected in Australia. He seeks for his party to be the party of scrutiny, if you like, or achieving their ends, and that is what politics is all about. But he is going to face the scrutiny of his own membership. He is going to face the scrutiny of all of those people who align themselves with the Greens party.

I suppose, if we look back in history, the Democrats faced the same scrutiny. The Democrats faced the same scrutiny when they made some arrangements with governments which did not turn out to be as fortuitous as they may well have thought. They may have been pragmatic decisions at the time. They may well have been decisions to have influence now, but history will show that the Democrats are no longer represented in this chamber.

That is something that the Australian Greens should properly reflect upon, because you have to be true to your ideology. You have to be true to the people who send you here. This is
really never about us. It is never about our time in the chamber. It is our representational efforts for the people who sent us. If you ever forget that and you start thinking it is about your position at the table, your power at the table, where you are in the pecking order, who has to look up or down to you, then you are getting a bit far away from where you need to be.

We believe it has been a rushed reform. The AEC states that it needs three months to get these changes in place. If this does go ahead and there is a double-D, it might have to manually count all the ballots. Who knows?

**Senator McKenzie:** Heavens! Heavens to Betsy!

**Senator GALLACHER:** I will take that interjection. It might mean that the country goes for a number of weeks or months without a decision being made. It is rushed. The AEC has indicated that there is a problem.

The bill may potentially exhaust 3,000 votes. Twenty-five per cent who do not vote for the major parties may not see their vote carried out in the way it has been up until now. You can debate whether that is a good thing or a bad thing, but basically I am always very reluctant to change rules. I have found through my working life that people who wrote rules sometimes 100 years ago were very, very good at it, and when we ever changed a rule there were always unintended consequences or unthought-of consequences. So I am a person who thinks, 'If you’ve got a system, make it work.' I do not really think that the system is broken. I do not think it is broken.

What clearly is broken for major political parties is that we do not attract the majority of the vote anymore. There are up to three million people voting the other way in the Senate. You could argue that that is a good thing. This is supposed to be the house of review. This is supposed to be where legislation is tested, where people actually evaluate what is coming up from the House of Representatives and have a good look at it through the Senate committee system. There is ample evidence of that being a good and proper system for Australia.

I think the average elector actually gets it. They obviously get it because they can vote one way in the lower house and another way in the upper house. They can distinguish their votes. So maybe this Senate that people are castigating is what the Australian people actually want. I accept that there might be a majority of Liberal voters and/or Labor voters who think they have a problem with that, but, when you look at the 100 per cent of people who vote, this is what we have got.

We will have that changed by a grab for power from 'the black Wiggle' and his crew. That is basically what it appears to be: a very pragmatic, driven, outcome focused, Greens leader whose major challenge will be to take his party with him. That is where I would say that he may have the most difficulty. He will not have the difficulty in this chamber. Senator Simms I think is here without even getting a vote. I do not think he has actually got a vote from an elector yet. He may well in a double-D. He may well, in a double-D, have a very short career. I do not wish that on him. I do not wish that on anybody, however they get here. He replaced a very good retiring senator in Penny Wright, a great contributor here. He replaced Senator Wright, so he is fully entitled to be here. But it will be interesting to see how this deal that has been done plays out in South Australia. It will be very interesting to see how this plays out in South Australia.
I will continue on the theme of the change in the Greens. I have not been here long. I knew Bob Brown. I respected his contribution to the chamber. I did not often agree with him, but I thought he was a very, very effective parliamentary performer. I happen to have a story to recount about the leadership of the Greens in this whole matter. A member of parliament attended a conference in Geneva, and he attended the conference with Senator Brown. Within hours of Senator Brown landing in Geneva, he had a crowd of 500 people, an enormous number of media, in attendance, and that person said, 'I knew I was in the presence of a world-class environmental leader.' That was his reputation. When he came into this chamber, he carried that gravitas. We did not always agree. We almost never agreed on a lot of issues but you never doubted the absolute integrity of his beliefs and his commitment to the Greens ideology.

When he left, Senator Milne carried that on. She carried that on, I think, in an exemplary manner. I remember a contribution she made here one morning—and she could be quite aggressive and quite combative in her stance—when she tore strips off Senator Abetz's threat to keep us here over the weekend. She was a very able and committed performer and someone who engendered a lot of respect in this chamber.

With what has happened now, I do not see that respect continuing forward with Senator Di Natale's position. He has now left that clean-driven green ideology and he is now playing with everybody—on his personal position, his party's position and the power they can bring to bear. That is fine, but it is a change. They have always been as pure as the driven snow. They always wanted to be environmentally clean and correct and right. They never actually wanted to get in and exercise real power. That is a change.

The Greens have changed. This week is the week the Greens have changed to actually play the game and not be pure and ideologically driven. They are going to be here to play. And, once you make a deal—as you well know from your business career, Mr Acting Deputy President Edwards, and as I know from my union career—it is addictive. Once you make a good deal, it is doubly addictive.

So they made a deal today, or they will make a deal at the end of this week, and it will be addictive. That surge of power they get, that little bit more media they get, that little bit more esteem they get—and maybe another GQ, maybe another poloneck bloody photoshoot, whatever it takes to get—

Senator Cameron: Not a poloneck; a turtleneck.

Senator GALLACHER: A turtleneck was it? Sorry. I take that interjection. They have moved very clearly to being a deal-making party. I would say there is another party that did that, and that was the Australian Democrats. They made some arrangements that did not bode well for them. It actually destroyed them. I do not think that will actually happen to the Greens, but this is a really big shift.

Since Senator Di Natale has taken over as the Leader of the Australian Greens, they have voted with government in the Senate to cut age pensions by $2.4 billion. I do not know whether that would have got through Senator Milne or Senator Bob Brown. I am not sure that they would have actually stumped up and whacked $2.4 billion off age pensions.

They voted to pass Mr Abbott's and Mr Hockey's budget measures. No-one liked the 2014 budget; not even the Liberals liked it. The Nationals certainly did not. But hang on; we have it
here. They voted to pass Mr Abbott's and Mr Hockey's budget measures, cutting the age pension for 330,000 elderly Australians. They want to get into the real game here. They want to actually get into the economic game. They want to be players in the tax market. But then you hear Senator Whish-Wilson saying: 'We don't need a defence force. We shouldn't be spending $30 billion on defence.' My goodness! There is a bit of work that has been going on over there and it is not all good. So they voted to cut the pensions of 330,000 elderly Australians. I am not sure that Senator Milne or Senator Bob Brown would have led them in that way. That was June 2015.

They have also let big companies keep secret how much tax they pay. They are okay to whack the 200 wealthiest Australians, but the big companies are allowed to keep their taxation secret. These are decisions which have all led them to the electoral reform bill. Once you make a deal, once you get a little bit more skin in the game, once you get a little bit more access—a little bit more, 'Come into the Prime Minister's office and we can talk'—it is alluring and it is addictive. And they are playing in that field and they are doing it.

They have joined forces with the government to deter job-creating investment. They have voted with the Liberals and the Nationals to erect new barriers against investment by reducing Foreign Investment Review Board screening thresholds for proposed investments in agriculture and agribusiness. Mr Acting Deputy President Edwards, you and I know that if you are American you can do a billion dollars of business in Australia—no problem; FIRB does not even look at it. Sorry: $1 billion they would, but $999 million would go straight through.

Why is the capital that is coming from our largest trading partner subject to—with the voting of the Greens—more scrutiny? Why is that? Money is money. I can remember when the Japanese economy was at the tip of its peak, or the peak of its worth, so to speak, and they bought whole lots of stuff in Queensland. There are plenty of cheap golf courses in Queensland because the Japs—sorry—the Japanese came in and bought up wholesale. They bought it up. They invested everywhere. And then their economy went down the gurgler a bit and now they are not so prevalent. So capital flows in and out of Australia—

Senator Simms: Point of order, Mr Acting Deputy President. I must again refer the senator to his language. This is twice now that we have heard, I think, quite unparliamentary language. And I think he should be called to order.

Senator Cameron: On that point of order, I think it is quite clear that the senator immediately retracted. He said sorry right away. Let's not make something out of nothing here.

The ACTING DEPUTY PRESIDENT (Senator Edwards): Senator Cameron, resume your seat. I concur. I did hear Senator Gallacher correct himself.

Senator GALLACHER: Thank you, Mr Acting Deputy President. And I do withdraw any imputation on any nationality. It was a slip so to speak. We do know that there has been capital flowing in and out of Australia for the whole 200 years of its history. It is necessary. It is always finds its place. It is not always successful; that is the point I was trying to make. I think it is really interesting that the Greens political party, who have now become addicted to this allure of making deals with the government, is dabbling in that area as well. The Foreign Investment Review Board screening thresholds for investments in agriculture and
agribusiness were done in their interests for purely electoral purposes; they were not done in the best interests of Australia.

Anyway, back to the matter at hand: the simple facts are that Senator Simms will be arguing for these reforms as a good member of his party—ably led by Senator Di Natale—and I do not think he has actually ever received a vote. Senator Hanson-Young and Senator Simms, if there is a double dissolution, will probably be fighting it out for a spot. We go down through the history of these sorts of arrangements, and I think '83 and '87 were the last two double dissolutions, so we do not have a lot of real groundwork to go on. We do not really know what is going to happen in South Australia, but there could be well be a situation where this will not actually play out for the Greens political party, and it may be that some of the newfound pragmatism and deal making in the Greens political party will actually impact on their membership in this chamber, and that may be an unintended consequence of the arrangements they are making.

It is fair to say that this arrangement has been debated for a couple of sessions now and with a few more to go. I actually think that the voters of Australia can be trusted to get matters correct. I do not subscribe to the view that this needs dramatic overhaul. I think we can trust the electors of Australia to pick up a House of Reps ballot paper and fill it out and pick up a Senate ballot paper and fill it out. The situation that has prevailed since '83, I think, should continue and I think it is disingenuous of the Greens to take an opportunity which they believe may favour them, as the party who may hold the most crossbench seats, so to speak, in this place outside the Nats—do not forget that the Nats will have a few. Sorry, Senator Simms: that is the Nationals, in case you want to take exception to that, but we have always used some abbreviations here. I simply think that the arrangements in place at the moment have suited Australia since '83. They should continue. I do not think that the deal that has been done with the government and the Greens will advance either party, but if it does advance a party it is more likely to be the conservative side of politics than the Greens.

(Quorum formed)

Senator LAZARUS (Queensland—Leader of the Glenn Lazarus Team) (20:57): I will be supporting this amendment and I agree wholeheartedly with all of its elements. I should note that I am all for Senate voting reform, as I feel the system needs to be simplified to make it easier for the people of Australia to participate in our system of democracy, but I am of the view that the reforms proposed as part of the dirty deal between the Greens and the coalition are an extreme form of reform which will crucify democracy in this country. As a result, I will be putting up a range of amendments to the Commonwealth Electoral Amendment Bill 2016 to try and improve the proposed changes. However, I am not confident these will be properly considered given the dirty deal between the Greens and the coalition has already been done. It is clear that the Greens only like to support transparency and process when it suits them to attack everybody else. Despite voting reforms, I also strongly believe that our system of democracy needs to be more transparent and there needs to be more accountability around government decision making, which is why I will be supporting this particular amendment.

I think most Australians would agree with me when I say that most people do not trust politicians and they do not have confidence in our political system. Having been in this place now for just under two years, I can understand why people feel this way. I shake my head at...
many of the things that happen in this place. When we see elected officials—such as the Turnbull government, who were voted in to lead our country safely into the future—making decisions which are not in the best interests of Australians, this hardly generates trust across the country. I am talking about the decisions like allowing 1.2 million 457 visa holders from other countries into our country to take our jobs while the number of unemployed Australians sits at around 800,000. I am talking about decisions such as the Turnbull government's decision to award a $2 billion Australian Defence Force shipbuilding contract to a Spanish company, which will generate 3,000 jobs in Spain and decimate the Australian shipbuilding and maritime industry across our nation. I am talking about decisions like allowing CSG mining companies to come onto people's land and destroy their properties, water, health, land values and farming businesses while landholders have absolutely no right to say no. I am talking about decisions by government such as allowing farmers and hardworking decent Australians across rural and regional Queensland to suffer due to unprecedented drought while the government supports pipelines to be built from one part of the country to the other to move gas, while water sits idly in reserves in South-East Queensland dams—water which should be moved to where it is desperately needed.

