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**SITTING DAYS—2020**

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Governor-General

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

Senate Office Holders

President—Senator the Hon. Scott Ryan

Deputy President and Chair of Committees—Senator Susan Lines

Temporary Chairs of Committees—Senators Askew, Bilyk, Brockman, Brown, Chandler, Faruqi, Fawcett, Fieravanti-Wells, Gallacher, Griff, Kitching, Polley, Marielle Smith, Sterle, Stoker and Walsh

Leader of the Government in the Senate—Senator the Hon. Mathias Cormann

Deputy Leader of the Government in the Senate—Senator the Hon. Simon Birmingham

Leader of the Opposition in the Senate—Senator the Hon. Penny Wong

Deputy Leader of the Opposition in the Senate—Senator the Hon. Kristina Keneally

Manager of Government Business in the Senate—Senator the Hon. Anne Ruston

Deputy Manager of Government Business in the Senate—Senator Jonathon Duniam

Manager of Opposition Business in the Senate—Senator Katy Gallagher

Deputy Manager of Opposition Business in the Senate—Senator Kimberley Kitching

Senate Party Leaders and Whips

Leader of the Liberal Party in the Senate—Senator the Hon. Mathias Cormann

Deputy Leader of the Liberal Party in the Senate—Senator the Hon. Simon Birmingham

Leader of The Nationals in the Senate—Senator the Hon. Bridget McKenzie

Deputy Leader of The Nationals in the Senate—Senator the Hon. Matthew Canavan

Leader of the Labor Party in the Senate—Senator the Hon. Penny Wong

Deputy Leader of the Labor Party in the Senate—Senator the Hon. Kristina Keneally

Leader of the Australian Greens in the Senate—Senator Larissa Waters

Deputy Leader of the Australian Greens in the Senate—Senator Nicholas McKim

Chief Government Whip—Senator Dean Anthony Smith

Deputy Government Whips—Senators James McGrath and Slade Brockman

The Nationals Whip—Senator Perin Davey

Chief Opposition Whip—Senator Anne Elizabeth Urquhart

Deputy Opposition Whips—Senators Raff Ciccone and Malarndirri McCarthy

Australian Greens Whip—Senator Rachel Siewert

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

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<th>Senator</th>
<th>State or Territory</th>
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<th>Party</th>
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<tr>
<td>Abetz, Hon. Eric</td>
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<td>Antic, Alexander</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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</table>

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

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

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

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

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

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

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

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

Heads of Parliamentary Departments
Clerk of the Senate—R Pye
Clerk of the House of Representatives—C Surtees
Secretary, Department of Parliamentary Services—R Stefanic
Parliamentary Budget Officer—J Wilkinson
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<tr>
<td>Prime Minister</td>
<td>The Hon Scott Morrison MP</td>
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<tr>
<td>Minister for the Public Service</td>
<td>The Hon Scott Morrison MP</td>
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<tr>
<td>Minister for Women</td>
<td>Senator the Hon Marise Payne</td>
</tr>
<tr>
<td>Minister Assisting the Prime Minister for the Public Service and Cabinet</td>
<td>The Hon Greg Hunt MP</td>
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<tr>
<td>Minister for Indigenous Australians</td>
<td>The Hon Ken Wyatt AM MP</td>
</tr>
<tr>
<td>Assistant Minister to the Prime Minister and Cabinet</td>
<td>The Hon Ben Morton MP</td>
</tr>
<tr>
<td>Deputy Prime Minister and Minister for Infrastructure, Transport and Regional Development</td>
<td>The Hon Michael McCormack MP</td>
</tr>
<tr>
<td>Minister for Agriculture, Drought and Emergency Management</td>
<td>The Hon David Littleproud MP</td>
</tr>
<tr>
<td>Minister for Communications, Cyber Safety and the Arts</td>
<td>The Hon Paul Fletcher MP</td>
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<tr>
<td>Minister for Population, Cities and Urban Infrastructure</td>
<td>The Hon Alan Tudge MP</td>
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<tr>
<td>Minister for Regional Health, Regional Communications and Local Government</td>
<td>The Hon Mark Coulton MP</td>
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<tr>
<td>Minister for Decentralisation and Regional Education</td>
<td>The Hon Andrew Gee MP</td>
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<tr>
<td>Assistant Minister for Road Safety and Freight Transport</td>
<td>The Hon Scott Buchholz MP</td>
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<tr>
<td>Assistant Minister to the Deputy Prime Minister</td>
<td>The Hon Kevin Hogan MP</td>
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<tr>
<td>Assistant Minister for Regional Development and Territories</td>
<td>The Hon Nola Marino MP</td>
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<tr>
<td>Treasurer</td>
<td>The Hon Josh Frydenberg MP</td>
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<tr>
<td>Minister for Population, Cities and Urban Infrastructure</td>
<td>The Hon Alan Tudge MP</td>
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<tr>
<td>Assistant Treasurer</td>
<td>The Hon Michael Sukkar MP</td>
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<tr>
<td>Minister for Housing</td>
<td>The Hon Michael Sukkar MP</td>
</tr>
<tr>
<td>Assistant Minister for Superannuation, Financial Services and Financial Technology</td>
<td>Senator the Hon Jane Hume</td>
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<tr>
<td>Minister for Finance</td>
<td>Senator the Hon Mathias Cormann</td>
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<tr>
<td>(Vice-President of the Executive Council)</td>
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<tr>
<td>(Leader of the Government in the Senate)</td>
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<tr>
<td>Assistant Minister for Finance, Charities and Electoral Matters</td>
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<td>Assistant Minister for Waste Reduction and Environmental Management</td>
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<td>Assistant Minister for Forestry and Fisheries</td>
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<tr>
<td>Minister for Foreign Affairs</td>
<td>Senator the Hon Marise Payne</td>
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<tr>
<td>Minister for Trade, Tourism and Investment (Deputy Leader of the Government in the Senate)</td>
<td>Senator the Hon Simon Birmingham</td>
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<td>Minister for International Development and the Pacific</td>
<td>The Hon Alex Hawke MP</td>
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<td>Minister Assisting the Minister for Trade and Investment</td>
<td>The Hon Andrew Gee MP</td>
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<td>Assistant Minister for Regional Tourism</td>
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<td><strong>Attorney-General</strong> (Leader of the House)</td>
<td>The Hon Christian Porter MP</td>
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<tr>
<td><strong>Assistant Minister for Customs, Community Safety and Multicultural Affairs</strong></td>
<td>The Hon Jason Wood MP</td>
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<td><strong>Minister for Education</strong></td>
<td>The Hon Dan Tehan MP</td>
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<tr>
<td><strong>Minister for Employment, Skills, Small and Family Business</strong></td>
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<td>The Hon Steve Irons MP</td>
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<td><strong>Minister for Industry, Science and Technology</strong></td>
<td>The Hon Karen Andrews MP</td>
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Tuesday, 16 June 2020

The PRESIDENT (Senator the Hon. Scott Ryan) took the chair at 12:30, read prayers and made an acknowledgement of country.

DOCUMENTS
Tabling
The Clerk: I table documents pursuant to statute and a return to order as listed on the Dynamic Red.
Full details of the documents are recorded in the Journals of the Senate.

COMMITTEES
Joint Standing Committee on Migration
Australian Commission for Law Enforcement Integrity Committee
Meeting
The Clerk: Proposals to meet have been lodged as follows:
Australian Commission for Law Enforcement Integrity—Joint Statutory Committee—today, from 1 pm.
Migration—Joint Standing Committee—Wednesday, 17 June 2020, from 10 am.

The PRESIDENT (12:01): I remind senators the question may be put on any proposal at the request of any senator.

BILLS
Treasury Laws Amendment (2019 Measures No. 3) Bill 2019
Consideration of House of Representatives Message
Consideration resumed of the motion:
That the committee does not insist on its amendments to which the House has disagreed.

The CHAIR (12:01): The committee is considering message No. 218 from the House of Representatives and the motion moved by the minister that the committee does not insist on the Senate amendments disagreed to by the House of Representatives. The question is that the motion as moved by Senator Seselja be agreed to.

The committee divided. [12:06]
(The Chair—Senator Lines)

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Fierravanti-Wells, C
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McKenzie, B
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Van, D

Bilyk, CL
Carr, KJ
Ciccone, R
Dodson, P
Faruqi, M
Senator McALLISTER (New South Wales) (12:10): I rise on behalf of the opposition to speak to the Treasury Laws Amendment (Your Superannuation, Your Choice) Bill 2019. Labor governments established universal compulsory superannuation, creating a world-class retirement income system for Australia. There is now over $2.5 trillion in our national savings pool, a direct consequence of the success of this system. The system gives working Australians the opportunity to maintain their living standards in retirement. It takes pressure off pension payments and, critical to remember at this time, the national savings pool is an incredibly important source of financial stability. It was an important factor in ensuring that Australia's banking system was well capitalised through the global financial crisis and now, again, the nation's industry superannuation funds are ready to deploy more than $28 billion to worthy infrastructure and property projects as the economy starts to emerge from the COVID-19 lockdown.

You wouldn't know it from the behaviour of the government; their continued petty ideological attacks on the system continue unabated despite the evidence of the significance of the system at this critical economic time for Australia. Unlike the coalition, Labor is unequivocally committed to the success of Australia superannuation system and to supporting changes that will make it stronger and fairer. As presented to the Senate, this bill does not yet meet that test. This is a bill with a long history. The government has been attempting to make these changes for a long time, but the changes are still no more appealing than they were five years ago. This is a measure that was first announced on 20 October 2015 in the government's response to the Financial System Inquiry. The bill reintroduces amendments to the act that were previously introduced in the last parliament, in 2017. That bill, the Treasury Laws Amendment (Improving Accountability and Member Outcomes in Superannuation Measures No. 2) Bill, was not brought on for debate in the Senate prior to the 2019 election.

The bill before us today amends the Superannuation Guarantee (Administration) Act 1992 to require that employees under workplace determinations or enterprise agreements have an opportunity to choose the superannuation fund for their compulsory employer contributions. The measure applies to new workplace determinations or enterprise agreements made on or after 1 July 2020. I understand that the government considered and rejected applying these same provisions retrospectively on the grounds that such a change would go too far. Well, Labor says that the changes in this bill still go too far.

In part, our position is a response to the evidence that was placed before the Senate Economics Legislation Committee when the bill was referred to that committee for inquiry and report in November 2019. The committee finished its work and reported in March this year. Most of the evidence focused on whether the bill had a positive or negative impact on members by allowing individual choice of superannuation fund. In general, unsurprisingly, submitters supported the broad principle of choice. However, the submissions raised important questions about the practical effects of the legislation on choice and on the overall effectiveness of the system.

At the start of any policy process it's important to ask the question: what problem are we trying to solve? Unfortunately, that basic impulse is not reflected in much of the legislation that is brought before this chamber by the government when it comes to superannuation. Once you've asked that question, it's always good to actually try and clearly define the problem. But in the case of the legislation before us, as with so many previous interventions...
by this ideological government, it is not exactly clear what problem the government is trying to solve. Industry SuperFunds brought it to the committee's attention that most workers do in fact currently have a choice of fund, citing its 2017 analysis of a sample of enterprise agreements ratified by the Fair Work Commission. They found that 82 per cent of all employees covered by agreements had no restriction on choice of fund and that only 1.9 per cent of the workforce had some form of restriction. The government is yet to clearly explain how changing this system will materially improve the results for individual members or the system overall.

A further issue concerns the way in which workers make choices about their interests within workplaces. The McKell Institute made the argument that, if passed, the bill would effectively inhibit one form of choice—collective or group choice—in favour of another—individual choice—without clear evidence that the latter is more effective in driving better outcomes. The McKell Institute also argued that it would put more Australians at risk of ending up in an underperforming fund and would limit mechanisms for ensuring ongoing accountability of and improved performance by superannuation funds. They're reflecting on the practical experience, which is that the industry superannuation funds have performed very strongly over the history of superannuation. In this regard, collective choice in the real world has been connected to positive performance. It's a reality the government doesn't like to acknowledge because of their highly ideological approach, which prioritises their hostility to worker representation on boards over the empirical evidence about performance. But I don't think they should ignore it in this case.

The Australian Council of Trade Unions also opposes the bill on similar grounds. In the committee process, it argued that the bill is an attack on workers' rights to collectively bargain for a superannuation fund in their interests and it abolishes the ability of workers and their employers to agree to specific benefits only available with single-fund workplaces. Industry SuperFunds also argued for the role of the Fair Work Commission in the system to ensure the quality and appropriateness of funds that receive superannuation contributions on behalf of employees who do not exercise an individual choice.

Labor's dissenting report to the committee's report affirmed our broad commitment to principles around choice, and it made two substantive recommendations for amendments, along with a third recommendation concerning the bill as a whole. The first of these relates to the issue of defined benefit superannuation schemes, and that recommendation arises most directly from the evidence presented by UniSuper. UniSuper believes it is one of the only open private-sector defined benefit funds. Certainly, I'm not aware of any other. Their scheme is essentially entirely dependent on maintaining a very broad take-up across multiple employers within a sector that is defined by relatively high levels of continuity of employment for staff. These circumstances are relatively unique to employees in higher education. In the world of academic research and teaching, these staff frequently spend a career transferring between institutions, undertaking broadly similar roles and experiencing broadly similar working conditions. That membership profile gives UniSuper the stability that allows them to actuarially underwrite a defined benefit scheme.

There is no government or employer guarantee to provide protection for members, so the effect of this bill is to move arrangements for new employees from opt-out to opt-in. This presents particular risks to UniSuper's product. UniSuper described the risk as being grounded in the impact on the salary growth profile of new members and the way in which skewing the average age of new defined benefit scheme members may occur. That in turn could jeopardise their ability to provide the product. As a consequence, Labor has recommended—in the committee process and as proposed amendments here—that the current exemption from choice-of-fund requirements for existing defined benefit members continue and that an exemption for those who are newly eligible to become defined benefit members be provided for in the legislation.

The second recommendation contained in Labor's dissenting report goes to the heart of the topic of the bill: choice. Our amendment is about ensuring that workers retain the choice to bargain for a single fund or bargain for a set of funds where it is determined by the Fair Work Commission that it is in their interests to do so. This is about protecting workers and the rights of workers to collectively determine what is in their best interests. The amendments drafted in response to this recommendation will ensure that, if an enterprise agreement includes a restriction on the choice of superannuation fund or funds available to employees, the Fair Work Commission must be satisfied that the restriction is in the interests of the employees who will be covered by the agreement. This enables consideration of the factors that are essential to the proper functioning of our superannuation system and the protection of workers and members, including safeguards against underpayment and features of proposed default superannuation funds, including matters such as insurance. The final recommendation in the dissenting report is that the bill be passed subject to Labor's proposed amendments. That remains our position.

At the beginning of my contribution, I spoke about Labor's proud history of building the modern system of superannuation in Australia. This is not a history that we share with many of those opposite. For decades now, the coalition, in opposition and in government, has worked to undermine and dismantle a system that has helped bring
security and dignity to Australians in retirement. It has reduced the burden on the social security system and supported our national prosperity. Prior to the reforms of the Hawke and Keating governments, superannuation was not something that was widely enjoyed across the community. It was reserved for those who were privileged by their circumstances, usually only highly paid white-collar workers. Very few women were included in the superannuation system. Our reforms changed all this. They opened up superannuation to many more people, and they also opened up the capacity for this sector to invest. Yet those opposite consistently seek to oppose and undermine this system.

On this occasion, Labor is suggesting sensible amendments to address the real-world challenges presented to the committee during our deliberations. With the support of the Senate, these amendments can substantially improve the legislation. Without them, the only option is to oppose the bill.

Senator BRAGG (New South Wales) (12:22): I start this contribution on the Treasury Laws Amendment (Your Superannuation, Your Choice) Bill 2019 by reflecting upon the last contribution. There are a lot of smart people in this parliament, including, occasionally, across the aisle, but this is one of the places where the Labor Party has absolute decay of the brain. Some suggestions have been made here around reducing public costs—the super system costs so much more than it saves. I'm not sure how you can even begin to pretend that it is a net save to the government. In fact, the last Intergenerational report said that super would effectively not really make any difference to pension reliance, ever. Seventy per cent of people are taking a pension today, and that will be the same in 2050. So there's a lot of mythology in this space, and I'm not sure being lectured about being 'ideological' carries much weight. Coming in here and reciting what the unions say and what the industry super funds say and what McKell says—they're all the same people and they're all effectively benefiting from this scheme, which has enriched their organisations.

The main point here about super is that it is a very good idea. The idea that, over the long run, people take more responsibility in having savings to rely on in retirement and to improve their standard of living—something which is universal—is a great idea. The problem with the scheme is that it is being run to benefit the vested interests and it doesn't actually work. In terms of any reasonable judgement you could make here, is it going to reduce the burden on the public purse going forward? No. In this year alone, the scheme cost $36 billion. The last time the industry said, 'We're going to put a number on how much we're saving,' they said it would save $9 billion. So you're $25 billion out, noting that's an imprecise comparison. But the idea is good; the execution has been so poor. And why wouldn't we be surprised? When you go back and look at the history of this scheme, it was designed by the unions for unions. Peter Walsh, who was a Labor finance minister, said, 'This scheme will be a pot of gold for the unions, who'll get their feet into funds management.' That is exactly what it's done. It has been a significant failure so far.

The enterprise agreement is a place where the decay is really on show. Effectively, the way this works is that big business and big unions get into bed together and say, 'Okay, we're going to take away the workers' rights to choose their own fund.' If you go back to the middle years of the Howard government, when super fund choice was passed by the Senate after protracted negotiations, I think it was the then Assistant Treasurer, Mal Brough, who said, 'This is a deal that will give all working Australians the choice of fund.' The problem is: we're back here again, 15 years later, talking about the same issue. You know why? That bill had a loophole in it, which has been ruthlessly exploited by big business and big unions.

One of the things I did before I came into this place was work for the Business Council of Australia, and that gave me a fair proximity to big business. This is not about saying all the union guys are bad and the big-business people are great. This is a deal where big business and big unions get into bed together to rort workers. Mr Shorten was good at this on penalty rates, but taking away workers' rights to choose their own fund can only be for a devious purpose. Why on earth would we, in 2020, say you're not allowed to choose your own super fund? It is just bizarre. The fact that the Labor Party would defend this anachronism shows the huge decay on show here.

I'm sure that if most Labor members and senators looked at this on its merits, without the vested interests polluting their policy discussions, they would say, 'Of course we want to give every Australian the right to choose their own super fund; we want to allow them to determine their own destiny.' The way this works is that the big businesses and big unions get into bed together. They do these secret deals, and all of a sudden you find that workers have no ability to choose their own super fund.

The government passes a law and says: 'You, the workers of Australia, must save 10 per cent of your wages in a super fund. Most of you can choose your own fund, except for people that are covered by enterprise agreements, which steal your right to choose your own fund.' I mentioned this was an anachronism, but I have three agreements from 2020: one for the Warrnambool bus and roadways company, one for the Super Benefits Administration company and one for Smart Metering Services. All these examples have stolen these workers' rights to choose their own funds. The Warrnambool bus EBA says TWUSUPER and AustralianSuper are the only
funds permissible. The Super Benefits Administration company says that First Super is the only fund you can go to. That's a CFMEU fund. This other one, Smart Metering Services, says Energy Super is the only fund these workers are legally allowed to contribute to. They can't choose any other fund; it is not possible. You've got to ask yourself why. Why would these organisations, the IR club, be trying to steal workers' rights to choose their own super fund? After all, it is their money.

We on this side are suspicious of the reason. There have been several independent inquiries into this issue. This is not some ideological journey. The royal commission into trade unions, the Murray financial inquiry and even the Senate inquiries have said there is no basis for workers to be banned from choosing their own fund. Worse, there is no basis for people to have their super fund choices stolen. You have to ask why.

There have been, helpfully, some whistleblowers who've come out and tried to choose their own funds. There's a fellow called Paul Bracegirdle, a Toll truck driver. He wanted to choose his own super fund. He didn't want to be with the TWUSUPER fund. He told the royal commission that he was legally denied the choice and told by the union official: 'Fuck off, no-one cares, Paul. Go away.'

The DEPUTY PRESIDENT: Senator Bragg, you need to withdraw that. There is a decision of the Senate that you can't quote offensive language.

Senator BRAGG: It's from the royal commission.

The DEPUTY PRESIDENT: Don't argue with me. I've asked you to withdraw.

Senator BRAGG: Okay, I withdraw. 'Go away,' he was told. So there you go. He wasn't able to pursue that any further. Another fellow, Luke Zhou, who is a UniSuper member, said that due to provisions in the University of New South Wales enterprise agreement:

... casual staff employed by the university are unable to exercise choice of fund, being compelled to contribute into UniSuper. This is highly detrimental to my peers, as they are often confused as to why they are defaulted in two superannuation funds, which automatically deduct two sets of fees and insurance premiums.

Mr Zhou and Mr Bracegirdle are rare beasts; they are whistleblowers and they have sought to try to break the monopoly on these ridiculous anti-choice provisions, but they haven't really had any success, because the IR system has been against them for—it is now effectively 30 years that we've had this system. This is now an opportunity to right these wrongs.

The returns in a lot of these funds, which are compulsory for workers, have often been far less good than those of some of the more widely used funds. The TWU super fund, which has been ruthlessly put into these enterprise agreements, as we saw in the case of Toll and Mr Bracegirdle, has returned far less than the average industry super fund, like AustralianSuper. You've got to ask yourself why they are trying to stop people from choosing their own funds.

The payments to the unions from these large industry super funds are significant. TWUSUPER has paid TWU $8.6 million over the last 10 years and the Cbus fund has paid $14 million to the CFMEU over the last 10 years. These are some very significant contributions. The super funds are on track to pay $31 million a year by 2030 to the unions, which is an extraordinary sum of money. You've got to come to the conclusion that this is all about money, power and patronage. It can't be about anything else, because if unions are there for workers and the super funds are there for workers, then why aren't they letting them choose their own fund? So, it has to be about the cash—it has to be.

The Labor Party's positions on this has been absolute intellectual rust-bucket stuff. Andrew Leigh, who is one of the shadow Treasury spokespersons, has said:

... Labor will reserve our position on these proposed choice of fund changes until the Senate committee has reported.

The Senate committee has reported and the Labor senators said in their report:

Superannuation remains an evolving industry, and Labor Senators believe that careful consideration should be given to how opening up choice of fund might preclude other innovative product offerings if the risk pooling of membership cannot be achieved.

So, we're going to have less competition and then we are going to have more innovation! That sound great, doesn't it? The Soviet Union is back in business and they are writing the economic policies of the Labor Party.

In fact, if only it were a fair comparison. The fact is that this is all about money and ideology. We come in here and listen to these absurd contributions from the other side, saying that we are being ideological. We just want to give people their choices. We want to let people choose their own fund. It's 2020 and the whole idea of being able to choose a consumer product has been well and truly made. Across the board, our government is prosecuting openness and competition, open banking, open energy, open telecommunications. We want people to choose to get a better deal, because that is the way that the market needs to go. We don't think that people have been getting
a great deal from their super funds. We've had the same view about banking, about telcos and about energy. We are moving into open super, open banking, open telcos. The idea that a product like super, which is compulsory, would be a product where people have their choice of fund rights stolen by big unions and big businesses working in the shadows is absolutely absurd.

People don't understand super very well. It is an opaque and darkened industry. It is worked on the basis that people don't have the time or the energy to understand all its intricacies. That is a real sickness, when you think about the amount of money at stake here. Yes, we spend $36 billion a year in forgone tax revenue. This system costs a bomb and it gets basically no-one off the pension. Perhaps the most insidious numbers are the fees charged—$32 billion a year in fees. People in this country spend more on super fees than they do on power bills. It is just ridiculous.

I just want to conclude on this point. If only people understood super better, then I don't think Labor would be arguing against people choosing. I think they're using the cover of people not really engaging with super to argue this ridiculous position that, for some reason, people should not be allowed to choose their own fund. I urge the Labor Party to reconsider their ridiculous and unsustainable position on this issue. I want to finish on the example of John Berger, the TWU fellow. He went before the royal commission, and it was put to him that he had charged the TWUSUPER fund 50 per cent of his $190,000 salary for five days of consulting. He was questioned about this by the commission, and he said, 'Well, that's the maths.' That is $93,000 for five days work. So this is a great scheme if you can get into it. Labor are running a racket for their mates and the unions so they can charge high fees, they can lock in the workers and they can rort the system and pay people like Mr Berger 93 grand for five days work. It is just ridiculous.

One of the things that our government is trying to do is to encourage all parties to work in the national interest, which is why we've invited the ACTU to come to the table and look at some of the intractable changes in the industrial system. I urge the Labor Party to look at this in the same spirit that we are looking to engage the ACTU in it. If you look beyond your own narrow self-interest and the interests of McKell, the unions and industry super—all the people that Senator McAllister mentioned before—and you look at the national interest, you will see very clearly that there is no possible reason for you to deny the workers of Australia their own choices. There is no possible basis for that, so I commend this bill to the House.

Senator WATT (Queensland) (12:36): That was yet another highly ideological contribution from the antisuperannuation ideologue himself, Senator Bragg. It's interesting to watch how some of the newer senators in this chamber seek to make their mark in the chamber and in wider debate. At one end of the spectrum, you have Senator Stoker out there making appalling comments likening the Queensland Premier's actions to the death of George Floyd. At the other end of the spectrum, you've got Senator Bragg out there waging his ideological war on superannuation. It seems that, with every year and every intake of senators in this chamber, the drift of the Liberal Party to the right just continues on so many fronts. We have seen it again from Senator Bragg now, and shortly I will mention some of the other contributions, if you can call them that, from Liberal Party senators on the debate regarding superannuation.

Superannuation is a great Australian achievement. It is a great Labor achievement. From the very beginning Labor has pushed for superannuation, with the sole purpose of giving working Australians a dignified retirement. In contrast, from the very beginning we have seen the Liberal Party and the National Party fight tooth and nail to stop superannuation, to whittle it away and to abolish it. There can be no other reason for them wanting to continue that ideological war than that they want to deny working Australians the dignified retirement that many people who are wealthier in our community get to enjoy. Well, I don't support that and nor does anyone on the Labor side. We believe that, no matter what your circumstances in life, you are entitled to a dignified retirement, and superannuation has become a core way of guaranteeing that all Australians, no matter what walk of life they are from, get that dignified retirement that they are entitled to.

A dignified retirement should not be the sole preserve of people who live in Potts Point or Mosman or some of the wealthier suburbs of our capital cities. A dignified retirement should be the entitlement of every single Australian, whether you live in the inner city of a capital city, whether you live in the outer suburbs or whether you live in our regions. No matter who you are, no matter what work you do, no matter what circumstances you come from, you should be able to enjoy a dignified retirement, and that's why Labor will always stand for superannuation and why we will always stand against the ideological attacks of people like Senator Bragg as they seek to undermine superannuation and as they seek to undermine Australians' entitlement to a dignified retirement.

I am supportive of the Treasury Laws Amendment (Your Superannuation, Your Choice) Bill 2019 and Labor is supportive of the bill. It will bring forward the rule for non-concessional superannuation contributions and allow
those aged 65 and 66 to make up three years of non-concessional superannuation contributions, rather than stopping at age 64, which is inconsistent with the pension age.

Labor has a very proud track record when it comes to superannuation. As I said, Labor delivered superannuation and we will always support and fight for policy that enables Australian workers to have a stronger superannuation balance and to have security and dignity in their retirement. In contrast, those opposite have shown they hold no respect for our superannuation system and have repeatedly attempted to undermine it. As I said, they opposed it at the beginning, they have opposed increases to it, and they have sought every possible measure to try and undermine it and take it away from people. The net result of that is only the wealthy in our community get a dignified retirement and that is something that we're not about whatsoever on this side of the chamber.

Let's refresh peoples' memories about some of the other things that Liberal senators have said about superannuation just in recent times. In July last year, in his first attempt to make a name for himself in this chamber, Senator Bragg, in his first speech, made the point that superannuation should be voluntary and that by doing so it would save the government money.

_Senator Canavan interjecting—_

**Senator WATT:** I think I just heard Senator Canavan yell out 'Hear, hear! ' So it seems that even people who claim to respect people from Rockhampton think that superannuation should be voluntary as well. Senator Canavan, I can tell you that any of the people I've met in the manufacturing sheds in Rockhampton, who you pretend to represent, don't want to see their superannuation made voluntary. They want to see their superannuation increased, not taken away, not made voluntary. That's just Senator Canavan, who likes to dress up as a worker but comes down here and rips workers' entitlements away from them.

Senator Bragg said making superannuation voluntary would save the government money. That tells you all you need to know about Senator Bragg's priorities and the priorities of the Liberal Party, aided and abetted by Senator Canavan and the National Party. They are clearly more worried about the bottom line of the Australian budget and pinnies and cents than about the retirement savings of millions of Australians. We say, on this side of the chamber, we are for working Australians. We don't have to dress up in outfits like Senator Canavan does and try and pretend that we never worked for the Productivity Commission with a big free market ideology. We don't need to disown our past. We know that from day one we have always been for superannuation. We don't need to put out silly memes that pretend we look like a manufacturing worker because we act in the interests of manufacturing workers by making sure they have fair pay and conditions while they are in the workforce and by making sure they get the dignified retirement they're entitled to through superannuation.

Senator Bragg, along with other coalition MPs, Mr Tim Wilson, Mr Craig Kelly, Mr Jason Falinski and Mr Andrew Hastie and our old friends in this chamber Queensland Liberal senators Amanda Stoker and Gerard Rennick, have also argued against increasing compulsory employer superannuation contributions from 9.5 per cent to 12 per cent between 2021 and 2025. The spurious argument they put up was this would somehow reduce wage increases that Australian workers need. It's the first time I have ever heard anyone on the coalition side of the chamber actually care whatsoever about wage rises for Australian workers. Every time we see a minimum wage case before the Fair Work Commission, what do we see? We see the Liberal Party and National Party come out with their allies in big business and say why pay rises can't be granted to working people. But all of a sudden, when it comes to superannuation, they say they care about pay rises. Need I remind government senators that over the entire period that this government has been in office, under their stewardship, we have seen wage rises in this country stagnate. We have seen the lowest wage rises that this country has ever seen. So don't try and come in here and pretend that increasing peoples' superannuation is going to take away their wage rises; you're already doing it. This government is already presiding over the lowest wage rises that this country has ever seen.

What is it about Australians retiring with more money in their bank accounts that the Liberals and Nationals don't like? It only gets worse from here. In November last year, Queensland Liberal senator Gerard Rennick described superannuation as a 'cancer'. Do you have to take some sort of—

_Senator Bragg interjecting—_

**Senator WATT:** It's not funny, Senator Bragg. You and I both know people who are dying of cancer, so to liken superannuation to a cancer is yet another grossly insensitive remark from Queensland Liberal senators in this chamber.

Senator Rennick accused his own side of politics of having sold out on personal responsibility by allowing superannuation to continue. In February this year—I think this occurred on one of the Sky News interviews that I do miss, Senator Rennick; they are my amusement and shock for the week—Senator Rennick reasoned in an interview that Australia had survived 200 years without super, assuming for a moment that Australia has only
survived for 200 years, and that's why we didn't need to worry about making superannuation compulsory right now. What absolute garbage, what absolute rot from Senator Rennick! To that I say we survived nearly 200 years without Medicare. We survived over 200 years of white occupation of this country without paid parental leave. Do you think we'd actually want to get rid of those kinds of things as well? We survived without the NDIS. We survived without iPhones, but they're kind of handy to have in life these days, just as superannuation is kind of handy if you want to have a dignified retirement. So if it's good enough to get rid of superannuation because we apparently survived 200 years without it, does that mean that the coalition also wants to get rid of Medicare, get rid of the NDIS, get rid of paid parental leave and get rid of all sorts of other benefits that Labor governments have brought into this country to ensure that working people, the kind of people that Senator Canavan dresses up to try and pretend he cares about, get a decent standard living? I don't think that the government is going to get rid of any of those things, and nor should it get rid of superannuation in the way that so many of its extreme right senators seem to be committed to doing.

Even more recently, during the terrible COVID outbreak, we have seen again this government make decisions and interfere with people's retirement savings in a way that will make the possibility of their having a dignified retirement that much harder. We've seen the government allow superannuation to be used as an alternative to the government's actually doing its job and making sure that working Australians and people who've lost their jobs have the support that they need to survive the COVID-19 pandemic. In addition, we've seen government action which has opened the door to people having their superannuation accounts defrauded by criminals. Thanks very much yet again! That's how much you care about working people. Instead of providing the support that people require, you set up a scheme and do it in a way that allows criminals to get in there and defraud people of their retirement savings.

From 20 April this year, this government allowed Australians who were suffering as a result of the COVID-19 pandemic to apply for early access to their superannuation. This scheme would allow people to access up to $20,000 over two years. So far already over two million Australians have accessed this scheme, with over $13 billion in personal retirement savings having been withdrawn. I want to make clear that I make absolutely no judgement whatsoever on the individual Australians who have made the decision to access their superannuation early, but I do make a judgement on this government for forcing Australians into the position where they had so little support from this government that they were left with no choice but to go and raid their own retirement savings. I've forgotten the exact number, but there are many, many superannuation accounts which have actually been emptied, so people now have no retirement savings whatsoever, because they were forced into the position of having to access their superannuation early because this government refused to provide the support that those people needed.

We've gone on a lot in this chamber about the fact that the government excluded well over a million short-term casuals, they excluded dnata workers, they excluded university workers, they excluded arts and entertainment workers and they excluded migrant workers. They excluded all sorts of categories of working people from receiving the JobKeeper payment. These sorts of decisions have a consequence, and one of the consequences is that people are left with no choice but to access their superannuation savings early, meaning that they have very few funds for their retirement. To the bean counters on the other side, who are more obsessed with government budgets than about actually looking after their fellow Australians: you might want to think about the fact that that might have some impact on the age pension down the track. If all of a sudden you are going to have all sorts of Australians without sufficient retirement savings, because they have been forced to access their savings early, what do you think they're going to need when it comes to retirement? They're going to require the age pension. Well done! More economic illiteracy from this government that says it has economic credibility. Let's not even go into JobKeeper and the bungles with it that have consequences for Australians. It is an absolute disgrace that the figures that we received at the COVID committee hearing, as of 21 May, indicated that the government had paid out $8.1 billion in JobKeeper payments but, in contrast, Australians had had to access over $13 billion in their own superannuation funds. So, again, deliberate decisions of this government to exclude whole categories of workers from receiving the JobKeeper payment have meant the government has kept its JobKeeper bill down and actually transferred the cost of surviving, of putting food on the table, into the hands of Australians having to raid their superannuation funds early.

This is going to impact on people's retirement. It will increase the cost to the public in the longer term in the form of more age pensions, and that is a direct result of decisions this government has made which have, in the end, been directed by its ongoing ideological war to tear down our superannuation system, a system that is the envy of the world. So many other countries around the world just wish that they had had the sort of far-sighted Labor government that we had back in the eighties and nineties that introduced and enhanced superannuation to make sure that people had a dignified retirement. But that's not what the Liberals and Nationals want. They say
they care about working people and about middle Australia, but every time they come down here they slip in more and more measures to try and take away people's superannuation rights, along with their pay and conditions. We've also learned through the COVID inquiry that there's been wide-scale fraud committed on the early superannuation scheme. I don't have time to go into that in detail, so that might have to wait for another day.