I am talking about decisions such as allowing the Chinese and other countries to buy up significant chunks of our land, including key agricultural land and farms, which take away Australian jobs for Australian workers and the opportunity for Australia to produce its own food and sell it to the rest of the world for a fair price; decisions which allow the Chinese and other countries to set up large coalmines in the middle of our country's key agricultural food bowl on the Liverpool Plains, which will affect the integrity of our underground water supply and in turn risk the viability of our farms and people's livelihoods; decisions which involve the sell-off of our major ports and other infrastructure to the Chinese, including ports which house our Navy vessels; and decisions which allow areas of North Queensland to suffer at the hands of job losses and high unemployment while fat cats sit comfortably in their offices in Parliament House oblivious to the pain and suffering people are experiencing right across our country. I could go on, but the decisions are depressing and leave people wandering what on earth our elected officials are doing.

I certainly wonder this myself, but unfortunately I have come to realise that most decisions made around here come down to donations, and this is the main reason I support this particular amendment to the bill. I want the issue of donations cleaned up and I want political parties to be held to account for the decisions they make and the reasons they make them. Lowering the donation disclosure threshold from $13,000 to $1,000 is a key means of achieving this and is a good start. It is not going to solve everything, but it is going to start shining a light on what is really going on in governments across the country.

Political transparency is a cornerstone of a free and democratic society. Without transparency there is corruption, deceit, filthy bargaining and self-interest. Transparency should be all about holding public officials to account and enabling free, open and informed debate on political issues. It should also be about ensuring that the right issues are dealt with by the right people and in the right way. Transparency ensures issues that are of importance to the people are addressed and are not kicked under the carpet. It is of critical importance that increased transparency is extended to political donations, because money talks and it is crucial.
that the people of Australia are fully informed on how donations are impacting on party politics and the decisions governments are making.

I believe making politicians disclose donations of above $1,000 is far better than the current amount of $13,000. The current threshold of $13,000 is a lot of money. The average income earner in Australia receives around $70,000 a year. Average Australians are not going to make political donations of $13,000, unless there is something really shady going on. Anyone donating amounts like that is likely to be a very wealthy donor or a corporate donor. I think all Australians have the right to know when a small number of people are influencing politicians and the decisions governments make because they have a large amount of money. I think it is in the public interest to know who is donating large amounts to politicians. If a political party is under no obligation to disclose political donations less than $13,000, donations are able to change hands without being linked to decision making.

Reducing the threshold to $1,000 will increase transparency and enable voters to make more informed decisions regarding who they vote for and why. In short, the people of Australia will have a better idea of who they want to support and why. For example, if a party is taking donations from a mining company, you can bet they will put the interests of the mining company ahead of the interests of the people. Under the current system, the majority of political donations go undisclosed. By reducing the threshold, the Australian public will be privy to a substantially larger pool of data regarding political donations, allowing even more informed decisions to be made.

Further safeguards must also be implemented to ensure that political parties are not abusing the system to avoid their disclosure obligations. In the past, major parties have accepted multiple small donations from the same donor of a total value greater than the threshold, but have waived their disclosure obligations because the donations were taken through different branches. Lowering the threshold to $1,000 would make it far more burdensome for donors to split their donation between branches to avoid disclosure requirements. The amendment before the chamber helps to avoid politicians cheating the system and misleading the public about where their donations come from. Parties have also abused a loophole whereby funds are received by the party's associated entities which then directs funds to the major party.

These dishonest practices greatly diminish political transparency and prevent the Australian people from being fully informed of their party's donors. I believe these changes will improve transparency in Australian politics. By lowering the threshold, a far higher number of donations will be disclosed, giving the voting public unprecedented information to hold their party accountable for policies which favour large corporate donors over their constituents.

I also support the need to place a $50 cap on anonymous gifts or donations. In fact, I would prefer all anonymous gifts or donations to be banned and, if a political party cannot clarify where the donation came from, the money must be given to charity to assist people who need the money. I, like many Australians, think this whole political system stinks. What value is there in allowing large anonymous donations to political parties? Who honestly thinks this practice is in the best interests of public scrutiny? This amendment is an important step in ensuring transparency within our political system.

Despite the real scepticism in the community, many Australians do place a great deal of trust in their elected officials and expect them to do the right thing. So it is very important that
we deliver the highest levels of transparency and accountability for these people by placing a
$50 limit on anonymous gifts, and by requiring a substantially greater range of political
donations have declarations of the donor's name and address. This would ensure that strong
records are held of who is contributing financially to each political party. In doing so, political
parties could be held to a higher degree of accountability because the record would state
precisely where the donations had come from. The other element of this amendment that I
support is the banning of foreign donations. I talked earlier about decisions made by
government that are not in the national interest. The thing that has sickened me most in this
place is that I have watched the coalition government make decisions that have benefited
other countries while crucifying our own industries, harming our own people, killing off our
own jobs and wiping out our own businesses.

In summary, they have made decisions that are not in our national interest but are in the
interest of other countries. I have left Parliament House some days feeling so overwhelmed by
the stench of corruption in this place that I have felt sick to my stomach that any government
would make a decision based on what benefits a donor from overseas, even if the decision
was in direct conflict with what is in the best interests of our nation. I cannot state any more
strongly that foreign donations must be banned.

Senator O'Sullivan: Jesus—you got here on Chinese money!

The ACTING DEPUTY PRESIDENT (Senator Edwards): Order!

Senator LAZARUS: In fact, I would like criminal penalties applied to any parties that
receive donations from overseas parties—

Senator O'Sullivan interjecting—

The ACTING DEPUTY PRESIDENT: Senator O'Sullivan!

Senator LAZARUS: whether they be governments, businesses or individuals. Overseas
donors are only making donations to political parties in Australia because they want
something from us, not because they like us. They want something—like an Australian
government contract of water to their business, or they want to buy our farms or our land and
want a favourable decision from the government in relation to the sale, or they want policy or
legislation changed to enable their business to expand at the expense of Aussie businesses.

Have we seen any government decisions that we think might have been impacted by
overseas donations? Let's have a look. Let's see. What about the Shenhua mine? Did a
Chinese company donate substantial amounts of money to state and federal governments
to get favourable decisions—decisions which benefit the Chinese owned mine but decimate our
country's agricultural land and local farmers? What about overseas CSG mining companies
that are given full access to undertake mining on our people's property?

Senator O'Sullivan: You got in on Chinese mining money!

The ACTING DEPUTY PRESIDENT: Order!

Senator LAZARUS: The current laws give CSG mining companies all the rights, even
though governments know that the people do not want it and that CSG mining is harming
their health, their land, their water and their livelihoods. How much money are these overseas
CSG mining companies donating to political parties? The political parties are prepared to turn
their backs on the needs of hard-working, decent Australians who desperately need help and
are being so badly abused. These people need our help. They pay taxes. They, like all of us, expect governments to do the right thing, but governments do not do the right thing—far from it. They actually do the wrong thing. Who is speaking up for the people? It is not the large political parties; they have all been bought out. The only people standing up for the people of Australia and the interests of Australians are the crossbenchers, but because we are being problematic and are putting pressure on governments to do the right thing instead of working—

Senator Nash: That is rubbish—it is absolute drivel!

The ACTING DEPUTY PRESIDENT: Order!

Senator LAZARUS: and looking after their donors, they want to get rid of us. This voting reform rubbish is not about getting rid of the crossbench because we are blocking legislation. It is about getting rid of the crossbench because we are exposing the big parties for what they really are—ugly, donor orientated political machines that have no interest in doing the right thing by the people. They are only interested in doing the right thing by their political donors. If the people of Australia have not worked this out, I hope they see my speech here tonight. I hope everyone hears it, because the Senate voting reforms are not just about democracy. They are about making sure the crossbench is removed so that we cannot continue to expose the sickening corruption and money changing that is really going on.

If the government were really interested in voting reform they would be doing positive, productive things like making voting easier, by getting voting online and making it available nationally on an electronic basis so that the process of actually voting is easier and more convenient for people. They would be removing non-voting fines for older Australians or the ill or busy young families or those who have to work because they need the money and cannot afford to take time off. They would be installing electronic voting into Australia Post outlets and agencies so that people can go to their local shops to vote. This would support struggling Australia Post business owners across the country and push people to their local shopping centres. They would be creating set terms and set voting dates to give the community and the business sector confidence and stability. This would also stop the system being gamed by greedy and unethical political parties. If the coalition were really serious about voting reform they would be doing things to ensure voting is improved, because our voting system is so antiquated that the entire country has to stop for a day to vote. People cannot go to work, businesses suffer, workers lose their salary, parents have to juggle getting kids to sport as well as getting to polling booths. The entire country is pretty much brought to its knees.

If the coalition were really serious about voting reform they would be doing things to improve the voting system as a whole, but they are not. All of the above are good ideas that the Glenn Lazarus Team has come up with. Instead of improving voting, the coalition, with the support of the dirty Greens, just want to get rid of the crossbench because we are becoming a problem for the government. We are asking too many questions. We are digging too hard.

The crossbench and I are annoying the government and their donors. I am asking the government why they are allowing people to suffer while CSG mining companies prosper. I am asking the government why they are giving Australian taxpayer funds to the Spanish to build Australian navy ships when the ships should be built here to support our country and to provide Australian jobs for Australian workers. But, as we suspect, the Spanish have probably
donated a hell of a lot of money to the coalition and, as a result, the coalition has awarded the contract to the Spanish. And the Australian shipping industry will suffer.

Senator O'Sullivan: You got in on stolen Chinese money!

Senator LAZARUS: I am asking the questions. I am shining the light on the actions of big political parties. They do not like it, so they want to get rid of me. Well, they can try—

Senator Cameron: Acting Deputy President Edwards, I rise on a point of order. Senator O'Sullivan should withdraw the allegation he just made against Senator Lazarus. I just think that is totally unparliamentary and it is unacceptable.

Senator O'Sullivan: Can I speak on that?

The ACTING DEPUTY PRESIDENT (Senator Edwards): No. You address the point of order.

Senator O'Sullivan: It is a matter of public record that a court in this land found that the money used to fund the PUP campaign was unlawfully removed from—

The ACTING DEPUTY PRESIDENT: Senator O'Sullivan, you are well versed in the practices of this chamber and the standing orders. You are now debating. If you do not have a contrary point to make then I would ask you—

Senator Cameron: Just withdraw, mate.

Senator O'Sullivan: I do not feel inclined to withdraw, Doug.

The ACTING DEPUTY PRESIDENT: If you believe—

Senator O'Sullivan: I do not feel inclined to withdraw.

The ACTING DEPUTY PRESIDENT: Order, Senator O'Sullivan! I ask you to make an explanation or excuse yourself.

Senator O'Sullivan: I have attempted to make an explanation. But in deference to the chair, I will withdraw the remark.

The ACTING DEPUTY PRESIDENT: Thank you.

Senator LAZARUS: They can try to get rid of me, but we are not going down without a fight. Evil prevails when good men do nothing and I am a good man and I am not prepared to do nothing. I am not going to let the big political parties get away with this rot without exposing them for what they are, and they are traitors.

The more Independents and microparties there are, the better. We need voting reform, but what has been proposed is too extreme. This matter will end up in the High Court and, I believe, the High Court will rule that the reforms are unconstitutional. But until then, the coalition may do quite a bit of damage. Let's hope that everyone across the country is alive to what is really going on and supports the crossbench to keep up its good work and its important role in keeping this government accountable.

As I have already explained, we cannot keep them honest and they will not agree to a national ICAC to keep them honest, but we can continue to shine a light on them which will keep them accountable. That is my promise to the people of Australia: I will always act in your best interests and the future of our great country and I will work hard to keep them accountable.
Senator URQUHART (Tasmania—Deputy Opposition Whip in the Senate) (21:17): I rise to voice my strongest possible opposition to the rushed, ill-considered antidemocratic bill that is the Commonwealth electoral amendment above-the-line bill 2016. This bill grossly fails any test of fairness. It ignores the will of more than three million Australians who chose not to vote for the major parties and sets the scene for a possible coalition majority in the Senate.

The bill before the chamber is nothing more than a dirty deal and a desperate power grab by the Liberals, designed to entrench conservative power. If the worst plays out, it may lead to the coalition gaining a disproportionate number of Senate seats in relation to its primary vote. We might not know exactly what the outcome of this rushed legislation may be, but you can bet your bottom dollar that if the Liberals have signed up to it then it is in their favour. What we do know is that this is just the first step for a government intent on destroying the crossbench before it goes to a double-dissolution election.

Do not let them kid you that a double dissolution is about the Australian Building and Construction Commission or any other issue they may confect outrage over. It is about stopping current crossbench members from completing their six-year terms and getting as close as they possibly can to securing conservative rule in the Senate.

If the government gains a majority in the Senate through a combination of the proposed changes and a double-dissolution election, progressive Australians should be very, very concerned. If the Senate is stacked with Liberals and Nationals, there will be no checks and balances on this appalling legislation. Again and again, they put sectoral interests and brutal ideology ahead of the national good. If there is even the glimmer of a chance that the bill before us today coupled with a double-dissolution election will close the door on a progressive and responsible Senate, then it is a risk I do not think we can afford to take.

I have spent the biggest part of my life fighting for a more progressive country. I have fought for a country that looks after its workers and provides robust protections against exploitation; understands spending on health and education is an investment in a productive, cohesive society not just line items to be struck off with a red pen; provides a strong safety net for those who are down on their luck; and supports Australian families to raise happy, healthy and well-educated children.

We need to be a country that recognises all Australians deserve protection under the law, regardless of age, race, gender or sexual orientation; where fairness and equity are at the heart of all policy decisions and which actively strives to address the growing problem of inequality; and recognises we do not enter this life on an equal footing and responds by providing support to help people overcome challenges and live healthy and productive lives.

I believe in a country that embraces strong action on climate change in recognition that this is not just a moral and environmental obligation but also offers significant opportunities that open up new markets, drive growth and make businesses more competitive; where people are free to marry whoever they choose, regardless of their gender; and where our environmental assets are not seen as an expendable resource ready to be sold off to the highest bidder.

I want to live in a country that values due process and accountability in our parliamentary systems, where policies are made for the benefit of all Australians not just the rich and powerful. I have fought for many years for these things and I will not stop.
Labor will not support our parliamentary processes being abused in a transparent attempt by the government to legislate away its opposition. The bill before us today is an absolute betrayal of the many millions of Australians who wish to see a more progressive Australia. And I am absolutely dumbfounded that the Greens are jumping into bed with the government to change the rules to the benefit of conservative agendas, and they should be ashamed of it. Even Greens supporters can see what is going on. In fact, a recent Essential Media survey showed they oppose this dirty deal at a rate of two to one.

So why don't the Greens in this place get it? Why are they supporting legislation that may well see them lose Senate seats at the double-dissolution election the government is clearly planning?

I would urge the Greens to rethink their role in this unholy alliance. I would entreat them to drop this dirty deal before it is too late. Of course, some commentators would be critical but many more would praise the Greens for choosing a path of careful consideration rather than rushing through the most radical electoral changes we have seen in 30 years. If this chapter in Australian politics plays out as I fear and the conservatives gain control over the Senate at a double-dissolution election, the responsibility for this outcome will rest squarely with the Australian Greens. If Australian university students are shackled with debt sentences in excess of $100,000, the Greens will be to blame. If our Medicare system is torn to shreds and bulk-billing is axed, the Greens will be to blame. If penalty rates are axed and working conditions are trashed, the Greens will be to blame. If the conservatives make it even more difficult for hardworking Australians to join together and organise in their own interests, then the Greens will be to blame. If TAFE is sold off and schools are forced to shut down through lack of funding, the Greens will be to blame. And if Australian families see their support payments unceremoniously slashed, the Greens will be to blame.

If the coalition deems that the NDIS is 'too expensive' to continue, the Greens will be to blame. If marriage equality is permanently shelved, the Greens will be to blame. If the GST is hiked to 12, 15 or 20 per cent, or even more, the Greens will be to blame. If all support for renewable energy is canned and the transition to a clean energy economy grinds to a halt, the Greens will be to blame. If foreign aid is axed, the Greens will be to blame. If our World Heritage forests are opened up to indiscriminate logging—that's right: the Greens will be to blame. I shudder to even think about the horrific direction in which the Liberals and the Nationals could take Australia's response to asylum seekers if they do not have to consider a robust Senate.

While it may cause some short-term pain for the Greens to back out of their deal, this is nothing compared to the fury the progressive people of Australia will unleash on them if their actions usher in unfettered conservative control in the Senate. Say what you will about the validity of the election of individual senators in this place. Not even the Greens could deny that the current crossbench has helped to block some of the most vicious and unfair legislation we have seen in this place in decades. Clearly, the Liberals do not like the fact that they have failed to impose some of the most cruel and short-sighted measures in living memory. They are dirty that the Senate has been so effective in doing exactly what it is supposed to do: reviewing government policy and rejecting it if it is not in the national interest.

The Liberals do not want to work within the confines of the democratic process. Rather than presenting measured and reasonable policy and arguing the case rationally, they want to
short-circuit the process by legislating to abolish their opposition. Make no mistake: this could be the stitch up to end all other parliamentary stitch ups. If passed, there may be nothing to stop the radical right of Australian politics from ramming their vicious agenda through the parliament. The reality is that more than 20 per cent of Australians do not vote for major parties. There are certainly lessons in this for both sides of politics, but it is entirely undemocratic to simply remove the option for these people to have input into the people that represent them.

The Liberal government, with its born-to-rule attitude, has completely failed to get support for its appalling 2014 budget measures, so now it wants to remove the need to justify their policy. I am not saying that the system is perfect or that changes could not be made to make it better. But I am absolutely sure that we should not be tearing up due process so that the government can rush to meet its own deadline to hold a double-dissolution election.

It is not just me who thinks this process has been a complete shambles. In a recent article in Crikey, William Bowe described it as 'obscenely hasty'. It is a fact that the entire process of bringing this legislation to parliament has been completely chaotic. There was less than a week between the bill being tabled and the closing date of submissions. There was less than a day between the closing of submissions to the start of the public hearing. And the committee had less than 24 hours after the public hearing to consider the evidence, make its deliberations and deliver a report. Anyone who thinks this report was not written in Liberal offices weeks ago is kidding themselves. What an absolute joke. What a farce this process has been.

Clearly, the government never cared about legitimate inquiry, and clearly the 'hearing' was nothing but a show trial to try to justify their craven attempt to destroy minor parties and deliver themselves unchecked power. Why did they even bother referring it to the committee when they had already decided to ram through a vote in the other place before the committee had even met—let alone held a public hearing? You must ask that question. In fact, those opposite actually voted to ignore the outcome of the report when they suspended standing order 148. This standing order very sensibly requires that if a bill is to be considered through a committee then it makes sense to wait for the outcome of that report before you vote. That is right: the Liberals, Nationals and Greens in the House of Representatives actively voted to ignore whatever came out of the committee—the very same committee that they based their arguments for change on. Talk about a senseless abuse of process.

This bill has been rushed through in a transparent attempt to annihilate opposition and silence dissent before an unseemly dash to the polls. This is from the same government that want us to believe that the reason they do not have a single tax reform policy, 2½ years on, is that they are wedded to careful and methodical consideration. So it has taken 2½ years to generate not a single tax reform policy, but they want us to believe it is okay to ram through some of the most radical changes we have seen to our electoral system in less than a month.

If we ever needed evidence that the government have rushed the process, you just need to consider the fact that they had to amend the bill themselves only two days after introducing it. The amendment was made because the government, in their wisdom, had completely failed to allow time for the counting of Senate ballot papers. This was a very serious error that illustrates precisely how chaotic and what a desperate debacle this has been. And do you know how the error was discovered? I will tell you. It was not one of the great minds in the government that picked it up. No—far from it. They found out about it in Antony Green's
blog. If Mr Green had not been so quick to scrutinise the bill, this glaring error would have sailed right through. Those opposite could not even get their own bill right and now they are trying to ram it through the parliament with scant scrutiny, no due process and nowhere near enough time to consider potential adverse impacts and unintended consequences. What is to say that there are not other botched measures that the government have not noticed yet?

To say that this process has been shambolic would be incredibly kind to those opposite. Sweeping change such as this should proceed cautiously and not be used as a rough, ready and desperate strategy to wipe out your opponents. The Greens and the Liberals continue to bleat that this bill merely enacts the will of the consensus report from the Joint Select Committee on Electoral Matters. This is absolutely untrue. The bill does not implement the recommendations of the JSCEM report. In fact, the Turnbull government has not even bothered to respond to this report, so how can we tell if the legislation is faithful to the recommendations? I will tell you how we can tell. We can hold a proper inquiry, not just a mickey mouse show trial to tick a pesky box. We can give the experts and members of the Australian public the time they need to thoroughly digest all the details of the legislation, along with all its potential implications. We can take time for proper deliberation and engage the Australian people in a genuine national debate.

The truth is that this government is in chaos. This government knows that its policy offerings have been fundamentally rejected by the Australian people, so it is trying to wipe out opposition through dirty deals and a double dissolution. The Australian people are starting to see that, despite the change in leadership, nothing has changed. And those opposite are starting to panic. The government knows that Australians are catching onto the fact that, despite having a new leader, nothing has changed in the Liberal Party. They still have the same appalling policies that saw their first Prime Minister fall, and now they want to change the rules, before cutting and running as quickly as they can before too many other Australians catch on. If minor parties have been accused of gaming the system, then the Turnbull government surely is stitching up the ultimate game in a desperate attempt to eradicate opposition. The bill before us today is fundamentally antidemocratic. It attempts to sidestep the will of 20 per cent of Australians and stop the Senate from performing the very role it is designed for. That is exactly what the Senate has been doing for the past two years—exactly what it is supposed to do.

Just imagine what Australia would look like today if the Liberals owned all the seats currently held by Independents and minor parties. Just imagine what would have happened if there were no checks and balances to their radical agenda. We would have thousands of young Australians forgoing university to avoid a Liberal-imposed debt sentence of $100,000 or more. Those that chose to study would be looking at a debt sentence that would hang over their heads for many decades to come. We would be looking at the reality of being an island nation with no local maritime sector—they are doing everything they can to kill that off—and no skills to protect our economic future, our environment and our national security. We would have seen the abolition of the Clean Energy Finance Corporation, which not only helps to deliver future-focused renewable energy projects but brings a positive return to government in doing so. We would see older Australians working till they are 70, only to move onto a much smaller pension, thanks to the government's changes to indexation formulas, supported by the Greens. Our emergency departments and hospitals would be bursting at the seams as
entrenched co-payment for all visits to the doctor would see people forgo medical treatment until problems become more serious and the cost to the taxpayer is even higher. We would see young Australians forced to consider criminal avenues when the Liberals cut off their income support for up to six months if they find themselves out of work, which is happening to a lot of people in this country because the Turnbull government is giving our jobs away. And the list goes on.

True, the crossbenchers could not have blocked these toxic measures without Labor's support, but, without them, the Abbott-Turnbull government would have had free rein to impose their vicious conservative agenda with no checks to their power. In fact, it is a matter of public record that many of those opposite still see absolutely no problem with the appalling 2014 budget, and many others think it should have gone further. If this bill passes, I fear this is a possibility that could happen. If the government are successful in changing the laws to abolish dissent, there are some very, very serious risks to this country and Australians into the future.