In conclusion, compulsory superannuation, created by Labor, is a national achievement which sits alongside Medicare and the NDIS. These are initiatives that have made our nation stronger and our society fairer. Too many Australians still retire without adequate retirement savings and are forced to rely on sometimes inadequate government pensions, which is why our superannuation system needs to be supported, strengthened and protected, not undermined. We will resist every attempt by the government to do so. (Time expired)

Senator CANAVAN (Queensland—Deputy Leader of the Nationals in the Senate) (12:51): When I came into the chamber to make my contribution on the Treasury Laws Amendment (Your Superannuation, Your Choice) Bill 2019, I did a bit of a double take, because I thought I heard Senator Watt say that he is supportive, or that the Labor Party are supportive, of this bill. I thought, 'Well, that's news,' because we have been trying to provide more choice for Australians to determine how their own money is invested for basically five years now, and the Labor Party have fought tooth and nail for those five years against those workers' rights to choose where their money is invested. It's a pretty simple choice for people to have. It's their money. They've worked hard for it and accumulated it. They should have some choice, you would think, over where that money is invested. I thought, hearing Senator Watt, 'Well, maybe the Labor Party have seen the light and have realised five years later, after losing two elections since, that maybe, if they want to represent workers' rights, they might actually make some decisions in favour of workers and in favour of an individual worker's right to decide where their money is invested and goes; may be they've had that epiphany.' But I find, after checking with the minister's office here, that apparently I'm completely wrong, Senator Watt was trying to pull the wool over all of our eyes. The Labor Party are not supportive of this bill, of workers' choice or of individuals being able to invest their money as they would like to do it. What they're really going to try do is amend the bill in the committee stage so it doesn't actually provide that choice. They can have a fig leaf of saying they support choice, but they're really going to try once again to deny workers their right to invest their own money and try to stymie this bill once again.

As I said, this has been a long road, trying for five years to provide something as simple as workers' choices. This bill came from recommendations that were made by the Financial System Inquiry way back in 2014. This was an inquiry that was established by the incoming coalition government when it was elected in 2013, a root-and-branch inquiry into the financial sector. I think it was the largest inquiry into the financial sector since the Campbell inquiry in the early 1980s, which presaged the financial sector reforms of that era. The Financial System Inquiry final report came back in late 2014, and it recommended that there be greater choice given to workers in where their super is invested, particularly where, currently, that choice might be taken away from them through an enterprise agreement. That recommendation by the Financial System Inquiry was supported by the government, hence this legislation.

Subsequent to the 2014 Financial System Inquiry final report, it was also supported by the Productivity Commission in their 2018 report. They also highlighted issues with an existing lack of choice among members in enterprise agreements and some practical things too; practical things that Senator Watt wouldn't realise because he never goes to a factory or a mine, or talks to real workers—and I'll come back to the Labor Party, what they really think and why they're really passionately against this bill. The practical thing of this is that a lot of people end up locked into multiple superannuation accounts because they don't have choice, because they're told through their employment contract where they will invest. An account is established for them without their choice and, if they happen to change jobs, if they happen to have a few jobs over their working life, they can end up with a variety of different superannuation accounts that they've had no choice over but are left with and anchored with through to their retirement.

The issue with that is that it's not just a complexity for them. The issue is that it often leads them to paying much, much more in fees to the financial industry than they would have otherwise if they'd just had a consolidated one or two, or only a few, accounts. By making workers accumulate multiple accounts, the winners here are the financial industry. They're the bankers. They're the people in the big buildings in Sydney that go up 40 or 50 flights of stairs—now they don't use lifts so much—to nice views of the city. They're the people who benefit from that complexity, not your average worker; not your average person just trying to earn a wage every week and put a little bit away each side for their retirement. They don't benefit from that complexity, the banking industry does. And by opposing these changes here today, the Labor Party show their true colours: that they're really on the side of the bankers, not the workers. That is the position of the Labor Party on this bill, because the people that benefit from a lack of choice for the workers are the financial industry who, through complexity, can charge more fees on more accounts and more bonuses for themselves every year when those fees accrue.
Surely we could agree on something as practical as that—as simple as that—that we should reduce complexity, help workers out and ensure that they don't get saddled with excessive and unnecessary fees through their working life. Surely we could all agree with that? But we can't, because the Labor Party cannot bring themselves to provide that choice, in part because they're supporting this big financial industry. But that wouldn't really give you the reason why they'd so passionately—and it was a passionate speech from Senator Watt before—fight against such complexity. Why would a once-proud workers party, the Labor Party, be passionately in favour of bankers and the banking industry? The reason is that they're part of that industry now; that's the reason. They're part of it. They used to fight against banks. They used to want to nationalise the banks. They used to hate the banks. They used to hate the financial industry. But now, the modern Labor Party is a sold-up subsidiary of the Australian financial industry. That's why they're passionately against it, because they're part of it.

They get board positions on superannuation funds; they get a little bit of a clip of the fees. We all know how the financial industry works: you just want a little bit of the crumbs. You just want to have lots of transactions. If you get a few of the crumbs that come off the table, you make a lot of money. The Labor Party are all part of that, sitting at the bottom of the table and eating those crumbs that come off the contributions that the average Australian worker makes. That's why Senator Watt and the Labor Party so passionately defend this industry, because they benefit from the industry. It is like mother's milk for the Labor Party. Superannuation fees, banking fees—the whole banking industry is mother's milk for the Labor Party, because they suck on that teat time and time again and it helps all their mates out. And we've seen how they look after their mates in the Labor Party.

If we put aside all the ideology about super—and we had this large speech from Senator Watt about the super system: how retirement savings are 'at risk', apparently, if we pass this legislation—all this legislation does is allow a worker, an individual worker, to say: 'Look, whatever my EBA says, whatever has been agreed between the trade union and the business, I'd like my funds to go somewhere else. I'd like to have a self-managed superannuation fund,' perhaps, or, 'I'd like to have a different wealth accumulation strategy.' That's all it does. But, apparently, according to the contribution from the other side, that puts at risk billions of dollars of retirement savings and the very future of Australians' retirement in old age. What a load of absolute tosh! How could you draw those conclusions from this bill? You just can't. They don't stand up to scrutiny. It is an excuse being put here for the Labor Party to provide that protection to this broader industry.

At the heart of that protection that the Labor Party is engaged in here is a complete lack of respect for an individual and his or her own choices. It's a lack of respect for an individual and the fruits of his or her own labour. That is the difference between the approach the coalition government is taking here, through this bill and to issues of superannuation more generally, and the stance of the modern Labor Party on these issues.

It does go to the heart of a philosophical difference, almost, between the two sides here. Generally speaking, when we talk about taxes and spending, and now people's savings, quite often we hear inherently in the contributions made by members of the Labor Party that they don't really believe that that money is other people's. They don't really believe that the taxes people pay come from their work. They don't really believe that the money we spend here, whether it's on JobKeeper or whether it's on the variety of other assistance packages we have provided through this crisis, is other people's money. They get confused and they start to believe that it's actually their money: 'Almost all money should stay with the government, and we will just give some of it back to you every now and again.' That's the fundamental difference between the Labor Party and us here in the Liberal and National parties; we believe that people have an inherent right to the money from the work that they do. We believe there should be an appropriate tax system to fund public services but that that should always be done with care and with the knowledge that we are managing other people's money, not ours.

When this crisis hit, when it became clear a few months ago that our economy would almost certainly enter recession—although that hasn't officially happened yet, it almost certainly will—and that people were going to come under great hardship, especially those sectors directly affected by this crisis, naturally we felt that people should have access to their own resources to help them respond to such a crisis. If you have accumulated and saved an amount of money through your super, and, rightly, you're trying to do your best to save for your retirement, and you're hit by an unexpected out-of-the-blue shock as we have been with coronavirus, you should have some ability to draw down those resources you have accumulated for that risk. That's exactly what you're doing for your retirement anyway; it's just more predictable than these other risks and eventualities that have occurred through the coronavirus crisis. What you're doing for your retirement is putting money aside for that time, because, as you know, at some stage you're not going to earn as much you do today. Putting that money aside for times when you don't have as many resources is not particularly different to what we've experienced here today; as I said, it's just more unexpected. What we've experienced in the last few months has been an unexpected income and wealth shock for many people. It makes absolute, abundant sense to allow people to draw down their own resources to help them in that situation. It's also fair.
I picked up from Senator Watt's contribution before that what he thinks should have happened is: 'Don't allow people to draw down their own resources; the government can just pay people. The government can just hand out money to people in those circumstances.' How fair would that be, though? If someone is sitting on hundreds of thousands, possibly millions, of dollars of superannuation in their account, why should the government—remember, it's other people's money; it's not the government's money—help bail that person out? Why shouldn't someone in that situation be allowed to first look at their own resources and how they can respond to such a situation before seeking assistance from others to do so? Keep in mind: we have provided that assistance. We do help and support those who can't and don't have their own resources to do so in the circumstances. But if you do have those resources it is actually fair to require that to occur first, and that's what has happened in this instance.

We've seen the popularity of this. We've seen that people do actually want to have control of their own money—surprise, surprise! A shocking finding, that people do have some inherent want and desire, when they're in bad circumstances, to say, 'I can draw down a bit of super right now and I might be able to catch it up later.' We trust people to be able to manage their affairs over time. They don't need to be led, and at times like this it's right and proper that we help them.

It's right and proper that we have a superannuation system that's actually designed for workers and their needs at an individual level, not the needs of the bankers in the modern-day Labor Party. They are full of bankers. There are not many workers in their ranks, but lots of people from the banking industry. They are tied to that industry now and that's why they're passionately opposing these changes, which would invest workers with choice, which would allow an individual to decide how their own money is invested and which would provide a little bit of scope for people to manage and control their own futures and affairs. That's why we passionately support these changes. They're simple commonsense changes that we'll keep trying to chip away at and, hopefully, eventually, this place—this Senate—will seek to invest individuals with their own choices and their own rights, not big corporations and banks.

**Senator SHELDON** (New South Wales) (13:05): I rise to speak about the government's Treasury Laws Amendment (Your Superannuation, Your Choice) Bill 2019, in its current form.

False facts, lies and stooges for the banks. Here we are: in the middle of a global health pandemic; unemployment is up by six per cent and possibly on its way to 10 per cent; more than one in 10 workers are underemployed; and we have our first quarter of negative growth in nine years and the beginnings of our first recession in almost 30 years. The media thought the Prime Minister might be on the right track. He called for a new compact—a new accord with workers and employers. He asked for all parties to lay down their arms and proposed a dialogue between workers and employers on proposals to improve our industrial relations scheme. He proposed cooperation to foster prosperity and recovery for Australia.

But instead his government has continued an agenda of ideologically charged hand grenades thrown into the industrial relations landscape to blow away workers' and people's voices—working people's voices. The visions in this bill are wrapped up in the rhetoric of choice and may sound harmless enough. But they are just the latest attempts by the government, block by block, to undermine the most successful worker retirement scheme in the world. The establishment of award based superannuation by the Hawke government was one of the most profound and important economic reforms of the last 30 years. It created a new system for income for workers in retirement and reduced the pressure of an ageing population on the federal budget, all the while creating a huge new pool of capital available to be invested in Australian businesses and infrastructure. And it has never been so important as it is now.

Prior to the development of industry superannuation, most working people only had the pension to rely on. Up until the mid-1980s less than 40 per cent of the working population had superannuation. That figure was even less for blue-collar workers and women, at around 25 per cent. The introduction of the superannuation guarantee charge meant that for the first time many workers would be getting ongoing regular contributions for their retirement incomes. Since that time, industry super funds have become the leading providers of superannuation to Australian workers. More than five million Australians are members of industry super funds, with over $224 billion in funds under management.

Unlike the superannuation schemes run by the big banks and finance businesses, these funds are only to benefit members. They are governed by trustee boards specifically representing employees and employers, and do not pay sales commissions to financial planners. They have sound investment strategies, which include long-term investment in Australian infrastructure. Returns from industry super fund have consistently outperformed private sector funds over many years. Over the last 15 years, the average retail fund has delivered around $36,000 less to their members than the average industry super fund.
The creation of universal superannuation was a signature component of the wages and income accord between the millions of working people and the Commonwealth government. It represents the collective decision of workers to set aside a portion of their wage increases at the time to set up a better retirement for them and their children. And yet the coalition have a history of opposition to this landmark reform. From the Hansard, this is what the Hon. David Connolly, Liberal shadow minister, said when the superannuation guarantee charge was introduced in 1992:

... it is clear that there are no economic, financial or social justifications for the Government's proposals which, if implemented, would cause even higher unemployment, reduce real wages, add to inflation and do nothing to provide genuine retirement income for the majority of Australians.

Was he right? No, he wasn't, and of course he isn't—as they aren't right now. Instead the complete opposite has happened, and the performance of industry funds established at the time has been nothing short of spectacular.

The benefits for individuals and the community have been enormous. The genesis of award based super is critical in understanding why these provisions put forward by the government should be opposed in the current form. It is clear who is behind this attack, who sets the priorities for this government. It's the big banks, the big players in the financial advice industry, and their stooges on the Liberal backbench. It's not a first-order issue we should be debating as we recover from COVID-19. It is petty point-scoring against people coming together to collectively manage people's retirements better than the big banks ever could.

This debate is promoted by the government on the basis that it will give workers choice. The word 'choice' is bandied about by the government like it should end all discussion on this matter. Choice takes many forms in enterprise agreements. It is not an either-or proposition. Some enterprise agreements provide default funds for those who do not nominate one. That is not removing someone's choice. Other enterprise agreements, bargained for and voted on by working people, might limit choice only to select funds that cater to the special needs of that industry, such as insurance or different investment strategies. That is not removing choice.

It is also the question of choice for who. Is it the real choice for the workers or is it the imposed choice of the employer? Is it choice informed in a hypothetical world of perfect information, is it choice pushed onto people by predatory retail funds offering too-good-to-be-true returns and benefits, or is it choice when dodgy employers exercise their choice to force their employees into the fund of their bank's choice?

Research from the McKell Institute's submission to previous inquiries set out the real facts about the impact of choice through enterprise agreements. They inspected a random sample of 3,483 enterprise agreements from 2014 to 2019, as well as 144 awards which had clauses determining fund selection. They then tracked how many workers were being defaulted into poor funds. The results of their analysis was that, critically, employers, employees and unions who collectively bargained for a fund were most likely to select a high-performing fund, and the award process is the second most likely—that is, to be clear, when choice is made through enterprise agreements, more workers go into better-performing funds. That's the research. Those are the facts.

This is in contrast to the shoddy research the government is attempting to use to justify this bill. Documents obtained by my office through freedom of information have revealed the lengths that the government has gone to in order to build a case for the legislation. From the outset, the government intended to attack and slander industry funds with no justification. They provided no performance basis or rationale when selecting several funds for the Attorney-General's Department to investigate. The FOI documents confirm that their sample analysis was never intended as a representative sample but rather a select reading of enterprise agreements tied to the funds the government wanted to go after.

When the government leaked this report to the AFR for a story that appeared on 6 December last year, the department contacted the minister's office to clarify that their research could hardly be considered a report—that it was purely a layman's interpretation and they had not had confirmed at all by employers any of the details of the agreements they investigated. It was a layman's interpretation, they didn't talk with employers and they failed to confirm the details.

When the minister gave his second reading speech in the House he said:

At least 14,000 employees are forced to contribute to one of seven funds identified by Super Consumers Australia as the worst performing funds as a result of the restrictions.

Instead, we found that this is not quite correct. It is unclear when Super Consumers had named those seven funds. Indeed two of them, according to the government department, weren't low performers at all. What's more, Super Consumers went on to confirm in the same AFR article that that didn't consider one of them—TWUSUPER—to be a poorly performing fund at all. Then the minister's office ignored the advice of the department when it came to defining what constituted forced choice. They ignored the department's advice about the superannuation fund
provisions in an agreement between the TWU and TNT from 2017 in order to justify that figure of 14,000. So why did the minister tell the House that 14,000 workers were trapped in these funds?

Instead of a policy of transparency, this government has attempted to slander industry super funds with accusations that do not hold up. They have twisted figures and ignored the department in order to inflate numbers to justify the bill. And they have chosen to pin this bill on research that even the department couldn't characterise as rigorous or as a report. For those on the crossbench who care about transparency, if this does not give you cause for concern I don't know what will.

Now, more than ever, we need to ensure we stick with a system that has served us so well. Collective choice agreements, which would be outlawed by this bill, can lead to positive outcomes. They are the result of unions and employers negotiating in good faith arrangements for the choice of funds available to workers. It helps to ensure genuine choice, not the development of a sales culture where bank employees are under pressure to meet targets to sell superannuation products. This collective choice-making is a legitimate and democratic form of choice. The whole workforce benefits and, therefore, you as an individual worker benefit.

Finally, we must consider the role of retail funds in the Australian superannuation industry. We know from the many years of evidence of financial returns that directing workers to retail funds will leave them poorer in retirement. The track record of the banks and the performance of retail funds must be put under the microscope. They are driving the debate and are the biggest beneficiaries of these proposed changes. In its regular rating of superannuation funds, SuperRatings ranked the top 25 super funds over the last decade for a balanced investment option. It does not include a single fund run by a major bank, insurer or master trust.

The banks, of course, have been shown to be incredibly self-interested and Australia has lost count of the number of scandals they've been caught in over the last two years. It is timely to remind the Senate of just some of the headlines describing the behaviour of the banks and for-profit financial institutions: 'CBA agrees it is the gold medallist at fees for no service'; 'Banking royal commission told 90 per cent of financial advisers ignored clients' best interest'; 'AMP executive says company put profits before the law'. That unconscionable behaviour of the banks should not be rewarded by caving into their demands on the issue covered in this legislation. The wolves are at the door and the government wants to kick the door and let them in rather than protect Australian workers and their retirement incomes. The big banks, through their behaviour, should not be allowed to continue to provide superannuation products to Australian consumers. They ripped off so many workers and they've been caught out by regulators too many times. It's time to end their second, third, fourth and fifth chances when it comes to super. It is time to end their involvement in this sector.

Senator RENNICK (Queensland) (13:19): That was quite an entertaining speech from Senator Sheldon, but of course what comes around goes around, so I thought I'd do a bit of googling myself on industry funds, particularly an industry fund by the name of Hostplus. The banking royal commission heard that Hostplus spent $267,000 on entertainment for clients and staff and another $220,000 on accommodation in the year to June 2017. The fund also spent $260,000 on tickets to the Australian Open tennis, where Hostplus CEO David Elia said his wife and two children were among his guests. Another $40,000 was spent on football tickets at Melbourne's Etihad Stadium, with some of the sports related spending covered by the fund's marketing budget. I found that on a website known as The New Daily, which happens to be funded by industry super funds. You've got to ask yourself what industry super funds are doing in the media. Are they actually making money here? To me, this looks like a clear breach of the sole purpose test. The sole purpose test is all about making sure that money invested is for the benefit of the members, not for the benefit of the union funds or the Australian Labor Party.

The one thing we did hear in the previous speech is that there is a clear choice in this chamber. This side of the chamber is all about choice, and that side of the chamber is all about control. And that matters, because superannuation costs the Australian worker $35 billion a year in fees. I'm not going to be judgemental as to whether it's the banks or the industry funds—that's a lot of money. When you think that that also comes at a cost of $40 billion in tax concessions, that's a whopping $80 billion cost to the economy. Compare that to the pension, which covers the bottom 70 per cent of earners. That costs $50 billion a year and only $6 billion to run. How is it that the Department of Social Services can run the pension for $6 billion, yet in private industry, whether it's industry funds or banks, the cost is $35 billion? And that's just the start. Of that superannuation, $600 billion is actually invested offshore.

What's interesting about that is that, in 1990, Bob Hawke said the money raised by superannuation would be invested right here in Australia. Well, according to the latest numbers—and I should qualify that by saying that it's pre COVID—over 20 per cent of the money invested in superannuation is invested offshore. Imagine the number of jobs we could create here. Imagine the number of dams and the amount of high-speed rail we could build. But wait—that's not all. The number of people retiring with a mortgage has increased from 40 per cent to 70 per cent. The whole purpose of superannuation was so that people could live well in their retirement. But how can you live
well in your retirement if you've got a mortgage? It's counterproductive. The other thing, of course—and we saw this in Greece and we're seeing this with the defined benefit schemes in the US now—is that it's actually a Ponzi scheme. I will explain why.

People like me, my generation, will be the first generation with 40 years of superannuation. When 2030, 2035 comes around, we'll be able to pull out 40 years in one hit. Do you know what that means? We're going to need another 40 people coming behind my generation; for every person that takes out 40 years worth of super, you're going to need 40 people putting in one year's worth of super—assuming that contributions and withdrawals are the same per person, and I realise they're not. Otherwise withdrawals are going to start exceeding contributions. Do you know what that will cause? It will cause a crash on the stock market. That was actually discussed with respect to COVID. They were jumping up and down about how, if we allowed young people to access super, it would cause stock market prices to fall. Well, wait until you get people from 1970 onwards with a full 40 years of superannuation savings ripping out that lump sum in superannuation.

I'm glad to speak on the Treasury Laws Amendment (Your Superannuation, Your Choice) Bill 2019 because at the end of the day it's important to give people choice. Personally, if it were left to me, I'd make superannuation voluntary, because I think there are a lot of people out there right now who are doing it tough. We have this wonderful thing in Australia, introduced by the Protectionist Party, which is the forefather of the Liberal Party, called the pension. That is what I am happy to pay my taxes for. But I am not happy to pay my taxes for the government to tell me how I must invest my money.

The practice of forcing workers into a predetermined super fund is perverse, as it only encourages negative outcomes that include excessive fees, limited choice and perhaps even a loss of retirement income. That brings another thing into question, too. The Constitution says the Commonwealth can't take property from people without compensation, but what happens if you get to 60 and you've lost your money in super? Paul Keating brought in super in 1992. He never took it to an election. Tell me this: if he took to an election the proposition, 'I'm going to take 10 per cent of your money and give it to someone you've never met, and you may or may not get it back when you're 60,' do you think people would have voted for him? If I were to say to Senator McKim, 'Nick, I'm going to take 10 per cent of your earnings and give it to some white-collar blowhard in the banks, and I'm not going to promise to give it back to you,' would you vote for that? I don't think so.

That's the thing about superannuation. I won't use a figure of speech that comes to mind, but it's been like water boiling. The water's getting hotter and it's slowly creeping up and up. It started off at two per cent and didn't seem that bad. Then it became three, four and then five per cent. Now it's 9½ per cent of earnings and it's legislated to go to 12 per cent. Whilst it's 12 per cent of earnings, it may actually be the entire amount of money that someone has left over to meet daily necessities. For example, if you earn $100 a week and you pay $30 in tax and $50 in food and accommodation, you may only have $20 left. A lot of people haven't even got much left; they've got nothing left, yet the government forces those people to give up that last 10 per cent of their money and give it to someone else to manage until they're 60. Meanwhile, so many young people who'd like to be able to pay off their houses can't do that. Their ticket is being clipped twice—once by the banks, with bank fees, interest and mortgage charges on the loan, and another time with their superannuation savings. They're actually getting charged twice for what very often turns out to be no productive income.

I'm delighted to be supporting this bill in the Senate. Many young Australians get their first job at a supermarket, fast food outlet or department store. Many Australians go on to have rewarding careers in the retail and hospitality sectors, not only seeking financial reward in the pursuit of excellence but also enjoying the social aspect of such work. I imagine that my own children will one day get their first job stacking shelves, flipping burgers or serving coffee. These jobs teach responsibility and financial management and help teenagers to establish greater financial independence. They are critical in helping young Australians to mature as adults—to learn new skills, find careers and contribute to the workforce in different ways. It is unfortunate that many of these vulnerable young workers often find themselves on the front line when it comes to experiencing workplace intimidation and bullying. Quite often in these cases it is the union for retail, fast food and warehousing workers, the SDA, that exploits the vulnerability of young workers by insisting that they not only join that union but that they also sign up with a union-backed industry super fund that donates back to the union. After passing through union coffers, these rivers of gold flow on to fund campaigns to elect Labor Party candidates at state and federal elections.

In this day and age it astounds me that any organisation, especially a trade union, which purports to protect workers' rights, would seek to deny workers their choice of superannuation fund—remember that this side of the chamber is all about choice, not control; this is freedom and that's totalitarianism, a very stark contrast—and instead drive them to join a super fund that's effectively owned by the SDA, namely REST Industry Super. Only an anti-choice, anti-worker, corporatist bully would defend such piracy. After all, it is workers' hard-earned
money we're talking about, not government, employer or union largesse. The money that goes into super belongs to the working men and women of Australia.

Adding insult to injury, REST Industry Super significantly underperformed many other funds. They ranked just 44th out of 64 comparable funds over five years. Yet, despite the fund's poor performance, the SDA was happy to lock young, casual and low-paid workers into that fund. This is nothing short of corporate robbery, as far as I am concerned. As a further kick in the guts to low-paid workers, the actions of their union also meant that workers who are really struggling to make ends meet and working a second job are forced to either shift that job's tort funds and funnel those funds into political campaigns, while they leverage high membership numbers as powerful voting blocs at Labor Party conferences and preselections. That's got a certain flavour to it at the moment, hasn't it? This is the SDA's business model, pure and simple. It is a model that is rife across the union movement, a model where the tendrils of trade union power reach out to entangle and thereby compromise the operational integrity of many industry super funds. Surely any Labor member or senator who may be aligned with the SDA should take a serious look at themselves.

Compulsory superannuation was originally conceived to provide a fair and affordable retirement savings scheme for all Australians, a scheme that would boost the income and financial security of retirees and make the age pension more sustainable, while offering contributing members a degree of flexibility and choice. It is a sad indictment that, in the main, compulsory super has done none of these things. Gee, I'm enjoying this speech! I can't say how much I'm enjoying this! It is fair to say that compulsory super was never intended to shackle low-paid workers to the likes of REST Industry Super simply because they worked a part-time job at a supermarket or fast-food outlet when they were 16. Why should those in the retail and hospitality sector—many of whom enjoy otherwise rewarding careers—be denied options available to workers in other sectors simply because their chosen industry is dominated by a dud union in cahoots with an underperforming super fund?

Superannuation is workers' money. It is not the employers' money, it is not the fund managers' money and it certainly isn't the unions' money. It's the workers' money, and it should be their choice and theirs alone as to where it is invested. This bill is straightforward. It's about standing up for the little guy. It is about ensuring that casual and part-time workers in our shops and restaurants are given the same opportunities to save and invest and get ahead. This bill does not stop enterprise agreements from nominating a fund as a default. It simply allows workers to choose an alternative fund if they wish to. I implore those opposite to look, for once, beyond narrow self-interest and ignore trade union instructions. This bill should rightly be supported by any sensible, fair-minded person. After all, what reasonable individual has a serious issue with allowing workers to choose their preferred superannuation fund?

**Senator WALSH** (Victoria) (13:34): The government would like us to believe that this Treasury Laws Amendment (Your Superannuation, Your Choice) Bill 2019 is all about choice. But from the contributions that we're hearing today, and particularly from that contribution from Senator Rennick, I think we know that this bill is all about the government's choice to attack unions, to attack collective bargaining and to attack the retirement savings of Australian workers and their families.

The government says that this bill is all about choice: the choice to have your own superannuation fund. But what we all need to understand is that this bill actually removes the choice and the right of workers to choose their super fund collectively as part of their enterprise bargaining agreement. What we also know is that reports have shown that these collectively chosen super funds are really good. They're industry leaders and they can have big benefits when it comes to providing extra protections for workers and their families—protections like industry insurance; compliance and doing the right thing with super payments; above-superannuation-guarantee contributions; and also above-benchmark returns.

So this bill is actually less about real choice, as the government would have us believe, and more about the government's priorities—priorities of attacks on union members and their rights to bargain collectively, including for their own superannuation funds. And it's an attack on our superannuation system, one of the best retirement systems in the world. It's a system that, as we've heard today from the backbench—from Senator Rennick—some Liberals believe should be made entirely voluntary. We've heard before, from Senator Bragg, that the superannuation system should be made voluntary for people on low and moderate incomes. But today we heard
from Senator Rennick that superannuation should be made entirely voluntary. Perhaps people who have worked hard their whole lives should just retire only on the pension, according to Senator Rennick today. That's not our view. Our view is that we should have a strong superannuation system and that people should be able to retire with dignity and with a strong superannuation balance, and they should be able to bargain collectively for the fund of their choice, when that works for them.

This government has failed to deliver on some of the key challenges that are really confronting the superannuation system—issues like superannuation theft, for example. That's something that this government has not been able to address or attack. They continue to dither and delay when it comes to implementing the recommendations of the banking royal commission, which submitted its final report back in February 2019. I don't need to explain that that was over 15 months ago. But, while the government continues to waste time on those critical issues, it has no problem whatsoever in keeping up its attacks on the rights of workers in Australia. We know that workers are better off when they're able to bargain collectively. Choice is a good thing, and I support choice; but choice needs to include the option for workers to choose their superannuation funds collectively. Surely the whole point of choice is to make sure that Australian workers are choosing the best super funds for them—the funds that deliver the best performance and the best benefits. Often, for many workers, that fund is one that has been bargained for and which has been chosen collectively.

In its 2018 review report, Superannuation: assessing efficiency and competitiveness, the Productivity Commission concluded that the default funds chosen by workers to be included in their enterprise agreements had performed very well. Eighty-five per cent of those superannuation funds achieved above-benchmark returns in the 10 years preceding 2018. Particularly for those working in a high-risk industries, like electricians and construction workers, collective bargaining allows them to reach agreements with their employers to do things like pay insurance—critical insurance that protects their incomes through their super funds. These workers would lose the ability to negotiate for these protections if this bill passes without amendment.

This bill, without change, could have unforeseen consequences. It could actually put workers at higher risk of super theft or of being put on lower-performing funds. The banking royal commission, which I'll remind those opposite handed down its report some time ago, showed us that a lot of wrong can be done in the name of consumer choice. We've seen how financial institutions used choice to take advantage of Australians, leaving them worse off. In the bill's current form, there's little protection in this bill for workers who could get pushed onto poorly performing funds by unscrupulous employers. So we need to be making sure that workers are not forced onto funds without fully understanding the consequences or forced onto a fund that works in their employers' interest rather than in the interests of the workers who are being paid that superannuation.

Additionally, over the last few years, we've seen just how much of a problem wage theft and the theft of superannuation have become in this country. There have been countless high-profile examples of workers being ripped off. In the absence of any real action from the government to address these issues, collectively chosen funds make it easier for workers and their unions to track compliance because, right now, it's unions who are doing a lot more than the government when it comes to tackling wage theft and super theft, issues that have serious consequences for so many workers. Every year, almost three million Australian workers will experience theft of their superannuation through underpayment or nonpayment. A calculation done for the year 2015-16 estimated the amount of unpaid super to be almost $6 billion, and those affected workers are going to be facing real hardship in their retirement due to this theft.

While the government is concerned about a perceived lack of choice, what working people are concerned about is getting paid what they're owed. This is where government should be focusing its priorities, because the consequences of employers being allowed to get away with not paying super are extreme for everyday Australians. Workers will face lower living standards in their retirement if the government doesn't set its priorities on this problem instead of attacking the collective bargaining rights of workers and their unions to bargain for a fund which they believe gives them the best protection. Often it is those in lower paid jobs in industries like agriculture, cleaning and hospitality who are most likely to fall victim to wage theft and superannuation theft.

The theft of superannuation is all part of a larger problem that Australian workers are facing—that is, wage theft. Much like the underpayment of super, this is an issue that the government say that they care about and will act on, but, in reality, they just give us empty rhetoric and no real action. We have seen countless stories of wage and superannuation theft in this country. This is what the priority should be for this government.

Workers show a huge amount of courage when they come forward and tell their stories. Each of these workers really wants to know: what is government's plan to do something about wage theft and superannuation theft? So far, the government has been entirely unwilling and unable to be the tough cop on the beat that we need to address the real issue that Australians are facing with their superannuation—that of superannuation theft, not of collectively bargaining for funds that perform well for those workers who vote for them.
In some industries, like hospitality, the theft of wages and superannuation has become a business model. In 2018, the Fair Work Ombudsman found that almost three out of four hospitality venues were noncompliant with the award. This is the problem that is out of control—not unions collectively bargaining for good superannuation funds—and this is the problem that the community wants to see tougher action on against corporate wage and superannuation thieves. Working people shouldn't have to work for their wages and superannuation twice: once when they go to work and do their job on their shifts, and again when they have to fight to be paid what they earned.

While the government pretend to take action on these issues, their real priorities are placed elsewhere. Senator Rennick made it very clear that the government's priority is attacking the organisations that fight on these issues every day—the trade unions. The government's priority is attacking the organisations that are focused on the real issue people care about, the theft of their superannuation, not on this government's constructed problem of workers joining together to make decisions collectively about what fund they believe best suits their interests.

Unions, like Labor, have a proud history of fighting for a stronger and fairer superannuation system. I want to take a moment to acknowledge the contribution that the Australian trade union movement has made, together with Labor, in establishing our modern superannuation system. It was through worker-led campaigns that superannuation—once the preserve of public servants, senior managers, politicians and executives—became a universal workplace right and one that everyday Australians rely on to have a dignified retirement. Of course, we are committed to any changes that continue to strengthen the superannuation system. The union movement is rightfully concerned about this bill and another move against workers' rights to collectively bargain—to make the choice collectively that best suits their interests.

The Prime Minister called on unions to put down their weapons and work with the government to help ensure a strong economic recovery post the COVID-19 crisis. Perhaps it's time that the government did the same. They may have shelved their ensuring integrity bill for the moment, but they need to shelve their obsession with chipping away at the bargaining rights of Australian workers and chipping away at our strong superannuation system built by Labor and built by the campaigns of working people in this country. It is disingenuous of the government to bring on an attack against collectively organising for the superannuation fund you want, when they are attempting to put forward a view that they want to enter into accord-like negotiations with the ACTU and the union movement.

If this government really cared about superannuation, they would stop their attacks on bargaining and start to address some of the issues such as super theft that I've spoken about today. But the question is whether they really care about superannuation. We've heard from government MPs and senators, including, very notably, today from Senator Rennick, that they want to cut super entitlements and make super purely voluntary. We don't need to think too hard to figure out what that would be like. Voluntary super would leave workers who are in desperate situations paying more tax on the income they divert away from their super contributions, and they'll end up with less super when they go into retirement. Those on the lowest incomes and with the lowest super balances would be hit the hardest. With those sorts of ideas floating around the Liberal Party room, it's really not surprising that they haven't tackled the real issues in the superannuation system, the No. 1 issue being the theft of superannuation from peoples' pay packets and from their retirement balances.

Unlike many on the other side of the chamber, Labor is committed to a strong and fair superannuation system. Superannuation is a great Australian tradition, and, while we support the principle of choice, that choice cannot be at the expense of workers' rights to collectively choose their super funds. This can all be fixed with Labor's amendment. I call on the government to drop their campaign against bargaining rights and to focus on the real issues in the superannuation system.

**Senator STOKER (Queensland) (13:49):** I rather like Senator Walsh. I think she's one of the brighter and more capable senators on the other side of the chamber that I have got to know. But I don't find it logical when she stands up in this chamber and says that the Treasury Laws Amendment (Your Superannuation, Your Choice) Bill 2019 is a bill about dismantling the ability to collectively bargain. How on earth could it be? It doesn't take away the rights of employees to engage in enterprise bargaining processes; they still have all of those rights. All it does is provide individual employees with the chance to choose their own super fund, even whilst they participate in enterprise bargaining negotiations or continue to work underneath an agreement. If an employee wants to bargain as part of a group, that's entirely their right. But so too is it their right to put their super where they would like to put their super. You know what? If the fund that is being recommended by their chosen union is the wonderful choice that those opposite say it is, it will be the obvious choice for all of the people under that agreement. So why do you need to take away the rights of individuals to choose? It just doesn't make sense to me.

One of the things that really stuck out in Senator Walsh's presentation a moment ago is that she described the Labor Party position as being about supporting the choice of workers to do what they want with their super, but in

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a collective way. That reflects a fundamental misunderstanding about what choice is. Choice is something we exercise as individuals. It's not a choice when some people who are conducting negotiations on behalf of the union for the people in your workplace decide it for you. That is not choice; that's subjugation. They're very different things, and to suggest that this is anything other than an opportunity to give working people more power, more opportunity and more choice and control over their own financial future—well, as I say, I really like Senator Walsh but this is not a speech that made an awful lot of sense.

Let me explain it with an example. There is such a simple example we can use here. Sarah is a young working person. She's studying to be a teacher, but, while she's studying, she holds some part-time jobs. One of them is at Kmart, and she gets forced into having her superannuation in the fund that has been chosen by the union that has negotiated with Kmart employees—fine. Sarah also has a part-time job as a waitress, and she's got to have another fund reflecting the agreements of that workplace. Then, as she moves towards the end of her studies and into the market in her chosen long-term profession, Sarah has to get another fund—again, not of her choosing. I can't help but think that, at some point in her career, Sarah should get some choice about what happens to her money. That seems to be what's getting lost in this debate. This superannuation money is important, but it doesn't belong to industry super funds, it doesn't belong to retail funds, it doesn't belong to employers and it doesn't belong to unions. No, this money, in this example, belongs to Sarah, and every day of the week it belongs to each individual working person. If we are to live up to our beliefs, no matter what side of the chamber we sit on, it must be something about which employees are given control. It must be employees that get to choose what they do with their superannuation money.

Those opposite have tried to cast this bill as some grand conspiracy to attack unions. That couldn't be further from the truth. This change was announced as a response to the Financial System Inquiry. That inquiry recommended that all employees be provided with the ability to choose the fund into which their superannuation guarantee contributions are paid. That recommendation was echoed by the Productivity Commission's 2018 report, in which they assessed the efficiency and competitiveness of superannuation.

These changes really matter. They matter in a philosophical sense, because it has to be right that individuals should have the right to choose what they do with their own money and that, just because they choose to bargain collectively, they don't cede the right to choose what they do with their own money, any more than they should cede to someone else the right to choose what they do with their weekly wages. The knock-on effect of denying this choice to working people is that we get reduced productivity, reduced performance and reduced efficiency from our superannuation sector, and do you know who bears the brunt of that lower efficiency? Working people.

So on this side of the chamber we make no apologies for standing up for the double benefit that comes from standing up for the right of individuals to choose what they do with their own money. The first benefit is when they get to choose a fund that works for them, with fees that reflect their interests and investment plans that reflect their choices. Then the second benefit comes when superannuation funds across the market perform at a higher level because they are getting the benefits of a properly competitive market, not being hampered by these uncompetitive arrangements.

This government has taken action through the Protecting Your Super package. It has addressed the existing stock of multiple accounts that people like Sarah have faced over the years so that they don't cop duplicate fees, and stealth insurance policies that they don't even realise they've got, being deducted out of their superannuation funds every year, often eroding those smaller balances down to nothing in circumstances where it may not even have been a product that they wanted or needed. This change is the next step in undoing the damage that unwanted multiple superannuation accounts cause. It delivers real choice for individuals who would otherwise be forced to continue to go on this merry-go-round of unwanted and duplicated accounts for which they pay multiple fees, from which they get lower returns and in which, fundamentally, they are denied their right to choose what they do with their super just as they should be able to choose what they do with their weekly wage. That's a principle we on this side of the chamber are happy to fight for every day of the week.

Senator AYRES (New South Wales) (13:58): We've heard from Senator Stoker and we've heard from Senator Rennick, who is a sort of hallucinogen for the LNP over there. He's the truth drug. He's the guy who's prepared to say what you're really thinking. Senator Stoker, on the other hand, apparently says what's in the air around her. What a hateful, vile environment she must operate in if that's the kind of thing that she thinks it's okay to say to Indigenous Australians and to people around the world struggling over that issue! You should be ashamed of yourself. The only thing that you should do when coming into this chamber is apologise.

Government senators interjecting—
Senator AYRES: It was a mealy-mouthed apology. It was the most pathetic apology. She didn't mean it. She never does. She's very fond of saying the things that are hurtful. She's very fond of overstepping the mark, but she's not ever prepared to apologise.

The PRESIDENT: Senator Abetz on a point of order?

Senator Abetz: This is clearly a reflection on the senator. It goes to motives as well, and chances are it is irrelevant to boot.

The PRESIDENT: I was actually turning to the Clerk at that point. When attributes are assigned to senators individually, that comes particularly close to reflections. When they are assigned to behaviour or an event, or when they are assigned collectively, that is less so. I'd urge the senator to refer to senators by their title or through the chair.

Senator AYRES: I'm very happy to be guided—

The PRESIDENT: Oh, it's now 2 pm, I'm afraid. Sorry about that, Senator Ayres. You'll be in continuation.

QUESTIONS WITHOUT NOTICE

JobKeeper Payment

Senator WONG (South Australia—Leader of the Opposition in the Senate) (14:00): My question is to the Minister representing the Prime Minister, Senator Cormann. Yesterday Mr Morrison said:

… the challenge of JobKeeper is that businesses will form views about those employees who they will be able to keep on longer term and those who they will not.

How many Australians does the Prime Minister expect will lose their jobs and be left behind when he withdraws JobKeeper at the end of September?

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:00): The government doesn't want any Australian to be left behind, but it is also true that we will not be able to provide crisis-level temporary support through a program like JobKeeper forever and ever. The commitment for the country surely must be for us to get back as soon as possible into a situation where businesses around Australia are able to pay the wages of their employees out of their income rather than on the basis of crisis-level temporary fiscal support.

Clearly, we've been hit with a one-in-100-year global pandemic that has had a devastating impact on our economy and on jobs. We provided crisis-level support. The next important decision is how we most appropriately transition into the strongest possible recovery on the other side. The government will continue to make responsible decisions in that context.

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

Senator Wong: The Prime Minister made a statement yesterday, and the question went to how many people he thinks will lose their jobs, as he contemplated in his statement. I'd ask the minister to be directly relevant to the question.

Senator CORMANN: The question directly asked, actually, how many Australians the government is intending to leave behind, and I directly answered that by making the point that the government doesn't want any Australian to be left behind. We'll continue to provide, so I was directly relevant.

The PRESIDENT: On the point of order, I do consider the minister to be directly relevant. There's an opportunity to debate the merits of answers after question time.

Senator CORMANN: The Australian people know that we made the best possible decisions in a set of very difficult circumstances to provide transitional support to keep as many businesses in business and as many Australians in jobs as possible and to provide enhanced support to those Australians who, through no fault of their own, lost their job. That is indeed what we've done. It was always clear that this would be a temporary arrangement, and the Australian people would expect us to help facilitate the strongest possible recovery as soon as possible so that all Australians have the best possible opportunity to get ahead. If they cannot continue in the job that they had before COVID, in the current business that they work for, then we've got to make sure we create the conditions where they can find a new and better job in another business.

The PRESIDENT: Senator Wong, supplementary question?

Senator WONG (South Australia—Leader of the Opposition in the Senate) (14:03): There are already 140,000 more people on jobseeker than the government predicted for the month of June. How many more Australians does the government believe will join the 1.65 million already on jobseeker when Mr Morrison snaps back JobKeeper in September?
Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:03): Firstly, I reject the premise of the question. What I would say is the government will continue to work to maximise the strength of the recovery on the other side. The government will continue to make responsible decisions, and the government will continue to ensure that all Australians have the best possible opportunity to get back into work if they've lost their job or to ensure that they can have a job in a business that is viable over the long term if that business, indeed, is not able to recover post COVID.

The PRESIDENT: Senator Wong, a final supplementary question?

Senator WONG (South Australia—Leader of the Opposition in the Senate) (14:04): Digital Finance Analytics has warned that as many as 100,000 Australian households will default on their mortgages when JobKeeper is removed in September. With more than five million Australians and their families currently relying on direct government support, why is Mr Morrison continuing to insist on a flawed snapback strategy which will leave millions of Australians behind during the country's first recession in 29 years?

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:04): Senator Wong can repeat false assertions to scare people as often as she wants; it doesn't make them come true. What the government have said is that JobKeeper will remain in place for six months and that we will continue to make responsible decisions on how to most appropriately transition into the strongest possible economic recovery on the other side. There is a review currently underway, which is well publicised, by Treasury. Treasury will be putting advice and recommendations to the government, and the government will continue to make responsible decisions, as we have over the last few months as we've been dealing with a once-in-100-years global pandemic and devastating impacts on the Australian economy.

COVID-19

Health Care

Senator McGrath (Queensland—Deputy Government Whip in the Senate) (14:05): My question is to the Minister representing the Minister for Health, Senator Cash. Minister, can you outline for the Senate how the Morrison government's plan for a stronger economy is guaranteeing essential services, including by maintaining and improving capacity in our health system throughout the course of the COVID-19 pandemic?

Senator Cash (Western Australia—Minister for Employment, Skills, Small and Family Business) (14:05): I thank Senator McGrath for his question. In what has been one of the most intense periods in Australia's history, our health system has performed remarkably well. It has been by all assessments the envy of the world in the way that it has been able to deal with the COVID-19 pandemic. The way that our primary-care system has responded to COVID-19 has been outstanding. Our doctors, our nurses, our pharmacists—supported of course now by telehealth—our hospitals, our hospital workers, our carers, our cleaners, our administrators: they have worked tirelessly to manage the cases that have arisen and increase our capacity to respond to the COVID-19 outbreak.

I am pleased to advise in relation to the aged-care network that, as of yesterday, there are no active cases of COVID-19 in any aged-care facilities in Australia. As of yesterday, we have now reduced the number of people in hospital because of COVID-19 to 17 and the number in ICU is now at four.

Australians have also seen the positive results of our testing regime and our collective success in flattening the curve. Our testing regime has now seen over 1.8 million tests conducted across Australia. Of those, approximately 7,335 Australians have been diagnosed with COVID-19 and, sadly, as we know, 102 have lost their lives. The rate of positive returns has now dropped to 0.4 per cent across the 1.8 million tests, and, of those, 62 per cent of cases have come from overseas.

As a result of Australians working together to suppress COVID-19, our health system and those who work tirelessly in it—(Time expired)

The PRESIDENT: Senator McGrath, a supplementary question?

Senator McGrath (Queensland—Deputy Government Whip in the Senate) (14:07): As the government has responded to the COVID-19 pandemic, how has the government continued to invest in our health system to ensure it is resourced and ready for future challenges?

Senator Cash (Western Australia—Minister for Employment, Skills, Small and Family Business) (14:07): Throughout the course of COVID-19, the Morrison government has continued to ensure that Australia's health system capacity will meet future challenges. We have reached a new national hospital reform agreement with the states and territories. Under this new agreement the Commonwealth will increase its investment from $100 billion to $131 billion. At the same time, we're delivering a new five-year community pharmacy agreement that expands remuneration for the dispensing of subsidised PBS medicines, community pharmacy medication management programs and services—to $18.349 billion over the five years of the agreement. This is up $1.5 billion from the
Sixth Community Pharmacy Agreement. Again, Australians can be assured that throughout the COVID-19 crisis the Morrison government continues to invest in the health system.

The PRESIDENT: Senator McGrath, a final supplementary question?

Senator McGrath (Queensland—Deputy Government Whip in the Senate) (14:09): Can the minister advise the Senate how this work has improved access to medicines?

Senator Cash (Western Australia—Minister for Employment, Skills, Small and Family Business) (14:09): I think this is one of the great success stories of the Morrison government, and that is of course that as a government we continue to make more medicines available on the Pharmaceutical Benefits Scheme. Since 2013, because of our strong economic management, our government has approved more than 2,400 new or amended listings on the Pharmaceutical Benefits Scheme. This represents an average of around 30 medicine listings or amendments per month, or one each day, for an overall investment by the government of $11.6 billion. Australians with asthma and multiple myeloma will have broader access to life-changing medicines as a result of expanded medicines listings on the PBS from 1 June 2020. Our government, the Morrison government, are committed to ensuring that Australians that need to access affordable medicines are able to do so. (Time expired)

Pensions and Benefits

Senator Gallagher (Australian Capital Territory—Manager of Opposition Business in the Senate) (14:10): My question is to the Minister for Families and Social Services, Senator Ruston. Does the government remain committed to withdrawing the coronavirus supplement in September, and what is the minister's advice to the 2.3 million Australians who will be $550 per fortnight worse off?

Senator Ruston (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (14:10): Thank you very much, Senator Gallagher, for your question about what has been an extraordinarily important issue over the last three months and a very important supplement that has been in place to help those people who find themselves without a job during a time when the job market has effectively closed.

We have supercharged our safety net to assist people who find themselves unemployed because of and during a time of completely unprecedented unemployment pressure on our market. But we said at the time—and we remain committed to this—that they would be temporary, targeted, time-limited measures to help Australians to get through the crisis that is before us. We always said that about the measures that we put in place—not just the coronavirus supplement but many other measures that this government put in place to make sure that we could assist Australians who were immediately impacted, with an impact that came about in the most extraordinary circumstances. We've supported them through this time. We remain committed to supporting Australians during the coronavirus crisis, but we also remain committed to making sure that we put our economy back on track. But, in answer to your question, the time-limited measures have been put in place to meet the extraordinary circumstances of the coronavirus pandemic.

The PRESIDENT: Senator Gallagher, a supplementary question?

Senator Gallagher (Australian Capital Territory—Manager of Opposition Business in the Senate) (14:11): The 2.3 million Australians include hundreds of thousands of students, widows, farmers and parents. How many of the 2.3 million does the government think are lifters and how many are leaners?

Senator Ruston (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (14:12): What I can tell the senator in response to her question is that this government is absolutely committed—always has been, from the day that we became aware that we were faced with this absolutely enormous crisis before us, which became very evident in February—to working with the Australian public, with the Australian community. In fact, we are even working with the Australian federal opposition, and the oppositions and the governments in the states and territories around Australia, so that we can all work together and support all Australians through this crisis.

In doing so, one of the most important things that we can do as a government is to make sure that our economy is supported so that jobs are re-created, so that we can get people who are currently unemployed back into employment as quickly as possible. That's exactly what the focus of this government has been right the way through: supporting people during the time when there is unemployment but making sure that jobs are re-created so that they can get back to work as soon as possible.

The PRESIDENT: Senator Gallagher, a final supplementary question?

Senator Gallagher (Australian Capital Territory—Manager of Opposition Business in the Senate) (14:13): Department of Social Services figures show that the coronavirus supplement will be providing at least
$2.6 billion per month in direct fiscal support in September. Why is the government insisting on a $2.6 billion per
month hit to the economy during Australia's first recession in 29 years?

Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government
Business in the Senate) (14:13): The Australian government, the Morrison government, the coalition government,
is absolutely committed to putting the right measures into our economy to make sure two very clear things
happen. One is that we support Australians who need our support during this time, and the other one is that we get
the economy kickstarted on the other side of this so that we can actually have the jobs so people can go back.

Those opposite seem to think that they have got some sort of claim on monetary and fiscal policy within the
economy. If they'd like to have a look at economics 101, they'd actually realise there are many ways that you can
stimulate an economy, whether it's through fiscal or monetary policy—and, as Senator Smith behind me said,
reducing the tax burden. For some reason, you seem absolutely fixated on particular things that you might think
are the only way to stimulate the economy. We on this side know that you have to have a suite of measures, a full
package, to make sure that you are taking a holistic approach to looking after all Australians.

Environmental Laws

Senator HANSON-YOUNG (South Australia) (14:14): My question is to the Minister representing the
Minister for the Environment, Senator Birmingham. Yesterday the Prime Minister announced plans to cut
environmental laws to fast-track assessments of developments and mining projects. This plan cuts corners and
removes vital checks on the impact projects will have on our environment. Why is your government weakening
protection for the environment, which will put Australia's forests, our beaches, our native animals and our ancient
historical sites at further risk?

Senator BIRMINGHAM (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader
of the Government in the Senate) (14:15): I thank Senator Hanson-Young for her question, although I do reject
many of the claims she has made in that question. What our government takes pride in doing is upholding
environmental laws but making sure that we don't strangle economic activity in a morass of green tape and
indecision and lack of progress in terms of analysing and assessing the applications that come before us. So, our
government—the Minister for the Environment—has worked hard to make sure that decision-making is more
efficient and effective. That's something that should be applauded around this place. Rather than having projects
sitting there waiting, not knowing whether they're approved or not approved, we are actually backing them to get
through the pipeline. Where conditions need to be applied, they're applied. Where they need to be rejected, they're
rejected.

What the Prime Minister announced yesterday was a $25 million investment in specialist project teams, new
approaches to information sharing between the Commonwealth and the states to reduce backlogs, to reduce the
time taken for assessments, to make sure that there is less duplication of assessments between the Commonwealth
and the states. This is simply about making our environmental regulation more efficient and more effective so that
it can serve its purpose of protecting our environment and our biodiversity and our conservation needs but it
doesn't strangle economic development, particularly at a point of time in our nation when we want to make sure
that those investments that can go ahead do go ahead. We want to make sure that, when those who are willing to
put money on the table and to make projects happen that will generate jobs for Australians, that goes ahead
wherever possible, wherever it is not in breach of our environmental laws—not that it sits somewhere in the
backdrop for years just waiting for somebody to make a decision. We're not afraid to make decisions, but we will
make sure we make the right decisions for our environment and for the jobs of Australians.

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

Senator HANSON-YOUNG (South Australia) (14:17): Australia has already lost one million hectares of
koala habitat because of the weak environmental laws in place. Koalas in some areas are now endangered.
Minister, you pledged to uphold environmental laws. Will you guarantee that not one more hectare of koala
habitat will be destroyed under your plans?

Senator BIRMINGHAM (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader
of the Government in the Senate) (14:17): I'm sure Senator Hanson-Young does actually know that, across
different parts of Australia, there are, indeed, different areas of habitat for koala species, and quite different
population trends in those different parts of Australia as well. Senator Hanson-Young invites me to come in here
and give some blanket guarantee about koalas overall and 'not one more hectare' without acknowledging the fact
that, in different parts of the country, there are absolutely strong, vibrant populations of koalas that we want to see
continue to be strong and vibrant populations. But that's not to say that there can't be complementary
developments, particularly of a tourism nature or the like, that can ensure sustainable activity in those
communities and continue to preserve koala populations and habitat as is necessary. That's the careful balancing
act that we commit to undertaking to make sure that we preserve those most important species for Australians but also to ensure that Australians have jobs as well.

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

Senator HANSON-YOUNG (South Australia) (14:18): Can the minister guarantee that fast-tracking approvals for mines and projects will not result in any more blasting of ancient historical sites, such as the destruction of a 46,000-year-old sacred site in WA last month by Rio Tinto? Will you fix the laws to guarantee that this type of environmental vandalism will never, ever occur again?

Senator BIRMINGHAM (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (14:19): I know it suits the agenda of the Australian Greens to come in and to, of course, make everything the fault of the government standing here, to ignore completely the reality of decision-making that might be the responsibility of state or territory governments, to figure that the EPBC Act is somehow a one-stop shop for every form of protection to occur. But the truth lies elsewhere. It certainly doesn't lie in the picture painted by the Australian Greens. I in no way condone unnecessary destruction of heritage, particularly of Indigenous heritage, which has a crucial role to play in sectors such as our tourism industry and, of course, is so important in terms of preserving the culture of our First Australians. But I won't take lectures from the Australian Greens or suggestions that somehow the policies of this government are at fault or are to blame for actions or decisions of state or territory governments and their regulatory authorities.

Taxation

Senator PATRICK (South Australia) (14:20): My question is to the Minister for Finance and concerns government procurement and expenditure. AusTender shows that, since 2016, the construction giant Lendlease has won federal contracts worth more than $661 million, overwhelmingly for Defence department construction. In addition, the defence minister announced in April this year the award of further contracts valued at $365 million, bringing Lendlease's total haul to over $1 billion. Is it not the case that the tax office's tax transparency report show that, in the five years from 2013-14 to 2017-18, Lendlease generated $43 billion in revenue and generated a profit before tax of more than $5 billion but didn't pay a cent in corporate income tax? Are you aware that the company's own reports further show that they paid no income tax in 2018-19 and don't expect to pay any for some time yet? How do you reconcile awarding billions of dollars of contracts to corporate giants that pay no corporate tax?

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:21): Every business in Australia that makes taxable income has to comply with Australian tax laws and pay income tax according to our laws. I'm not going to discuss the tax affairs of individual taxpayers. That wouldn't be appropriate. Furthermore, you do know, of course, that tender decisions are not made by the government of the day. They're made following a proper, rigorous tender process, appropriately at arm's length from the government of the day—I think you would expect that to happen—and based on a proper assessment of the relative merits of specific proposals. In Australia, businesses are not taxed on their revenue. They're taxed based on their taxable income, and on that basis, of course, every business must comply with our tax laws.

The PRESIDENT: Senator Patrick, a supplementary question?

Senator PATRICK (South Australia) (14:22): The government's own figures and announcements show that Lendlease has been awarded nearly $800 million in contracts this year, 2020, and it's only June. In these circumstances, why is Lendlease allowed to access the JobKeeper program to pay some 15 per cent—nearly 1,400 out of 9,200 members—of its Australian workforce when it seems flush with contracts? How do you justify this company milking taxpayers' money when it pays no corporate tax?

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:22): I don't accept the premise of the question. The terms and conditions on which businesses can access support through the JobKeeper program are well known. For businesses with a turnover of less than $1 billion, it requires a 30 per cent drop in turnover. For businesses with a turnover of more than $1 billion, there is a bigger test, a higher test, a more difficult test. Indeed, they've got to demonstrate a 50 per cent drop in turnover. Again, I'm not going to talk about the specific affairs of individual businesses or individual taxpayers. That would be inappropriate. But, in the broad, the terms and conditions on which individual businesses can access that program, which has supported more than three million Australian workers, are, of course, the same for everyone.

The PRESIDENT: Senator Patrick, a final supplementary question?

Senator PATRICK (South Australia) (14:23): To the finance minister: the information I'm talking about in relation to income tax comes from tax transparency data published by the ATO on Lendlease. Why is the
government comfortable in awarding billions of dollars of contracts to a company, Lendlease, that has not paid a brass razoo in corporate tax for well over five years?

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:24): I refer Senator Patrick to my first answer to the primary question. We expect all Australian businesses to comply with our tax laws and to pay corporate tax or relevant taxes—corporate tax, in this instance—in relation to their taxable income. If the suggestion in your question is that, somehow, this business you're referencing has broken the law, then I would encourage you to make relevant reports to compliance authorities, to law enforcement authorities. If a business that complies with the law, employs many Australians and provides important services to Australia wins on merit a tender, I don't think you would suggest that we should politically interfere in preventing a business from taking on a tender that they've won based on proper competition and assessment at arm's length from government.

HomeBuilder

Senator GALLACHER (South Australia) (14:25): My question is to the Minister representing the Prime Minister, Senator Cormann. Yesterday, the minister said that HomeBuilder would be:

… directly supporting 140,000 tradies and a further up to one million jobs indirectly in the residential construction sector. ASIC estimates there were 1,183,000 people employed in the entire construction sector last year. Does the minister stand by his claim that every single construction job in the country will be supported by HomeBuilder?

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:25): I would encourage Senator Gallacher to reflect on the words 'directly' and 'indirectly', and, indeed, I stand by my answer.

The PRESIDENT: Senator Gallacher, a supplementary question?

Senator GALLACHER (South Australia) (14:26): My supplementary question is: what is the total value of private investment that the government expects to generate through the HomeBuilder program?

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:26): I think I went through all this in some detail yesterday. We expect that about 27,000 projects will be supported through this program. The terms and conditions of this program are well known, and we'll report on it on the other side of this period that is in place.

The PRESIDENT: Senator Gallacher, a final supplementary question?

Senator GALLACHER (South Australia) (14:26): Does the government believe that HomeBuilder will fully offset the projected decline in residential construction sector employment?

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:27): This is not a program that operates on its own. This is a program that will make an important contribution to supporting workers in the residential construction sector. Of course, in a number of states, state jurisdictions will be complementing this scheme.

Opposition senators interjecting—

Senator CORMANN: I can see that the Labor Party clearly doesn't like supporting workers in the residential construction sector.

Senator Wong: Point of order: what we don't like is ministers misleading about their numbers. That's what we don't like.

The PRESIDENT: Senator Wong, you know better than that. On the point of order: I didn't hear a reflection or imputation there, I must say. I'll call Senator Cormann to continue.

Senator CORMANN: We will continue to do what we have been doing. We'll continue to make decisions to support working families around Australia. We'll let the Labor Party continue to do what they're doing—we'll let them continue to throw verbal rocks at the government—and we'll just get on with the job.

COVID-19: Tourism

Senator MOLAN (New South Wales) (14:28): My question is to the Minister for Trade, Tourism and Investment, Senator Birmingham. Can the minister outline some of the support measures the Morrison government is implementing to support the tourism industry in response to the COVID-19 pandemic?

Senator BIRMINGHAM (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (14:28): I thank Senator Molan for his question. As was clear from yesterday's release of overseas arrivals and departures data, there's no industry in Australia that would be suffering any more or, frankly, has been suffering for any longer period of time this year than our tourism industry. Tourism operators
right across the country deserve the thanks of everyone for the sacrifices that they, along with so many others, are making to help ensure our country stays safe at present, particularly given the burden that is falling upon them as a result of the necessary closure of international travel borders into Australia.

As senators know—and, indeed, debate and contest—the $260 billion package of economic support measures we've got in place is playing a crucial role in supporting many of those tourism industry businesses and their employees at present. Those assistance measures range across the small-business payments that we are making to those many businesses, particularly family owned small and medium-sized businesses in the tourism space. As well, we've provided aviation industry support, financing solutions and, of course, the JobKeeper payments that are supporting so many different parts of the tourism sector.

We've also stepped in where there are additional fixed and specific costs in businesses that, were they to go under, could threaten the viability of a tourism region or ecosystem. In particular I give the example of our $94 million package for exhibiting zoos and aquariums. This is an important package that acknowledges that in those businesses, whilst JobKeeper measures may be helping with staff costs, whilst rent relief may be helping with other costs and whilst the small-business payments may be helping with other normal ongoing costs, there are high fixed additional costs, which we have provided support for, in terms of the care and treatment of animals and ensuring the welfare of those animals within those important tourism attractions across the many regions and cities of Australia.

**The President:** Senator Molan, a supplementary question?

**Senator Molan** (New South Wales) (14:30): Can the minister advise the Senate how the government's plan for a stronger economy, including record and growing infrastructure investment, continues to support the tourism industry?

**Senator Birmingham** (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (14:30): While these are dark days for our tourism operators, we are determined to support our tourist regions, in particular, to be ready to capitalise as states and territories reopen travel within and across their states and, ultimately, for when we do get back to hosting many millions of international visitors to our country. In the 2019-20 budget, our government announced a further $200 million towards a fourth round of the Building Better Regions Fund, which has brought that fund and program to in excess of $800 million of investment, and that's in addition to programs like our $50 million Tourism Icons Program. Just a fortnight ago, our government announced 163 successful projects under round 4 of the BBRF, and many of those support crucial tourism infrastructure in the regions across Australia. In my home state of South Australia, for example, the Silver to Sea Way, finishing in Port Pirie, is a crucial development. In Senator Molan's home state of New South Wales, the Condobolin Tourism Precinct offers, on the banks of the Lachlan River in western New South Wales, enhanced tourism—(Time expired)

**The President:** Senator Molan, a final supplementary question?

**Senator Molan** (New South Wales) (14:31): How is the government encouraging Australians to visit and support bushfire impacted regions in my home state of New South Wales?

**Senator Birmingham** (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (14:32): No senator in this place has a greater appreciation and understanding of the impact that the bushfires had in parts of New South Wales than Senator Molan does, and I thank him for his advocacy for many regions in those parts of New South Wales. Before COVID-19 hit, we initiated various tourism campaigns to try and encourage travel across those regions, and we stand ready to recommence those as border restrictions and travel advisories allow. Such campaigns showed off the stunning Glasshouse Rocks in Narooma, alongside an interview with zookeeper Chad from the Featherdale Sydney Wildlife Park and Mogo Zoo. We've promoted 10 country towns near Sydney that people should take a day trip to this winter, featuring Berrima and Bowral in the Southern Highlands and Jamberoo and Kiama on the South Coast. We've promoted the best spots for beach camping in New South Wales, which showcased Eurobodalla's Mystery Bay and Mimosa Rocks National Park's Picnic Point. The Snowy Mountains also featured in our Live from Aus campaign—(Time expired)

**Defence Personnel**

**Senator Lambie** (Tasmania) (14:33): My question is to the Minister for Defence. On 19 March 2020 the minister confirmed that at least one incident of alleged war crimes in Afghanistan has been referred to the AFP. The Inspector-General of the ADF confirmed in his annual report that Justice Brereton is investigating 55 separate incidents, many of which may also lead to referral to the AFP. In the interim, families of affected current and former ADF members have told me they are being provided with internal ADF legal support through Defence Counsel Services for the IGADF inquiry, but what terrifies them is the uncertainty surrounding funding to pay for
expensive criminal trials flowing from that inquiry. If provided, this funding would be made pursuant to a policy known as ‘legal assistance at Commonwealth expense’, which is discretionary. Members have no certainty that they will get the legal representation that they need for a fair trial. Is the minister aware that, because of this uncertainty, many of those under investigation are now contemplating mortgaging their family homes or commencing public GoFundMe pages to fund their criminal defence teams?

Senator REYNOLDS (Western Australia—Minister for Defence) (14:34): I thank Senator Lambie for raising this very important issue. Before coming to the specifics of this question and to the letter I provided in response to this issue, can I just say to all in this chamber that it is well known that this inquiry is underway. It is an extensive and a very complex inquiry, involving incredibly serious subject matters, and many witnesses and lines of inquiry have occurred. In the course of this inquiry I did table the Inspector-General of the ADF’s annual report, a few months ago, which did make very clear the serious nature of the inquiries under review by him.

The Chief of Defence Force has advised me that the inquiry report will be handed to him in coming months. He will then consider its findings and, with my close oversight, will determine the actions required in consultation with the IGADF. Where there are serious rumours and allegations raised about the conduct of our ADF members, Australians would rightly expect that they are thoroughly examined according to the rigorous and well-established processes that are in place. Australians would also expect all ADF members to be treated with the utmost fairness throughout these processes and also, of course, their family members.

In relation to the specific issue that Senator Lambie has raised with me, I can confirm that legal support will be provided, and I'm currently discussing with the Chief of Defence Force and also the Attorney-General how that will occur. But, at all times during the conduct of the inquiry and through its conclusion to the next phases, a range of legal, psychological, medical, pastoral and social work support services will continue to be made available to inquiry witnesses and other individuals impacted.

The PRESIDENT: Senator Lambie, a supplementary question?

Senator LAMBIE (Tasmania) (14:36): When Australian ADF personnel last faced similar prosecutions in 2010, then Chief of Defence Force Angus Houston told this Senate that ‘no expense will be spared’ to fund the defence of soldiers facing prosecution. Will the minister—unlike just then—give a commitment and confirm that it is her expectation that legal assistance at Commonwealth expense will be afforded to any ADF or former ADF member facing criminal prosecution arising from their service in Afghanistan, including funding lawyers ‘of their choice’?

Senator REYNOLDS (Western Australia—Minister for Defence) (14:36): As I said, Senator Lambie, you have raised this previously with me, and I have also confirmed these matters with you in writing. But, for the benefit of all senators, I want to be very clear that throughout the inquiry the IGADF has worked well in establishing the processes to ensure that witnesses are provided with access to legal support. As I confirmed in writing to Senator Lambie, it is a longstanding position that current and former serving ADF members can apply for Commonwealth financial assistance for civil or criminal legal proceedings that they are involved in. If the proceedings arise out of an incident relating to their service with Defence and they have acted responsibly and reasonably, then this will be provided. Senator Lambie, as I have just restated, it is absolutely my intent to ensure and it is the CDF’s intent to ensure that those who are caught up in this process do continue to get the support—

(Time expired)

The PRESIDENT: Senator Lambie, a final supplementary question.

Senator LAMBIE (Tasmania) (14:37): The word ‘discretionary’—let's go again. The IGADF state on their website that Defence ‘cares about the welfare of all personnel involved in the Afghanistan inquiry’. We note the AFP are investigating now and the Commonwealth has already appointed a prosecutor. What I am hearing is that many ADF members strongly feel that this commitment to their welfare is nothing more than lip-service. If the minister is refusing to guarantee legal assistance, then what is the minister going to do to ensure that ADF members are placed on an even footing and get a fair bloody trial, like they deserve?

The PRESIDENT: I urge senators to watch their language in the chamber—about what is parliamentary. Senator Lambie, one can be passionate and use parliamentary language.

Senator REYNOLDS (Western Australia—Minister for Defence) (14:38): As I have said—I have already stated twice—the support is being provided and will continue to be required. Senator Lambie has raised a precedent in relation to this matter. Can I emphasise to all in this place that this earlier matter that Senator Lambie cites is not a precedent in the current circumstances. The IGADF annual report makes it very clear that the Afghanistan inquiry is not focused on conduct that occurred in the heat of battle. That is a very important differentiation in this circumstance. But, as has been provided throughout this process, all legal, psychological and family support will continue to be provided.
New South Wales: Bushfires

Senator WATT (Queensland) (14:39): My question is to the Minister representing the Prime Minister, Senator Cormann. Last month, the Prime Minister promised that all bushfire affected properties in New South Wales would be cleared of debris by the end of June. Will Mr Morrison keep his promise?

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:39): As I'm sure Senator WATT would know, it is actually the New South Wales state government that is doing the job on the ground, supported by the federal government, which is providing 50 per cent of the funding to pay for the cost of the clean-up. I am happy to inform Senator WATT that, as of 11 May, I believe that about 2½ thousand out of 3,700 houses have had debris cleared. About 130 crew across New South Wales are working as we speak, with about 300 houses being cleared of debris a week. State authorities and relevant authorities in New South Wales will continue to work as fast as they can. My advice is that most debris will be cleared by the end of June and all is expected to be completed by 31 July. In all of the circumstances, including the impact of COVID-19, I would have thought that the Labor Party would understand that we are dealing with a particular circumstance that is more challenging than we envisaged back in January.

The PRESIDENT: Senator Watt, a supplementary question?

Senator WATT (Queensland) (14:41): Government figures show that in Snowy Monaro, not one out of 119 bushfire-affected properties had been cleared of debris. In Queanbeyan-Palerang, one in 13 bushfire-affected properties has been cleared of debris. In New South Wales, fewer than one in three bushfire-affected properties have been cleared of debris. Why has Mr Morrison failed to live up to his promise to clear New South Wales of bushfire debris by 30 June?

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:41): Here we see what it's all about. Our government continue to do what we can to support New South Wales in working as fast as possible in providing support to bushfire-affected communities. In relation to clearing of debris across bushfire-affected areas and, in particular, in the electorates that Senator WATT has mentioned, I'm advised that by 20 June about 208 properties are expected to be cleared—188 now. In Snowy Monaro, 31 will be cleared by 20 June—11 today. In Queanbeyan-Palerang, 64 will be cleared by 20 June—48 today. In the Bega Valley, 431 will be cleared by 20 June—375 as of today. In Eurobodalla, 600 will be cleared by 20 June—570 by today.

The PRESIDENT: Senator Watt, a final supplementary question.

Senator WATT (Queensland) (14:42): Why, when the promised clearing of bushfire debris hasn't happened, small businesses are struggling and bushfire survivors are still living in caravans, is the Prime Minister spending nearly $300,000 on market research on bushfires, instead of providing survivors with the immediate support he has promised?

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:42): I completely reject the premise of the question. About $1.4 billion worth of funding out of $2 billion is already hitting the ground in communities, as we speak, supporting individuals and that is on top of a whole series of funding already available through existing disaster recovery measures.