Senator Muir was absolutely right when he said that it was the crossbench that saved the government from themselves. Those opposite cannot bear the fact that they have had to work within the confines of the longstanding democratic process, so they just changed the rules to benefit themselves. Their slapdash race to annihilate the crossbench, in a race to eradicate dissent for the next term of government, is antidemocratic. We will not support legislation that will open up Australia to the untrammelled ideological will of the radical right of the Liberal Party, with no checks and balances to their senseless agenda. If the government get their way and secure a voting majority in the Senate—which is, after all, what they are trying to achieve—they will be able to run roughshod over all the things that make Australia great. This is coupled with the government's clear intention to cut and run to a double dissolution election and remove the existing crossbenchers who have stood up to their radical agenda. I urge the Greens to reconsider the implications for the advancement of progressive politics in this country. (Time expired)

(Quorum formed)

Senator PERIS (Northern Territory) (21:40): I rise tonight to make a contribution to this critical debate on the Commonwealth Electoral Amendment Bill 2016. Abraham Lincoln once said, ‘The ballot is stronger than the bullet.’ As my colleague Senator Conroy said on ABC News yesterday, this Senate reform bill heralds the most significant voting change in 30 years and will dramatically change the make-up of the Senate. It will give a massive advantage to the coalition and the Greens. This will mean that no Independents or smaller parties will get a seat in this chamber, and it will disenfranchise many Australian who do not vote for us or the coalition, and forget the Greens. They probably will not exist either, and good job to them.

Yesterday, 15 March, the Prime Minister said at his press conference that this bill is a 'critical piece of democracy' and that it will do away with the preference whisperers. Whatever or whoever they are, I would like to know. He also said that parliament would be more democratic and transparent. The Prime Minister went on to say that this bill will ensure that the winners are not political parties but the voters. His press conference finished in a train wreck when he refused to answer legitimate questions on how his brand of democracy will be played out this week in parliament.
What did the Greens and the coalition do yesterday in this chamber? They shut debate down. They cosied up again to stop us exposing their little love-ins. The government and the Greens have gone to great lengths to push these reforms through. The government is so desperate to try and get rid of the crossbench they are willing to forego debate and voting on a union-bashing bill to restore the Australian Building and Construction Commission, which they insist is an extremely important bill. The Greens are so desperate to win more seats in this chamber that they were willing to forego debate on a vote on marriage equality. Why? For nothing more than electoral gain. That is the only reason to get rid of the crossbench and to gain more seats. So much for transparency and total disregard for the three million Australian voters who put them here in the first place.

What we have heard so many times in this chamber is that this bill is nothing more than a grubby little deal between the Greens and the Donald Trump of Australian politics, Senator Xenophon. The government cannot force the Senate to bend to its will to pass some of its unfair laws. What I say is, 'What a cosy little trio.' The government throws a little tantrum, and what do the Greens and Aussie Trump or should I say Aussie Chump do? They behave like millennials. They chase after the latest—

Senator Dastyari interjecting—

Senator O'Sullivan: Mr Acting Deputy President, on a point of order: that is a reflection upon a member of this place. The senator should withdraw.

The ACTING DEPUTY PRESIDENT (Senator Edwards): You are spot-on, Senator O'Sullivan. I ask you to withdraw that, Senator Peris.

Senator PERIS: I withdraw.

The ACTING DEPUTY PRESIDENT: Thank you, Senator Peris. Continue.

Senator PERIS: The government throws a tantrum, and what do the Greens and Mr Xenophon do? They behave like little millennials and chase after the latest, newest shiny bauble on the market they desire, simply overcoming any form of reason.

Finally, we see the true colours of the so-called Greens, supposedly the colour of nature and harmony. It should be noted the colour green also denotes a lack of experience, someone who is considered green is a novice, new to the job, and inexperienced. A dull, darker green is commonly associated with money, the financial world and banking. Dark green is associated with ambition, greed and jealousy. Yellow-green can indicate sickness, cowardice, discord and jealousy. So what shade of green are the Greens? I ask. Perhaps they are so indecisive between dark green and yellow-green. I do not know. Take your pick. Perhaps we should have another meaning for the colour green: opportunism, because that is what the Greens are—opportunistic carpetbaggers who would rather lead the Australian people down a not-so-green garden path in favour of political bastardry.

What do the Greens now stand for? What are they offering their supporters, who believe that they stand for an alternative point of view from the major parties? Where does this bill now leave them? Are the Greens now telling them to vote for the conservative coalition forces or to vote for the dark side? Is Senator Di Natale the new Darth Vader? The question is: are the Greens still offering an alternative view? I think not.

In fact, the Greens have not been green since their last leadership change. Poor Bob Brown, the principal Greens visionary whose leadership enabled the current Green members to get
this far—I wonder what he makes of his party now? Has anyone asked him, or cared about asking him? What about Christine Milne, who succeeded Bob Brown as the Greens leader? Has anybody asked her what she thinks? Do the two most experienced and, I should say, respected leaders that they have ever had support the stance that the Greens have taken?

What about Greens party members around the country? What have they told them? I do not know—I get plenty of messages—

Senator Dastyari: What about the members?

Senator PERIS: Yes. All of them surely must be shaking their heads in disbelief, and they must even be crying that this current crop of Greens is doing a deal with their traditional enemies.

So the Greens have decided to join the grownups, except they have not learnt how to bluff yet. Sadly, the Greens are moving further to the right and will join in with the eccentric crew of the coalition to form a government, if it comes to that. The sad thing is that this would be funny, if it were not a serious issue.

The real issue—what has been thrown around—is that the Greens are actually suffering from 'relevance deprivation syndrome', which is a sad indictment on how they will take any opportunity to claw back some of their relevance that was nurtured and given to them by both of their former leaders. It is relevance that they lost at the last election, when they lost the balance of power in the Senate to the Independents. That is no secret: it is no secret that this bill will wipe out the Independents and the small parties. They will not get a seat in the Senate.

And it is no secret that the government cannot deal with the crossbenchers—we heard that from Senator Lazarus earlier on. It is all too hard for them. Our first female Prime Minister, Julia Gillard, had a much more difficult Senate to deal with but, unlike this government, the Gillard government knew how to negotiate with the crossbenchers—

Senator Nash: It's because you were in coalition with the Greens!

Senator PERIS: and treated them with respect—nothing that you know about! There you go! I will take your interjection!

Indpendents and microparties are a vital part of the Australian political system. Without them, we lose a great deal of faith from the Australian voting public by restricting—

Senator O'Sullivan interjecting—

Senator Nash: But you were in coalition with the Greens!

The ACTING DEPUTY PRESIDENT (Senator Williams): Order! Senator Nash! Interjections are disorderly and I ask that Senator Peris be heard in silence. Is that clear to everyone here?

Senator PERIS: As I said, the Independents and microparties are a vital part of the Australian political system. Without them, we lose a great deal of faith from the Australian voting public by restricting their voting options

I am not ashamed to say that I actually enjoy working with the crossbenchers. I actually even do not mind saying that a few of them have become acquaintances. I would not go as far as saying 'friends', but I do believe, and the Australian public believes, that they bring diversity and vibrancy to this chamber—not to mention their colour and movement, and their
sometimes unique and unusual points of view. All of this will be lost: without them in this
chamber, our workplace—this Senate—would become a lot less interesting. I believe that the
uniqueness of our minor parties are important to the Australian democracy.

Recently, I worked with Queensland's Senator Lazarus on the arts funding inquiry. He
attended the hearing in Darwin last October. As chair of the Legal and Constitutional Affairs
Committee, Senator Lazarus understands the importance of regional communities and the
place that arts and culture have in our communities. Maybe they are not as important as
sport—and I might be a bit biased—but he certainly knows that we are stronger in our
diversity in both of these areas.

The same goes for Senator Leyonhjelm. He is not quite my cup of tea, but in many ways I
respect him as a fellow senator. Just during the last sitting, he introduced a private senator's
bill to restore the rights of the territories, namely, the Northern Territory and the ACT, so that
our legislative assemblies can make laws for the peace, order and good government of our
communities and citizens without the fear of being overturned by an overzealous federal
government. For that, I thank him and respect him.

Surely it is more important that the nation's parliament reflects our whole country and all
our communities, rather than just a narrow inner-city view where the Greens snipe away at the
efforts of Labor and Independents to find pathways for a progressive, smart country that takes
the regions with it—like we strive to do in our nation's Northern Territory.

One of the major issues I have with these reforms is the lack of clarity for the voting
public. As we all know, the entire Australian public need to be aware of voting rules and how
to vote. This helps lift voter turnout and helps limit informal voting. My electorate of the
Northern Territory is one of the most ethnically diverse constituencies in Australia.
Consequently, a huge proportion of Territorians do not speak English as their first language.
Many speak English as a third or fourth language. And, of course, many do not speak English
at all.

Of the 200,000 people living in the Northern Territory, about 40 per cent of those speak a
language that is not English as their first language. Around 4,000 Territorians speak Chinese
as their first language; 3,000 Territorians speak Greek as their first language; about 2,000
Territorians speak Tagalog as their first language; another 1,500 speak Filipino; 1,000
Territorians speak Indonesian as their first language; and another 1,000 Territorians speak
Vietnamese as their first language. And, believe it or not, about 40,000 Territorians speak an
Aboriginal language as their first language. So in total, about 60,000 Territorians do not speak
English as their first language. This seems to have been ignored by the supporters of this bill.
It can be difficult for English-speaking Australians to understand our voting system, let alone
for people who do not speak English.

Voter education is extremely important, but you want to tell 60,000 Territorians you are
moving the goalposts on them within months of an election. In fact, the Australian Electoral
Commission has said it will take three months to implement these reforms from the time the
bill passes. If that is how long it takes for the Electoral Commission, imagine how long it will
take to explain these changes to the 60,000 Territorians who do not speak English. This is
made worse by the fact that most Aboriginal people who do not speak English live in remote
communities and will be further marginalised by this bill.
Turnout is already low in remote communities and informal voting is already high, and your plan to address that informal vote is to change the rules on the Senate voting within a few months of an election. You move the goalposts for Aboriginal people, many of whom do not speak English as a first language, who do not receive the same voting education that people in the cities do, and then you wonder why turnout in remote communities is so low—not to mention the millions of our fellow Australians who do not actually give a toss about politics and politicians and do not engage with the political process at all. What about them? How much community awareness is going to be conducted between now and the election? How much will that cost? What measures will be put in place to make sure every last Australian fully understands the Senate voting process?

The question is this: will this bill put power back in the hands of the voters, as the Prime Minister asserted yesterday? Voters already have the power. Ninety-six per cent of Australians voted above the line at last election. As my colleague Senator Polley pointed out last night, 25 per cent of voters—that is 3.3 million Australians—did not vote for Senate candidates representing the coalition, the Greens or Labor. This bill is not a vote for democracy. This bill is born out of spite. In 2013 the Australian public exercised their democratic right to elect members from across the political spectrum to represent them.

Whatever you call it—holding hands, hugging or loving up this coalition government—the Greens have lost all their virtue and all their credibility, but unfortunately they have not lost their naivety. They have graduated from being a protest party to becoming a full-blown dunce. Congratulations, Senator Di Natale: you have finally shown us the way you go. This bill stinks. It is a dirty deal. I will end by repeating what Abraham Lincoln once said: 'The ballot is—indeed—stronger than the bullet.' I encourage all Australians, including the Greens supporters, to use the ballot to vote this lot out.

**Senator BILYK** (Tasmania—Deputy Opposition Whip in the Senate) (21:55): Let us be clear: the Commonwealth Electoral Amendment Bill 2016 gives effect to a dirty deal between the Turnbull government and the Australian Greens. It is a grubby backroom deal that disenfranchises three million Australian voters and increases the risk of a coalition majority in the Senate. This shady, shabby deal includes an attempt to rush through the biggest changes to Senate voting in Australia in 30 years without proper scrutiny. I say shame on Senator Di Natale and shame on the Australian Greens for supporting this farce and for supporting—

*Government senators interjecting—*

**Senator BILYK**: Mr Acting Deputy President, I would like to be able to speak without interruption, if that is all right. Could you pull those on the other side up, as you have done earlier this evening to this side.

**The ACTING DEPUTY PRESIDENT (Senator Williams)**: Order on my right. I was just seeking some advice from the Clerk. Continue, Senator Bilyk.

**Senator BILYK**: It was not you, Mr Acting Deputy President; it was your colleagues on the other side.

**The ACTING DEPUTY PRESIDENT**: Continue, Senator Bilyk.

**Senator BILYK**: Thank you. As I said, I say shame on Senator Di Natale and shame on the Australian Greens for supporting such a farce and for supporting the rushing through of this bill without proper scrutiny and without proper transparency. Then what happened today?
Up they jump because there was going to be something rushed through and there was not going to be enough time for scrutiny and transparency. What a bunch of hypocrites.

If we cannot convince the Greens to change their minds then it is up to us to convince those Australians who have voted for the Greens, and who might not do so again, and to remind them about what the Australian Greens once were and what they have become. If Greens supporters understood the extent to which their party has sold them out and sold out its principles, I doubt that many for them would ever vote for the Greens again.

What we are really debating here is Senator Di Natale's filthy deal with the Abbott-Turnbull government to alter the laws governing the election of senators, which will increase the chances of the coalition gaining a majority in the Senate. In his absolutely desperate ploy to deal himself into political relevance, what is he doing? He is dealing the Greens out of their political values. In putting his desperate desire for mainstream media attention before the Greens' political values, he is sacrificing his party's integrity on the altar of his own vanity. We have not seen this type of behaviour since Meg Lees helped John Howard deliver the GST, and we all know how that ended.

Here is what the Green voters need to realise in particular: in his interview with *GQ* magazine, Senator Di Natale outlined the ultimate goal for moving the Greens to the right: forming government with the conservatives. Yes, that is correct. Senator Di Natale announced that he and his Greens colleagues were open to forming government with the conservatives. According to *GQ* the senator said he would 'never say never' about one day forming a coalition government with the Liberal Party. As Adjunct Associate Professor of Politics at Monash University Shaun Carney said in an opinion piece published since that interview, about Senator Di Natale:

He has to be kidding. Your politics are defined as much by what you refuse to support as by the things that you propose. Politicians are supposed to say "never". That’s why people support them. This is particularly so for the Greens, whose supporters are especially purist on such things as open borders, the undesirability of all military action, giving security agencies more powers and coal.

I wonder what Senator Di Natale's predecessor Bob Brown would say, as a number of people have mentioned, because Senator Brown always categorically ruled out forming government with the coalition. But then we do know that Senator Di Natale is no Senator Bob Brown.

I think it is really interesting that Senator Di Natale has opened up the Greens to forming government with the conservatives and I just suggest to the other Greens that maybe they should stop being lemons, following along behind, and think very carefully about what their leader is signing them up to. What does this whole new coalition of the Libs, Nats and Greens mean? What might it mean? What about this: Senator Di Natale is basically saying that Senator Simms, who has just walked in, may one day be on a joint ticket with Senator Bernardi on the Safe Schools program and manage equality—that is if he manages to keep his seat; he seems to be quite disposable to Senator Di Natale.

Senator Di Natale is also saying that Senator Hanson-Young may one day be on a joint ticket with Senator Cash on asylum seekers and women's policy. He has also signed Senator Ludlam up to a joint ticket with Senator Brandis on terrorism laws and data retention. And then we have got Senator Waters, who must be absolutely delighted to hear that she may one day share Senator Seselja's, Senator McGrath's and George Christensen's environmental policies. And the mind boggles as to how Senator Rhiannon could ever share a policy...
platform with Senator Abetz, but this is the direction in which the Greens are heading. I say to the Greens senators: if you do not like the direction, then stand up, show some gumption and do something about it. Stand up for your principles and stop selling out.

Before I get onto the implications of this bill, I would just like to remind the listeners, those in the Senate chamber and the Green voters, of some of the other dirty deals that Senator Di Natale and the Greens have done with the government. We saw Senator Di Natale in his black skivvy, trying to be one of the Wiggles, so we know it is a hot potato. I was pretty surprised: no socks—that is the ultimate in trend. What a joke! What a poser, seriously. Think about the media for the media's sake. It is just astounding.

We are often led to believe by the Australian Greens that they are some kind of transformational grassroots movement who stick to their ideology. They would have you believe that decisions should be made according to expert advice, yet they voted to allow the health minister to make multimillion dollar medical research funding decisions without following the recommendations of the NHMRC.

They would have you believe that they support greater transparency for corporate Australia, yet they voted with the government to allow hundreds of companies earning over $100 million to avoid having to publicly disclose how much tax they pay—at a time when it was recently revealed that 600 of Australia's largest companies had paid no tax whatsoever. No tax whatsoever—and the Greens supported it.

They would have you believe that they stand up for the battlers—for low-income earners—yet they voted to pass budget measures which cut the age pension for 330,000 senior Australians, and 90,000 of these pensioners lost their pensions entirely. Some single pensioners had their pensions cut by as much as $8,000 and couples had their pensions cut by up to $14,000. This was a $2.4 billion assault on the retirement savings of senior Australians, and the Greens supported it. These are just a few of the examples of how the Greens have morphed into something other than what they claim to be. They come into this place acting with the most incredible sense of self-righteousness as if they were the bastions of moral virtue. Yet they will sell their principles to the highest bidder without a second thought.

This bill—the Commonwealth Electoral Amendment Bill—is the worst example of the Australian Greens' willingness to abandon their principles. This legislation puts at risk the possibility that the coalition will not gain a majority in the Senate—giving them control of both houses of parliament. So let's take a moment to contemplate what it would mean to have a Senate where the coalition has an absolute majority. The last time the Liberal and National parties had control of the Senate under Prime Minister John Howard, we got Work Choices. We ended up with savage cuts to the pay and conditions of workers through Australian workplace agreements, including cuts to penalty rates, cuts to annual leave loadings and cuts to public holidays—in fact every single AWA removed at least one protected award condition. We had businesses with fewer than 100 employees exempt from unfair dismissal laws, leaving workers vulnerable to exploitation.

The consequences of the coalition having power in the Senate were not just in the legislation passed but in the curtailing of Senate processes. We had Senate debate on key legislation—including Work Choices, the sale of Telstra and counter-terrorism legislation—guillotined and cut short without any proper debate. We had inquiries denied and rushed by the government. The Senate was given one day to inquire into the sale of Telstra, only two
days after the bills were introduced, and the shadow minister for communications had—grab this—only 12 minutes to question the regulator.

Control of the Senate means not only can the government pass any legislation it wishes but it can effectively put a brake on the Senate's ability to inquire into legislation. It can also hand the government the power to deny or shut down inquiries into government business. The Senate is a vital institution in Australian democracy, because of its powers of inquiry and because of the brake it puts on the excesses of executive government. But that vital protection and that power of inquiry can be waived when a government exercises absolute control in both houses of parliament.

Imagine what disasters we would have, if the current government had a majority in the Senate. We would have even deeper cuts to pensions than the ones that were already passed. We would have young job seekers being forced to live in abject poverty for six months of every year. We would have changes to section 18C of the Racial Discrimination Act which would promote, as Senator Brandis so clearly puts it, 'the right to be a bigot'. We would have deep cuts to Australia's renewable energy target, putting the environment and jobs at risk. We would have $100,000 degrees, putting the prospect of a decent university education out of reach of many Australian students.

These are the policy outcomes that the Australian Greens have put at risk with their grubby little deal with the government. Let's not kid ourselves about this: the more extreme elements of the government's agenda have been shelved not because the government discovered they were unpopular, not because the government realised the error of their ways and not because Mr Abbott was dumped in favour of Mr Turnbull as Prime Minister. No, the government put aside the more extreme elements of their agenda—the $100,000 degrees, the changes to RD&G, the cuts to pensions—because the Senate rejected them. A coalition majority in both houses of parliament would revive the most extreme proposals of the government, and I can guarantee you that even the 'dead, buried and cremated' Work Choices would rise from the grave.

I ask the Australian Greens: what do you think is more important to you? Is it having more senators in this place or achieving the policy outcomes that your supporters elected you to fight for? No-one voted for the Australian Greens because they wanted to see a cut to Australia's renewable energy target. No-one voted for the Australian Greens because they want to see young job seekers condemned to abject poverty for six months of every year. No-one voted for the Australian Greens because they want Australian students to have to pay $100,000 to get a university degree. No-one voted for the Australian Greens because they want to see a return to Work Choices. But these are the outcomes that the Greens may end up enabling through their support for this legislation. If it happens, if the coalition secures a majority in the Senate because of this bill, we on this side will be reminding the Australian people that it is thanks to the Australian Greens that their pensions are cut, that there is Work Choices and that $100,000 degrees have returned.

The Australian Greens have made a conscious decision to prioritise self-interest over ideology and self-interest over having proper checks and balances in this chamber. Do not be under any illusions. Despite their holier-than-thou attitude, the Australian Greens will not hesitate to sell out their principles for power. Australian voters who have supported the Greens, who have fallen for the pretence that they are some kind of ideologically driven,
grassroots movement: you have had the wool pulled over your eyes, quite clearly. A coalition majority is not just a potential consequence of this bill; it is what the bill is designed to do, and the Australian Greens know it.

The government and the Australian Greens are like a bunch of kids who are treating the Senate like their sandpit, and now they even want to decide who gets to play in the sandpit with them. But we know that the Australian people want a diversity of voices in the Senate. A diversity of voices means that there is a lot more scrutiny given to legislation and the consequences of it. A diversity of voices means that the Senate has more potential to be a check on executive government, not just a rubber stamp. We are the house of review. It means that 3.3 million Australians who voted for a minor party or Independent at the last election have a voice in this chamber, a voice that this legislation seeks to take away.

But this bill is not the only way in which the Greens are assisting the coalition. Recently we have learned of secret preference deals where the Liberals have agreed to preference the Greens ahead of Labor in Grayndler, Sydney, Melbourne, Batman and Wills. In exchange, the Greens will issue open tickets, or 'no preferences given', in Richmond, Corangamite, Bruce, Chisholm, McEwen, Deakin and La Trobe. This is extraordinary for the Liberals, given that Mr Abbott, the former Prime Minister, advocated putting the Greens last after Labor. But it is even more extraordinary for the Greens that they would be giving any assistance to improve the chances of a conservative party winning House of Representatives seats over a progressive party. This is a government which has cut the ABC and SBS, has cut funding to the arts, has cut funding to the CSIRO, has made massive cuts to schools and hospitals and has stopped real action on climate change, and it is a government which, if it had its way, would introduce $100,000 degrees, cut penalty rates and reintroduce Work Choices, as I have stated.

Once again, just as they have been in the Senate, the Greens are more focused on increasing their numbers in the House of Representatives than they are on actually achieving the policy outcomes that they previously fought for. This is what the Australian Greens have become: a party that pursue their own self-interest ahead of the interests of the country or the people they purport to represent. Should we be surprised at the Greens' new-found closeness with their formerly ideological enemies the Liberals? Certainly not surprised but definitely alarmed.

Remember, this is the biggest change to Senate voting in Australia in 30 years. I think everybody out there listening would think that something as big as this, with the implications it has, would be subjected to some sort of comprehensive inquiry. Officially, the bill was referred to an inquiry of the Joint Standing Committee on Electoral Matters, but 'inquiry' would be a rather generous way of putting it. This bill was given a half-day hearing, which, for a change of this magnitude, with the implications it has for Australia's democracy, could be more accurately described as a cuppa and a chat rather than a hearing—a quick and dirty inquiry to give effect to the government and the Greens' dirty deal. The half-day hearing—or the half-day chat—had no witnesses representing minor parties to talk about how the legislation might affect them. Despite the complexity of the issues involved, only one week's notice was given to make submissions. This was a joint committee, formed of both House of Representatives and Senate members, whose purpose was to report to both houses on the bill, yet we had the
absolute farce of the House of Representatives passing the bill before the inquiry was completed.