The Prime Minister works tirelessly every single day to ensure that communities across Eden-Monaro and all around Australia receive the support that they deserve and that they need through this difficult period. Certainly, the communities in Eden-Monaro have been hit hard with bushfires and are also feeling the impact of the coronavirus crisis. They know in the Liberal-National Morrison-McCormack government they are getting the best support that we can possibly deploy.

COVID-19: Economy

Senator McMAHON (Northern Territory) (14:44): My question is to the Minister representing the Prime Minister, Senator Cormann. The Australian community has been doing a lot of heavy lifting to ensure they stop the spread of COVID-19. This coalition government has been the envy of the world with the swift measures it took to protect the health of Australians. Can the minister update the Senate on what the government's plan is for opening our state and territory borders? If we do not, what are the implications for our economy?

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:44): I thank Senator McMahon for that important question. Our government has been working closely with state and territory governments through the national cabinet process to lift restrictions across the nation as swiftly as possible but in a way which is COVID safe. As the federal Chief Medical Officer and the deputy chief medical officer have made clear on a number of occasions, there is no
medical reason for any state borders to remain closed. In fact, there is no health advice in front of us that state or territory borders need to be closed.

The closure of state borders is having a significant negative impact on our economy. With international borders closed, tourism operators will need to rely on domestic holiday-makers to fill the void from international tourists. Tourism is worth around 3.1 per cent of our GDP, or around $60 billion last financial year. In fact, the tourism sector employs around 670,000 Australians, or 5.2 per cent of all workers. That is why, the longer state and territory borders stay closed, the bigger the impact on our national economy. The clear three-stage plan to lift restrictions included borders being opened in July. The Prime Minister said that there was a very open and constructive discussion at national cabinet last Friday about reopening borders, and we are also proposing to work closely with states on a pilot basis to enable international students to come to Australia in a very controlled setting.

But clearly—this is an important point, and I think it's an important point for the people in the Territory—while travel to a state or territory is not allowed from other parts of Australia, we cannot consider travel to that jurisdiction from overseas. If we want to ensure that tourism operators and businesses around Australia have the best possible opportunity to be successful again and to hire more Australians, including more Territorians, we need to see those borders come down as swiftly as possible.

The PRESIDENT: Senator McMahon, a supplementary question?

Senator McMAHON (Northern Territory) (14:46): Can the minister inform the Senate if the Commonwealth is aware of when the states and territories, like my Northern Territory, are going to reopen their borders?

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:46): It was agreed at national cabinet on Friday that all states except WA would look at reopening their borders in July. This was in line with the national cabinet reconfirming its commitment to the three-step framework for a COVID-safe Australia to be completed in July 2020. South Australia has committed to reopening its borders from 20 July. Queensland was expected to be on track for a July reopening, although media reporting is now putting some doubt over that, based on comments from Queensland Premier Palaszczuk in the Queensland parliament today, where she said, 'The border will remain closed while there is active transmission.' The Chief Minister of the Northern Territory has indicated he will make an announcement by the end of this week. Tasmania has no date for reopening. My home state of Western Australia has indicated it will not be reopening its borders in July. The Australian government is intervening in three High Court cases that challenge the closure of the WA and Queensland state borders. The Commonwealth Attorney-General is intervening to make constitutional arguments in support of opening state borders. (Time expired)

The PRESIDENT: Senator McMahon, a final supplementary question?

Senator McMAHON (Northern Territory) (14:47): Can the minister outline the coalition government's plan to assist rural and regional economies to return to prosperity post the COVID-19 restrictions?

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:48): Thanks, Senator McMahon, for another very good question. The coalition government understands the COVID-19 pandemic is having a disproportionate impact on some sectors, regions and communities, including those heavily reliant on industries such as tourism and agriculture. This is why we are providing a $1 billion relief and recovery fund to support regions, communities and industry sectors that have been disproportionately affected. That is why yesterday we announced further infrastructure investments, which included $1.5 billion for roads. These roads packages include key investments that help rural and regional Australia, such as the beef roads in Northern Queensland and the Bussell Highway in Western Australia—roads which will form vital linkage points to ports and to our key markets. There is still a long way to go in recovering from this once-in-100-year global pandemic, but we are heading in the right direction and we will continue to do all that is necessary to ensure Australians and our rural and regional economies have the best possible opportunity to return to prosperity. (Time expired)

Aged Care

Senator WALSH (Victoria) (14:49): My question is to the Minister for Aged Care and Senior Australians, Senator Colbeck. I refer to the minister's statements regarding the retention bonus for aged-care workers. Yesterday the minister said:

We never said at any point in time that these support bonuses would be tax free. That was never said.

Does the minister concede that his media release of 20 March 2020 described the payments as 'after tax'?

Senator COLBECK (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (14:49): At no point in any of those statements that Senator Walsh has just read—and I thank her for the
question—particularly in the press release, did I say that the bonus would be tax free. I never said that it would be tax free. That's exactly what I said yesterday. We never, at any point in time, indicated that this bonus would be tax free. We said, at all times, that these bonuses would be up to $800 and up to $600, but we never said—

The PRESIDENT: Senator Wong, a point of order?

Senator Wong: Direct relevance: it was a very specific question. Does the minister concede that his media release described the payments as 'after tax'? I ask you to remind the minister of this question.

The PRESIDENT: At the point that you interrupted the minister, Senator Wong, I believe that he was actually directly addressing, albeit challenging, the assertion contained in the question. That is a matter for debate after question time. It's not a matter for me to direct the minister how to answer the question. I believe he was being directly relevant, and opposition senators can say something after question time in the appropriate slot.

Senator COLBECK: At no point in time did the government say that these bonuses would be tax free—at no point did we say they were tax free—

The PRESIDENT: Senator Wong, a point of order?

Senator Wong: I seek leave to table the minister's statement, which shows clearly the words 'after tax per quarter', on two occasions. This is becoming a farce. Question time should have some accountability associated with it—

The PRESIDENT: Senator Wong, order! Senator Wong, please resume your seat.

Senator Wong: He is simply lying.

The PRESIDENT: Senator Wong, I am going to ask you to withdraw that particular accusation directed at an individual senator.

Senator Wong: He is simply not telling the truth, Mr President.

The PRESIDENT: I need to ask—

Senator Wong: I withdraw.

The PRESIDENT: Thank you, Senator Wong. Senator Cormann, a point of order?

Senator Cormann: There are basic courtesies when it comes to tabling of documents. Senator Wong has been here long enough to know.

Opposition senators interjecting—

The PRESIDENT: Order! On the point of order, opposition senators who wish to challenge the minister's answer have an opportunity to do so after question time.

Senator Wong interjecting—

The PRESIDENT: The point—

Senator Wong interjecting—

The PRESIDENT: Senator Wong, he is directly addressing the terms of the question and you have an opportunity to debate it. I cannot direct the minister how to answer a question.

Senator Wong interjecting—

The PRESIDENT: I have allowed you to do so, Senator Wong, on two occasions.

Senator Wong interjecting—

The PRESIDENT: Senator Wong, the answer can be debated after question time. As long as the minister is addressing the terms of the question—and he is directly addressing the terms of the question—I do not have the authority to direct him how to answer a question.

Senator COLBECK: The statement in my press release does not mean tax free—

Opposition senators interjecting—

Senator COLBECK: which is the implication that the Labor Party is trying to make. So the two statements are completely and utterly compatible. The government at no point indicated that these bonuses would be tax free, because that is not the way income bonuses work. They are clearly subject to tax, because at no point in time did we say they would be tax free.

The PRESIDENT: Senator Walsh, a supplementary question?

Senator WALSH (Victoria) (14:53): Can the minister assist the Senate by telling us what he thinks the words 'after tax' mean?
Senator COLBECK (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (14:53): The words 'after tax' clearly do not mean tax free. The government at no point in time said that these bonuses would be tax free, and quite frankly I am very proud of the fact that this government recognised a particular sector of the Australian workforce to provide them with—

The PRESIDENT: Senator Watt, a point of order?

Senator Watt: The point of order is relevance. We just want to know what 'after tax' means.

The PRESIDENT: I believe the minister is being directly relevant. I will listen carefully—he is 27 seconds in. He was asked about what a term means and he is directly addressing that particular part of the question, which was the only part of the question.

Senator COLBECK: Only the Labor Party could make a full glass sound as though it's empty. This government made a very deliberate decision to provide support to aged-care workers during the COVID-19 pandemic because of the circumstances they found themselves in. We said that they were important to the government and that they were important to the community, and so we made a decision to provide up to $800 and up to $600 for residential aged-care workers and home-care workers to support them through the COVID-19 pandemic.

The PRESIDENT: Senator Walsh, a final supplementary question?

Senator WALSH (Victoria) (14:55): Why did the minister's press release use the phrase 'after tax' if not to suggest that these bonuses would be tax free? Why does the minister find it so hard to own up to his mistakes?

Senator COLBECK (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (14:55): Thanks, Senator Walsh, for the supplementary question. As I said in my previous answer, 'after tax' does not mean tax free. It's a very, very simple statement. I'm very proud of the fact that this government provided support to residential aged-care workers and home-care workers. In fact, this group of workers is the only group of workers in the Australian economy that was provided with direct support, to recognise the work that they're doing through the coronavirus pandemic. It's in recognition of the fact that their work is so important in the care of senior Australians. It was a very specific decision to support residential aged-care and home-care workers to look after senior Australians through the pandemic because of the importance of the work that they do.

COVID-19: Senior Australians

Senator DEAN SMITH (Western Australia—Government Whip in the Senate) (14:56): My question is to the Minister for Family and Social Services, Senator Ruston. Can the minister advise the Senate what the Morrison government is doing to support Australia's oldest Australians and in guaranteeing essential services for our seniors, especially during the COVID-19 pandemic?

Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (14:57): Thank you very much to Senator Smith for his question. Also, can I thank him for the recognition of the commitment that we all have to making sure that we support older Australians within our communities, particularly recognising the significant contribution that older Australians make to our economy and to our society, and recognising also the impact that the COVID pandemic has had on all Australians—particularly our older Australians.

We were pleased to be able to put into place two payments of $750 for all eligible pensioners and seniors, in addition to any other payments that they were receiving, to help them with the economic costs associated with the pandemic. As of 31 March 2020, the first round of these payments went out and were successfully delivered to 3.4 million Australian pensioners, as well as to 170,000 carers who were on carer allowance; to 230,000 veterans' payments recipients and Commonwealth gold card holders, as well as 375,000 Commonwealth seniors health care card holders. The second payment will be made in July, and will be made to those people who have not been in receipt of the coronavirus supplement.

Additionally, we have also recognised that with very low interest rates the deeming rates needed to be reduced. Around 900,000 Australians who were income support recipients and who also had amounts of liquid assets in excess of the threshold levels also received a drop in their deeming rates. These reflected the lower interest rates in the economy. Equally, we have been very keen to make sure that our pensioner loan scheme is available to older Australians so that they can, in effect, reverse mortgage their properties to make sure they can have the additional money.

The PRESIDENT: Senator Smith, a supplementary question.

Senator DEAN SMITH (Western Australia—Government Whip in the Senate) (14:59): Can the minister update the Senate on what initiatives the government has implemented to support our senior Australians?
Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (14:59): We know that about a third of our senior Australians live alone and that, with social distancing and the measures that we've had to put in place over the coronavirus pandemic, this has meant many of them are relying on different ways to become connected. Connecting online or on the phone is especially important at this time for our older Australians. That's why we have put additional funds into two particular initiatives, to help prevent loneliness and social isolation for older Australians. The first is a $5 million package to significantly expand the FriendLine, which is a telephone line that is free and anonymous and allows older Australians to chat with a friendly volunteer about whatever issue may be concerning them. The funding will boost the line to allow an extra 15,000 calls to be answered in the period. In addition, we put another million dollars into a program called Be Connected, where older Australians who find themselves with technology that may not be able to be used, or they don't have any mobile phone or a computer—

The PRESIDENT: Order, Senator Ruston. Senator Smith, a final supplementary question?

Senator DEAN SMITH (Western Australia—Government Whip in the Senate) (15:00): Can the minister advise the Senate how the government is supporting our volunteers, especially our senior volunteers?

Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (15:00): Senior volunteers make up a very significant proportion of Australian volunteers. We know that, during the COVID pandemic, many of our older Australians have chosen not to continue to volunteer because of health risks or accessibility. That saw a significant decline in the number of people that were volunteering, and we understand the significant impact this makes on our economy. For that reason, we have made sure that we've continued to put measures in place, including awarding 2,698 grants—across a number of areas, across a lot of organisations—of between $1,000 and $5,000 to be able to help them. We'd like to particularly thank Volunteering Australia and acknowledge all of Australia's volunteers and the amazing job that they do. We know that the economic benefits and the yield that all Australians and Australia receive from volunteering is absolutely immense, and we thank them.

The PRESIDENT: Order, Senator Ruston.

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

BILLs

Crimes Legislation Amendment (Sexual Crimes Against Children and Community Protection Measures) Bill 2019

Consideration of House of Representatives Message

Message received from the House of Representatives agreeing to amendments (1) and (3) and disagreeing to amendment (2) made by the Senate.

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (15:01): I move:

That the message be considered in committee of the whole immediately.

Senator McKIM (Tasmania—Deputy Leader of the Australian Greens in the Senate) (15:02): It's quite unusual for the government to make this suggestion in a motion immediately after the minute, before the Senate has had an opportunity to consider, at any length at all, the position of the House and the request from the House. We know that, in the other place today, Labor backflipped and abandoned its opposition to mandatory sentencing. Government senators interjecting—

Senator McKIM: I can hear some interjections from coalition senators here saying that that's exactly what the Labor Party should do. I'll address this in more detail when we get into the committee, but I want to simply make the point here that this is an unseemly haste from the government. I expect that the Labor Party is going to support this motion because of the Senate has had an opportunity to consider, at any length at all, the position of the House and the request from the House. We know that, in the other place today, Labor backflipped and abandoned its opposition to mandatory sentencing.

Government senators interjecting—

Senator McKIM: I can hear some interjections from coalition senators here saying that that's exactly what the Labor Party should do. I'll address this in more detail when we get into the committee, but I want to simply make the point here that this is an unseemly haste from the government. I expect that the Labor Party is going to support this motion because of the Senate has had an opportunity to consider, at any length at all, the position of the House and the request from the House. We know that, in the other place today, Labor backflipped and abandoned its opposition to mandatory sentencing. So Labor did oppose mandatory sentencing yesterday in this parliament, when it joined with the Australian Greens and members of the crossbench to reject the mandatory sentencing provisions of this legislation. Yet here we are today with Labor having backflipped in the House and supported the mandatory sentencing provisions of this legislation, and now, I have no doubt, Labor will be helping the government to ram this legislation through the parliament today.
Let's be very clear about what this legislation will do should it be successful, which it now will be thanks to this appalling backflip and walk away from its own policy by the Labor Party. It will place at significant risk teenagers in Australia engaging in what, over human history, has been quite normal teenage behaviour.

Senator Pratt interjecting—

Senator McKIM: I'll take that interjection—I don't know whether Hansard picked it up—from Senator Pratt—

The DEPUTY PRESIDENT: Senator McKim, I would just remind you that you really need to be debating the substance of whether we go into committee or not. Thank you.

Senator McKIM: Thank you, Madam Deputy President. I will address these matters once we go into committee, but I'm making the point that the sooner this legislation goes through the parliament—which it now will, thanks to the Labor Party—the higher the risk that teenage people in Australia will be sentenced to four, five, six or, in some cases, seven years imprisonment for engaging in what through human history has been relatively normal teenage behaviour. The only rebuttal that the government has to this allegation is that we can all relax because there is prosecutorial discretion and prosecutors will not prosecute if it is not in the public interest to do so. I say to the government and to the Labor Party: tell that to Mr Bernard Collaery, tell that to Witness K and tell that to the innumerable whistleblowers that have been prosecuted in this place.

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (15:06): I move:

That the question be now put.

The DEPUTY PRESIDENT: The question is that the closure motion as moved by the minister be agreed to.

The Senate divided. [15:11]

(The Deputy President—Senator Lines)

Ayes ......................41
Noes ......................8
Majority ..................33

AYES

Abetz, E
Askew, W
Birmingham, SJ
Canavan, MJ
Chandler, C
Cormann, M
Duniam, J
Fierravanti-Wells, C
Hanson, P
Hughes, H
Keneally, KK
McCarthy, M
McGrath, J
McLachlan, A
Molan, AJ
Paterson, J
Remnick, G
Ruston, A
Seselja, Z
Stoker, AJ
Watt, M

Antic, A
Bilyk, CL
Bragg, AJ
Cash, MC
Colbeck, R
Davey, P
Fawcett, DJ
Gallacher, AM
Henderson, SM
Hume, J
Lines, S
McDonald, S
McKenzie, B
McMahon, S
O'Sullivan, MA
Payne, MA
Roberts, M
Scarr, P
Smith, DA (teller)
Van, D

NOES

Di Natale, R
Hanson-Young, SC
Rice, J
Waters, LJ

Faruqi, M
McKim, NJ
Siewert, R (teller)
Whish-Wilson, PS

Question agreed to.

Ordered that the message be considered in Committee of the Whole immediately.
Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (15:13): I move:

That the committee does not insist on its amendment to which the House of Representatives has disagreed.

In doing so, I urge the Senate not to insist on its amendment. This amendment, if insisted upon, would remove schedule 6 of the bill, which provides for mandatory minimum sentences for child sex offences that attract the highest penalties and for recidivist child sex offenders who have previously been convicted of a child sex offence.

Current sentencing practices for Commonwealth child sex offences are resulting in manifestly inadequate sentences that do not sufficiently recognise the harm suffered by victims of child sex offences or provide for adequate rehabilitation time in custody. Between 1 February 2014 and 31 January 2019 approximately 40 per cent of Commonwealth child sex offenders were not sentenced to spend a single day in prison. In the last five years the most common length of imprisonment for a Commonwealth child sex offence was 18 months, with the most common non-parole period or fixed term period being six months or less. Many sentences for Commonwealth child sex offenders are applied on the basis of being manifestly inadequate. The mandatory minimum provisions provided for in schedule 6 are necessary to achieve the bill’s intent of ensuring that sentencing for child sex offences is in line with community expectations.

To reiterate, the provisions do not impose mandatory non-parole periods. Judicial discretion is maintained on setting the minimum period in custody, and minimum penalties can be reduced where an offender pleads guilty and cooperates with law enforcement agencies. The mandatory sentencing provisions of this bill do not apply to offenders who are under 18 when they commit an offence. I repeat this: the mandatory sentencing provisions of this bill do not apply to offenders who are under 18 when they commit an offence. I urge the Senate to not insist on its amendment to remove schedule 6.

Senator WATT (Queensland) (15:15): As I outlined in my second reading speech in the original debate on the Crimes Legislation Amendment (Sexual Crimes Against Children and Community Protection Measures) Bill 2019, there is a lot that this bill gets right and Labor will always work with MPs and senators from all sides of politics to strengthen our laws to protect our children. Nothing should get in the way of this objective. There is nothing more sickening than child sexual abuse. Children are the most precious and vulnerable members of our community, and Labor will always support strong and effective laws to protect children from abuse and to punish their abusers.

From the very beginning, Labor have signalled our strong support for the key measures in this bill, including: significant increases to maximum penalties; the introduction of a presumption against bail for serious Commonwealth child sex offences; the replacement of the existing definition of ‘child pornography material’ with a broader definition of 'child abuse material' in various acts; and the introduction of new grooming offences. Given our support for those measures, Labor also made it clear that we would support this bill whether our amendments succeeded or failed. That is what Labor did in the Senate last night: Labor supported the bill. For that reason, while we maintain our opposition to mandatory sentencing—because it doesn’t work and makes it harder to catch, prosecute and convict criminals—we will not insist on our amendments. Protecting the welfare of children will always be Labor’s overriding priority and concern.

Given some of the commentary over the last 12 hours, I'd like to conclude by reading a statement from Sonya Ryan, the founder and CEO of the Carly Ryan Foundation. This statement was issued this morning, and it is something that all of us in this place and in the other place should reflect on carefully. The statement reads as follows:

“This bill will genuinely help so many people and so many victims of crime.

“There is no question that we want child sex offenders put away for a long time and off the streets, this is an absolute given. As a mother who has lost a child through the actions of a heinous child sex offender, I implore all sides of government work together, compromise and pass this bill as soon as possible with or without mandatory sentencing.”

Victims of crime, innocent children, the Australian community are looking for leaders who will stand up for those who cannot defend themselves, who put political battles aside for the greater good of humanity, who are able to push their egos aside and do what's right.

As we see it there are two practical options;

1. Pass this legislation with mandatory—a review in three years.

2. Pass this legislation without mandatory—work with the judiciary to increase sentencing overall and make sure adequate sentences are being applied—a review in three years.

Either way our children win. This is a huge step in the fight against those who wish to harm families.

On that basis, I commend the bill to the Senate.
Senator McKIM (Tasmania—Deputy Leader of the Australian Greens in the Senate) (15:18): If I could first address the matter I've spoken to Senator Cormann about—that is, to acknowledge that the government did inform our team that this matter would be proceeded with now. That message did not make its way to us in the chamber due to a technical issue, so that's the reason we voted against the previous motion put by Senator Cormann. We in the Australian Greens don't want this bill to be unnecessarily held up, because we share the view just espoused by Senator Watt that there is a lot in this bill, as I said in my second reading contribution yesterday, which is meritorious and which is supported by the Australian Greens. Now that the government has shifted its position and accepted the necessity of a three-year review into that legislation, that has taken care of one of the concerns that the Greens articulated yesterday and was encapsulated in one of the amendments that we put yesterday.

However, unlike the Labor Party, we still believe and stand to our position that mandatory sentencing should not be in this legislation. That's because it creates the very real potential for miscarriages of justice. I accept the assurance Senator Cormann has just given, which was also given by the government yesterday, that people under the age of 18 will not be caught by the mandatory sentencing provisions in this bill. However, you can be a teenager and still be over the age of 18. If a teenager just over the age of 18 engages in various behaviours that are caught by this legislation with a partner who is under the age of 16, even by one day, then that person who could just be one or two days over the age of 18 will be caught by the mandatory sentencing provisions of this legislation.

It is absolutely critical to the Australian Greens that judges be left to impose sentences based on their consideration of the merits of each individual case which comes before them. That's why we pay them the big dollars. That's why we have an independent judiciary—so that justice can be done. We retain the concern that we articulated yesterday—that this will create the very real possibility of significant miscarriages of justice and will result in teenage Australians being imprisoned for, in some circumstances, seven years, with judges being given no real discretion to reduce those sentences except in the case of a guilty plea, which can only reduce the sentence by 25 per cent under the provisions of this legislation.

We do not believe that the Senate should not insist on its amendments. We believe that the Senate should insist on its amendments. The government could then accept that in the lower house and have the rest of this bill passed today, if the government was so minded. So this is not delaying the enactment of this bill or the royal assent to this bill in any way whatsoever. If the government would simply remove its ideological commitment to mandatory sentencing, this matter could proceed. We could remove the only elements of this bill that are now not supported by the Australian Greens—the mandatory sentencing provisions—and the rest of this legislation, which has the full support of the Australian Greens, could pass through the parliament today.

The CHAIR: Before I put the motion, I am assuming that all senators standing are participating in the vote. The question is that the committee does not insist on its amendments.

The committee divided. [15:28]

(The Chair—Senator Lines)

Ayes .................. 44
Noes .................. 8
Majority ............. 36

AYES

Abetz, E
Askew, W
Bilyk, CL
Canavan, MJ
Chandler, C
Cormann, M
Davey, P
Duniam, J
Fawcett, DJ
Fierravanti-Wells, C
Gallacher, AM
Hanson, P
Hughes, H
Keneally, KK
McCarthy, M
McGrath, J
McLachlan, A
Mol, AJ
Paterson, J
Payne, MA
Reynolds, L
Ruston, A
Scarr, P
Smith, DA (teller)

CHAMBER
uestion agreed to.
Resolution reported; report adopted.

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

**JobKeeper Payment**

**Pensions and Benefits**

**Senator CAROL BROWN** (Tasmania) (15:32): I move:

That the Senate take note of the answers given by the Minister for Finance (Senator Cormann) and the Minister for Families and Social Services (Senator Ruston) to questions without notice asked by the Leader of the Opposition in the Senate (Senator Wong) and Senator Gallagher today relating to the JobKeeper scheme.

For anyone that was hoping to be able to get some answers or clarity from the government today, they would've been sorely disappointed by the answers that we received in question time. What we see again is the government not providing that clarity and the government having no detail around what they call their snapback strategy. It is becoming clearer that it is indeed a flawed snapback strategy. More Australians than were expected have been forced onto jobseeker—140,000 Australians, to be exact. The government may refuse to acknowledge this, but of course it is unfortunately true.

I know many senators and members have been receiving a number of calls and emails asking, 'What is going to happen; what will happen post September?' because they're so concerned. We're unable to give them any clarity as to what this government is going to do. Government senators must know this. They must be receiving these calls and emails from people who are desperate to understand exactly what is going to happen post September. We didn't receive any clarity from the Prime Minister and we certainly didn't receive any clarity from Senator Cormann here today.

We have, unfortunately, 140,000 more Australians being forced onto jobseeker, but it's also true that the high number of people on jobseeker is a result of the bungled handling of the JobKeeper program. The government thought that 1.5 million would be on jobseeker by June this year, but figures released to the Select Committee on COVID-19 revealed that 1.64 million people are currently receiving the jobseeker payment. While more Australians are being forced onto unemployment benefits, local industries that may need help from the government to stay afloat aren't getting that help. Again, they're not even getting any clarity. So they're not getting the help they need from the government, local governments that operate regional airports aren't allowed to claim JobKeeper, our tertiary education sector aren't allowed to claim JobKeeper and our childcare and early-childhood education sectors have been told by the government that they will be the first industry to snap back. Hardworking Australians who have worked for the same company for 20 years have been told that they aren't eligible for JobKeeper either, despite the fact that they've been doing the same job at the same place for decades, because along the way the company they worked for was sold to an overseas company. For that reason, and for that reason alone, the government has chosen to punish these hardworking Australians and deny them and their employer access to JobKeeper. This is a real blow to these workers.

This really is a shocking way to treat our fellow Australians. The government's blunders and its decision to make our childcare and childhood education sector snap back will be particularly hard on women—96 per cent of the workforce in that sector are female. Women have been at the forefront of tackling the pandemic. They've cared for Australians who are ill. They've worked hard to keep our workplaces, our schools and our public spaces safe and clean. They've looked after older Australians and cared for and educated our young people. So what do we have from this government? We've had the bungled implementation of JobKeeper, we've had—(Time expired)

**Senator CANAVAN** (Queensland—Deputy Leader of the Nationals in the Senate) (15:37): Part of me feels a little sorry for the opposition at the moment. I know it's their job to come into this place and hold the government to account. It's their job to be a critic, effectively, of what's happening, but they are really clutching at straws at the
moment. They are struggling a little to be a critic through this crisis. You can tell they're struggling a little bit. You can tell their desperation by the fact that they're complaining about things not that we have done but that we might do. Most of Senator Brown's contribution was not about what the government has done, about the decisions it's made that help and assist Australians who have been affected by the coronavirus pandemic and its associated economic downturn. Most of the criticisms that were put by Senator Brown were about things we might do in a few months time if and when conditions improve — and hopefully they'll improve — and we no longer need this assistance. It's a pretty weak argument to put: 'They might do something bad to you in the future so be very, very worried.'

I think Australians actually know that the best way to judge somebody, the best way to judge a horse in a race, a business that you frequent or a government that you're looking to assess and judge, is on their record, on their record. It is on what they have done, not on what they might do; not what you might fear they will do but the record of what they've actually done. What the government has actually done has been to respond quickly and generously to the conditions that some Australians have found themselves in through no fault of their own.

It is true, as Senator Brown has highlighted, that millions of Australians have been put out of work, millions of Australians have seen their incomes reduced, and thousands of Australian businesses have seen their futures thrown into great uncertainty or, in the worst cases, had their businesses close because of this coronavirus. Every step of the way, the government have been there to increase assistance and support to those who are suffering. We can't make everybody whole. We, of course, cannot replace or completely make up for the loss and suffering that some have suffered through these past few months but we have done everything a government can do to help and assist those in need. It has required, of course, tough decisions at times to balance things up.

We've recently made tough decisions around the childcare sector. Our initial support was tailored towards what we thought would be a significant reduction in childcare numbers, a significant reduction in the utilisation of childcare services but in fact that did not occur. The uptake of childcare places, I think, was north of 70 per cent or so, even through coronavirus; therefore, the government has changed tack and adjusted the assistance to the circumstances which have eventuated in that sector and it's been welcomed by the sector.

The only real criticism the opposition has of the government is, 'Wow, things haven't always turned out as planned.' Not as many people are on JobKeeper as was predicted. It's not costing as much as first thought but more people are on jobseeker than were predicted, and we have had to change our policies on child care but that is a function. Things change quickly as a function of a crisis like this. A crisis like this, a global pandemic, is not going to be predictable. A global pandemic like this will have fast-changing aspects to it that no-one could predict. A few months ago there was so much uncertainty about how this pandemic would eventuate, how bad the health impacts would be, how many people would be infected, et cetera. All of the government's policies have been designed to respond to those changing circumstances. All of them, we have stated, will be temporary. We can't keep spending over $10 billion a month on JobKeeper. We can't keep providing the same level of assistance forever and put it on the credit card. All of them have been designed in a responsible way and that's what we will continue to do for the Australian people. The Australian people can trust us to stand with them, as we have in the last few months, and alleviate suffering where we can and do so in a responsible and commonsense way.

Senator STERLE (Western Australia) (15:42): Just stick around, Senator Canavan, I will tell you something that you've done; don't worry about that. You should really stick around if you absolutely care about Australia and about workers.

The DEPUTY PRESIDENT: Senator Sterle, I remind you not to reflect on whether or not senators are in the chamber.

Senator STERLE: As I was saying, Senator Canavan should stick around and listen, quite clearly, because I'm going to talk about a group of workers, 5,500 in this nation, who have been treated absolutely appallingly by the government. They're not blue-collar, steelcap-booted big union men with loud voices; the majority of them are women and they're the dna workers. For those senators sitting opposite — I know you don't have your say; you're not in the cabinet and I understand that — these are the people who clean the aircraft that you and I fly on every week. These are the same people. We see them when we're getting off the plane, whether it's midnight, whether it is five o'clock in the morning. We see them when we are getting on, the ones with the buckets, the ones with the gloves, the ones with the plastic bins, all waiting to come onto the aircraft to clean the aircraft that we have been sitting on and have had a comfortable flight on.

These are the same workers who put together the food, the nibbles and the drinks that are served on our planes throughout Australia every flight. They're the same ones who make sure that the trays have water in them and they're the same ones who are there to make sure there are colouring-in pencils and books for the poor kids down the back who are screaming and not enjoying the flight. These are 5½ thousand Australian workers who work in
the catering kitchens, formerly Qantas flight catering. These are the same people who prepare the food. There are the chefs, the cooks, the pot washers, the cutlery bench, every single bit going day in, day out, making sure that Australia's aviation industry is not only effective but it's also viable, comfortable and enjoyable. They're the same ones who do it on all international flights. It's not a different bunch of workers; it's the same workers. These are the same workers, predominantly women, who all, at one stage, worked for Qantas or for Alpha catering. And that proud Australian airline, Qantas, couldn't wait to sell it off to dnata.

I appeal to my colleagues across the bench: these are not foreign workers; they are Australians. Most of them were born here or have made their home here. They go to the same shopping centres as we go to. Their kids go to the same schools. They pay their taxes here in Australia. It's just because the government actually allowed Qantas's request to have their employer go from the proud Australian—who had many times tried to water down the 51 per cent Australian ownership to suit their very highly paid officials at the top of the tree. These are Australians. They're not being told that they can't have JobKeeper—nor can they get Jobseeker—because they are in an industry that is not worthy; they are being told by the government that they can't have it because the employer is a foreign entity.

How do you think they feel? You've seen the protest. You've seen their submissions. You've seen their approaches. I attended two rallies in Perth for the dnata workers. One of the rallies was at the Attorney-General's office. All they wanted to do was present a letter to the Attorney General to say: 'Dear Attorney-General, when you're next in cabinet could you please consider us Aussies who aren't getting this money. We're not foreigners, it's just that our company was sold to a foreign entity.' The sad part is that Minister Porter wasn't there. They knocked on the door, they walked into the office and they presented the letter saying, 'Please can we put our case to you?—and I'm told the lady in Minister Porter's office was very well mannered and accommodating—and they walked out. Ten minutes later, I was sitting there and I said to the secretary of the Transport Workers Union: 'Mate, you might want to go out there and say hello. I've just seen two police cars turn up with four policemen, two of them Australian Federal Police. I know the two detectives sitting there, because I've seen them before. I've called the coppers and said, "There's a violent demonstration." Most of the people there, the dnata workers, were women who stood about five foot two inches high. I couldn't believe it. I asked Timmy Dawson the other day whether he had had a response. To this day, he has still not even had the decency of a response from Christian Porter. (Time expired)

Senator SCARR (Queensland) (15:47): I acknowledge Senator Sterle's contribution to the debate and place on the record my sympathies for the dnata workers. The unfortunate issue is that not only are they owned by a foreign entity; they are owned by a foreign entity which is 100 per cent controlled by a foreign government. As Senator Sterle knows, the legislation we passed in this place some time ago to deal with the JobKeeper payment excluded payments to wholly owned foreign entities owned by foreign governments. But I do acknowledge the comments he made.

With respect to Senator Brown's contribution, it perplexes me how Senator Brown can think there was any confusion whatsoever about what was going to happen with the JobKeeper and jobseeker payments. When we passed the legislation here in this chamber some months ago it was clear that both measures were intended to last for six months. That was absolutely clear. So I'm not sure why there is some confusion when the government has simply stated that it intends to maintain that course. I am not sure where the confusion is coming from. The government has been absolutely clear in that respect.

Let me also say that I have absolute sympathy for all of those workers who are at the moment on either the JobKeeper or jobseeker payments, because that reflects that the businesses for whom they work are not in a position to trade as they were trading before the coronavirus pandemic. If Senator Brown is concerned about those workers, if they're located in Queensland please pick up the phone and talk to the Premier of my home state, Premier Palaszczuk, and give her three messages. I'll even write the messages for you.

First: open the borders so the tourism industry can get back on its feet again. Just today, Premier Palaszczuk appears to be backsliding on the 10 July date. The tourism industry doesn't want to hear that. The tourism industry in my home state of Queensland wants to get up and running again. It wants to take advantage of that winter tourism season, and Premier Palaszczuk again is making comments in the Queensland parliament during question time that she's concerned that—

Senator Urquhart: On a point of order, Madam Deputy President: could I remind the member that we're taking note of the answers to the questions that were asked by Senator Wong of Senator Cormann and Senator Ruston. We're not talking about the Queensland government and borders. We're actually talking about the questions that were asked in question time.
The DEPUTY PRESIDENT: Thank you, Senator Urquhart. It is a wide-ranging debate, and Senator Scarr started off on that footing. I'm listening very carefully. I expect he will go back to the taking note response.

Senator SCARR: He will, absolutely, and he'll go back on the basis that we could have more of the certainty that was sought from those sitting opposite with respect to the JobKeeper and jobseeker payments if we had more certainty as to when the borders were going to open. The two are linked, because employment prospects of people coming off both the JobKeeper and jobseeker payments are linked to the opening of the borders. The two are absolutely entwined. They're connected; they're related to each other. It's absolutely relevant.