This bill has major implications for the future of Australia's democracy, and it deserves far more scrutiny than a quick and dirty one-week inquiry with a half-day hearing. You cannot and should not rush the biggest reform to voting in Australia in three decades. But then we have the classic example of the farcical nature of this process with the government moving an amendment in the House to fix a flaw in its rushed legislation. And who picked up this flaw? It was not the minister. It was not anyone else in the government. It was not the Greens. It was not the Australian Electoral Commission. No, it was the ABC's election analyst, Antony Green. The fact that public commentators are picking up errors in legislation drafted by the government—

*Senator O'Sullivan interjecting—*

**The ACTING DEPUTY PRESIDENT (Senator Williams):** Order, Senator O'Sullivan! Order! Continue, Senator Bilyk.

**Senator BILYK:** Thank you. The fact that public commentators are picking up errors in legislation drafted by the government should ring alarm bells for this whole process. What really worries me is whether there are other flaws and unintended consequences that will slip through the cracks because of the lack of scrutiny given to this bill because the Greens decided to vote with the government to rush it through.

I have heard Senator Di Natale argue in the media that this legislation has already been given scrutiny by the joint select committee in the previous inquiry into the 2013 federal election. I do not think anyone should be fooled by this argument. It is patently false. The voting system that is being proposed through this grubby deal is not the same as the reform proposals considered by the inquiry.

A multitude of experts have been lining up to criticise what the government and the Greens originally put forward in this bill. Michael Maley, a former senior official at the Australian Electoral Commission, said: 'The scheme proposed in the bill is an incoherent one'—

**The ACTING DEPUTY PRESIDENT:** Order. Senator Bilyk, resume your seat. Senator O'Sullivan, do you have a point of order?

**Senator O'Sullivan:** I do. I have been in here when you have ruled on this before—about reading the speech, which the senator has done.

**Senator BILYK:** When you have had two brain tumours—

**The ACTING DEPUTY PRESIDENT:** Order! Senator Bilyk! Senator O'Sullivan, continue.

**Senator O'Sullivan:** Senator Bilyk is reading the same speech, for a second time, with the same delivery.

**Senator BILYK:** I am not.

**The ACTING DEPUTY PRESIDENT:** Senator O'Sullivan, there is no point of order. We are very liberal when it comes to presenting speeches in this place. Continue with your speech, Senator Bilyk.

**Senator BILYK:** I just want to clarify, Mr Acting Deputy President. I have not done a speech on this yet—
The ACTING DEPUTY PRESIDENT: Senator Bilyk, order! Resume your seat. I have made a ruling on the point of order. I now ask you to continue with your speech. Continue, please.

Senator BILYK: I would like to say that, when Senator O'Sullivan has had two brain tumours removed, maybe he will need some copious notes to help him too. Thank you, Senator O'Sullivan.

Senator O'Sullivan: You know I was not making any reflection—

Senator BILYK: You were so—

The ACTING DEPUTY PRESIDENT: Order!

Senator O'Sullivan: I didn't even know—

Senator BILYK: You are a disgrace—

Senator O'Sullivan interjecting—

The ACTING DEPUTY PRESIDENT: Order, Senator O'Sullivan!

Senator O'Sullivan interjecting—

The ACTING DEPUTY PRESIDENT: Order, Senator O'Sullivan, I will bring you to order! Just settle down. I refer you to standing order 197, Senator O'Sullivan. Cease interjecting, please. The chamber will come to order. There will be no argument across the chamber. Senator Bilyk, I asked you to continue with the presentation of your speech to this chamber.

Senator BILYK: Thank you. As I said, Michael Maley, a former senior official at the Australian Electoral Commission, said: 'The scheme proposed in the bill is an incoherent one, with no clear underlying principles apparent— (Time expired)

Senator MOORE (Queensland) (22:16): There has been considerable debate about the process around the introduction of this piece of legislation. In question time today, on another matter, we heard the Cabinet Secretary say that he thought that on this side of the chamber we were more focused on process, whereas on his side of the chamber they were more focused on outcome. In terms of this debate, I think it is important that we look both at the process and what could be the potential outcome.

I was listening closely to Senator Bilyk's contribution, and many of the points she was making about the process of the joint standing committee were things I wanted to raise in this debate. I am a strong supporter of the role of committees in this area, as you well know, Mr Acting Deputy President. I think the role of committees is the strength of the Senate in terms of our ability to review legislation, to review issues and to feed back into the place so that the quality of the debate is as high as it can possibly be.

In this case, the work on the Joint Standing Committee on Electoral Matters is one of the key areas of work in this place. After each formal federal election this joint standing committee is directed by the minister of the day—in this case, it was Senator Ronaldson in his capacity as minister in December 2013. He referred issues around the conduct of the 2013 election to the Joint Standing Committee on Electoral Matters for consideration.

They went through their standard process of calling for submissions, calling for people to put forward their views about the issues that concerned them about the conduct of the 2013
election. In due course, this standing committee actually went through a very serious process of review. My understanding is that they had over 20 hearings, which is about standard practice in terms of this committee, looking at all the issues that people raised around that particular election.

Certainly one of the key issues that was raised was Senate voting processes. There was quite a degree of interest in this issue. There were 216 submissions to this original inquiry process conducted by the joint standing committee. They ranged widely from academics to political parties to organisations that have a long interest. One of the things that pleases me most about the way we engage in Australia with our electoral system is that there are so many individuals who take such a strong interest in the way our elections and voting systems operate; because, of those 216 submissions, many were from private citizens who just wished to put on record their views about what happened in 2013, and often their concerns ranged much further into the past. You could see that they were regular correspondents to the committee.

The issue around Senate voting was not the only core issue that took up the time and the interest of the committee. There were a number of other key aspects of our electoral process that the committee considered. In fact, they came up with two interim reports during the process, one of which was dedicated exclusively to the issue of electronic voting, because that was another area of concern for the people who took up the challenge that was out there about the best way for our electoral processes to operate.

During that period, from 2013 through 2014 into 2015, the joint standing committee continued to meet, to interact and to put out reports. In fact, this committee put out a first interim report; a second interim report, which was focused exclusively on electronic voting; and then they brought down their third report, on 15 April 2015. That was the formal statement about how the joint standing committee had considered the issues around the 2013 election, taking all the evidence, placing all the information on Hansard, and coming up with a significant piece of work.

That was in April 2015. Until this day, now in 2016, there has been no formal government response to all that work that was done. All that work was done around our electoral voting system and there was no formal response from government. So my question is: why has the government, in this particular report, picked out a number of issues—by no means all the recommendations that were put forward by the joint standing committee—amended in some cases what had come forward, and brought forward an urgency of debate around the core aspect of Senate electoral processes which has to be considered immediately?

My point is that from April 2015—I have checked the Hansard—there has been no debate or discussion on any of these issues. There has been no urgency, no reason for discussion in this place, no notices of motion and no recommendations for debate in this place in the matters of public importance. There has been nothing around Senate electoral reform until two weeks ago, and that to me is one of the core issues of process that need to be considered in this debate as well as the proposed outcome and why the urgency has occurred, because in terms of the way this place operates it is absolutely critical that everyone understand the reason for the discussion and have the full information in front of them and that there be a transparency of debate—a transparency of argument.
When we first had the electoral law put before us as a matter of urgency, my question was: why? Why was it so urgent and why had there been no previous discussion with people in this place who absolutely share a very personal interest about the Senate voting process, because we are all subject to that process? That raises questions for me about the probity of what went on.

Then, when these issues were raised, when this bill was brought forward as a matter of urgency in our last sitting, a number of senators on this side of the chamber raised a very important issue: that we need to have further consideration of this bill, which had not had consideration up to this stage. Then what we had before us was another fault of process. As a token effort—almost as a way of dismissing debate in this chamber and also of dismissing our ongoing interest in effective discussion—we had handed to us a one-day hearing which was not even a full-day hearing. I know other senators have raised this point. But what was put forward to us as a Senate was another sham exercise. I am distressed to use that term, because I am a true believer in the probity of process in this place. It has a long history. Of course, at times there are issues, points of order, games played and people trying to have an advantage in the way that they can bring forward their arguments for a political purpose. But to misuse the way that committees should operate—as I believe was done—again raises an issue of process, because there was an advertisement put out. It was referred on 22 February, submissions had to be received by 29 February and the report had to be tabled and completed by 2 March.

On what we believe is the single greatest series of changes to Senate electoral process in over 30 years, that is not treating the parliament, nor is it treating the community, with the respect I think they deserve. Even though there had not been a lot of publicity—the first we heard of this change was in the media and of course that was the first the community had heard of it as well—there is a significant portion of the community who are transfixed with the issues of electoral voting processes. (Quorum formed) In terms of the integrity of process in this place, I believe that the sham attempt of the discussion that we had on the electoral bill at the half-day sitting that was held in the last sitting of parliament actually did not add in any way to the knowledge around the process. Rather it reinforced my concerns about due process.

If we are going to have effective outcomes, on which I think there is a shared belief, we need to be confident that the processes are effective and that there is an understanding that if we are going to be placing legislation which has not been seen before in this chamber—if we are going to have legislation brought into the chamber that is going to have such a significant impact on everybody in this chamber—it is important that we have the opportunity to have an effective hearing, not just such a tight turnaround, with the lack of opportunity for people to be involved in the debate and also to bring forward the kind of information that we needed to bring back into this place so that we could effectively debate the issues rather than perceived political advantages—because that is what has happened.

I had a look at some of the submissions that were received for that one-day hearing even though it happened so quickly. We had 107 submissions that came in that tight time frame, because people care about these issues.

Debate interrupted.
ADJOURNMENT

The PRESIDENT (22:30): It being 22:30, I propose the question:

That the Senate do now adjourn.

Wild Dogs

 Senator SMITH (Western Australia—Deputy Government Whip in the Senate) (22:30): I have often noted during previous contributions to this chamber that regional Australia has the potential to make a much larger contribution to our economic strength than is currently the case. As I have often noted, to achieve this potential will require a government with the commitment and drive to turn talk, which has been going on for far too long, into action. Nowhere is this truer than in my home state of Western Australia. Regional Western Australia has particular qualities that set it apart from other regional areas in the nation.

For most people, Western Australia is synonymous with the resources sector, and that should not come as a surprise given the significant contribution that sector continues to make to Western Australia's economy. Iron ore, gold, diamonds, oil and natural gas are all major industries which have long contributed to Australia's economic wealth, creating jobs and infrastructure and improving regional communities along the way. But there is vastly more to WA than just holes in the ground, and it is here that I wish to focus attention this evening.

Western Australia's second largest export industry is agriculture and food. In 2014-15, Western Australia exported an estimated $7.79 billion in agriculture and food products, up from $7½ billion in 2013-14. While wheat, representing $2.9 billion, barley, representing $997 million, and canola, representing $806 million worth of revenue, are the most well-known agricultural exports, just as valuable is our livestock industry, which is worth approximately $2 billion at the farm gate. Incorporating live cattle exports to Indonesia from the Kimberley and the Pilbara, as well as live sheep exports to the Middle East from the Murchison and the Goldfields, the Western Australian livestock industry is the future of our agricultural exports, as international demand for high-quality meat products continues to rise.

To make the most of that opportunity, we must do everything possible to protect the viability of WA's pastoral industry. One of the greatest differences between Western Australia and other states is the size and scope of our pastoral rangeland, which covers 87 per cent of the state's 2½ million square kilometres and includes all but the south-west of Western Australia. Approximately 980,000 square kilometres is pastoral lease land where the prime activity is grazing. To help those from other places understand the scale, that is an area larger than the state of New South Wales. Until you have actually been there and gained appreciation for the vast distances involved and how isolated some communities are, it can be difficult to fully comprehend the challenges and issues faced by Western Australian pastoralists. Too often some of those issues are considered trite and can be the subject of sceptical amusement from an increasingly urban-centric public and government. But for those of us representing these regions, including both me and my colleague the member for Durack, Melissa Price, these concerns are paramount.

It was just over a year ago that I drew to the attention of this chamber the devastating impact and social impacts of wild dog attacks on the WA pastoral industry, especially in the Southern Rangelands. After numerous representations from local residents in the region, Melissa Price and I both travelled to the Murchison to meet with pastoralists during their
annual baiting day and discuss firsthand the impact the wild dog problem is having. Stock losses due to wild dog attacks are estimated to cost the Western Australian pastoral industry around $7 million annually and have forced many small-stock pastoral stations—sheep and goat stations—to destock. For those in this chamber who have never had the opportunity to travel through the Western Australian rangelands and visit a station, to destock is one of the most devastating decisions a pastoralist can ever make. It is more serious than the equivalent of a restaurant closing its kitchen, a shop shutting up its doors or a factory shutting down its assembly line. In essence, it is surrender, and the emotional impacts can be every bit as crippling as the financial ones.

Last year I mentioned the devastating impact that destocking had on the Dowden family, who own Challa Station in the Murchison. Ashley and his wife, Debbie, destocked entirely in 2008, unable to contend any longer with their flocks being decimated by wild dog attacks. Ashley remembers:

We were mustering for shearing and putting them in holding paddocks and going in the next morning and there were dead sheep everywhere from dog attacks.

Debbie recalled that, over a two-week period in 2008, their goat stock was entirely destroyed. She said:

The goats disappeared, followed by the sheep … and they paid the bills. If we were lucky, there was a bit left over to put in the bank to cover the hard times. The pastoralists themselves were the next to go and next, of course, will be the sustainability of the land, because no-one will be left to manage it.

The flow-on impacts are significant. With pastoralists destocking, there is no work for shearers, no work for wool pressers, no work for fencers, no work for caterers and no work for shed hands—many of whom are local Indigenous people. This is the lived experience of so many Western Australian pastoralists.

We have an obligation to do more to assist, which is why one year later, after bringing the issue of wild dogs to the attention of this chamber, of the media and of the public, I am pleased that there has been some progress in addressing this plague of the WA rangelands, including support for complementing the Murchison Regional Vermin Cell fence. In August last year, the federal government provided the Western Australian state government with $1.13 million to support strategic wild dog control in Western Australia, which included the development of a Western Australian Wild Dog Action Plan, an on-the-ground strategy initiated and developed by the pastoral industry itself.

The plan, which was finalised in late November, has now completed its final phase of public consultation. Its key recommendation is that industry, not government, set the priority and strategy for wild dog control. Because wild dog impacts and risks differ between regions and livestock industries, the plan is focused on local management to protect the relevant regional assets, including livestock, the natural estate, native fauna, tourism or mining. It recognises that wild dog management is now a cost of production, in much the same way that fuel and feed are. It acknowledges that landowners spend an average of 43 days a year on wild dog management, mostly ground baiting, which costs each property about $18,000 a year.

The plan acknowledges that effective wild dog controls involve the integration of a suite of control measures, including trapping, shooting, fencing and 1080 baiting. It recommends the continued funding through the WA state government's Royalties for Regions program of...
professional doggers over the next three years. Also recommended is the completion of the state barrier fence by completing the Esperance extension, funded by a Royalties for Regions grant of $7.25 million. Most importantly for pastoralists in the Murchison like Ashley and Debbie Dowden, it recommends the development of a barrier or cluster fencing in strategic regions of Western Australia. This includes the proposed Murchison Region Vermin Cell, a $4½ million project which aims to construct 480 kilometres of new dog-proof fencing, connecting with existing vermin fencing. It has been stalled due to bureaucratic obstinacy. These projects are to be funded through an arrangement of public-private funding models, including the use of Royalties for Regions.

As I mentioned at the beginning of my address, the ability of our nation's regions to achieve their potential requires a government with the commitment and drive to turn talk into action. We have already witnessed how inaction on wild dogs has permitted the destruction of much of the small-stock industry in Western Australia—inaction caused by ignoring the pleas of landholders and giving preference to the self-interest of external stakeholders and departmental bureaucrats. I note that just today Minister Barnaby Joyce has announced that the federal and Queensland state governments are providing more than $5.2 million to help with the construction of cluster fencing to prevent wild dog attacks. I hope that this is the sort of action we can soon expect to see in Western Australia. Our pastoralists at home in Western Australia certainly deserve it.

The pastoral industry is and always has been the major source of economic wealth in the Western Australian rangelands, creating jobs and empowering communities. While the small-stock pastoral industry continues to decline, mostly due to wild dog attacks, it is not too late to save it. By implementing many of the recommendations put forward in the WA Wild Dog Action Plan, there is a strong possibility that we can see the return of the sheep industry throughout the Murchison, something that is long overdue.

Aged Care

Senator POLLEY (Tasmania) (22:39): I rise to speak on the Abbott-Turnbull government's record of treating ageing and aged care in this country as an afterthought. Today is another day with a government without a plan. We have a government without a tax plan, a government without a plan to fund health and education, a government that is still unable to show any leadership when it comes to ageing and aged care in this country. The revolving door of Malcolm Turnbull's ministry has seen the embarrassingly belated appointment of Sussan Ley as Minister for Aged Care, with Malcolm Turnbull initially neglecting to appoint anyone—

The President: Senator Polley, you need to address people in the other house by their correct titles.

Senator POLLEY: Prime Minister Turnbull initially neglected to appoint anyone with responsibility for ageing or aged care. There were a few concerns that we might be heading down the same road as the former Liberal Prime Minister, Tony Abbott, who shamefully disregarded aged care by not appointing anyone with responsibility for ageing and those sorts of issues.

Along with the new portfolio, the new Minister for Aged Care also inherited a long list of unfinished business left behind by the former Assistant Minister for Aged Care, Senator
Fifield. I would hope that Minister Ley would use her new appointment as an opportunity to continue to roll out Living Longer Living Better, the aged-care reforms undertaken by the previous Labor government. We were hoping she would be able to come in and clean up the mess that had been left behind. Unfortunately, that has not been the case—and I will go to this in further detail in a moment.

Mr Turnbull's revolving ministry has also seen the Assistant Minister for Health, Ken Wyatt, have the role of Assistant Minister for Aged Care added to the list of his duties. We welcome the clarification of his responsibilities because at Senate estimates in February it was very difficult to ascertain from the government who was actually responsible for aged care. There was no hope of having any clarification of who was going to be minister for ageing because they do not actually have anyone. It is quite obvious that this government does not give to older Australians the respect they so richly deserve.

The belated appointment has caused some confusion not only for us on this side of the chamber but, more importantly, for the community and the aged care sector. But we have a bit more clarity now. At estimates in February, I started by asking a very simple question to ease the department and the minister into this issue: how many aged care facilities in the country had the Minister for Health, Sussan Ley visited? There was silence because they could not answer the question. The minister could not answer the question and the department gave the lame excuse that they do not keep the minister's diary. We in this place all know there was never an expectation that I would ask a question where I would think that the department actually did keep the diary of the minister. But we in this place all know that the department would give a detailed briefing to the minister before she would undertake any visit to an aged care facility. They simply were not prepared to give an answer. I asked if they could come back before the end of the session and still they were unable to do that. They have actually taken the question on notice. What we in the opposition do know, with the limited resources we have access to, is that the minister had been very social on social media, highlighting all the photo opportunities in her area of responsibility around sport. Alas, there was nothing to do with the aged care sector. I am quite disappointed and, no doubt, the sector themselves are going to be very disappointed.

But can I just return to the fact that it is very evident that the heat is certainly on the new Assistant Minister for Aged Care to do a much better job on leadership and consultation with the sector than his Liberal predecessors have done. The shadow minister for aged care, Shane Neumann, and I have travelled extensively around the country listening to not only the sector but consumers as well. There is a stark contrast between the government and the opposition. At the forthcoming election consumers and the aged care sector will have a very clear choice about which party has a committed appreciation of the work that is undertaken in this sector by the providers and the workforce and what is in the best interests of older Australians.

But let's move forward. We are now halfway through March but still we have not seen anything from the Turnbull government in relation to aged-care policies. Ageing and aged care still are not at the forefront of the government's thinking, and it is quite clear that the government has no plans to tackle the biggest issues faced by the sector. Dementia remains one of the greatest challenges of our ageing population, and the Turnbull government has not shown any ability to treat dementia as a national health policy. Today and yesterday Alzheimer's Australia held a two-day summit here in Parliament House. It was about the
consumers—people who are living with dementia and their carers. It was a fantastic opportunity to hear firsthand from those who are living with dementia, and those who care for them, about the issues they confront on a day-to-day basis.

It is extremely disappointing that the government have failed to realise how significant this issue is. But what they have done since coming to power is axe a $16 a day supplement for those who experience dementia and also have severe behavioural issues. That supplement was paid to aged-care facilities for residents who needed that extra help. But the government just cut it. And not only that but they slashed $20 billion from innovative care projects and announced experimental untested flying squads to deal with severe behaviour in residential aged care. Well, I think they have actually bombed out. In fact, they have gone to ground, because we have not heard anything of them. And not only did they abandon those people with severe behavioural problems, they abandoned the life-changing Younger Onset Dementia Key Workers Program in June this year. They disregarded Brain Matters, the world's first dementia risk reduction program.

Whether it is residential aged care, supporting people in their homes or dealing with the workforce, the government has failed miserably when it comes to aged care. We need to see a change from this government to give aged care the priority that it so richly deserves. They have walked away from people who work in this sector, some of the lowest paid workers in this country, the majority of whom happen to be women. The government will be judged by the Australian community. One thing is for sure: each and every one of us, if we are fortunate enough to be able to age, will need to consider these issues. Whether it is residential aged care, supporting people in their homes or dealing with the workforce, the government has failed miserably when it comes to aged care. We need to see a change from this government to give aged care the priority that it so richly deserves. They have walked away from people who work in this sector, some of the lowest paid workers in this country, the majority of whom happen to be women. The government will be judged by the Australian community. One thing is for sure: each and every one of us, if we are fortunate enough to be able to age, will need to consider these issues. Unfortunately, it is a fact of life that until you are confronted with having to put either one of your parents or your partner into aged care you really have not had anything to do with it, and it comes as quite a shock. Those people on that side have a very short window of opportunity to actually change their reputation when it comes to aged care in this country. (Time expired)

Cycle Paths

Senator RICE (Victoria) (22:49): When I first arrived in this place, I did so by bike. With the support of a dedicated team of volunteers, we rode from Melbourne, through Victoria to the New South Wales border and then from Yass through to Canberra. It was not a journey that I ever planned to take regularly, and nor was it meant to say that everybody should ride 700 kilometres on a bike—although I can highly recommend it. It was meant to signal a fresh approach to transport policy and a commitment to lead by example. Because business as usual will not fly. We live in a world with finite resources. Our cities are built for cars, but with a growing population and the worsening impacts of global warming the status quo is simply not sustainable.

Take my home city of Melbourne. If you want to commute into the central business district and back, the train and tram networks, although chronically overcrowded, are generally efficient ways to commute. But if you want to get from one side of town to the other or move from one outer suburban area to another, your options become more limited. Bus services are infrequent and the roads have become clogged. A large part of the problem is that half of the car trips in capital cities are less than five kilometres.

There is a better way, and it is a fairly simple solution. It is economically smart, it will reduce pollution in our cities, and it will even create healthier communities. Our vision is to move away from the old, tired fallback of more and more toll roads and to rejuvenate our
cities by making it easier and safer to travel by public transport, walking and cycling. And it is our vision for these last two active transport options that I want to focus on tonight. Investing in facilities for people to ride and walk is the smarter option. One car takes up the same amount of room on the road as around 10 bikes. Picture yourself stuck in a traffic jam. Then picture, instead of people fuming in their cars, people on their bikes, with smiles on their faces. Picture your local street being much quieter, and the air much cleaner.

Creating the sort of infrastructure that is needed for this to happen saves the taxpayer. An investment of $1 million can create roughly 1,000 metres of bike path—and a pretty fancy bike path that would buy you, too. In comparison, the failed East West Link in Melbourne was going to cost around $1 million for every metre of road. So for the full price of the toll road we could have invested in over 1,000 kilometres of bike lanes.

It can save families and people who have just moved out of home, too. It is not unusual for a family of four to churn through a couple of tanks of petrol a week. Even with a lower petrol price, this costs thousands of dollars a year. But imagine if it were easier and safer to make just a few of those journeys by bike or foot—say, taking the kids to and from school, popping down to the shops to buy a few groceries, travelling to the gym. It would put more money in people's pockets to spend on things they actually want, like holidays. And it makes everyone healthier. We all know about Australia's obesity crisis. Almost two-thirds of Australian adults and a quarter of children are overweight or obese. I can think of nothing better than a brisk walk or a ride a few times a week to help address our country's weight problem. It would also improve our mental health.