This government could not have done a better job in terms of dealing with this once-in-100-years event than it has, and the facts demonstrate that. Australia is in the bottom three of countries across the whole world with respect to the lowest rate of GDP fall. That's how well we've done as a country. No government anywhere has done a better job than this government in terms of protecting lives and protecting livelihoods. Just this week we've heard how the government is going to be fast-tracking a number of infrastructure projects, and that's all about getting people off JobKeeper—their companies back running in accordance with normal trading conditions—and getting people off the jobseeker payment. That's how you provide the certainty and get people off JobKeeper and into their company's normal trading conditions and get people off the jobseeker payment and back into work. We're on common ground in that respect. We all want to see that happen. But the reality is that, in my home state of Queensland, Premier Annastacia Palaszczuk is backsliding on opening the borders, and that has a negative impact on people coming off the jobseeker payment.

Senator CICCONE (Victoria—Deputy Opposition Whip in the Senate) (15:53): I rise this afternoon to also take note of the answers given by Senator Cormann and Senator Ruston to the questions asked today by Senator Wong—as Senator Urquhart referred to earlier—on the topics of the JobKeeper and jobseeker payments. It is sad to say that the answers that we've received from the government frontbench and backbench today were simply not good enough. They were not good enough for Australians—not good enough for those who are living pay cheque to pay cheque and, in some cases, those who are simply running out of money in their bank accounts.

In homes right across our country, people are feeling confused and uncertain about their future. But that's hardly a surprise, given that they have been experiencing this uncertainty now for seven years under the coalition government. Labor did support the JobKeeper and jobseeker payments legislation, but we did so on the understanding that government would also come to the table in good faith, that they would also review elements as things progressed and as the situation with respect to the coronavirus changed.

That simply has not been the case. This program, so far, has been poorly implemented, and it's left millions of people—millions of Australian workers, taxpayers—without any support. They are casual workers, people who work in retail, hospitality, fast food, warehousing and many other places, and, as we heard from Senator Sterle earlier, those workers at dnata. All they want is the same support that their fellow Australians are receiving right now. They're not after much; they just want help. They need help so that they too can pay their bills, put food on the table and have the heater on at home. But now millions of Australians are just a few pay packets away from losing that support, and for tens of thousands of others—particularly those in the childhood education sector—the end of JobKeeper is less than one month away. This is despite the government promising on multiple occasions that they would look after them. It's simply not the case.

Now we have 2.3 million more Australians who are on support payments offered by government. But this government is still proposing to slash these payments in half, leaving them around $550 a fortnight worse off. Ripping back the support of JobKeeper and jobseeker will do untold damage, not just to many Australians at home but to our economy. It just does not make any sense. Austerity does not work, and yet this government seems to be hell-bent on making sure that the fiscal bottom line of the budget is in order rather than the home and household budgets of Australian families.

Yesterday, in the other place, the Prime Minister acknowledged that winding back JobKeeper will see more job losses. Support for Australians and Australian jobs is what will make our economy continue to tick over and function, and get our recovery back on track. I am deeply concerned about what will happen to my home state of Victoria after September. There are enormous numbers of people who will be left behind by this government, and Senator Wong simply wanted a very straight answer from Senator Cormann to the question, 'What is the government's plan post September?' This is so we can give Australians certainty—certainty so that they can plan their household budgets. They're not just something that gets switched on or off at the flick of a switch. We need to give people notice, and the respect that they deserve, so that they can start planning for their futures. Do they need to start looking for other work or increasing their hours? They need to make the tough decisions so that they can support their families post September. We don't need more announcements, press conferences or media doorstops. We just need the government to come to the table and say that they will do the right thing and support Australians and Australian jobs.
Question agreed to.

Environmental Laws

Senator HANSON-YOUNG (South Australia) (15:58): I move:

That the Senate take note of the answer given by the Minister for Trade, Tourism and Investment (Senator Birmingham) to a question without notice asked by Senator Hanson-Youngh today relating to environmental protections.

Of course this government has always had it in for the environment. This government has always wanted to find a way to weaken environmental protections—and we really have to question how much weaker they can get. We have the situation where one million hectares of koala habitat in this country have been destroyed. We have koalas in this country, in some parts, that are endangered. We have mines that are given approval, only then to contaminate water catchment areas. And, of course, we have the devastating and shocking destruction of 46,000-year-old ancient Aboriginal heritage. And this has happened under this government's watch. This has happened under the laws that are currently in place.

What we've seen from the Prime Minister this week, on the subject of my question to Senator Birmingham, is that the Prime Minister wants to weaken these laws even more. He wants to fast-track developments projects and mining operations so that they can get going faster and bypass environmental regulation. The Prime Minister calls it 'cutting green tape'. Cutting corners is what it is. It's cutting environmental protection. That the government tries to argue that cutting regulations will somehow not result in weakened laws just beggars belief. No-one believes that. It doesn't make any sense. The government wants guaranteed approval processes; that's what it's after.

We need environmental protections and laws in this country that actually protect the environment. Australia has one of the worst extinction rates in the world for our native animals. We have land clearing that's continuing at such a rate that our native animals are losing their homes day by day, month by month. In many cases we have Australian wildlife animals that are now so badly endangered they're on the brink of extinction.

During the summer's bushfires, Australians were shocked at the destruction of our environment. They grieve for the death of our wildlife. They want the government to do more to protect our favourite places, to protect our forests, to keep our beaches clean, to look after our coastline and to keep our rivers, streams and lakes clean and healthy. They want less pollution. Australians know that too much of our nature has been trashed in the name of profit, and they want a change from business as usual.

This government wants to cut protections to the environment even further. I asked the minister today whether, in cutting these regulations, he could guarantee that no more koala habitat would be destroyed. He couldn't answer the question. He can't guarantee it, because this government is about to sign off on a set of rules that allow for more koala habitat to be destroyed, with no checks and balances, or very few. I asked the minister whether he could guarantee that no more ancient sacred sites would be blasted and blown up, as Rio Tinto did only a couple of weeks ago. He couldn't guarantee that either. Putting in fewer protections, weakening the laws just beggars belief. The government wants guaranteed approval processes; that's what it's after.

I give notice that, on the next day of sitting, I shall move:

Question agreed to.

NOTICES

Presentation

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (16:04): I give notice that, on the next day of sitting, I shall move:

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

- Broadcasting Services Amendment (Regional Commercial Radio and Other Measures) Bill 2020
- Education Legislation Amendment (2020 Measures No. 1) Bill 2020
- National Vocational Education and Training Regulator Amendment (Governance and Other Matters) Bill 2020
- Therapeutic Goods Amendment (2020 Measures No. 1) Bill 2020
- Treasury Laws Amendment (2020 Measures No. 2) Bill 2020
- Treasury Laws Amendment (2020 Measures No. 3) Bill 2020

I also table statements of reasons justifying the need for the bills to be considered during these sittings and seek leave to have the statements incorporated in Hansard.

Leave granted.
The statements read as follows—

BROADCASTING SERVICES AMENDMENT (REGIONAL COMMERCIAL RADIO AND OTHER MEASURES) BILL 2020

Purpose of the Bill
The purpose of this Bill is to amend the Broadcasting Services Act 1992 to provide regional commercial radio broadcasters, and regional and remote commercial television broadcasters, with immediate regulatory relief to long-standing issues.

Reason for Urgency
Introduction and passage in the 2020 Winter parliamentary sittings is necessary for the Australian Government to fulfil its commitment to reduce regulatory red tape for broadcasters. In light of the financial pressures upon regional commercial radio broadcasters, it is preferable that the new arrangements in the Bill be in place by 1 July 2020 to enable regional commercial radio broadcasters to take advantage of the new reporting arrangements for FY20.

If this Bill is not passed in the Winter parliamentary sittings, regional commercial radio broadcasters, and regional and remote commercial television broadcasters, will continue to carry the operational costs associated with onerous regulatory arrangements and the uncertainty arising from continual delays in progressing these legislative reforms.

EDUCATION LEGISLATION AMENDMENT (2020 MEASURES NO. 1) BILL

Purpose of the Bill
The bill provides an exemption from the 25% loan fee for undergraduate students receiving FEE-HELP loans for units of study with census dates between 1 April 2020 and 30 September 2020.

The bill also:
• makes it compulsory for all higher education students to have a unique student identifier (USI) in order to receive Commonwealth assistance – this will strengthen the integrity of Commonwealth education funding systems by ensuring students have a single student identifier across the higher education sector
• amends the VET Student Loans Act 2016 to require vocational education and training (VET) students to have a USI when applying for a VET student loan (VSL) from 1 January 2021
• allows the Secretary of the Department of Education, Skills and Employment (department) to determine that certain students who, due to having multiple Commonwealth Higher Education Student Support Numbers, have exceeded the HELP loan limit, and are able to repay the resulting excess debt amount through the taxation system
• clarifies that the date a student's HELP balance is taken to be reduced under section 128-15 is immediately after the census date for HECS-HELP assistance, FEE-HELP assistance and VET FEE-HELP assistance, and immediately after the census day for VSL
• contains miscellaneous measures to update references, definitions and improve clarity and the operation of the Higher Education Support Act 2003.

Reasons for Urgency
With respect to the FEE-HELP loan fee exemption, it is critical that this bill be passed by 30 June 2020 to enable the department to apply the loan fee exemption to eligible students to provide confidence for current and prospective students (the loan fee exemption is to apply to units of study with census dates between 1 April 2020 and 30 September 2020) that they will not be subject to the loan fee and will be encouraged to continue or commence study in this period. This measure comes in direct response to the coronavirus COVID-19 pandemic and is part of the Government's COVID-19 Higher Education Relief Package.

NATIONAL VOCATIONAL EDUCATION AND TRAINING REGULATOR AMENDMENT (GOVERNANCE AND OTHER MATTERS) BILL

Purpose of the Bill
The National Vocational Education and Training Regulator Amendment (Governance and Other Matters) Bill amends the National Vocational Education and Training Regulator Act 2011 (NVETR Act) to reform the Australian Skills Quality Authority's (ASQA) governance structure to ensure it is fit for purpose and aligned with changes to its regulatory practice. Changes to ASQA’s governance would clarify its roles and responsibilities, improve accountability, achieve efficiency of resources, and improve focus on strategic direction and performance. A key element of the new governance structure is the independent expert Advisory Council. The Advisory Council would provide ASQA with expert advice regarding its functions. The bill also contains amendments to improve information sharing under the NVETR Act.

Reasons for Urgency
The bill is urgent and requires passage in the 2020 Autumn sitting period. Recent reviews have recommended improvements to the regulation of Australia's vocational education and training system.

THERAPEUTIC GOODS AMENDMENT (2020 MEASURES NO. 1) BILL 2020
Purpose of the Bill
The Bill aims to improve access to new medical devices and promising new medicines for Australians, improves understanding about what is required for successful applications for marketing approval for new prescription medicines and encourages innovation for assessed listed medicines.

Reasons for Urgency
It is desirable for this Bill to be passed in the 2020 Winter Sittings to implement a range of measures that support the health and well-being of Australians and to provide predictability for the medicines and medical device industry.

(Circulated by authority of the Minister for Health)

TREASURY LAWS AMENDMENT (2020 MEASURES NO. 2) BILL 2020

Purpose of the Bill
This Bill will:
- provide clarity around the integrity of the hybrid mismatch rules;
- enhance the information collected by the ATO through Single Touch Payroll;
- introduce a new deductible gift recipient general category for Community Sheds and amends the Income Tax Assessment Act 1997 to list eight organisations as deductible gift recipients from 1 July 2019;
- provide authorisation to the Treasurer to subscribe to the World Bank shares allocated to Australia under the capital increase package endorsed by Governors (including Australia) in 2018; and
- amend ATO secrecy provisions to permit information sharing with the Fair Work Ombudsman and Fair Work Commission in relation to the JobKeeper Payment.

Reasons for Urgency
Introduction and passage of the Bill in the 2020 Winter sittings is critical to give certainty to tax payers, industry participants and enable compliance activities associated with the JobKeeper Payment.

(Circulated by the authority of the Treasurer)

TREASURY LAWS AMENDMENT (2020 MEASURES NO. 3) BILL 2020

Purpose of the Bill
The purpose of this Bill is to:
- facilitate changes to Australia's temporary resources (New Arrangements to Borrow (NAB) and Bilateral Borrowing Arrangements (BBA);
- provide for a loan to the International Monetary Fund's (IMF) Trusts to provide rapid support to low-income countries;
- amend tax legislation so that eligible businesses can immediately deduct the cost of eligible assets each costing less than the instant asset write-off threshold;
- make the following entities a deductible gift recipient:
  – Friends of Myall Creek Memorial Incorporated
  – Toy Libraries Australia Inc
  – Samuel Griffith Society Inc;
- temporarily vary the GDP adjustment factor to zero, which effectively suspends the increase in quarterly tax instalments calculated by the amount method;
- ensure that Australia can provide financial assistance to countries in support of a program of the IMF; and

Reasons for Urgency
Urgent passage of the Bill is required to:
- provide certainty to taxpayers regarding the extension of the instant asset write-off and provide as much time as possible for taxpayers to obtain the benefit;
- allow the ATO to make required system changes by 20 June 2020 to vary the GDP adjustment factor in order for the PAYG instalments 'Start of Year' process (scheduled to run between 6 and 10 July 2020) to be implemented in time; and
- provide clarity for taxpayers and the ATO about the treatment of withholding related to personal services income under the cash flow boost.

(Circulated by authority of the Treasurer)

TREASURY LAWS AMENDMENT (MORE FLEXIBLE SUPERANNUATION) BILL 2020

Purpose of the Bill
The purpose of this bill is to improve flexibility of superannuation for older Australians to assist them to save for their retirement.

**Reasons for Urgency**

Introduction and passage in the 2020 Winter sittings is critical to provide certainty for superannuation funds and their members, and to ensure that members do not miss out due to their age on the opportunity to benefit in 2019-20.

(Circulated by authority of the Treasurer)

**Presentation**

**Senator Faruqi** to move on the next day of sitting—

That the Senate—

(a) notes that:

(i) between World War 2 and the 1970s, the average unemployment rate was 2%, and

(ii) since the 1980s, 5% unemployment has been considered 'full employment' by most governments, even though it means hundreds of thousands more people either have no work or not enough work; and

(b) considers that:

(i) 'full employment' should mean what most people think it means, namely that everyone who wants a job can get one, and

(ii) Australia should have a full employment target of 2% unemployment and 2% underemployment.

**Senator Brown** to move on the next day of sitting—

That the Senate—

(a) notes:

(i) that many of the world's 1.6 million seafarers are currently trapped on board ships as shore leave has been cancelled due to COVID-19, including many hundreds of Australian seafarers, and the cancellation of shore leave for workers who have been at sea for up to nine months can have a significant impact on the seafarers' physical and mental health, and

(ii) for over 20 years, Sister Mary Leahy, known as the angel of Sydney's waterfront, has worked as Chaplain to seafarers either visiting or based in Sydney — Sister Mary's work is praised by seafarers and shipping company CEOs alike; and

(b) records its thanks to Sister Mary, and her team of volunteers, for the important work she is undertaking with, and on behalf of, seafarers during these most challenging times.

**Senator Gallagher** to move on the next day of sitting—

That the Senate—

(a) notes that:

(i) on 8 April 2020 the Senate unanimously supported the establishment of the Senate Select Committee on COVID-19 to inquire into the Government's response to the pandemic,

(ii) the Leader of the Government in the Senate told the chamber on 8 April 2020 that "we do believe there is a need for scrutiny" and that "it is very important to have in place a committee of the type that is being proposed",

(iii) the Government has refused to provide the Senate Select Committee on COVID-19 with important information relevant to its inquiry including:

(A) modelling and scenario work undertaken by Treasury on the Government's response to the COVID-19 pandemic, and

(B) the date the Chief Medical Officer first briefed Cabinet on COVID-19, and

(iv) in relation to each of the examples in paragraph (a) (iii):

(A) the Government has asserted that it cannot provide the relevant information because it pertains to Cabinet,

(B) the Government has failed to make a public interest immunity claim in relation to the information sought,

(C) in particular, no attempt has been made to identify any specific harm to the public that would result from disclosing the information, and

(D) the Committee has reiterated its requests for information and, in the case of the Treasury modelling, did not accept the Department's answer;

(b) reaffirms:

(i) the resolution of the Senate of 16 July 1975 relating to the powers of the Senate and the accountability of witnesses and requiring that any claim to withhold information from the Senate be based on an established ground,

(ii) the order of the Senate of 13 May 2009 (the 'Cormann order'), which sets out the process to be followed for witnesses, including ministers, to raise public interest immunity claims, including by stating the grounds of those claims and the harm that might be occasioned by providing the information, and
(iii) the principle that information may only be withheld following consideration by the Senate of a properly founded claim of public interest immunity, as laid out in the Cormann order and reaffirmed in orders of the Senate of 22 September 2020, 10 February 2011, 3 March 2016, 11 October 2016, and 12 September 2017; and

(c) orders the Minister representing the Treasurer and the Minister representing the Minister for Health to provide the information identified in paragraph (a) (iii) to the Senate Select Committee by 12 pm Thursday 18 June.

**Senator Faruqi** to move on the next day of sitting—

That the Senate—

(a) notes that:

(i) more than 100 greyhounds have been killed at racing tracks across Australia so far this year,

(ii) more than 3,000 injuries have been suffered by greyhounds at racing tracks across Australia so far this year, and

(iii) unlike other sports, greyhound and horse racing was allowed to continue during COVID-19 in all states and territories where it usually operates, with the exception of Tasmania;

(b) recognises that greyhound racing is an inherently dangerous and cruel 'sport'; and

(c) calls for a national ban on greyhound racing.

**Senators McMahon, McKenzie, Canavan, Davey and McDonald** to move on the next day of sitting—

That the Senate—

(a) notes that:

(i) the Northern Territory (NT) Gunner Labor Government closed the NT border on Tuesday, 24th March 2020, without a plan to re-open the border, citing expert medical advice as the foundation of this decision, and

(ii) Northern Territory Leader of the Opposition and Country Liberal Party Leader, Mrs Lia Finocchiaro MLA, has asked Chief Minister Gunner on multiple occasions to explain his criteria for re-opening the border, and he has not provided an acceptable answer detailing the criteria upon which a decision will finally be made;

(b) recognises that:

(i) the last Territorian resident to have tested positive for COVID-19 was diagnosed on 6 April and there has never been an instance of community transfer of the virus in the NT,

(ii) there has been a total of 30 cases of COVID-19, all of whom recovered, and with no deaths recorded within the NT,

(iii) comments made by Prime Minister Scott Morrison on 27 May 2020 that "the national medical advice that came from the expert panel that has driven all the other decisions never recommended closing (interstate) borders" and that border closures such as these "do harm the economy, they do harm jobs and it is important that we get those removed as soon as possible", and

(iv) over the past four years the economy of the Northern Territory has suffered greatly under the Gunner Labor Government, with most businesses now under enormous financial stress while the NT border remains closed; and

(c) calls on the NT Gunner Labor Government to:

(i) provide certainty and clarity to the people of the NT on when the Territory border will re-open,

(ii) deliver a real plan for re-opening the border, with identifiable targets, clear criteria and structured goals, based on the expert medical advice provided by the Chief Medical Officer of Australia, and

(iii) commit to re-opening the NT border by next Monday, 22 June 2020.

**Senator Cash** to move on the next day of sitting—


**Senator McCarthy** to move on the next day of sitting—

That the Senate—

(a) recognises that all people in Australia, regardless of their ethnicity, cultural or religious background, deserve to be respected in our society;

(b) notes the letter from more than 30 community groups in response to a rise in racist attacks and commentary in Australia;

(c) acknowledges that racism has negative physiological and psychological impacts; and

(d) calls on the Government to:

(i) immediately begin a bipartisan approach to the development of a national racism strategy that will build a more tolerant and inclusive society, and

(ii) immediately begin a bipartisan approach to developing a national racism campaign that educates and sends a message of zero tolerance to any form of racism in Australia.

**Senators Marielle Smith and Gallacher** to move on the next day of sitting—
That the Senate—

(a) acknowledges that:
   (i) many Australians face challenges physically accessing the wider community, whether they live in urban, regional or remote areas, and
   (ii) many Australians living with disability do not have access to reliable, affordable and safe transport;

(b) notes that:
   (i) around 4.4 million Australians live with disability,
   (ii) the lives of many of these Australians can be significantly improved by the National Disability Insurance Scheme with the right commitment, funding and effort to work through the issues that they face on a daily basis,
   (iii) too often, barriers to transport, both economic and practical, prevent Australians living with disability from participating fully in the social and economic life of our community,
   (iv) too many Australians with disability are not able to access reliable, affordable and safe transport when they need it most, and
   (v) further research and publicly accessible data is required which details the use of transport by Australians with disability; and

(c) calls on the Government to prioritise the transport needs of all Australians living with disability.

Senator Siewert to move on the next day of sitting—

That General Business Order of the Day no. 23, relating to the Social Services Legislation Amendment (Ending the Poverty Trap) Bill 2018, be discharged from the Notice Paper.

Senators Siewert and Steele-John to move on the next day of sitting—

That the Senate—

(a) notes that Disability Support Pension and Carer Payment recipients did not receive the $550 per week coronavirus supplement;

(b) recognises that disabled people and carers are:
   (i) experiencing higher vulnerability to COVID-19, disruption to essential supports and services, and increased economic insecurity during the pandemic,
   (ii) reporting increased living costs as a result of COVID-19 and increased economic insecurity, and
   (iii) more likely to be hit hardest by the recession because they are already disadvantaged within the labour market;

(c) acknowledges that 40% of people on the Disability Support Pension, and 20% of people on Carer Payment are living below the poverty line; and

(d) calls on the Government to immediately provide additional financial support to Disability Support Pension and Carer Payment recipients, and ensure its COVID-19 recovery plan includes specific strategies to support disabled people and carers.

Senator Siewert and Whish-Wilson to move on the next day of sitting—

That the Senate—

(a) notes that, as part of the acreage release process, the Government is asking industry to nominate areas they are interested in for oil and gas exploration around Ningaloo Reef, Shark Bay, and the Exmouth Gulf;

(b) acknowledges that:
   (i) the Exmouth Gulf is a rare and precious estuarine system and crucial to the health of the World Heritage listed Ningaloo Reef,
   (ii) Ningaloo Reef is one of the world's last healthy coral reefs and is home to humpback whales, whale sharks, dugongs, sawfish, turtles, and seagrass,
   (iii) Shark Bay is World Heritage listed, satisfying all four criteria for natural heritage values, and is home to stromatolites which are among the oldest forms of life on earth,
   (iv) any seismic exploration and drilling could have a devastating environmental impact on these areas, and
   (v) areas south of the Pilbara are too environmentally sensitive to risk; and

(c) calls on the Federal Government to remove Ningaloo Reef, Shark Bay, and the Exmouth Gulf from the acreage release process.

Senator Waters to move on the next day of sitting—

That the Senate—

(a) notes that,
   (i) the Morrison Government's handpicked National COVID-19 Coordination Commission was established without clear terms of reference,
(ii) the membership of the Commission and its Manufacturing Taskforce is dominated by people with ties to the gas industry and who stand to benefit from investment in gas projects, including the Narrabri pipeline championed by the Commission,

(iii) despite requests for greater transparency, all but one of the members of the Commission have declined to make their conflict of interest disclosures publicly available,

(iv) members of the Commission's Manufacturing Taskforce are not required to disclose their conflicts of interest to the Prime Minister and Cabinet even though public records show some hold shareholdings in companies that would benefit from the projects the Taskforce recommends,

(v) Paul Bastian, a member of the Manufacturing Taskforce, has reported that the Taskforce is overwhelmingly focused on a gas-led recovery and did not give adequate consideration to renewable energy projects, and

(vi) the Commission has failed to give comprehensive, independent consideration to important economy-boosting projects such as renewable energy and public housing infrastructure; and

(b) calls on the Federal Government to disband the National COVID-19 Coordination Commission.

Senator Waters to move on the next day of sitting—

That the Senate—

(a) notes the imminent end to many of the government's COVID-19 economic response measures, including:

(i) the JobKeeper wages subsidy which is due to finish on 27 September 2020, except for childcare centres for whom JobKeeper will finish at the end of June 2020,

(ii) the increase in JobSeeker and other social security payments which are due to finish on 24 September 2020, along with the relaxation of eligibility criteria,

(iii) economic support payments to eligible income support recipients, the last of which will be made during July,

(iv) free childcare, which will finish at the end of June 2020,

(v) cash flow support for small and medium sized enterprises, which is due to finish at the end of September 2020,

(vi) the apprentice wages subsidy for small and medium sized enterprises which is which is due to finish at the end of September, and

(vii) arrangements for eviction moratoriums, rent reductions and mortgage holidays, which are all due to finish at the end of September; and

(b) calls on the Federal Government to:

(i) extend economic response measures so as to avoid more people losing their jobs, more people having their income reduced, and more people falling into poverty,

(ii) develop a government-led recovery plan that will create the jobs for the future, and

(iii) announce these measures urgently so as to provide certainty and confidence, and to give the nation the best chance of making a strong recovery.

Senator Hanson-Young to move on the next day of sitting—

That the Senate—

(a) notes that:

(i) it has been more than three months since COVID-19 physical distancing rules effectively shut down the arts and entertainment industry overnight,

(ii) hundreds of thousands of workers in the arts and entertainment industry have been impacted, and

(iii) the Morrison Government has not announced any specific industry assistance for arts and entertainment;

(b) calls on the Morrison Government to detail and deliver a recovery package for the arts and entertainment industry; and

(c) transmits this resolution to the House of Representatives for concurrence.

Senator McKim to move on the next day of sitting—

That the Senate—

(a) notes that 14 June to 20 June 2020 is Refugee Week in Australia, and that 20 June 2020 is World Refugee Day;

(b) reaffirms Australia's commitments as a signatory to the Convention Relating to the Status of Refugees;

(c) agrees that:

(i) refugees and people seeking asylum have made, and will continue to make, significant contributions to Australia's social fabric and economic well-being, and

(ii) the indefinite detention of refugees, both offshore and onshore, causes trauma and harm to people who have applied for refugee status under the Convention Relating to the Status of Refugees; and

(d) calls on the Federal Government to immediately accept the kind offer from the New Zealand government to provide resettlement to 150 people each year from Australia's offshore detention cohort.
**Senator Duniam** to move on the next day of sitting—

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

Broadcasting Services Amendment (Regional Commercial Radio and Other Measures) Bill 2020
Education Legislation Amendment (2020 Measures No. 1) Bill 2020
National Vocational Education and Training Regulator Amendment (Governance and Other Matters) Bill 2020
Therapeutic Goods Amendment (2020 Measures No. 1) Bill 2020
Treasury Laws Amendment (2020 Measures No. 2) Bill 2020
Treasury Laws Amendment (2020 Measures No. 3) Bill 2020

Documents: Senator Duniam tabled the following documents:

**Senator Cormann** gave a contingent notice as follows:

To move (contingent on any minister being refused leave to amend a motion prior to it being taken as formal)—That so much of the standing orders be suspended as would prevent that minister amending the motion.

**Withdrawal**

**Senator ROBERTS** (Queensland) (16:04): I withdraw general business of the Senate notice of motion No. 3 proposing a reference to the Procedure Committee.

**Senator HANSON-YOUNG** (South Australia) (16:06): I withdraw general business of the Senate notice of motion No. 4.

**Senator PATRICK** (South Australia) (16:06): I withdraw general business of the Senate notice of motion No. 677.

**Postponement**

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

Business of the Senate notice of motion no. 2 standing in the names of Senators Hanson-Youn, Kitching and Carr for today, proposing the disallowance of the Australian Postal Corporation (Performance Standards) Amendment (2020 Measures No. 1) Regulations 2020, was postponed till 10 August 2020.

**STATEMENTS**

**Discovery of Formal Business**

**Senator CORMANN** (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (16:06): by leave—Consistent with the government's position on formal motions, which I outlined to the chamber on two occasions last week, when we get to general business notice of motion No. 669, I flag that the government will seek to have it dealt with during general motions rather than formal motions. As I stated to the chamber last Friday, considered in the context, it is proposed this motion raises complex policy matters on which all senators should have an appropriate opportunity to explain their position in an appropriately detailed and nuanced fashion. This session on formal motions is not the right place for detailed debate of complex issues.

**Senator ROBERTS** (Queensland) (16:06): I seek leave to make a two-minute statement.

Leave granted.

**Senator ROBERTS:** This motion that I am proposing uses well-considered, neutral language to present accurate data on deaths in custody from the latest report of the government's own Australian Institute of Criminology. This is not the first time a grubby backroom deal between Labor, Liberals and Nationals has been used to deny the formality of such motions. When everyday Australians go to a polling booth, do they look at the names and think, 'I will vote for this person because they run away from hard issues'? Do they think, 'I'd vote for this person because they're going to be a gutless bastard'? No, certainly not.

The PRESIDENT: Order, Senator Roberts! I pulled up another senator earlier for the use of the term 'bloody'. I'm going to ask you to keep in mind standards of parliamentary language.

**Senator ROBERTS:** No, they certainly do not vote that way. Australians want champions, not cowards. Let me be clear: black lives do matter; all lives do matter. Deaths in custody are a tragedy. They are happening, yet not in the numbers bandied around. In fact, Aboriginal deaths in custody, according to the government's own data,
occur at a similar rate as non-Aboriginal deaths in custody. Getting to the truth is the very thing for which this Senate was designed. Truth must be our currency.

On Friday I listened to the Prime Minister refuse to talk about these matters. I understand Senator Cormann taking his orders from the Prime Minister. What I don't understand is why Senator Wong would go along with it. Is Labor now taking instruction from the Prime Minister? Just how deep is the Liberal-Labor duopoly? For the last year, I've stood in shock at the number of times Labor, Liberals and Nationals have crowded themselves onto the opposition benches to vote down a worthy crossbench initiative. With this process, the people's elected representatives have been silenced.

Senators must decide: do we do grubby deals to silence senators just to preserve daily talking points or do we follow the spirit and intent of the rules developed over 120 years to ensure all voices are fairly heard? George Orwell said, 'If liberty means anything, it means the right to tell people what they do not want to hear,' even solid data.

Senator SIEWERT (Western Australia—Australian Greens Whip) (16:09): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator SIEWERT: Firstly, the Greens are also opposed to these motions being denied formality. These are important issues that we need to be addressing. Senator Roberts made comments about the minister doing deals. It appears there is some sort of deal that has been done, because Senator Roberts's motion on this issue was pulled and withdrawn for today. But I actually want to address the issues around deaths in custody. What the motion failed to mention was that Aboriginal people make up two per cent of our population yet they make up 47 per cent of our prison population. So, when we're talking about facts, let's get the facts right.

Senator Roberts: A point of order: I was talking about the rate—

The PRESIDENT: It's not a point of order, Senator Roberts. I might say this is why statements by leave are not the greatest forum for debate.

COMMITTEES

Environment and Communications References Committee

Environment and Communications Legislation Committee

Reference

Senator URQUHART (Tasmania—Opposition Whip in the Senate) (16:10): At the request of Senator Kitching, I move:

That the following matter be referred to the Environment and Communications References Committee for inquiry and interim report by Tuesday, 11 August 2020 with the final report due by the first sitting Tuesday of March 2021:

The future of Australia Post's service delivery, with particular reference to:

(a) the Australian Postal Corporation (Performance Standards) Amendment Regulations 2020 and their impact on services, the Australia Post workforce and affected businesses;

(b) the impact of COVID-19 on the financial position of Australia Post and its future;

(c) a sustainable plan for Australia Post to provide:

(i) services that meet community needs and expectations,

(ii) job security for its workforce, and

(iii) support for regional and metropolitan licensed post offices;

(d) international and domestic trends with parcels, letters and pricing; and

(e) any related matters.

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (16:11): I seek leave to move an amendment to the motion to the effect of substituting 'Environment and Communications Legislation Committee' for 'Environment and Communications References Committee'.

Leave granted.

Senator CORMANN: I move:

Omit "Environment and Communication References Committee", substitute "Environment and Communications Legislation Committee".

Senator HANSON (Queensland) (16:11): by leave—I have a question with regard to this. The amendment is to move the reference to a different committee, but are the dates the same?
The PRESIDENT: Given the amendment is in the chamber, the minister has said to me that there is no change to the date, so it's only the change moved by the minister. Is the minister given leave to explain the issue?

Leave granted.

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (16:12): To assist the chamber, the subject matter of this motion and this referral is a temporary regulatory change that the government has initiated in the context of COVID-19. The period for the disallowance to be dealt with is by 25 August. Given there is provision in the reference, as moved, to have an interim report by 11 August, we would anticipate that, at that time, a recommendation could be made by that committee, but, if it is the wish of the chamber to bring the reporting date forward, I'm happy to move to that effect. The disallowance does come to a close—we've got to deal with it as a chamber—by 25 August. But you can move to that effect if you want to change it.

Senator HANSON (Queensland) (16:13): I'd like to move after having negotiations and talks with the post office workers union and the CEO. They are quite happy to have the hearing sooner rather than later and the reporting date down.

The PRESIDENT: Senator Hanson, I've got to now start to enforce the rules. It was a statement by leave, I appreciate that. I call the Leader of the Government in the Senate.

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (16:13): I seek leave to move an amendment to substitute 'Environment and Communications Legislation Committee' for 'Environment and Communications References Committee' and to bring forward the reporting date for the final report of that committee to 11 August.

The PRESIDENT: Senator Cormann, you were granted leave to move the first amendment. I was about to put that. Would you like me to deal with first amendment separately to your second one or do both? Alright. Senator Cormann has withdrawn, with the leave of the chamber, his first proposal and he is now seeking leave to move the amendment in the terms he just sought.

Leave granted.

Senator CORMANN: I move:

(1) Omit "Environment and Communication References Committee", substitute "Environment and Communications Legislation Committee"; and (2) amend reporting date to 11 August 2020.

The PRESIDENT: The question is the motion moved by Senator Cormann to amend business of the Senate No. 5 be agreed to.

The Senate divided. [16:18]

(The President—Senator Ryan)

Ayes .................33
Noes .................27
Majority...............6

AYES

Antic, A
Birmingham, SJ
Chandler, C
Cormann, M
Duniam, J
Henderson, SM
Hume, J
McDonald, S
McKenzie, B
McMahon, S
O'Sullivan, MA
Patrick, RL
Reynolds, L
Ruston, A
Scar, P
Smith, DA (teller)
Van, D

NOES

Ayres, T
Bilyk, CL
Question agreed to.

The President (16:20): The question now is that business of the Senate motion No. 5 as amended be agreed to.

Question agreed to.

DOCUMENTS

Administrative Appeals Tribunal
Order for the Production of Documents

Senator URQUHART (Tasmania—Opposition Whip in the Senate) (16:21): At the request of Senator Watt, I move:

That—

(1) There be laid on the table by the Minister representing the Attorney-General, by no later than 9 am on 30 July 2020, a copy of each decision by the Social Services & Child Support Division of the Administrative Appeals Tribunal (AAT) dated between 1 July 2015 and 27 November 2019 (with any redactions that are necessary to protect personal privacy) in which a Member of the AAT determined that: for the purpose of sections 1222A(a) and 1223(1) of the Social Security Act 1991, no debt or debt component is able to be founded on the basis of extrapolations from Australian Taxation Office records (however expressed).

(2) If the Senate is not sitting when the documents are ready for presentation, the documents are to be presented to the President under Standing Order 166.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (16:21): I seek leave to make a short statement.

The President: Leave is granted for one minute.

Senator DUNIAM: The motion represents an unreasonable diversion of the AAT’s resources. The AAT does not record information in its case management system that would enable it to easily identify cases falling within the scope of the motion. The AAT would need to individually review all decisions made by the tribunal during that period, from 1 July 2015 to 27 November 2019, where the tribunal set aside a debt decision made by Centrelink. The AAT has previously advised, in response to a question on notice dated 3 March 2020, listed as LCC-AE20-59, that a request for a more limited subset was 'an unreasonable diversion of resources'.