This is not just something for the inner city. Bike trails and walking trails are becoming more popular every year. Just look at the hugely successful east Gippsland and south Gippsland rail trails, or the recent push for the 14-kilometre roof of Melbourne walking trail through the Dandenongs. Let's make it happen. These facilities create huge opportunities for local communities to create new ways to make money. We just need vision and courage from our leaders to take action. Big countries like Transurban have a lot invested in the same old, same old roads addiction. But the longer we wait, the harder it is going to be in the future.

So what does this look like in the real world? It is going to mean all levels of government working together to create the sorts of facilities that mean more people feel comfortable and, importantly, safe using these facilities, so they hop on their bike or pull on their walking shoes more often.

For one thing, it is a matter of gender equality. Many women simply do not feel safe for cycling and walking to be a viable option. But if you have the right infrastructure in place, that number rockets towards equality. For instance, only one-quarter of the people riding along Swanston Street in Melbourne were women before the separated Copenhagen bike lanes were put in; now that number is sitting at 45 per cent.

We cannot leave this to local and state governments alone. To achieve these outcomes, we need a whole-of-government approach. We could start here in parliament. On top of the Comcar service, we could add a 'Combike' service. It would ease the belt buckles of us politicians, ease the congestion on Canberra's roads and ease the strain on the public purse. Canberra, like Melbourne, is a great city for cycling; it is flat—mostly flat—and the distances are easily cycled. As I ride my bike to and from Parliament House each sitting day, no matter
how early or how late I have, sadly, never yet seen one of my parliamentary colleagues on the road with me. There is a lot more room for leadership here.

The Greens have a vision that will see the growth of cycling and walking as a transport option. We are committed to: accelerating the construction of the principal bicycle network so that no matter where you want to go, you have a safe bike route to travel on; increasing clearly signed designated road space for cyclists, including signalling, equity and protected cycleways where demand and risk are high; giving cyclists priority over motor vehicles in areas with high concentrations of people, such as schools; laws addressing driver behaviour to improve cyclist and pedestrian safety; and better integration of cycling with other transport options, including bicycle access to trains and secure bike storage at public transport stops and stations. And we are committed to establishing a dedicated fund for cycling infrastructure. New Zealand are a shining role model for us. They are committed to spending $100 million a year on cycling infrastructure because they see it as an investment in their economy.

Perhaps our biggest challenge is to end the view of 'bikes versus cars', the view that people riding their bikes are somehow 'others'. Even for those who do not ride, people who ride bikes are our sons and daughters, our brothers and sisters, our friends and colleagues. When a driver rings a talkback station to complain about a cyclist, it divides the audience. And when a host reinforces that division with comments like 'cockroaches on wheels', it puts lives at risk. Last year 31 people died while riding their bike in Australia. Every single one is a tragedy. There is no doubt about the safety imbalance between cars and bikes, but, appallingly, some drivers see that as an excuse to attack people on their bikes—like when a full 1.25 litre Coke bottle struck Melinda Fisher when she was riding on Beach Road in Beaumaris in January, leaving her with physical and mental scars. Car drivers demonising people on bikes makes about as much sense as a rhinoceros attacking an oxpecker bird on its back. Not only is it doing no harm it is also helping out drivers by reducing the congestion on the road. We must get away from the idea of bikes versus cars; we must look to bikes and cars. Fewer cars, yes, but a healthy mix for our planet and our infrastructure to cope with.

Car drivers need to have the right attitude, but there is no doubt that we need a coordinated effort from decision makers to prioritise easier, cleaner and safer transport choices. The appalling anti-cyclist legislation that the New South Wales government has introduced is the exact opposite of what is required. Vastly increased fines and requiring the carrying of ID demonises cyclists and will discourage cycling. In contrast, organisations like the Cycling Promotion Fund—who have organised the annual bike summit that has been taking place in Canberra today—Bicycle Network, Bicycle New South Wales and Pedal Power ACT are doing terrific work in advocating for cycling. The Greens are doing our bit by hosting the Bike Blackspot app. You can search for it in the App Store on your phone. The app enables you to report any unsafe conditions for cyclists.

The Greens will always work with cycling advocacy organisations in their endeavour for better infrastructure. And I hope we can rely on others in this place to work with us and make active transport the smart choice for more commuters in Australia.

Indigenous Affairs

Senator LINDGREN (Queensland) (22:59): 'Rise up, beautiful country' is the direct translation of a line from *Advance Australia Fair* into the Yugambeh language. The
Yugambeh language is the language group of a number of clans in south-east Queensland, including my own clan of the Mununjali. I rise to speak on the ludicrous use of the dramatically changed version of the Australian national anthem at a university in my home state in Queensland as some form of appeasement for past injustice to Indigenous people.

The Australian national anthem has been sung in many Indigenous languages, with the meaning unchanged. Of course it translates differently to the way languages are formed and what words are available, but generally it can mean the same, for example, in an Aboriginal dialect. In the direct translation from English, it starts as, 'We Australian mob are going to have a good dance. Good young fellows,' or, as we know it, 'Australians let us all rejoice, for we are young and free.' The meaning has not changed. Due to linguistic differences, there may be no direct translation of the word 'rejoice', so it has been replaced with words that mean the same: to have a good dance. Nobody would or should find objection to the language being preserved by adopting words foreign to it and the meaning of the national anthem remaining unchanged.

Many other language groups have also translated the anthem and sung it. As I have said previously, the language of my clan, the Mununjali, would say in translation 'Rise up, beautiful country' instead of 'Advance Australia fair'. No meaning change. Only linguistic differences. We have not sought to change it, but only sought to embrace it and share our language. It has also been sung in English and Indigenous languages accompanied by a didgeridoo. And recently the Waterford primary school students have sung the Yugambeh translation, which is a real way of reviving and preserving our language. On Australia Day this year Jessica Mauboy stood atop Sydney Harbour Bridge and sang the Australian national anthem in both the local Indigenous language and then in English. She sang it proudly, and she sang it unchanged. It was a stirring rendition—both versions. She later said, 'I couldn't be more proud to be an Australian and come from this beautiful country.'

The Indigenous language versions I have referred to have been undertaken by Indigenous people to preserve their language and embrace being Australian, not as a way of easing some form of guilt, intellectual elitism or enlightenment. Yet we now see intellectual elites taking it upon themselves to use a dramatically altered version written by Judith Durham. This result can only push a wedge between cultures in Australia. This version was played instead of the official national anthem at the University of the Sunshine Coast. It was not performed as another song but instead replaced the Australian national anthem. I note in their rush to appear enlightened they have overlooked Torres Strait—also Indigenous Australians—as Torres Strait Islanders do not acknowledge the Dreaming, and perhaps the best way to avoid this is to stick to the official translation or the official version.

In World War 1 and World War 2 when Indigenous Australians enlisted they swore allegiance to King George V and VI, respectively. God Save the King was the anthem. It did not make them any less proud to be a soldier, sailor or airman. For today's Indigenous service personnel it is Queen Elizabeth II and the unaltered version of the national anthem, and I do not think they are any less proud of their service. They, like me, have presented arms or saluted to the official version of the Australian national anthem. This does not mean any group, regardless of culture, religion or any form of association, cannot have their anthems or songs. But this is not the national anthem, and it should not be played instead of the national anthem. For an organisation such as a university, that has not given up its own traditions of
mortarboards, gowns and titles such as chancellor, they are showing a degree of hypocrisy when they take it upon themselves to use non-traditional and unofficial Australian anthems or national anthems. They retain their traditions and titles but seek to change others'.

Mr President, I ask: did this help Indigenous education, or anybody's education, for that matter? Did a struggling Indigenous high school student suddenly gain sufficient grades to enter a university? Did the grades of a stressed Indigenous university student suddenly rise? Did it make an anxious Indigenous graduate more employable? Did their form of benevolence raise the overall involvement of Indigenous students at university, or were the intellectual elite able to retire to a chancellor's room in a glow of fashionable self-congratulatory hyperbole and ease their self-opposed guilt, sense of superiority or do-gooder attitudes?

For those who harbour internal guilt due to past injustices, or those who think they are doing good, let me say this: you are creating division and resentment. If you want to help, then understand this: Indigenous Australians are underrepresented in tertiary education and overrepresented in welfare and low-paying jobs. We want education, opportunity and employment, not songs.

Songs will not change a single thing. Will playing that song at a Doomadgee State school or in the Doomadgee area change the alcohol problem they struggle with? Will playing that song at Woodridge raise the employment opportunities? Will it help the Quandamoooka people of Stradbroke Island have employment when the sand mining is brought to an end?

Other immigrant groups have also sung in their language and also not sought to add in anything about their journey and life in Australia. This is a wonderful way of acceptance of both the new culture and mainstream Australia. The City of Logan proudly boasts over 200 cultures. Are we going to see over 200 different national anthems?

A university is a supposed to be a place of education to build hope for the future. Ask any student: do they like being pointed out as being different or given special attention? Or would they prefer not to be singled out and be accepted like any other university student, and concentrate on study, part-time work and university social life?

What hope is generated from this? I would suggest absolutely none. The hope that universities should be generating is a sound education, with a chance for good employment prospects. Universities are meant to be innovative and places of the future. I conclude by saying, that as an Aboriginal person, I want to see my culture and language preserved and represented, and not used as a political football.

Senate adjourned at 11:06

DOCUMENTS

Tabling

The following documents were tabled by the Clerk pursuant to statute:

[Legislative instruments are identified by a Federal Register of Legislation (FRL) number. An explanatory statement is tabled with an instrument unless otherwise indicated by an asterisk.]


Environment Protection and Biodiversity Conservation Act 1999—Section 269A—Instrument revoking a recovery plan (Spotted handfish (Brachionichthys hirsutus), Red handfish (Brachionichthys politus), Ziebell’s handfish (Sympterichthys sp.), Waterfall Bay handfish (Sympterichthys sp.)) and jointly makes, with the Tasmanian Minister for the Environment, the Recovery Plan for Three Handfish Species (1 March 2016) [F2016L00300].


Marriage Act 1961—
Marriage Act (Proclaimed Overseas Countries) Proclamation 2016 [F2016L00304].
Marriage Amendment Regulation 2016 (No. 1) [F2016L00303].


Norfolk Island Act 1979—
Norfolk Island Administrator Ordinance 2016 [F2016L00308].
Norfolk Island Regional Council Preparatory Election Ordinance 2016 [F2016L00294].


Seas and Submerged Lands Act 1973—
Seas and Submerged Lands (Historic Bays) Proclamation 2016 [F2016L00301].
Seas and Submerged Lands (Territorial Sea Baseline) Proclamation 2016 [F2016L00302].

Social Security (Administration) Act 1999—
Social Security (Administration) (Trial Area—Ceduna and Surrounding Region) Amendment Determination (No. 1) 2016 [F2016L00309].
Social Security (Administration) (Trial Area—East Kimberley) Determination 2016 [F2016L00307].

Tabling

The following documents were tabled pursuant to standing order 61(1)(b):
Indigenous Australians—Imprisonment rates—Letter to the President of the Senate from the Victorian Minister for Aboriginal Affairs (Ms Hutchins), dated 7 March 2016, responding to the resolution of the Senate of 2 December 2015.

Migration Act 1958—Section 486O—Assessment of detention arrangements—Personal identifiers 1002130, 1002154, 1002164, 1002187, 1002270, 1002291, 1002320, 1002331, 1002477, 1002574, 1002575, 1002578, 1002579, 1002582, 1002747, 1002839, 1002842, 1002923, 1002934, 1002935, 1002950, 1002951, 1002952, 1002953, 1002954, 1002955, 1002956, 1003001, 1003031, 1003083, 1003093, 1003094, 1003097, 1003154, 1003166, 1003326, 1003397, 1003399, 1003407, 1003447 and 1003491—

Commonwealth Ombudsman’s reports, dated 16 March 2016.

Government response to Ombudsman’s reports, dated 8 March 2016.