The President: The question is that general business motion No. 666 be agreed to.

The Senate divided. [16:23]

(The President—Senator Ryan)

Ayes ....................30
Noes ....................27
Majority .................3

AYES

Bilyk, CL
Carr, KJ
Ciccone, R
Dodson, P
Faruqi, M
Green, N
Hanson-Young, SC
Lambie, J
Brown, CL
Chisholm, A
Di Natale, R
Farrell, D
Gallagher, KR
Hanson, P
Kitching, K
Lines, S

CHAMBER
Question agreed to.

MOTIONS

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

Senator SIEWERT (Western Australia—Australian Greens Whip) (16:26): At the request of Senator Steele-John, I move:
That the Senate—
(a) notes that:
(i) the Chair of the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability (the Royal Commission), the Honourable Ronald Sackville AO QC, wrote to the Prime Minister and the Department of the Prime Minister and Cabinet on 14 February, 2020 to request that changes be made to the Royal Commissions Act 1902 to ensure the confidentiality of submitters and those giving evidence could be protected beyond the life of the Royal Commission,
(ii) the Administrative Arrangement Orders were amended on 2 April 2020 transferring responsibility for the Act to the Attorney-General's Portfolio,
(iii) this letter and the changes requested within it remain outstanding and unresolved,
(iv) many disabled people, families, carers, and support workers hold significant concerns about making submissions and providing evidence to the Royal Commission for instances of violence, abuse, neglect, and exploitation of disabled people, particularly in contemporaneous and ongoing instances, due to the lack of protections afforded to them in the legislation,
(v) this issue is prohibiting people from telling their stories and preventing the Royal Commission from being able to access the breadth of stories it should be able to, and
(vi) without this change there are real and significant fears held by the community that the Royal Commission will miss the many stories and experiences that form the whole picture of what has happened to disabled people in this country, and to ensure that disabled people see justice and deep systemic changes needed to prevent instances of violence, abuse, neglect, and exploitation from happening in the future; and
(b) calls on the Government to:
(i) give an urgent update on the progress of this change and provide a timeline for when we will expect to see legislation introduced, and
(ii) commit to making the required legislative changes as soon as possible.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (16:26): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator DUNIAM: The government recognises the importance of witnesses' being able to give evidence safely and in confidence at royal commissions and of the need to balance this key concern with the principle of
open proceedings. Receiving advice on these issues, the government is carefully considering options as to how we can best achieve that certainty. A decision by the government will be made shortly.

Question agreed to.

**Live Animal Exports**

**Senator ROBERTS** (Queensland) (16:27): I move:

That the Senate—

(a) notes that the 2011 Gillard Government decision to suspend live exports:

(i) gravely affected the live export industry, and

(ii) was declared invalid by the Federal Court earlier in June; and

(b) calls on the Federal Government to rule out appealing the Federal Court's decision.

**Senator DUNIAM** (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (16:27): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

**Senator DUNIAM**: Our country's live exporters have no greater friend than this Liberal-National government. The government sympathises with the sentiment behind this motion. Labor's decision to ban the live export trade caused enormous and unwarranted damage to the industry and individuals. The industry needs and deserves stability and predictability. The Federal Court's decision in the Brett Cattle Company case was handed down on Tuesday 2 June 2020. No decision on the future of the litigation will be made until sometime after the scheduled court hearing to make final orders in the matter, including orders for damages. That hearing is set down for 29 June 2020. Given the risk that this decision could actually establish a precedent that could be weaponised against the live export industry, the responsible course of action is for the government to seek further advice before making determinations with respect to the future of this litigation.

**Senator FARUQI** (New South Wales) (16:28): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

**Senator FARUQI**: Let's be clear. The live export industry is based on animal cruelty, on animal misery, on blood soaked supply chains, but this government do not give a damn. They have just given an exemption for 50,000 sheep to be sent off to the extreme heat of the northern summer where they will face immense heat stress and they will be at risk of death. You make a mockery of your own rules. You should be ashamed. You don't care about animal welfare. The so-called independence of the department of agriculture is a farce. It's a joke. Ban live export. Shut it down!


The PRESIDENT: Leave is granted for one minute.

**Senator GALLAGHER**: Labor will not be supporting the motion. The shadow minister for agriculture has made it clear that Labor acknowledges and respects the court's decision. Further, the matter is still subject to legal proceedings and the government must always act in the national interest.

The PRESIDENT: Can I take this opportunity to remind those seeking leave that it is generally a way to explain a position rather than debate a motion. The question is that motion No. 668 be agreed to.

The Senate divided. [16:34]

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**AYES**

Antic, A
Birmingham, SJ
Chandler, C
Cormann, M
Duniam, J
Hughes, H
Lambie, J
McKenzie, B
McMahon, S
O’Sullivan, MA

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<td>Majority ...........</td>
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**AYES**

Askew, W
Canavan, MJ
Colbeck, R
Davey, P
Hanson, P
Hurne, J
McDonald, S
McLachlan, A
Molan, AJ
Paterson, J
Question agreed to.

Aboriginal Deaths in Custody

Senator ROBERTS (Queensland) (16:36): I ask that general business notice of motion No. 669, relating to Indigenous deaths in custody, be taken as a formal motion.

The PRESIDENT: There is an objection to the motion being taken as formal. That was discussed before, by leave. Formality has been denied, as foreshadowed in the earlier discussion.

Senator ROBERTS: Pursuant to the contingent notice standing in the name of Senator Hanson, I move:

That so much of the standing orders be suspended as would prevent the motion being moved immediately and determined without amendment or debate.

The PRESIDENT: The question is that the motion to suspend standing orders be agreed to.

The Senate divided. [16:38]

(The President—Senator Ryan)

Ayes .....................3
Noes .....................53
Majority .................50

AYES

Hanson, P
Roberts, M (teller)

NOES

Askew, W
Birmingham, SJ
Brown, CL
Carr, KJ
Ciccone, R
Cormann, M
Di Natale, R
Duniam, J
Faruqi, M
Gallagher, KR
Hanson-Young, SC
Hughes, H
Kitching, K
McCarthy, M
McKenzie, B
McLachlan, A

Bilyk, CL
Bragg, A J
Canavan, MJ
Chandler, C
Colbeck, R
Davey, P
Dodson, P
Farrell, D
Fierravanti-Wells, C
Green, N
Henderson, SM
Hume, J
Lines, S
McDonald, S
McKim, NJ
McMahon, S

Whish-Wilson, PS

CHAMBER
NOES

Molan, AJ
O'Sullivan, MA
Patrick, RL
Reynolds, L
Ruston, A
Scarr, P
Siewert, R
Stoker, AJ
Van, D
Waters, LJ
Whish-Wilson, PS

O'Neill, D
Paterson, J
Pratt, LC
Rice, J
Ryan, SM
Seselja, Z
Smith, DA
Urquhart, AE (teller)
Walsh, J
Watt, M

Question negatived.

DOCUMENTS

COVID-19: International Students
Order for the Production of Documents

Senator FARUQI (New South Wales) (16:41): I seek leave to amend general business notice of motion No. 674 standing in my name.

Leave granted.

Senator FARUQI: I move the motion as amended:

That—

(1) There be laid on the table by 7.20 pm on 17 June 2020:

(a) by the Minister representing the Minister for Education: any documents created, sent or received by the office of the Minister for Education, and by the Department of Education, between and inclusive of 1 March 2020 and 1 May 2020, relating to a national hardship fund, or similar program, payment, or initiative to support international students during COVID-19.

(b) by the Minister representing the Treasurer: any documents created, sent or received by the office of the Treasurer, and by the Department of the Treasury, between and inclusive of 1 March 2020 and 1 May 2020, relating to a national hardship fund, or similar program, payment, or initiative to support international students during COVID-19.

(2) If either or both of the Ministers fail to table the documents required by paragraphs (1), the Minister representing the Minister for Education is required to attend the Senate on 18 June 2020 prior to government business being called on, to provide an explanation of no more than 10 minutes, also on behalf of the Minister representing the Treasurer, of the Government's failure to table the documents.

(3) Any senator may move to take note of the explanation required by paragraph (2).

(4) Any such motion shall have precedence over all business until determined, and senators may speak to the motion for no more than 10 minutes each.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (16:41): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator DUNIAM: Australian governments and higher education providers are supporting international students through this pandemic. International students can access support initiatives worth over $1.3 billion from the federal and state and territory governments and universities. Students who have been in Australia longer than 12 months who find themselves in financial hardship will be able to access their Australian superannuation. States and territories will be able to put a six-month ban on evictions for both residential and commercial tenants during the COVID-19 pandemic. The government has worked with community organisations and providers to ensure students have ongoing access to mental health and welfare support.

Senator PATRICK (South Australia) (16:42): I wish to vote differently on part (1) from parts (2), (3) and (4) of this motion, and I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator PATRICK: I will be supporting the first part of the motion. I'm not supporting the second, third and fourth, because I think the government needs to be given an opportunity to return the documents. After that, whether we see a public interest immunity statement or they don't provide the documents, I might be inclined to support the latter parts.

CHAMBER
The PRESIDENT: The question is that part (1) of motion No. 674 as amended, moved by Senator Faruqi, be agreed to.

Question agreed to.

The PRESIDENT: The question now is that clauses (2), (3) and (4) of motion 674, as amended by Senator Faruqi, be agreed to.

The Senate divided. [16:45]

(Chart—Senator Ryan)

| Ayes | ...................... | 27 |
| Noes | ...................... | 33 |
| Majority | .......... | 6 |

AYES

Bilyk, CL
Carr, KJ
Ciccone, R
Dodson, P
Faruqi, M
Green, N
Kitching, K
McCarthy, M
O'Connell, D
Rice, J
Siewert, R
Urquhart, AE (teller)
Waters, LJ
Whish-Wilson, PS

NOES

Antic, A
Birmingham, SJ
Canavan, MJ
Colbeck, R
Davey, P
Fierravanti-Wells, C
Henderson, SM
Hume, J
McDonald, S
McLachlan, A
O'Sullivan, MA
Patrick, RL
Reynolds, L
Ruston, A
Scarr, P
Smith, DA (teller)
Van, D

Question negatived.

MOTIONS

Mining

Senator WATERS (Queensland—Leader of the Australian Greens in the Senate) (16:47): I move:

That the Senate—

(a) notes that:

(i) since the Sydney Morning Herald and The Age reported on 11 June 2020 that international insurance companies Liberty Mutual, HDI-Talanx and Aspen Re were underwriting work on Adani's Carmichael coal mine, Liberty Mutual and HDI-Talanx have publicly stated that they will not provide future policies to the Adani Carmichael project, and Aspen Re is 'reviewing its underwriting appetite for fossil fuels',

(ii) existing coverage extends to early work only and Adani has still not secured insurance for the complete construction and operation of the Carmichael mine,

(iii) many major companies have refused to be involved in any part of the climate-wrecking project, including:
(A) at least sixteen global insurers, and
(B) at least sixty-five major insurance, construction, engineering, finance and haulage companies, and
(iv) in the ten years since this mine was announced, the Adani group has:
(A) misrepresented the number of jobs the Carmichael mine would create,
(B) illegally released contaminated water into protected wetlands and the Great Barrier Reef World Heritage area, and
(C) been criminally convicted in relation to giving false and misleading information to the Queensland regulator in relation to unlawful clearing activities; and
(b) calls on the Federal Government to:
(i) recognise that the Adani Carmichael coal mine project is unviable and withdraw its support for the project,
(ii) ban all new thermal coal mining in the Galilee Basin and plan a just transition for workers in existing coal mines, and
(iii) invest in renewable energy projects that will actually create jobs without turbo-charging the climate crisis.


The PRESIDENT: Leave is granted for one minute.

Senator GALLAGHER: Labor will not be supporting the motion. Projects in the Galilee Basin will be subject to the same stringent science based approvals processes as any other project. Labor welcomes investment in projects that can meet agreed environmental standards.


The PRESIDENT: Leave is granted for one minute.

Senator ROBERTS: One Nation will oppose this motion. The Carmichael coalmine operators agreed to the most stringent environmental conditions of any infrastructure project in Australia's history. Environmental activists used every dirty trick to try to stop the mine and they failed. Far Left ideologues trying to destroy your mining industry forced Adani to wear millions of dollars in court costs from vexatious and frivolous lawsuits. These same dishonest, immoral anti-human environmental pests are now intimidating and bullying the mine suppliers and service providers to interfere in the mine's operations. One Nation stands 100 per cent behind the Carmichael mine and 100 per cent behind Queensland's mining industry and we will do everything in our power to protect their lawful enterprise. Queenslanders need jobs, community infrastructure and services that will come from opening the Galilee Basin, just as Sir Joh Bjelke-Petersen approved the Bowen Basin, which opened up Central Queensland.

The PRESIDENT: I remind senators, as I have said before, that the courtesy of leave has been extended to every senator and has at this point been viewed as a way to explain a position rather than debate a motion. The question is that the motion No. 650 be agreed to.

The Senate divided. [16:50]

(A) ..........................9
(B) ..........................36
Majority.................27

AYES

Di Natale, R
Hanson-Young, SC
Patrick, RL
Siewert, R (teller)
Whish-Wilson, PS

NOES

Antic, A
Birmingham, SJ
Canavan, MJ
Chisholm, A
Cormann, M
Duniam, J
Gallagher, KR
Henderson, SM
Hume, J
McDonald, S

Faruqi, M
McKim, NJ
Rice, J
Waters, LJ

Askew, W
Bragg, A J
Chandler, C
Colbeck, R
Davey, P
Fierravanti-Wells, C
Hanson, P
Hughes, H
Lambie, J
McLachlan, A
Pensions and Benefits

Senator SIEWERT (Western Australia—Australian Greens Whip) (16:53): I move:

That the Senate—

(a) notes that:
(i) robodebt and the income compliance program has caused enormous harm and trauma to hundreds of thousands of Australians, and
(ii) the Government has not genuinely apologised to robodebt victims;

(b) acknowledges that:
(i) the Government is only refunding illegal debts from 2015, which will leave many victims behind, and
(ii) the social and economic costs of this program have not been fully identified and examined; and

(c) calls on the Government to establish a Royal Commission into robodebt to examine all elements of this program.


The PRESIDENT: Leave is granted for one minute.

Senator GALLAGHER:

Labor won't be supporting this motion today, but we have acknowledged the need for an independent investigation into robodebt. We agree that the government has refused to provide basic information about this government program because it believes that the disclosure of information may materially affect the Commonwealth's position in the negligence claim of the robodebt class action.

The Senate has previously agreed to orders for the production of documents requesting details of the program and legal advice, and confirming that legal professional privilege is not a recognised ground for refusing to provide information to the Senate. If the government complied with these orders a royal commission may not be needed. That's why we are opposing the motion today, and will instead allow the government until the final sitting day of this sitting week—Thursday 18 June—to do the right thing and reconsider its position on the public interest immunity claim and its attempt to cover up the robodebt scandal.

The PRESIDENT: The question is that motion No. 659 be agreed to.

The Senate divided. [16:55]

(The President—Senator Ryan)

Ayes......................8
Noes......................36
Majority...............28

AYES

Di Natale, R
Hanson-Young, SC
Rice, J
Waters, LJ

NOES

Antic, A
Birmingham, SJ
Canavan, MJ
Colbeck, R

Faruqi, M
McKim, NJ
Siewert, R (teller)
Whish-Wilson, PS

Askew, W
Bragg, A J
Chandler, C
Cormann, M

CHAMBER
Tuesday, 16 June 2020

Senator FARUQI (New South Wales) (16:57): I move:
That the Senate—
(a) notes that:
(i) on 2 June 2020 the Department of Agriculture, Water and the Environment denied live exporter Rural Export and Trading (WA) Pty Ltd RETWA an exemption to new rules which prohibit the export of sheep by sea to the Middle East during the northern summer,
(ii) on 13 June 2020, the Department back-flipped on this decision, granting an exemption to allow approximately 50,000 sheep to be exported;
(b) recognises that the new rules, only recently introduced, were designed to protect sheep from the dangerously hot and humid conditions which will lead to inevitable suffering from heat stress, and put the animals at serious risk of death; and
(c) calls on the Minister for Agriculture to intervene and stop the RETWA ship from departing Australia.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (16:58): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator DUNIAM: The Australian government recognises that the live animal export industry is a major economic contributor and employer in rural and regional Australia. This is the latest misguided attempt by the Australian Greens to call on the government to interfere with the decision of an independent regulator. The Department of Agriculture, Water and the Environment, as the independent regulator, has made this decision with the full consideration of the welfare of the animals in mind. It's incumbent upon the government to accept the independent umpire's decision.


The PRESIDENT: Leave is granted for one minute.

Senator GALLAGHER: Labor will not be supporting this motion, because we do not believe it is appropriate for the minister to intervene on the decision of the live export regulator. We do hold deep concerns for the welfare of the sheep that will be exported to the Middle East under an exemption provided by Mr Hazlehurst, who is the delegate of the secretary for the purposes of the northern summer order. However, we strongly believe that the position of live export regulator should be truly independent from the department to ensure that a minister of any government persuasion does not have undue influence over the final decision when granting exemptions for or against export licences.

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

The Senate divided. [17:00]

(The President—Senator Ryan)

Ayes ......................9
Noes ......................36
Majority ..................27
Question negatived.

Queensland: Infrastructure

Senator HANSON (Queensland) (17:02): I move:

That the Senate—

(a) notes that the Government has announced it is working to fast-track several infrastructure projects they believe to be essential to Australia's long-term economic recovery; and

(b) calls on the Government to add the development of a hybrid Bradfield Scheme to their list of essential infrastructure projects to be fast-tracked.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (17:02): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator DUNIAM: The government has committed $513 million to 26 water infrastructure projects in Queensland. While there have been a number of assessments on the merits of the original Bradfield Scheme, work needs to be undertaken to assess the feasibility of this scheme using the best available contemporary science. The government, through the National Water Grid Authority, will consider options for developing large-scale water transfer schemes such as elements of the Bradfield Scheme. We remain committed to working with the Queensland government to identify and progress water projects in Queensland, and we would like to commend the Queensland LNP leader, Deb Frecklington, for her ongoing passionate advocacy for the new water infrastructure in Queensland.

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

The Senate divided. [17:04]

The President—Senator Ryan

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NOES

Antic, A
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Canavan, MJ
Colbeck, R
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Duniam, J
Fierravanti-Wells, C
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McGrath, J
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Bragg, A J
Chandler, C
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D'Neale, R
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Hume, J
McKim, NJ
Molan, AJ
Paterson, J
Reynolds, L
Ruston, A
Scarr, P
Siewert, R
Stoker, AJ
Van, D
Watt, M

Question negatived.

COMMITTEES

Public Works Committee

Reference

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (17:07): I move:

That, in accordance with the provisions of the Public Works Committee Act 1969, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report as expeditiously as is possible:

AIR 555 Phase 1 Airborne Intelligence Surveillance Reconnaissance Electronic Warfare Capability Facilities Works.

I table a statement in relation to the work.

Question agreed to.

MOTIONS

World Elder Abuse Awareness Day

Senator SIEWERT (Western Australia—Australian Greens Whip) (17:08): I move:

That the Senate—

(a) notes that yesterday, 15 June 2020, was World Elder Abuse Awareness Day, which represents the one day each year when the whole world voices its opposition to the abuse and suffering inflicted on older people;

(b) acknowledges that the sexual abuse of older women in residential aged care and home care settings is a form of elder abuse that has long been ignored; and

(c) calls on all Governments to:

(i) work together to better respond to all forms of elder abuse, including physical abuse, psychological or emotional abuse, social abuse, financial abuse, sexual abuse and elder neglect,

(ii) improve reporting requirements and data collection on elder abuse, and

(iii) develop national strategies informed by best practice evidence for the prevention of sexual abuse in both residential aged care and home care settings.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (17:08): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator DUNIAM: The Morrison government is committed to ending any abuse of Australian seniors in all its forms, including in aged care. That's why we developed the National Plan to Respond to the Abuse of Older Australians (Elder Abuse) 2019-2023 in consultation with the states and territories. It's also why one of the Prime Minister's first acts was to call the Royal Commission into Aged Care Quality and Safety. We've led action to
protect senior Australians in aged-care settings, including by committing to the Serious Incident Response Scheme.

Question agreed to.

**Western Australia: Vietnamese Community**

Senator DEAN SMITH (Western Australia—Government Whip in the Senate) (17:08): I add Senator Keneally as a co-sponsor of the motion. I, and also on behalf of Senator Keneally, move:

That the Senate—

(a) notes that the first Vietnamese refugees in Western Australia were discovered drifting offshore in boats on the north-west coast on 12 May 1977;

(b) further notes that 25 Vietnamese refugees disembarked in Perth from Broome on 17 May 1977;

(c) acknowledges Western Australia has become home to a vibrant Vietnamese community with almost 22,000 people declaring Vietnamese ancestry in the 2016 census; and

(d) recognises the significant civic, economic and social contributions made by members of the Vietnamese community in Western Australia, and their part in shaping modern Australia.

Question agreed to.

**Migraine Awareness Month**

Senator URQUHART (Tasmania—Opposition Whip in the Senate) (17:09): I wish to inform the chamber that Senator Bilyk will also sponsor the motion. At the request of Senator Polley and Senator Bilyk, I move:

That the Senate—

(a) notes that:

(i) June is Migraine Awareness Month,

(ii) migraine severely impacts an individual's capacity to work, their mental wellbeing, quality of life and relationships,

(iii) approximately 4.9 million people in Australia suffer from migraine, of which 400,000 are chronic migraine sufferers,

(iv) migraine affects more women than men, with approximately 3 women sufferers for every male sufferer, a ratio of 3 to 1, and

(v) there are currently two drugs recommended for listing on the Pharmaceutical Benefits Scheme (PBS) to treat migraine, Emgality and AJOVY, with Emgality having been recommended by the Pharmaceutical Benefits Advisory Committee in July 2019; and

(b) calls on the Government to list these drugs on the PBS immediately to provide relief to those suffering from migraine.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (17:09): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator DUNIAM: By law, the government cannot list a medicine on the PBS unless it's recommended by the independent medical experts on the Pharmaceutical Benefits Advisory Committee, the PBAC. Unlike Labor, the coalition has a policy to list on the PBS all new medicines recommended by the PBAC. To date, the multinational drug companies that make these medicines have not provided PBS listing proposals that are consistent with the advice of the expert PBAC. The government cannot compel these drug companies to list their medicines on the PBS, and the Australian government will list these medicines on the PBS as soon as the drug companies provide listing proposals consistent with the PBAC recommendations.

Question agreed to.

**BILLS**

**Fair Work Amendment (One in, All in) Bill 2020 [No. 2]**

First Reading

Senator FARUQI (New South Wales) (17:10): I move:

That the following bill be introduced: a Bill for an Act to amend the *Fair Work Act 2009*, and for related purposes.

Question agreed to.

Senator FARUQI: I present the bill and move:

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

Question agreed to.

Bill read a first time.
Second Reading

Senator FARUQI (New South Wales) (17:10): I move:

That this bill be now read a second time.

I seek leave to table an explanatory memorandum relating to the bill.

Leave granted.

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

Leave granted.

The speech read as follows—

This pandemic has highlighted the inequalities that have been allowed to flourish under our existing labour laws. And unfortunately, it is not surprising that this government's flagship policy, the Jobkeeper scheme, has in some cases further exacerbated this inequality and insecurity.

There is no denying Jobkeeper is helping millions of workers and thousands of businesses across Australia to deal with the unprecedented challenges posed by COVID-19. However Jobkeeper has significant flaws which the government refuses to fix despite its considerable power to do so.

Although the scheme is running considerably under budget, the government remains determined to exclude over 2 million workers, has decided to prematurely cut off workers and educators in the childcare sector and is actually considering Labor's call to reduce the payment for low paid workers.

Even workers who are lucky enough to be eligible for the payment don't have a guarantee they will receive it.

What happens when an employer is registered for Jobkeeper but decides that some of their workers are not eligible and refuses to pay them? What can workers who believe they are eligible do? This is a question many unions have been asked by their members, and one that the Fair Work Commission and the Australia Taxation Office have been asked by thousands of workers across Australia.

The answer is they can do nothing. At the moment, there is no recourse available to these workers. There are no avenues available to workers who wish to challenge decisions made by their employer about eligibility for the Jobkeeper payment.

This is despite the government's 'one in, all in' principle which is supposedly a key feature of the scheme and one that aims to ensure the integrity of the Jobkeeper payment.

The 'one in, all in' principle requires that employers participating in the Jobkeeper scheme must ensure that all eligible workers are nominated for the payment. However, the decision about whether a worker is eligible or not is entirely at the discretion of the employer with no oversight or enforcement.

When the government established the Jobkeeper scheme, they left a gaping hole where support for workers should have been. The government has denied workers the ability, the power and the recourse to challenge decisions that would exclude them from the payment.

The jurisdiction of the Fair Work Commission has been limited to cover only a small number of issues. The Australian Taxation Office is only responsible for the administration of the scheme and does not have the power to rule on eligibility disputes. Some workers have been advised to make a tip-off to the ATO if they have any concerns however privacy laws prevent the ATO from providing updates or outcomes as a result of tip-offs, let alone help resolve individual cases.

This has created a very troubling situation, one that continues to leave workers behind. Workers who, if given the opportunity, could legitimately argue that they are entitled to receive the Jobkeeper payment. As there is no formal process for these workers to follow, it is extremely difficult to determine the number of people who have incorrectly been denied access to the Jobkeeper payment. An unknown number of workers have been excluded from financial support they are legally entitled to. We have to ask ourselves whether the government is deliberately hiding the scale of this problem.

Questions have been asked during the Senate COVID-19 committee hearings, there have been reports in the media about well known employers denying their workers access to Jobkeeper. The government is certainly aware of this issue and they have decided not to act.

One in, all in’ could also be taken to mean 'no one left behind', but that is certainly not what we are seeing from this government. Workers are being left behind and that is why I am introducing this bill today. The Fair Work Amendment (One in, All in) Bill 2020 amends the Fair Work Act to give the Fair Work Commission the power to deal with disputes relating to workers' eligibility for the Jobkeeper scheme.

This Bill will allow the Fair Work Commission to deal with disputes about whether a worker of an employer participating in the JobKeeper scheme is eligible for the JobKeeper payment. An application must be made by an employee, an employer, an employee organisation or an employer organisation and the dispute can be dealt with by arbitration, mediation or conciliation.

To the extent it is possible, when dealing with these disputes, the Fair Work Commission must give effect to the "one in, all in" principle and can make orders to this effect including orders:

- that an employee is eligible for the Jobkeeper payment;
that an employee has met any requirement of the Jobkeeper payment rules;
• that the employer of an employee has met any requirement of the Jobkeeper payment rules;
• that an employer is eligible to receive the Jobkeeper payment for one or more eligible employees.

This is time limited so the Fair Work Commission cannot make an order on or after the end of the Jobkeeper scheme which is 28 September 2020.

This is something the government should be fixing, but instead they have turned their back on workers yet again. Denying workers a voice won't make this issue go away.

This bill will ensure that workers can go to the Fair Work Commission and formally challenge their employers decision to exclude them from the Jobkeeper payment. This bill will give workers a voice and make sure they are receiving the financial support they are legally entitled to.

There is no excuse, the government's $130 billion scheme is incredibly under budget and it is only supporting half the number of workers the government claimed it would.

Incredulously, the government's review of the scheme will look at cutting payments for low paid workers, but doesn't appear to be looking at how it can be improved to actually pay the workers it claims to support.

Between March and April 2020, the number of people who were forced to work fewer hours than usual because there was either no work, or not enough work available almost quadrupled. In April 2020, there were around 5.6 million people who worked fewer than their usual hours.

As we hurtle towards the September cliff when the government will rip away the financial support so many are relying on, we can certainly expect these numbers to go even higher. For the limited time the Jobkeeper scheme exists, it cannot continue to rob workers of the payments they are entitled to, the payments that workers need to support themselves and their families.

We must not allow the government to continue its complacency and to deny workers access to legal recourse. This scheme already leaves so many people behind, we cannot stand by as it leaves workers in the lurch.

I commend the Bill to the Senate.

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

Leave granted; debate adjourned.

MATTERS OF PUBLIC IMPORTANCE
Modern Slavery Expert Advisory Group

The ACTING DEPUTY PRESIDENT (Senator Sterle) (17:11): I inform the Senate that at 8.30 am today 22 proposals were received in accordance with standing order 75. The question of which proposal would be submitted to the Senate was determined by lot, and as a result I inform the Senate that the following letter has been received from Senator Gallagher:

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

The Morrison Government's incompetence in failing to appoint any civil society or union representatives to the Modern Slavery Expert Advisory Group, thereby establishing an unbalanced Group that overwhelmingly represents business interests, and undermining Australia's progress to eradicate modern slavery in supply chains.

Is the proposal supported?

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

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

Senator KENEALLY (New South Wales—Deputy Leader of the Opposition in the Senate) (17:12): Just over 18 months ago, the Modern Slavery Bill 2018 passed the parliament, taking the first steps to tackle modern slavery risk in the operation of businesses and supply chains. This was the parliament working together to make progress to a fair, decent, compassionate and responsible country. These steps were taken because no country in the world is immune to modern slavery.

The most recent estimates from the United Nations International Labour Organization predict there are 40.3 million people in the world currently trapped in slavery. That's one in every 200 people on the planet trapped in a form of modern slavery. Given the way in which people are forced into silence and subjected to abuse, there are more, undoubtedly, that we will never know about or be able to account for. Of those people, 24.9 million are in forced labour, working against their will and under threat, intimidation or coercion. That's the equivalent of the entirety of the Australian population being trapped in forced labour. The other 15.4 million people are estimated to be living in forced marriages—and, yes, that includes people right here in Australia. Slaves are forced to clean houses or to be maids. They pick fruit, they mine minerals and they make electronics. There have been reports of
Nepalese migrant labourers facing exploitation and even dying in Qatar as the country builds infrastructure for the 2022 FIFA World Cup. Slaves even make the products, including clothes, on the shelves of stores here in Australia, and close to five million people globally are trapped in forced sexual servitude or sexually exploited. This is a reality for millions of people around the world that we cannot ignore. For those people who are trapped in forced labour and working in supply chains for products that end up in Australia, the Modern Slavery Act and its reporting requirements are the beginnings of Australia doing its part to stop this scourge.

From my portfolio perspective, as the shadow minister for home affairs, we’ve seen tens of thousands of people end up in slave-like conditions on farms right here in Australia. On the Minister for Home Affairs’s watch, people are being trafficked to Australia on tourist visas, made to apply for asylum and sent out to work in exploitative conditions on farms or in other jobs for the three or so years it takes to determine their asylum claim. There is nothing wrong with claiming asylum—it’s an important right—but 90 per cent of these applications are eventually found to be without merit. The number of aeroplane arrivals represents a work scam run by people smugglers as they expand their business model from boats to planes, and it’s trapping people in slavery.

Even the Assistant Minister for Customs, Community Safety and Multicultural Affairs, Jason Wood, warned, in a report to this parliament, about this crisis unfolding on Mr Dutton’s watch, and still Mr Dutton has not acted. Even today, in The Sydney Morning Herald, there are stories of a people-smuggling venture being intercepted in Timor-Leste, with 11 Vietnamese nationals seeking to get to Australia. In fact, the task force emergency response coordinator in Timor-Leste told The Sydney Morning Herald that these Vietnamese have been offered work on Australian farms by people smugglers. You used to be able to trust this government with Australia’s borders. Indeed, Operation Sovereign Borders has bipartisan support. But, sadly, you can’t trust Scott Morrison and Peter Dutton anymore. Labor want Australia to be a world leader in tackling modern slavery. We don’t in fact disagree with the government on this very important issue. But, just as the government has stressed so many times, in so many areas of policy, we must not set and forget.

The government announced on 17 February that it would be establishing a Modern Slavery Expert Advisory Group. The group has the purpose of ‘collaborating with business and civil society to combat modern slavery in supply chains through Australia’s Modern Slavery Act 2018’. The government opened nominations for positions, seeking ‘experts with practical experience in business and human rights, procurement and supply chain management to help drive effective implementation of the Modern Slavery Act’. These are sensible and important steps, and I thank the government, and I pay credit to Assistant Minister Wood for establishing the panel they announced three weeks ago, on 25 May. However, there is a ‘but’, and it is a very significant one. There is not a single representative from civil society organisations or unions that has been appointed to the panel—not one from advocacy organisations, no-one from charities, no modern slavery experts with practical experience and no-one from the union movement. This leaves an unbalanced group that overwhelmingly represents business interests and undermines Australia’s progress to eradicate modern slavery in supply chains.

This isn’t political point scoring. In fact, the statistics speak for themselves. From the 70 applicants, including many experts in the modern slavery field, not a single appointment has been made from those who are working directly with the workers who are at risk of modern slavery. I have significant concerns for what this group will be able to achieve without representatives from civil society or the trade union movement. The 10 appointments that have been made to the Modern Slavery Expert Advisory Group overwhelmingly represent business interests. Six out of the 10 appointments are from large Australian companies, including Bunnings, Telstra, Country Road Group and David Jones. There are five permanent members in the group. Three of the five permanent members of the group are the Australian Chamber of Commerce and Industry, the Australian Industry Group and the Business Council of Australia. All of the groups directly represent the interests of business. A fourth, Global Compact Network Australia, is predominantly a network of Australian businesses. There is also one member of the group who has held positions in the Liberal Party in New South Wales, yet still no-one from the union movement or civil society.

On 1 June a letter was sent to Assistant Minister Wood from 20 civil society organisations, unions and academics, voicing their alarm following the government’s announcement of appointments to this group. This letter, signed by 20 civil society groups, warns that mass unemployment caused by the COVID-19 pandemic will heighten risks of labour exploitation, making it crucial for the government’s approach to be informed by experts working directly with workers at risk. They stress that, given the current panel appointees, the government’s ‘efforts in combating modern slavery will be driven by companies that are subject to Australia’s modern slavery laws, rather than the interests of people at risk of modern slavery’. I share these concerns, which is why I wrote to Minister Wood yesterday stressing the need for the government to listen to these experts. I acknowledge that the minister has contacted me today, offering a meeting.
The government must ensure that the Modern Slavery Expert Advisory Group is balanced and has unbiased representation. The government cannot let their incompetence or their stubbornness potentially jeopardise Australia's response to modern slavery. The government worked with the unions and civil society when it came to addressing the COVID-19 pandemic, and the government is continuing to do so. The government can, and they should, take a similar approach now with modern slavery.

How can the government comprehensively address modern slavery with an expert advisory group that contains no representation from groups who work directly with the workers who are working in slavery, who are at risk of modern slavery? It beggars belief. It defies logic. I implore the government and the assistant minister, Jason Wood, to make further appointments to this expert advisory group from civil society organisations, from churches, from charities, from the trade union movement, to guarantee that the Modern Slavery Expert Advisory Group is balanced and informed in its representations, importantly so that voices and the experience of workers who are in modern slavery or at risk of modern slavery are heard and understood by the government.

We must work together to get Australia's response to tackling slavery right. The Labor Party in this parliament and in the community stands ready to do that with the government, which is why I have made these representations to Minister Wood. I am pleased he has offered a meeting. I am hopeful that he is willing to enter into a dialogue that sees balance come onboard this expert advisory group. If we don't get our approach to modern slavery right in Australia, getting it wrong will do nothing to stop this scourge that is infecting tens of millions of people around the world.

Senator McDONALD (Queensland) (17:23): Well, how disappointing to see such an important issue as modern slavery being picked up by the Labor Party and absolutely being made up of political point-scoring. It once again demonstrates the lack of understanding that Labor has for how to get things done. In this case it is how to take a very practical piece of legislation, which has, as its base, an advisory group that will complement the existing consultative forums, such as the National Roundtable on Human Trafficking and Slavery, which was established 12 years ago, in 2008. The round table comprises 12 civil society and NGO groups and only one business organisation, I have to point out, and one union. Yet there is this complete lack of understanding of how the advisory group will provide information back to business and government on the implementation of these important initiatives and reforms. I am also very concerned that Senator Keneally has talked about people in Australia working in modern slavery. I'm sure that if she has knowledge of such circumstances she would be bringing that to the attention of the authorities.

I want to talk particularly about the great work that has been done in the agricultural sector. Most recently, it is Growcom who has put together the Fair Farms initiative. Fair Farms is an industry led initiative. It's aimed at fostering fair and responsible employment practices in Australian horticulture, and that's the kind of practical and useful initiative that ensures that workers are being paid properly and fairly. I want to expand on that to say how pleased I am that Coles has picked up that initiative and has worked in partnership with Growcom to pick up the Fair Farms certification. It's a terrific initiative from very practical people, ensuring practical outcomes.

I imagine that the reason Coles has done that is because of their ethical supply chain and their ethical-sourcing policies, which they have gone to great lengths to put on their website—as have Woolworths and ALDI. It is unfortunate, though, that they can't—

Senator Keneally interjecting—

Senator McDONALD: I'm sorry was Senator Keneally saying something to me? I couldn't hear it. Sorry, I've just lost my train of thought! It is an important initiative to ensure ethical supply sourcing, which ensures that businesses are paid adequately, that their workforces are paid properly and that there is a little bit of something left in it for the business. It is unfortunate that Coles, Woolworths and ALDI don't apply to dairy and to dairy farmers the same practice of ethical sourcing that they're now putting across through Growcom and the Fair Farms certification. They're being paid less than the cost of production and being robbed blind of a fair price by these big supermarkets, who are putting downward pressure on prices through the milk and dairy processors, ensuring that dairy farmers are at the very bottom of unfair negotiating practices. Indeed, I was horrified to hear again this week that Lactalis, the Queensland based milk processor, is trying to introduce a new clause into milk contracts, saying that any dairy farmers who then do media on their contracts would not have their milk picked up. What an outrageous threat to make to these hardworking Australians, who have a very short shelf life for their milk.

So it is important that we continue to work hard on ensuring that we don't have modern slavery in this country. The advisory group is a terrific initiative that will provide feedback to government about businesses' responses to modern slavery. Thank you for raising this matter.

Senator McKIM (Tasmania—Deputy Leader of the Australian Greens in the Senate) (17:27): I thank Senator Keneally for bringing this matter—a very important matter—before the Senate. And, while I'm handing gratuitous
thanks around the chamber, I want to thank and acknowledge the work that then Senator and now Minister Reynolds did in shepherding the Modern Slavery Act through the previous parliament. Of course it was supported by the Australian Greens, although we did express, and we still retain, the view that penalties should have been part of the legislation. And I thank Senator Keneally for her support for that comment. I can only hope that when the review that's required does take place, there will be a recommendation for penalties to be inserted into the act.

The Modern Slavery Expert Advisory Group is the topic of this matter of public importance, and the Australian Greens share the concerns articulated by Senator Keneally. This act, this piece of legislation, is essentially a supply chain management act, and it deals in large part with working conditions. It would have been most helpful if the Modern Slavery Expert Advisory Group contained people with expertise in supply chain management and with expertise in and relationships with people who represent workers in this country. The minister's guidance material on the Australian Modern Slavery Act states in the Commonwealth Modern Slavery Act 2018: Guidance for Reporting Entities:

Collaboration with civil society organisations such as non-government organisations, as well as other stakeholders like workers and their representatives, can be an important way to strengthen your entity's response to modern slavery. That's obviously aimed at corporations, in the main, but the point that it makes is equally relevant to the make-up of the Modern Slavery Expert Advisory Group. So where in this expert advisory group are civil society organisations and NGOs, and where are the workers and those who represent workers?

I'm also in possession of the letter that Senator Keneally referred to—that is, a letter to Assistant Minister Wood signed by a number of civil society and workers organisations, including Human Rights Law Centre, Australian Council of Trade Unions, United Workers Union, Uniting Church in Australia, Synod of Victoria and Tasmania, Be Slavery Free, Transparency International Australia, Business and Human Rights Resource Centre, Australasian Centre for Corporate Responsibility, Australian Lawyers for Human Rights, the Salvation Army, ActionAid, RMIT Business and Human Rights Centre, Victorian Trades Hall Council, University of New South Wales, University of Melbourne, University of Technology Sydney, University of Western Australia, Monash University, RMIT University and UNSW Canberra at the Australian Defence Force Academy.

Those groups, and the signatories to that letter who represent those groups, have made it perfectly clear to Assistant Minister Wood that the appointments to the Modern Slavery Expert Advisory Group that have been announced by Mr Wood overwhelmingly represent business interests. This should come as no surprise to anyone who has watched this government in action over the last parliament and in this parliament, because—let's face it—they are most comfortable when they are hearing from their corporate mates and they are least comfortable when hearing from areas of our community like civil society organisations and unions who represent workers. I'd add that, outside the context of this debate, what makes them most uncomfortable is receiving advice and suggestions from the environment movement, but that's a subject for another day.

As the letter points out, 'The need for the government's approach to be informed by those working directly with workers at risk is critical.' It's very difficult to argue with that sentiment, very difficult indeed, and it's a sentiment that is shared by the Australian Greens. This debate is encapsulated in the second-last paragraph in that letter to Assistant Minister Wood, which says:

This leads to the disturbing result that Australia's efforts in combating modern slavery will be driven by companies that are subject to Australia's modern slavery laws, rather than the interests of people at risk of modern slavery.

Let's be very clear about this. The Modern Slavery Act is not intended to be beneficial legislation for corporations; it's intended to be beneficial legislation for people at risk of modern slavery. That's what it was designed to do. Even though it lacks some teeth and it lacks some structures that would allow it to perform that role to the full extent of its capability, it is, nevertheless, a decent first step down the road—and it could be a better step and a larger first step down the road if the Modern Slavery Expert Advisory Group appointments were made with due consideration of the need to include representatives of civil society organisations, workers and unions who represent working people in Australia.

I also want to refer to a couple of matters that have come up in the debate about racism in this country—a very welcome debate that our country and many other countries around the world are engaged in at the moment. It's a debate that people are putting their lives on the line to have in many parts of the world, including in Australia. We have a Prime Minister who last week tried to claim that there was no history of slavery in Australia and then, when he was quite rightly pulled up on that, tried to weasel out of that claim with a 'sorry if you're offended' non-apology—the kind of non-apology that we hear far too much of in public life in Australia at the moment. What I want to say is that it's very difficult to understand how the Prime Minister of this country could be so ignorant of Australia's history. There has been slavery in Australia. There have been many shameful instances of slavery in Australia's history.
Unfortunately, one of the big issues that we have in this country, in the context of the debate about racism that we have had and are continuing to have in Australia, is the fact that so many of our structures are based on a racist colonial legacy, the concept of terra nullius and the fact that we are yet to reach genuine reconciliation with First Nations peoples in Australia. Until we have a treaty with First Nations peoples in this country, we will still have significant unfinished business. Until we have that treaty, it's going to be very hard to eradicate the kind of systemic racism that far too many First Nations people and people of colour in this country face every day. It's not just their daily lived experience; it is the structures of so much of what goes on in this country that are based on that racist colonial legacy and on the fact that we have yet to come to terms with the dispossession, the murders and the genocide that occurred in this country in regard to white settlement and the way that white people treated First Nations people when white people arrived in this country.

Senator PRATT (Western Australia) (17:37): I'm pleased that the government is getting on with implementing the Modern Slavery Expert Advisory Group and, indeed, implementing the legislation, but it will only be the world-leading initiative that we want it to be if it brings the right experts together—those with the practical knowledge and expertise in combating slavery. It's laudable and terrific that so many big Australian companies want to step up and nail their colours to the mast to combat modern slavery in Australia, but I tell you: they can't do it alone and they can't do it without the right people around the table.

This group could be a great and wonderful resource for taking steps towards crushing modern slavery in our nation and, indeed, making a contribution around the world. However, the appointments to this group don't include anyone who has ever worked with people at risk of modern slavery. I tell you that there are places where modern slavery exists in our nation. You can see it. I understand that there are experts in those companies who work on it in their global supply chains, and I see that there are some academics on the group, but I want to tell you that we need a broader base than that. It needs to be people who can work with small business, because we've seen modern slavery in our nation in the agricultural sector. We can see it in people's homes, in domestic service. We can see it in so many locations around our nation. As the Prime Minister proved last week, in his ignorance of and blindness to Australian history, it can be right under our noses and we can still not see it, because of our cultural prejudices and our blindness. When you see, for example, a domestic servant in someone's house, you're going to assume that they're there of their own free will and that they're being paid properly. You have to take your blinkers off and look for exploitation in many places. In our colonial history, we saw incarcerated First Nations people as prisoners, when in fact they were slaves. You might have seen Pacific Islanders as immigrants here for employment, as they are today, when in fact they very much were slaves.

I want to put the onus on the government and say that you need to have people on this advisory group who work directly with people who are in exploited labour situations today: people who are in these situations in our nation today but also people who work at the coalface of exploited labour, slavery-like conditions and slavery conditions right around the world. People who produce goods and exercise modern slavery are pretty good at hiding what they do from their supply chains. I know that there are experts from corporations who have been appointed to this panel that well know that and will be quite good at what they do; I don't deny that. But you must also have representatives from people who understand the kind of economic and cultural leverage that people have over other people that puts them in these slavery conditions.

I'm really pleased that Minister Wood has acknowledged that he would like to meet with Senator Keneally on the basis that so many groups have critiqued the appointments to this body. I can see my good senatorial colleagues opposite saying that what Labor is saying is incorrect. I have to tell you that I deeply respect the academics and the civil society groups that have written to Minister Wood, raising their concerns. I don't negate the credentials of those that have been appointed, but I say to you that it is blatantly one-sided and we've got an opportunity to fix that, to bring in the diversity that will be required to combat modern slavery in our nation and globally.

Senator RENNICK (Queensland) (17:42): Slavery is perhaps the most abhorrent practice in human history, and I doubt that that's a matter up for debate. If we all agree on how deplorable slavery is then I fail to see why those opposite would seek to make the elimination of modern slavery from international supply chains a partisan issue. But, then again, history shows that nothing is above petty partisan politics when it comes to the Australian Labor Party, especially when they are doing the bidding of their union masters.

Senator Keneally interjecting—

Senator RENNICK: Do you think that abolishing slavery is a joke, Senator Keneally? I don't think so. Given the sharp decline in the relevance of trade unions, evidenced by the fact that they now only represent 14 per cent of Australian workers, you would think that this extremely sectional interest group would wake up and accept that its influence has diminished in line with its dwindling representation. Yet, apparently not. Any opportunity to
press their thumb on the scale, to leverage undue influence for their flagging enterprise, is grasped with gusto. And that's what today's matter of public importance from the Labor Party is all about.

Senator Pratt: Well it's easy to fix!

Senator RENNICK: Senator Pratt, please take this seriously. Surely this is a new low, even for those opposite. At a time when the primary concern of this government is ensuring that as many Australians as possible are supported as we emerge from a global pandemic, the opposition can't resist making a petty political point, a point dripping with self-interest on an issue that should be above party politics and factional interests.

Senator Keneally interjecting—

Senator RENNICK: Senator Keneally, please. The fact remains—

Senator Keneally interjecting—

Senator RENNICK: Senator Keneally, I didn't interrupt you. The fact remains that ending modern slavery is an extremely noble and worthwhile goal and one that we should all be committed to. The Modern Slavery Act will hold large businesses to account and ensure they work earnestly to mitigate the risk of modern slavery within their supply chains. The act is the strongest legislation of its kind in the world. The act sets clear, mandatory criteria that businesses must meet. It creates a central register to house statements on modern slavery and even requires the government itself to report on modern slavery risks in procurement.

The Australian government has a strong and effective national response to modern slavery and human trafficking. There are a set of powerful criminal offences, with up to 25 years imprisonment, available as a punishment, as well as specialist investigative teams working within the Australian Federal Police. The government works extremely hard to ensure that Australia's Modern Slavery Act is world leading and drives businesses into a race to the top. Reporting requirements and the risk to brand reputation mean it is in the best interests of businesses to comprehensively deal with even the suggestion of slavish exploitation within their supply chains. Good supply-chain management and ethically sourcing products are big winners in the modern marketplace. One need only look at McDonald's talking up their ethical sourcing of coffee to see that this is a path that big corporates are keen to take. And consumers support it, meaning it is as much a good business decision as a moral one.

Let's not pretend that anything about this legislation was rushed or that extensive consultation wasn't carried out. Consultation included a detailed public discussion paper, released in August 2017; roundtables, with representatives across the spectrum, held in September and October 2017; more than 50 meetings with stakeholders; and almost 100 written submissions. To put it bluntly, this was an extensive process that sought as much feedback and input as possible. The government have also released guidance on reducing the risk of modern slavery within the context of our COVID-19 response.

The call to action around this initiative is one which unites all parts of society, yet those opposite seek to criticise and divide on this very issue. Public nominations for the expert advisory group to assist with the implementation of the act were sought in February this year. The group is a diverse one, made up of business and academic figures as well as the previous chair of the Joint Standing Committee on Foreign Affairs, Defence and Trade, Chris Crewther, who is incredibly well qualified and has the experience to be in this group. Chris led from the start on this issue and chaired the parliamentary inquiry into the drafting of the legislation. Independent experts and people with pragmatic experience in this field, like those on the advisory group, are the people best placed to guide the application of the legislation, to reliably identify and remedy problems within supply chains and to remain true to the spirit and objectives of the act. It makes sense to combine the best theoretical and academic minds on the subject with best practice from industry. This is what the exceptional appointees to the expert advisory group bring to the table. This is the best path forward to ensure that trends and practices in this area are monitored and our responses stay ahead of attempts to disguise this wicked practice.

To me, it is ludicrous to suggest that a union representative would somehow make any positive difference to this group, which is intended to be non-political and seeks to match the best industry leaders with leading academics with experience in and understanding of the field. Unions have a chequered history when it comes to protecting workers, often placing their own interests first. You need only look at Bill Shorten's time as AWU secretary—ask the workers.

The ACTING DEPUTY PRESIDENT (Senator Sterle): Senator Rennick, order! Just before my colleagues jump, I would urge you, under the standing orders, to refer to those in the other chamber by their correct title, please.

Senator RENNICK: Sure. Ask the workers on the EastLink project how they feel about union representation. So-called flexibility measures ripped workers off substantially. The builder then paid the union almost $300,000
over the next few years. Unions look after their mates in the ALP and vice versa. Then there was the Winslow incident, where workers had their union fees paid by the company, seemingly without their knowledge—just the block of members being chucked into the AWU for no apparent reason. Or there's Cleanevent, where workers were signed up to the union without knowing, where the union numbers delivered diminished penalty rates of hardworking cleaners. Again, to enhance union influence in the Labor Party, cleaners and construction workers have been clear victims of modern trade unions. It is a disgrace.

Finally, if Labor are concerned about unions having more influence, why not bring them to the table on an issue where they do have a stake? They should perhaps look at getting unions on board with amendments to the Fair Work Act to make it easier for small businesses to comply. To look at how difficult this is, we need only look at the failure of compliance by Senator Watt's old employer, Maurice Blackburn. If an industrial law firm can't get it right, how can a small-business owner with no legal training ever get it right?

The fact remains that, except with those directly opposite, unions are less relevant than ever. In a global economy with complex supply chains, a union official is likely to be unqualified when determining how modern slavery might corrupt complex supply chains. This is the reason none were selected, and to suggest that anyone is incompetent for making a correct decision only serves to sum up the ALP: a party who are interested in protecting their rivers of gold from union fees and superannuation funds. The hardworking Aussie battler was left behind by the Labor Party a long time ago. Human rights are non-negotiable, and ending slavery is a critical goal. We should all be working together to achieve it.

**Senator McCarthy** (Northern Territory—Deputy Opposition Whip in the Senate) (17:52): I was on the subcommittee that produced the report *Hidden in plain sight*, along with many other Labor members. As the Greens have already raised, I commend the defence minister, Linda Reynolds, for her work in bringing this through to the parliament. I also acknowledge Chris Crewther MP, the chair of the subcommittee at the time. We travelled over to the UK and were briefed quite extensively on the UK legislation, so we were able to listen and have evidence brought before us on what worked and what didn't work. It was quite clear that this Senate and the joint committee took united steps to push forward this report, which is quite extensive. We were enormously pleased to push for an antislavery commissioner and, clearly, we were very disappointed that it could not progress beyond the current piece of legislation. But there's always hope. I note that New South Wales took the step as the first jurisdiction in Australia to appoint an antislavery commissioner, and I think there's certainly still scope for the federal parliament to do the same with this piece of legislation.

That's why it's important that this matter of public importance is brought on, in relation to the 10 people who have been appointed by the assistant minister in this regard. I bring to the attention of this Senate that there has been tremendous work on this from all sides of the parliament. This isn't just about standing up to raise an issue; this is about imploring Minister Wood to actually listen to the concerns that are genuinely being raised here in the Senate through this MPI.

We had over 250 submissions to the *Hidden in plain sight* inquiry, and many of those came not from government organisations or companies—from corporates—but from smaller businesses and families, from those that wanted to give their views, from religious quarters, from all of those groups. I think it's important to acknowledge that they're absent in this. And what about the NGOs? I pick up on the comments by the senator who spoke previously. The unions are critical to this—they are very relevant—because we're talking about workers and the exploitation of individuals, whether it's in family homes or in farming companies, and we certainly heard plenty of that when we travelled around Australia. We estimate that over 4,000 people are still in slavery here in Australia. So we needed to make sure that this expert advisory group reflected the concerns that were raised in our inquiry. I would certainly urge Chris Crewther, who is on this advisory group, and Minister Jason Wood to push hard and make sure they do have union representatives and expert advisory groups from civil society who can fairly bring forward a compassionate position, but a very practical one, in terms of the representation they bring, especially on behalf of the over 4,000 people we are aware of, in our estimates through this report, who are enslaved here in Australia today.

I'd urge senators to realise the importance of this MPI. If you think that these 10 people are being identified as not being good enough, we're saying that you could do better; you must do better. So many senators and members have worked so hard on this particular piece of legislation, and we will not stop. We want to see an antislavery commissioner in this country. We want to stop slavery full stop. Over 40 million people around the world are enslaved somewhere, and over 4,000 of them are here in Australia. So this is a matter of public importance.

**Senator SCARR** (Queensland) (17:57): I say at the outset that I don't have an issue at all with a representative of the trade union movement with appropriate expertise in modern slavery and supply chain management being a member of this expert advisory group. I suspect there will be a fulsome discussion. As Senator Keneally acknowledged, the minister has agreed to meet with her, and that's a good thing. I also acknowledge Senator
McCarthy's warm comments directed towards Senator Linda Reynolds and also a previous member of the other place, Chris Crewther. Those were very warm comments, and I certainly acknowledge them.

My issue with this MPI is with respect to the language used. Can we come back for a moment and consider what civil society is. What is civil society? It's people brought together with common interests, and whether or not they are a member of a company or a legal academic or have been at the forefront of setting up charities which have helped protect the most vulnerable people in our world, every single person on that expert panel is part of civil society, and their common interest is to abolish modern slavery. That's the concern I have with the wording of this MPI—it is a 'them and us' MPI.

Does anyone in this place seriously think any of the 10 members on that expert panel are going to try to wriggle their way out of complying with the legislation? Does anyone honestly think that? I say that as someone who was a senior executive and a director of companies in Laos, in PNG, in Myanmar, in Thailand—countries where there was modern slavery. I say that as a person who has held those senior director positions and senior executive positions. And you know what? We didn't even need a piece of legislation to fight against modern slavery. We didn't need this chamber to pass this act when we decided to fight against modern slavery. Why? Because it was the right thing to do. It was to have appropriate due diligence with transport supply chains, to make sure contractors and their subcontractors weren't engaging in abhorrent child labour. It was the right thing to visit the contractors, walk their factory floors, have a look at their occupational health and safety standards and see if they met the requirements. Each and every person on this expert panel brings some particular expertise to this committee.

I don't know who worded it but I think it's quite shameful that this MPI has been worded in a way that seeks to pit business against worker. We are talking about civil society here and the collective interest to abolish modern slavery. Let's not forget the great Australian who was at the forefront of fighting against modern slavery—Twiggy Forrest. What side is Twiggy on? He was at the forefront of combating modern slavery but the Labor Party—some of them, not all—want to make it a partisan issue and want to say it's about them and us. It's not; it's about collective interest to abolish modern slavery.

I will just refer to some of the qualifications of some of the members of that expert panel because one of them is a constituent of mine from my home state of Queensland—Dr Kate van Doore. Kate has done an absolutely wonderful job setting up a charity that looks after orphanages. I can't think of anything more vile than people trafficking in children, selling them into orphanages. Kate has established a charity, an NGO, that specifically addresses that. So why come into this place and tip a bucket on these good people? Why? To what end? Why didn't you just raise the matter in a civil way with the minister and say, 'You know what, it could be helpful to avoid something like this if you actually put on a member from the trade union movement.' Why put forward this awfully worded MPI? It's disgraceful. And to actually assert that this has the potential to undermine Australia's progress to eradicate modern in supply chains—how? They didn't explain how.

The fact of the matter is, the legislation which was passed by this House through the committee Senator McCarthy participated on requires companies to put a statement on a publicly searchable register outlining how they comply with the legislation in their supply chains, how they do that due diligence, how they do that risk management. The people on the committee are people who have experience in sustainability reporting, in public reporting by public companies, in advocating on these issues, in supply chain management. What an idea—some of the experts we have got on the expert panel actually do supply chain management! And this is an issue that you couldn't raise some other way? Goodness me! It's despicable, absolutely despicable.

Let me refer to someone else who has had the bucket dumped on them by those opposite, in particular by Senator Keneally. Sunil Rao, a lecturer at La Trobe University law school, founded the Modern Slavery Initiative. He's written books on child trafficking, the history of anti-slavery laws. You say he is unbalanced on the issue? Why don't you do your homework before you tip the bucket on Australians?

It might be the way the New South Wales Labor Party behaves, Senator Keneally, but I would have expected you to rise to a higher standard when you came to this place—maybe not! And let's not talk about the Victorian Labor Party. I'm not sure they're part of civic society, are they, Senator Keneally?

The DEPUTY PRESIDENT: Senator Scarr, I remind you to address your comments to the chair. Thank you.

Senator SCARR: Thank you, Madam Deputy President. I think another point that needs to be noted in this debate is that this expert panel actually reports to the national roundtable. And who is on the national roundtable? Let's have a look at who is on the national roundtable, because I didn't hear anything about the national roundtable from any of the speakers opposite. I certainly didn't hear an acknowledgement that the expert panel actually reports to the national roundtable. They report to a roundtable that includes the ACTU; the expert panel actually
reports to a roundtable that includes the ACTU. They're actually subject to oversight by the body that includes the ACTU. And those opposite have an issue!

From time to time, it is quite dismaying that those opposite make political issues out of things they shouldn't. This matter could have been handled quite differently, but they were chasing a headline. I do hope Senator Keneally's meeting with the minister is fruitful, but can I just say this: it would have been nice if that meeting had occurred without tipping the bucket on good Australians.

Senator WALSH (Victoria) (18:06): Earlier this year I met with Lydia and Delo, two women originally from the Philippines living here in Canberra. They had been recruited to work as qualified massage therapists. They had been sponsored on 457 visas and had signed contracts which promised them legal pay and conditions. But when they arrived in Australia their employer took their passports from them, forced them to work 13 hours a day six days a week and kept them under constant surveillance. They were forced to live in an overcrowded house and were locked inside. They were banned from talking to family and friends and were forced to hand back part of their salaries, in cash, to their employer. All the time their employer kept the threat of deportation hanging over them, and their family members back in the Philippines were threatened with violence and harm if they spoke out.

There were two groups that helped those women. One was the Salvation Army and the other was the union movement—specifically the United Workers Union. So it's extraordinary that those groups have been excluded from this advisory panel; it is absolutely extraordinary. It was with the support of those groups that these women were able to bravely stand up, tell their story, and speak out and advocate on their own behalf for the justice that they so incredibly deserve. It is extraordinary that those groups are not participating in the government's Modern Slavery Expert Advisory Group. Right now the likelihood is that, if an example of modern slavery is found in Australia, it will be a union, a human rights organisation, a faith organisation or a social service organisation that finds it. It is also these organisations that are working directly with the workers who are impacted by modern slavery to take them to speak out and fight for justice. It is these very organisations that have been advocating for the type of supply chain reform that senators on the other side of the chamber have been talking about. These are the people who have been advocating for this reform. So this is not optional. It is absolutely critical that this expert advisory group include these organisations in the discussions about how we, as a country and as a society, can best tackle this tragic issue.

Last year I met with a group of farm workers who had similar experiences in my home state of Victoria. Their experiences were very much located in a supply chain of exploitation, with supermarkets at the top. Mahali was one of the workers who told me about contractors paying workers $10 an hour to pick fruit, lettuce and herbs not far from where I live in Victoria. Danial told me about how the farm labour contractors are setting this up. They're charging thousands for a visa application, they're taking workers' passports off them on arrival and they're leaving the farm workers trapped in these exploitative conditions. Farm workers are unable to go home and are terrified of speaking out and being reported to immigration, so it takes incredible courage for them to speak out.

Of course, the organisations that are helping them speak out are the unions. That is why we need the union movement to be included on this expert advisory group. I really welcome the government's decision to establish this group. It is absolutely vital that this committee exists to inform the government on responses to combating modern slavery in supply chains. It's an incredibly important step, and we need to get Australia's response right. Again, it just cannot be the case that the very organisations that work directly with the victims of modern slavery are excluded from this advisory group. Out of the 10 appointments made to the advisory group, they overwhelmingly represent business and employers, and that is just not good enough.

Contrary to the comments made on the other side, of course we welcome business and employers being on that advisory group, but we want to see balance. We want to see the people who have been advocating for and speaking out with these workers who've been exploited, who've experienced this modern slavery, to be included in the discussion about the solutions. That is all we are asking for in this matter of importance debate today. The advisory group has received 70 applications to participate from organisations in the union movement and civil society, including the ones I mentioned before. Let's pay some respect to the organisations that have been doing the work to advocate and speak out with these workers. (Time expired)

The DEPUTY PRESIDENT: The time for the MPI debate has concluded.

COMMITTEES

Australia's Family Law System Joint Select Committee

Senator HANSON (Queensland) (18:12): I rise today to provide an update on the progress of the Joint Select Committee on Australia's Family Law System. As with other committees, the way we have carried out our work has changed due to the restrictions in place over the past three months as a result of COVID-19. Despite these
restrictions, the work of the committee has continued, and I would like to take this opportunity to thank members for their contribution.

To date, the committee has received and is currently processing over 1,500 individual submissions and almost 200 organisational submissions to this inquiry. We continue to receive and consider submissions. The committee has also held a number of hearings this year. We were fortunate to travel to several communities in Queensland and New South Wales in early March, where we conducted public and in camera hearings. We also had a number of hearings scheduled in Victoria, Tasmania, South Australia, the Northern Territory and Western Australia. While we have been unable to travel since mid-March, the committee has continued to conduct in camera hearings to hear from individuals about their experiences of the family law system. We have also begun to hear from organisations in public hearings using the videoconferencing facilities available here in Canberra. Since COVID-19 restrictions came into place, we have conducted five in camera hearings and one public hearing. We will continue to conduct hearings in this way for the foreseeable future.

There are a number of things that have begun to emerge from the evidence. We have heard about the costs associated with the family law system, delays in the court system and the appropriateness of our legal framework. We look forward to further interrogating these and other themes as we continue our important work. On behalf of the committee, I thank all of the submitters and witnesses to this inquiry, especially those children, parents and grandparents who have been through or are currently in the family law system.

Treaties Committee
Government Response to Report

Senator COLBECK (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (18:15): I present the government's response to the report of the Joint Standing Committee on Treaties inquiry into Investments Uruguay, ISDS UN Convention and Convention SKAO. I seek leave to incorporate the document in Hansard.

Leave granted.
The document read as follows—
Australian Government response to the Joint Standing Committee on Treaties report 188:
Investments Uruguay, ISDS UN Convention and Convention SKAO
JUNE 2020

Introduction


The Government provides the following response to the Committee's recommendations.

Response to the recommendations

Recommendation 1

The Committee supports the Agreement between Australia and the Oriental Republic of Uruguay on the Promotion and Protection of Investments and recommends that binding treaty action be taken.

Response:
The Government accepts this recommendation.

Recommendation 2


Response:

Recommendation 3

The Committee supports the Convention Establishing the Square Kilometre Array Observatory and recommends that binding treaty action be taken.

Response:
The Government accepts this recommendation.

The Government agrees with the Committee's conclusion that there are many good reasons to ratify the Convention. Ratification is a crucial step in securing the valuable co-hosting rights for the Square Kilometre Array Observatory. Australia has much to gain from hosting an international science facility of such the scale and

CHAMBER
The Australian Greens recommend that ISDS provisions be excluded from all trade agreements and that any existing trade agreements including these provisions be renegotiated to remove them.

Response:

The Government does not accept this recommendation. The Greens do, however, accept that where ISDS are included in trade agreements that any measures to increase transparency constitute an improvement. Therefore, we support the expansion of the United Nations Commission on International Trade Law Rules and we recommend that the United Nations Convention on Transparency in Treaty-based Investor-State Arbitration be ratified. Any inconsistencies in the application of the Rules on Transparency within existing agreements should subsequently be remedied.

Response:

The Government does not accept that part of the recommendation relating to remedying any inconsistencies in the application of the Rules on Transparency within existing agreements should subsequently be remedied.

While Australia aims for strong transparency requirements regarding investor-State dispute settlement (ISDS) in all trade agreement negotiations, we are only able to achieve what is mutually acceptable to our trading partners. Concluded trade agreements represent a negotiated outcome, reflecting a balance of interests of both parties. Reopening such negotiations to remove ISDS provisions would likely result in a shift in the balance of outcomes against Australia's interests in other areas.

- The Greens recommend that ISDS provisions be excluded from the Uruguay Agreement.

Response:

The Government does not accept this recommendation. For the reasons outlined above, the Government decides on the inclusion of ISDS provisions in trade agreements on a case-by-case basis in light of the national interest, including the protection of Australian investors overseas.

The ISDS provisions in the updated Uruguay Agreement will maintain access to ISDS for Australian investors, which already exists under the 2002 Uruguay Agreement. JSCOT has heard in previous hearings that Australian investors and industry sectors value the inclusion of ISDS in trade and investment agreements.

The updated Uruguay Agreement's ISDS mechanism is balanced by explicit procedural and substantive safeguards, including a WTO-style general exception and a security exception that reinforce the Government's ability to regulate in the public interest and pursue legitimate public welfare objectives, such as public health and the environment. The updated Uruguay Agreement will replace the broadly drafted older-style 2002 Uruguay Agreement, which lacks these explicit safeguards. If the Uruguay Agreement is not ratified in its current form, Australia will not have these explicit safeguards.

- The Greens do, however, accept that where ISDS are included in trade agreements that any measures to increase transparency constitute an improvement. Therefore, we support the expansion of the United Nations Commission on International Trade Law Rules and we recommend that the United Nations Convention on Transparency in Treaty-based Investor-State Arbitration be ratified. Any inconsistencies in the application of the Rules on Transparency within existing agreements should subsequently be remedied.

Response:


While Australia aims for strong transparency requirements regarding investor-State dispute settlement (ISDS) in all trade agreement negotiations, we are only able to achieve what is mutually acceptable to our trading partners. Concluded trade agreements represent a negotiated outcome, reflecting a balance of interests of both parties. Reopening such agreements to amend the ISDS transparency provisions would likely result in a shift in the balance of outcomes against Australia's interests in other areas.

Moreover, most of Australia's existing trade agreements with ISDS provisions, which were concluded after 1 April 2014, have strong transparency requirements similar to those found in the UNCITRAL Transparency Rules.
{\textbf{DELEGATION REPORTS}}

\textbf{Australian Parliamentary Delegation to Thailand, Philippines and Malaysia}

\textbf{Senator GALLACHER} (South Australia) (18:15): by leave—I present the report of the Australian parliamentary delegation to Thailand, Philippines and Malaysia, which took place from 24 August to 4 September 2019. I seek leave to move a motion in relation to the report.

Leave granted.

\textbf{Senator GALLACHER}: I move:

That the Senate take note of the document.

The delegation consisted of the delegation leader and member for Page, Mr Hogan; the member for Groom, Dr McVeigh; and me. We attended the General Assembly of the ASEAN Inter-Parliamentary Assembly in Bangkok as observers. Australia and ASEAN enjoy not only a significant economic relationship but also strong government-to-government relationships and, most importantly, people-to-people connections. Australia's cooperative programs with ASEAN commenced as early as 1974, and the cooperation has expanded and adapted to match the progress, which has been significant, that all ASEAN countries have made since then. The delegation attended the plenary session of the assembly and was also invited to participate in dialogue sessions with AIPA member countries. The dialogue sessions had a particular focus on good regulatory practice, and the discussion also covered the relationship between member countries and Australia.

On the sidelines of the assembly, bilateral meetings were held with members of the delegations from Malaysia, Canada and the Republic of Korea. The delegation also met with the Secretary-General of AIPA to discuss ways in which AIPA is developing its relationship with some observer parliaments. The delegation considers that there is an opportunity for the Australian parliament to deepen its relationship with AIPA. For example, it could explore a dialogue series on specific issues such as road safety and marine debris.

For the first time, the delegation to AIPA was combined with regular country visits to ASEAN nations and, following AIPA, the delegation travelled to the Philippines and then Malaysia. In Manila, the delegation met with parliamentarians, businesspeople, researchers and the Australian ambassador and visited a project supported by Australian aid in the Pandacan district. A meeting with members of the Philippines congress was a good opportunity to share experiences among parliamentarians and committee members and learn more about the parliamentary system in the Philippines. A discussion with members of the Australia-New Zealand Chamber of Commerce Philippines gave the delegation insights into the existing business relationships between our countries. The longstanding relationship between Australia and the Philippines is both broad and deep, and it includes strong people-to-people links. However, the delegation heard that the trade relationship is less strong and there is certainly room for growth in the economic ties between the two countries.

In Kuala Lumpur the delegation met with Malaysian ministers and civil society, received a briefing from the Australian high commissioner and finished with a visit to the Malaysian parliament to meet with the Speaker of the House of Representatives. A recurring theme of discussion was the Malaysian government's focus on reform, including parliamentary reform. Malaysia is looking at other countries to identify good practice and other resources that it can adopt or adapt. This includes \textit{Odgers and House of Representatives Practice}.

In its conclusion to the report, the delegation considered that continuing to focus on and, where appropriate, deepen our relationship with ASEAN countries and their parliaments should remain a priority for Australia. Combining the delegation to AIPA with the regular visits to ASEAN nations followed a suggestion from the 2018 parliamentary delegation to Vietnam, Thailand and Brunei that ASEAN country visits should be timed to coincide with AIPA to maximise the delegates' interaction with regional parliamentarians.

The delegation considered there is a natural alignment between observing the AIPA General Assembly and visiting two of the member countries to see their parliamentary environment in practice. However, it is noted that the stay in Thailand was heavily focused on the assembly and there was therefore not the same opportunity for in-depth engagement with our Thai parliamentary counterparts as there was in the other two countries. The delegation thanks the hosts of the 40th AIPA General Assembly, the National Assembly of Thailand, the AIPA secretariat and Australia's diplomatic missions in Bangkok, Manila and Kuala Lumpur for developing the programs and for the support provided through the visits.

Those visits, six or seven months ago, seem like a lifetime away. We were able to travel the world easily and to deepen our already strong relationships. We will get back to that, and I encourage the parliament to continue its interactions with ASEAN and AIPA, because they are genuinely good things to do. They are not, as some in the media and other places would have it, jaunts. They are really hardworking, good endeavours which result in tangible achievements. The Malaysian parliament looks at the Senate practice in respect of estimates and wants to
do some good work in that space. So I encourage all senators to contribute, where possible, on these delegations, because they're extremely worthwhile. When the world returns to normal, there should be more of them.

Question agreed to.

COMMITTEES

Membership

The DEPUTY PRESIDENT (18:22): The President has received letters requesting changes in the membership of committees.

Senator COLBECK (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (18:22): by leave—I move:

That senators be discharged from and appointed to committees as follows:

Economics Legislation Committee—
Discharged—
Senator Kitching
Participating member: Senator Gallacher
Appointed—
Senator Gallacher
Participating member: Senator Kitching.

Economics References Committee—
Discharged—
Senator Kitching
Participating member: Senator Gallacher
Appointed—
Senator Gallacher
Participating member: Senator Kitching.

Select Committee on Temporary Migration—
Discharged—
Participating member: Senator Faruqi
Appointed—
Participating member: Senator McKim.

Question agreed to.

BILLS

Great Barrier Reef Marine Park Amendment (Coronavirus Economic Response Package) Bill 2020

First Reading

Bill received from the House of Representatives.

Senator COLBECK (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (18:23): 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 COLBECK (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (18:23): I move:

That this bill be now read a second time.

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

Leave granted.

The speech read as follows—

This Bill makes amendments to the Great Barrier Reef Marine Park Act 1975 in order to waive the requirement for permit holders to remit the Environmental Management Charge to the Great Barrier Reef Marine Park Authority for the quarter 1
January to 31 March 2020. This is intended to provide financial relief to the Great Barrier Reef tourism industry and other relevant permission holders impacted by the coronavirus pandemic.

The Government values the significant contribution of the tourism industry which welcomes so many of our visitors to the Reef every year. The Environmental Management Charge predominantly applies to tourism activities. The Bill is intended to relieve rising pressures on tourist program operators, and on other permit holders, associated with the Charge. This will provide much needed relief for the tourism industry and further encourage visitors to Reef.

We know this measure will be incredibly welcomed by industry, with the Whitsunday Charter Boat Industry Association telling me 'The backdate in the EMC waiver to January 1, and the $3 Million in further relief for our industry this will mean, could not have come at a more opportune moment... the removal of the need to pay the January-March EMC fees is more of a Godsend than you perhaps may have realised. We cannot thank you enough.'

The Environmental Management Charge is a tax primarily imposed on visitors to the Great Barrier Reef Marine Park. The funds received from the Charge are important in the day-to-day management of the Marine Park and in improving its long-term resilience.

The Government will ensure that there is no reduction in revenue that goes to the management of the Great Barrier Reef Marine Park as a result of this amendment.

Full details of the measure are contained in the Explanatory Memorandum.

Debate adjourned.

REGULATIONS AND DETERMINATIONS

Australian Postal Corporation (Performance Standards) Amendment (2020 Measures No. 1) Regulations 2020

Disallowance

Senator KITCHING (Victoria) (18:24): I seek leave to add Senator Hanson-Young's name to this motion.

Leave granted.

Senator KITCHING: I, and also on behalf of Senators Carr and Hanson-Young, move:

That the Australian Postal Corporation (Performance Standards) Amendment (2020 Measures No. 1) Regulations 2020, made under the Australian Postal Corporation Act 1989, be disallowed.

On 21 April, those opposite announced that Australia Post's performance standards would be temporarily amended by regulation. The regulation was then registered on Friday 15 May 2020. These changes are set to last until July 2021. The government and Australia Post's management said that this will help to manage the impacts that COVID-19 has had on Australia Post's operations. This regulation reduces the frequency of letter delivery and provides Australia Post with significant flexibility to restructure its workforce operations.

Currently, Australia Post is required to service 98 per cent of postal delivery points daily. This excludes weekends and public holidays. Under the regulation, this requirement will be removed. Australia Post will instead be required to service 97 per cent of delivery points at least two days per week. Currently, delivery time frames within a capital city allow for three business days after the day of posting. This would change to allow for five business days after day of posting, which is effectively, when you think about it, seven days if you post on a Friday afternoon. Currently, delivery time frames within a regional city allow for three business days after the day of posting. This would change to allow for five business days after day of posting. Letter delivery time frames from a capital city to a regional city within the same state currently allow for four business days after day of posting. This would be pushed out to five business days after day of posting. The current postbox clearance frequency and day of posting definition means that clearance is daily, and therefore the day of posting was the same day or the following day. The changes mean that Australia Post can now set their clearance times, which in turn determine the day of posting. In practice, this will mean no clearance on a Sunday. Australia Post had to offer a priority letters service where businesses could pay to have letters delivered faster. Now this is no longer offered. This is a service that generates $400 million a year in revenue.

Australia Post argues that COVID-19 means fundamental change is required. Annual parcel growth is now forecast to be 20 to 25 per cent over the next few years, well ahead of pre-COVID forecasts of 10 per cent. Current parcel volumes are up 65 per cent. The CEO of Australia Post has also argued that a collapse in letters is the reason why change is needed. However, this claim is disputed by unions and contradicted by people within Australia Post. In an article published this past Sunday in The New Daily, titled 'Australia Post refuses to divulge data as it pushes service cuts to parliament', Isabelle Lane notes:

The total number of addressed and unaddressed number of letters sent fell 10 per cent in February compared to the same month last year, 11 per cent in March, 28 per cent in April and 36 per cent in May.
However, the coronavirus pandemic is not the only factor that could have triggered the dramatic decline in April and May, as May 2019 was a federal election month, which means unusually large volumes of unaddressed letters were sent in the weeks preceding the national poll.

Ms Lane goes on to say:

An Australia Post media spokesperson told The New Daily the figures for annual changes in volumes of addressed and unaddressed mail sent in February, March, and April, which The New Daily first requested on Thursday, would be provided by 6pm on Sunday.

The spokesperson then provided an incomplete set of figures covering May only, and not the three months preceding it, including April, when the government's decision to approve service cuts was made.

After repeatedly refusing to give the journalists, the unions and the Labor Party the correct information regarding the decline in letter volumes, the government finally acknowledged that they deliberately deceived Australians with misleading statistics when ramming through their temporary COVID-19 postal regulations. Addressed letter volumes did not collapse in March or April 2020, as the government claimed—a claim they used to justify the need for these regulations. Volumes were in line with forecasts and possibly ahead.

On the day the government announced its decision to cut service standards, the Australia Post CEO claimed addressed letter volumes had collapsed by 50 per cent. This in turn became the justification for cutting delivery frequency in half and putting the jobs of one in four posties in limbo and many indirect jobs at risk. Furthermore, we now know that the request for change was made on 31 March this year, when letter volumes were an estimated four per cent above trend. In other words, the seven per cent decline in March 2020 was in fact beating or in line with the internally budgeted pre-COVID forecasts. The lengths to which this government will go to cut workers' pay, entitlements and conditions really know no bounds.

In response to these revelations, my colleague in the other place the member for Greenway and shadow communications minister said:

It was not addressed letter volumes that collapsed during COVID-19 but the integrity of the Morrison Government's rationale for these changes.

She went on to say:

The Morrison Government has tried to use a health pandemic to bypass consultation and ram through an agenda that cuts services and cut jobs.

She added:

This is an unacceptable breach of trust with the community and a cheap shot on the workers of Australia Post. The Parliament must call this out for what it is.

I agree with the member for Greenway. This is a shameful and deceitful act by a proven cruel government that is always looking to undermine the conditions of Australian workers. If these regulations were based on a hoax, how and why should we trust them now?

These regulations, if they are allowed to stand, will allow Australia Post to scale back services and put jobs and take-home pay at risk. Their agenda is to reduce costs by laying off unionised workers and shifting some of the workload to contractors. This is about nothing other than cutting some jobs and transitioning others onto lower wages. We know that Australia Post does not intend for these changes to be temporary. That's why all involved are tying themselves in knots trying to avoid answering the question of whether there will be any indirect job losses. The regulations are pursuing a long-term industrial agenda, with COVID being used to get a foot in the door. The extent and impact of that agenda warrants dedicated parliamentary scrutiny, scrutiny that we have sought through a referral to a Senate references committee.

These regulations will cut by half the frequency of postie delivery rounds and push back mail delivery time frames within capital cities, within regional cities, and between our cities and regional areas. According to the CEPU, around 50 per cent of a postie's daily workload is currently parcels and packets based, 30 to 35 per cent is reserved letters and the remainder is unaddressed and premium express products. The idea that the government likes to put forward, that posties are just there for letters, is nonsense, and we all know this from our own experience. If Australia Post and the government wanted to make a case for change they should have fronted up and given an honest account of their plans. Instead, they've chosen to hide behind COVID-19 and describe these changes as temporary in the full knowledge that any consequent changes to the Australia Post workforce may well become irreversible by next July.

These changes are not temporary as the government has claimed; they are intended to be permanent. I cannot understand why the government and those on the crossbench that plan to oppose this disallowance continue to pretend that they are temporary. Voting against this disallowance is a vote for permanent service cuts with many jobs being put at risk. This vote will be recorded and, when the inevitable job cuts come and these changes
become baked in, permanently undermining the service that our posties provide, the government will be held responsible. Using the cover of a pandemic to pursue an agenda that was clearly on foot prior to the outbreak of COVID is reprehensible. This is about cutting some delivery and processing jobs and shifting other workers on to lower wages.

In 2019 the government commissioned the Boston Consulting Group to undertake a review of Australia Post and its financial sustainability. The report has not been published, but it is understood to recommend a range of measures that would impact community service obligations and the workforce. When this report finally comes out, it will be interesting to see if its recommendations align with what the government is currently trying to do. Furthermore, this regulation is proposed to have effect until July 2021. This is, curiously, longer than the expected COVID-19 timetable for lifting restrictions, but just long enough for restructuring to occur. We will see what they try in July 2021, and if they do try and extend these regulations further or seek to make them permanent then what we will see is the agenda that the government has had.

COVID-19 should not be used as an excuse to rush through changes which are irreversible. This is a behaviour we would expect of an authoritarian regime, not a democratically elected government. The last few months have been a challenging time for everyone, perhaps more so than any other time in our living memory. It has brought out the best in all of us. There has been cooperation between businesses and unions—not seen in a generation, really—in order to protect jobs and keep businesses running. That is a better way forward, not ramming through a regulation like this without consultation and without any opportunity to examine alternative ways forward. These regulations have proven to be not only unnecessary but also built on a foundation of lies, and they should be shelved immediately. We want to set up a process to give fair examination to alternative options, and this is what the public would expect of us. That is what the public would expect of all of us. Labor supports the disallowance of these regulations.

Senator HANSON (Queensland) (18:36): This is a very important issue. Over the last week or so I've had meetings with the CEO of Australia Post, the IR manager and postal services delivery, plus also the unions. There have been conversations on teleconferences. I've really spent many, many hours dealing with this matter, and I think it's very important because it does affect the workers of Australia Post.

I think there has been a lot of scaremongering going on, especially by the Labor Party and pushed by the unions. Let's put some facts on the table. They said that it's about COVID-19. This is the first time, when we've had this pandemic, that we've actually had to change the way that we do business in this country. A lot of people have lost their jobs, by all means, but in Australia Post they haven't. They've done a fantastic job to pick up the cudgel and actually keep going in doing the work that they did. They have actually taken the mail and deliveries to people. We know that over the period of time in years gone by the delivery of letters has declined considerably. Even the unions admit that. They are also saying that the increased number of parcels to be delivered is what has been the impact on the services provided by the postal workers. For example, in one day alone, they had an increase of 160 per cent in parcels. The reason some of the deliveries aren't happening is that, when COVID-19 happened, a lot of the older workers were actually asked not to come in because of safe-distancing, because of their age and because they were worried about their health. Therefore, there was a backlog of deliveries. It was also because Qantas and Virgin, who flew a lot of the parcels around the country to get the mail delivered, were of course put on hold. It was very hard, so they had to bring in contractors. About 60 per cent of the deliveries of the parcels were handed to contractors because they couldn't handle the increased load of parcels that needed to be delivered.

What is being said now in the scaremongering is they expect the parcel delivery to be cut off, and then it was going to be privatised. There is no intention from the government or the CEO to privatise Australia Post. I have actually spoken to the minister, and this would be a piece of legislation. As long as One Nation has some say in this chamber, or even if we have the balance of power, at no time would I ever support privatising Australia Post. But that is not the point, because neither the CEO of Australia Post nor the government has any intention of privatising Australia Post—any part of it whatsoever. That has been a scaremongering tactic used by the Labor Party. When you actually look at which of the 8,000 jobs they are saying they are going to lose, they are basically those around the cities who deliver the mail. Because of a reduction in the number of letters out there—quite a lot of reduction in letters—they want to do a delivery every second day. It will not get rid of anyone whatsoever on those four postal runs. You still have two who will be doing the deliveries and the other two will be dealing with parcels. So it will not lose people's jobs. Australia Post has people leaving all the time, but they want to transition people, if they were on the bikes, and put them into safe vehicles to deliver their part—a car, in effect. So, get them off the bikes, which are dangerous for the older posties—the over-60s. So, they are looking after their safety. Basically, they want to get them into other areas of parcel delivery, because the bikes cannot carry the parcels. This is the way the Australian consumer is going. They are looking more at parcel delivery than at letters.
Australia Post was poorly run for a long time by a CEO who was paid $5.6 million in his last year. Now, we have a CEO who is intent to pulling that back. They are now making a profit. It is an organisation that has not actually gotten rid of jobs. They haven't done that, yet they have put Australia Post into the black. This is an organisation that they wish to see grow. You can only grow it, with expanding business, by running it properly. A lot of the members in this parliament have never run a business—they have no idea. Unions are not there to run businesses. This is why we have a management committee and a CEO to run the business of Australia Post.

I can understand the workers being very concerned about their futures and their jobs, but there is nothing there to say that they are about to lose their jobs. I have seen the documentation and there has been a lot of misreading of it. They told me things were going to happen but they couldn't prove that. That is why, having met with the unions and the CEO again today, we came to an understanding and agreement that there will be a Senate inquiry into this, which will report by 11 August. They both agreed to that and they both want it. At that Senate inquiry, we senators can then ask them these questions. They have to present the documentation and they have to present the truth. This disallowance motion is not going to help anything, because, unless we move forward with an industry that provides a lot of jobs in Australia and a service for the Australian people, we are not going to be able to service the community.

This is about moving forward. COVID-19 is about having to change our ways and how we do business, so that we can provide a service to the community and also maintain the jobs out there. When you have a growing business, as Australia Post is, you don't get rid of your staff. You don't threaten them. They want to keep them on because they are experienced and they are loyal. They have had a great working relationship with their workers and with the unions. Even the unions themselves told me that. A lot of mistruths have been put out there and that has been expanded on by the Labor Party, because you are backed by the unions and you are pushing your own agenda. I am not going to allow that to happen. That is why I am standing here speaking on behalf of the workers. They need assurances that their jobs are going to be there for them. That is what is very important in this debate. Both sides of the House have to realise that it is not all about them and the pushing of their own agenda; it is what is right for the people. It is about working together.

This is only a regulation, which will finish on 1 July 2021 and then be reviewed. By that time we may have a totally different system, but this is about providing a service to people in Australia. Like I said, that is most important. People want those products delivered to them. That's why there has been an increase. Australia Post are trying to look at it realistically, and they are trying to work with the workers.

Another point that was brought to my attention is that Australia Post offered the workers a one per cent bonus. They offered it to the workers; the workers didn't ask for it. Australia Post said, 'You've done a fantastic job. You continued to do your work—you went and knocked on these doors—and we didn't know where we were going with COVID-19.' So they offered a one per cent bonus to the workers of Australia Post—36,000 workers—at a cost of $22 million. They respect their workers. You don't offer that if you intend to get rid of them. Also, there is no intention to pay them out—no redundancies. There will be no redundancies offered to these workers, because they want them to transition to doing the jobs and delivering parcels.

So what has been said is totally misleading, and you are going to scare a lot of people out there who work for Australia Post and who want assurances that their jobs will be there. The community, the Australian people, want to know that their Australia Post is going to be there for them, as well. It will be. I reiterate: there is no intention of privatising Australia Post, there is no intention of offering redundancy and there is no intention of getting rid of the workers. Australia Post want them to transition into other areas so they can provide services to the Australian people. I am hoping the evidence will come out in the inquiry. The truth of the matter will be produced. We should go on from there to ensure that Australia Post survives for a long time to come, in the hands of the government, for the people.

**Senator KIM CARR** (Victoria) (18:47): So there we have it. One Nation are prepared to sink this motion because they have taken the view that they've got the good oil from the management of Australia Post. They've taken the view that we're going to have an anti-union, anti-worker position from One Nation in the defence of Australia's public institutions. We've had it all spelt out to us tonight—clearly, unequivocally, spelt out to us—by Pauline Hanson. She's accepted the word of the management of Australia Post that there's no threat to jobs. She hasn't referred to any of the documentation that's actually put before this parliament. She's not looked at the actual words used by the management of Australia Post. She's relied upon the good intentions of the management of Australia Post and this government, and she's essentially reinforced her traditional view that we're not to listen to the unions and we're not to listen to the labour movement on such an important matter. No wonder there's so little trust in One Nation across this country. No wonder there's so little understanding of why it is that One Nation fails to come to grips with the really basic questions that are confronting this nation.
This is a profoundly important motion, which we understand One Nation is going to vote down. It is a motion that, for reasons of both substance and process, should be supported. No doubt, as a result of the Senate inquiry that will be held, there will be an opportunity for us to vote on this again, when One Nation might have a few facts in their heads as distinct from glib assurances. There may be an opportunity to reconsider the damage that they do through their profoundly naive attitudes.

Let's just go back to the first issue, about public institutions and public trust. This is a government that is all about cutting jobs and downgrading essential services, and in communities that need them most. And this is not the first time that we've heard the government use this pandemic to run out their ideological agendas when it suits them. We've seen the position they've run in the universities, we've seen the position they've run in regard to superannuation and we seen their position in terms of industrial relations. They can set up all the committees they like and they can offer all the assurances they like, but at heart they remain a conservative government that wants to use this pandemic as an excuse to pursue these matters.

We then have the question of the process, where the government delivers, under the cover of this pandemic, a proposition that says, 'Well, now we've got the chance to implement this agenda'. It reflects the real danger of having unchecked power in regulations of this type. I remind Senator Hanson and the One Nation senators to actually look at what this parliament said. The Scrutiny of Delegated Legislation Committee—not run by the unions and not run by the Labor Party but comprising an equal number of government and opposition senators—has expressed deep concern at the fact that this set of regulations has been introduced using the cover of the pandemic to evade scrutiny in regard to the regulatory changes. As a consequence, a letter has been sent to the minister, asking him to explain why there has not been proper consultation on these matters. That's exactly the position that was presented on 11 June. We're awaiting a reply to those matters, but it has become increasingly clear that the government already know the answer to that because they've set in train the practice to implement these changes without consultation.

Furthermore, they're acting on the assumption that these are not temporary changes but permanent changes. That's why we have the situation here, where the proposal for the Australian Postal Corporation (Performance Standards) Amendment (2020 Measures No. 1) Regulations Bill 2019 will allow the closure of post offices and postal outlets. That's the point I want to emphasise: that has an impact, particularly on rural communities—the closure of rural post offices—and particularly with regard to the fact that these are important and essential community services. This is under the cover of the pandemic. These changes will be made in such a way because on 18 March the Prime Minister provided an exemption to the need to have a regulation impact statement. You could say, 'Well, that's just a routine matter,' but it goes to the heart of the question about how these processes have been put together.

Subsequent amendments to the postal regulations will effectively allow the shutdown of rural outlets, on the face of it, until 30 June next year. And, once that happens, try reopening a country post office or a rural outlet! What we'll see, of course, is that this is clearly a statement from the government that they want to reduce the number of outlets that are available. Currently, the 4,000 outlets have to be placed in defined areas; at least 50 per cent of these outlets have to be provided in country areas—in fact, 2,500 have to be in rural areas. In metropolitan areas, outlets must be located so that at least 90 per cent of residents are within 2½ kilometres of an outlet. But outside metropolitan areas they're located so that at least 85 per cent of residents are within 7½ kilometres of an outlet. This provision changes that. What it says is that under the terms of these regulations, because of staffing changes, the government can now close those outlets.

And what does the explanatory memorandum say? This is a point I've made on a previous occasion: the new regulations give the post offices very, very broad discretion as to why or how they can close outlets. For a start, they don't have to provide an explanation as to why they're closing those outlets. The explanatory statement for the new regulations states that it applies to all types of retail outlets, and that 'the workforce of retail outlets is to be interpreted broadly'. Why are those words presented in that manner? It provides the opportunity to actually close those outlets without explanation and with the broadest possible interpretation. There of course are changes to reduce letter delivery standards, with priority mail being suspended, a maximum delivery time for letters within one state to reduce the operations so that it can now take up to five days—talk about snail mail. We have delivery frequencies in metropolitan areas decreasing from daily delivery to alternate business day delivery. We have the situation where the government says to the union, 'We will then implement these changes in this manner.' So it is presented as a fait accompli. This is despite the fact that the union believes that the consequence of these changes will be that some 2,500 jobs will actually be lost.

Further consequences and the knock-on effects in the postal supply chain, in other mail rooms and the like, shouldn't be underestimated. It is about much more than just the 2,500 jobs. This is in the midst of the first recession we have had in 30 years. I would have thought under any normal circumstances you would have to
question whether or not this is reckless and irresponsible, where the government which purports to represent rural interests is providing an opportunity, which One Nation is now endorsing, to actually undermine an essential service in rural and regional Australia.

The government have been willing to ensure that other essential services are able to operate throughout the pandemic. They don't say that schools can operate; in fact, they insist that schools do operate. They don't say that trains can't operate; in fact, they insist that people do use public transport. Even this parliament, after a bit of rebridging work, came to the view that we have to have a parliamentary system in the country. So why is it that post offices are to be treated in a different manner?

I have to suggest that Australia Post has been given a nod and a wink from this government that they are, in fact, preparing them, fattening them up for a different business operation, for the dreaded privatisation, which of course is the model in so many places around the world. The annual report makes it very clear that Australia Post is actually doing very well, with revenue of $6.9 billion and before-tax profit of $41 million, strong domestic parcel growth with revenue up 9.2 per cent and business efficiency savings already of $250 million. Profits are increasing, so why does the government want to cut services? Why is it, if the government says that these are only temporary changes, that it wants to cut jobs? It is not as if they have got an intractable union. In fact, this union has a long record of working constructively to make very significant changes to the way in which postal services are delivered. The union and management have set up a number of joint working groups on a number of trial sites across the country, so it is not as if the union is not prepared to engage. But these groups of course were cancelled, actually cancelled, because of the pandemic.

I don't think we can really take the dedication of Australia Post and its posties for granted, and this pandemic is a demonstration of why we should not. They are, indeed, front-line workers and, like healthcare workers and cleaners and supermarket staff, posties have kept on delivering in a timely manner. They have provided an essential service to the Australian people. But when Australia Post CEO, Ms Christine Holgate, is asked, 'Will you, in fact, guarantee there will be no job losses?' She uses the Yes Minister weasel words 'we guarantee there won't be forced redundancies'. In fact she says, 'We offered voluntary redundancies; we did it to support the union.' So there you have it. It's the ultimate in management doublespeak. They're prepared to put people out of work to help the union. What extraordinary generosity!

We all know that the changes to communication brought about by the internet have made parcel delivery a crucial part of Australia Post's business, but we should ask ourselves: how do we organise ourselves in such a way that we are able to improve services, not reduce them? The government has tried to claim that posties only deliver letters and so the changes are needed to ensure the delivery of parcels. Any of us who have spent any time at home recently know that's just not right. According to the CEPU, about 50 per cent of the typical postie's round is parcels and packages and about a third of the load is reserved for letters; the remainder is unaddressed mail and premium express products. The government should stop pretending. What we can see with our own eyes is very different from the management doublespeak that they use about not forcing redundancies and only offering voluntary redundancies.

This government should be seriously committed to building communications infrastructure for the 21st century. We should have a government that has its eye on the future and a view to ensuring an assured revenue stream. Australia Post is one such revenue stream. A trusted public institution like Australia Post is something we should protect and preserve. It's not just a parcel courier service to be eyed off by some potential corporate raider; it's an essential public service that we, as a country, should advance to ensure that we are able to service this community in a manner fitting an advanced industrial country in the 21st century.

Senator HANSON-YOUNG (South Australia) (19:02): I rise to contribute to this debate this evening. As one of the co-sponsors of this motion, I of course wholeheartedly agree that this regulation should be disallowed. We've heard time and time again in the midst of this debate that the reason this regulation is needed is that we are in the middle of the COVID-19 pandemic. Well, what type of government cuts essential public services in the middle of a health crisis? What type of government cuts essential public services when everyday Australians are being told, 'Stay home and don't go anywhere; do everything from your lounge room, your kitchen and your back porch?' What type of government cuts essential public services in the middle of a pandemic? This government. It's this government that is using the pandemic to allow its creep of privatisation into Australia Post.

We heard from Pauline Hanson and One Nation tonight that they are prepared to take the word of the Australia Post boss and the minister that everything's going to be okay. Here on the Greens benches, we are not so foolish. We are not so gullible. There has been no commitment given that this would be a short-term suspension, and in fact it's not. This regulation would put in place new rules to cut delivery services, resulting in job losses, for another 12 months. And we know what happens when the government cuts public services—it's very, very hard to get them back.
I'm quite concerned about the principle of this, because I do believe that Australia Post is an essential service that needs to remain in public hands, for metro, suburban, rural and regional areas—for everyone. I do have a particular concern that, for senior Australians, this is going to be a blow. They are people who are more likely to engage with government agencies, with utility services and with friends and family via letters as opposed to electronically. It's senior Australians who are going to cop it because of this cruel and cynical move from the government.

I've also got a particular concern for those who live in rural and regional Australia. I grew up in a country town. I know what it's like when the government of the day decides to cut public services and says: 'Oh, well, it doesn't really matter. You're just a small town. You can drive 100 kays down the road to the next post office.' In some cases, maybe it's 150 kilometres, maybe it's 200 kilometres or maybe it's more.

I also happen to be the sister of someone who's been a postie. My brother's been a postie in a country town, the country town I grew up in. It is absolutely essential that, in country and rural areas, the people who have these jobs right now are able to keep them. We know that we are heading to a cliff of unemployment that is going to start rising more and more. We already had hundreds of thousands of people—a million people—lose their jobs in the last three months because of COVID-19. Millions more are worried about what happens come September, when the government cuts JobKeeper. Are we going to allow a cut to public services through this regulation that is going to mean more Australians out of work not because of COVID-19 but because of the government's actions, and not because of the virus but because of the government's obsession with cuts, deregulation and the slow creep, creep, creep to privatisation?

Thousands of Australians who currently work for Australia Post could be out of work because of this regulation. One Nation and the minister tell us, 'No, it's just for 12 months.' No-one believes that, and if you do you're a fool. The slow creep to privatisation is the hallmark of the conservatives in this country—state and federal. It's not going to change. Senior Australians should be very upset that their government is about to sell them out, rural and regional Australians should be very upset that the government doesn't think they deserve these basic services, and everyone should be worried that the government is once again using COVID-19 as a cover for its reckless and cruel policy agenda.

Only a couple of weeks ago, last month, the finance minister, Mathias Cormann, proudly said on radio that the government is going to use COVID-19 for an 'aggressive deregulation agenda'. Well, here is just one simple example of that. This government couldn't lie straight in bed when they talk about their commitment to essential services, to public jobs. Every single time they utter their words of, 'Oh, no cuts, no privatisation,' look behind their backs and see their crossed fingers. We know the hallmark of this government is cuts, deregulation and job losses. This disallowance should be supported by the chamber tonight.

Senator PATRICK (South Australia) (19:09): I indicate I'm reserving the position of Centre Alliance, because we have a Senate inquiry afoot now that will examine this issue in greater detail, but I do want to put some thoughts on the table. Firstly, the operation of the national post service has been and still is one of the core functions of the Commonwealth government. Under the provisions of section 51(v) of the Constitution, the Commonwealth parliament is empowered to make laws with regard to postal, telegraphic, telephonic and other like services. The Postmaster-General's Department was one of the original Commonwealth departments created on 1 January 1901, by federal executive minute No. 1 of 1 January 1901.

The Post and Telegraph Act 1901 was one of the earliest pieces of legislation passed by the Commonwealth parliament, formalising the federal takeover of the post and telegraph services of the states. That act and the Postmaster-General's Department were the responsibility of a minister with cabinet rank—the Postmaster-General. The Postmaster-General's Department functioned for 75 years until it was disaggregated by the Whitlam government in mid-1975 to form two entities: the Australian Telecommunications Commission trading as Telecom Australia, and later as Telstra, and the Australian Postal Commission trading as Australia Post. Forty-five years of corporatisation and privatisation followed. Telstra was privatised by the Howard government, and in 2011 the Gillard government sold off the Commonwealth government's remaining shares in the company.

Since 1989 Australia Post has operated as a fully corporatised government business enterprise under the Australian Postal Corporation Act 1989—the APC Act. The APC Act imposes a community service obligation that must be adhered to in Australia Post's letter services:

Australia Post shall make the letter service available at a single uniform rate of postage for the carriage within Australia, by ordinary post, of letters that are standard postal articles.

Australia Post is also required to ensure:

(a) that, in view of the social importance of the letter service, the service is reasonably accessible to all people in Australia on an equitable basis, wherever they reside or carry on business; and
(b) that the performance standards (including delivery times) for the letter service reasonably meet the social, industrial and commercial needs of the Australian community.

It is interesting to go back to the explanatory memorandum associated with the original bill in 1988, where it talks about the community service obligation:

The right to carry letters within Australia and between Australia and overseas is reserved to Australia Post in recognition of the CSOs imposed on Australia Post. Australia Post is empowered to take action in the Federal Court for relief where a person engages in, or proposes to engage in, the provision of reserved services.

What that means is Australia Post had exclusive rights in Australia to carry letters. Indeed, that's what Australia Post built their reputation on. No-one else could deliver letters; it was against the law. That red bike would go down the street, or that red—I don't know what you call them—pre-moped motorbike would go down the street; that's what people remember about Australia Post. It's interesting that they built their reputation and their iconic status on that letter service. Now we see that they want to in some sense reduce that community service obligation. I did talk to the CEO. In reducing that, they are not willing to open that up to the market. They want to maintain that reserved service and not deliver in accordance with what was originally intended but not let anyone else step into their shoes.

Australia Post has unquestionably had its ups and downs, and it has responded to the challenges and opportunities of our evolving digital economy. In October last year Australia Post completed a major rebranding project with Melbourne based brand strategy firm Maud. This project saw the development of a new brand identity, websites and self-service platforms, parcel and letter packaging, street posting boxes, staff uniforms and a fleet of custom-designed electric vehicles for the company's booming parcel delivery service.

Under CEO Christine Holgate, the declared purpose of Australia Post's rebranding is 'to communicate the organisation's unique and important role in the community' and, in the words of the promotional material, 'to put the Australia back into Australia Post'. Yet today we are standing here looking to wind down those services. My concern in relation to this is that we know there has been a loss of demand but the people who likely still have that demand are elderly people who don't know about or don't like to use email, Dropbox and other things we might take for granted. So just saying the demand has reduced ignores the fact that there are still people who rely on the post turning up every day. I look at this in the same way as you look at a bus service with some unprofitable routes. You say: 'Let's cut those bus routes. We can't afford those. We want to focus on the areas where we make the most money.' That's not how you look after a community. I'm going to be very interested in seeing exactly what information is drawn out in the Senate inquiry such that we make a good decision in relation to this regulation.

Senator ROBERTS (Queensland) (19:16): Senator Carr is big on gusto and light on truth. Here's a letter from the consulting organisation that is advocating on behalf of the union. It is addressed to 'Dear Patricia', who is on Senator Hanson's staff. This letter was received at 5.36 pm today. It reads: 'Dear Patricia. Please pass on my thanks to Senator Hanson for her actions in the Senate today to put the regulations to a committee inquiry and ensure the reporting date was brought forward to August rather than March. I think neither the government, who wanted the regulations passed without scrutiny, nor the opposition, who wanted the inquiry extended to March, are thrilled with this outcome. But it is the right one for postal workers—it is the right one for postal workers, she says; she is advocating on behalf of the union—it is the right one for Australia Post management, Australia Post customers and, importantly, for the ability of the Senate to properly scrutinise legislation.' This is someone advocating on behalf of the union. She goes on: 'As I said at the end of the meeting, Senator Hanson and I may not agree on everything, but, on protecting jobs for essential workers, protecting services for Australian citizens and keeping public services in Australian ownership, we share a common goal.' Let me read that again. She says she and Senator Hanson have the common goal of protecting jobs for essential workers, protecting services for Australian citizens and keeping public services in Australian ownership. That is Senator Hanson's goal, shared by the unions. She finished by saying, 'Thank you again for your time this morning.'

Let me read you what I received just a few moments ago in a text message from Angela Cramp, who is leading the Licensed Post Office Group: 'Oh my God! Maybe you should run down and tell Kim Carr'—this was while Senator Carr was speaking—that his issue was on the table in 2014 and he brought the wrong speech with him.' Then she came back again and said: 'He's actually embarrassing himself. He is so off topic.' And then she expressed some sympathy for me: 'Seriously, I don't know how you guys put up with this rubbish.'

What is going on is just stunning. Senator Hanson listens because she cares. She listens to all sides. She has been in and out of the government's offices in the last two days with a member of my staff and a member of her staff—because she cares enough to get the facts. The facts are what should be driving any decision. If you care enough, you get the facts first. And that is what Senator Hanson does—because she cares. We are in frequent contact with the Licensed Post Office Group because we know they have been left out in the cold and hung out to
dry by both the Labor Party and the Liberal Party. I had Angela Cramp in my office today telling me that, agreeing with me. What is the matter with governance in this country when we don't listen to the people whose lives are being affected? Angela Cramp and the others are saying they are supportive of the proposed changes because that is being fair to the people. If we lie to them, if we mislead them and give them false hope, that is no good for them. They need better than that.

Before I go on I want to acknowledge our hardworking post office workers and post office licensees across Australia. In considering the impact of the government's—

The ACTING DEPUTY PRESIDENT (Senator Walsh): Senator Roberts, that might be a good moment to pause. You will have the opportunity to resume your comments tomorrow. It being 7:20, debate on the motion is now interrupted. Debate will continue as a business of the Senate order of the day tomorrow.

ADJOURNMENT

The ACTING DEPUTY PRESIDENT (Senator Walsh) (19:20): Order! I propose the question:

Forestry

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (19:20): I am pleased to be able to participate in the adjournment debate tonight on an issue that I feel very, very strongly about. And I'm pleased that my colleague Senator Ciccone is here as well. Both of us, along with a number of others in this chamber, like Senator Davey—look, I won't go through the names—are strong supporters of the timber and forestry industry in this country. This is an industry that proudly supports and sustains jobs across many regional communities right throughout the country. It's an industry that we as a nation should be proud of. We should be proud of how we do it better than anyone else in the world, notwithstanding what some amongst us would say about this industry—and I know that Senator Brown is a big supporter of the forestry industry in Tasmania as well, and I applaud her for that.

But there are some out there who wish to undercut this industry and who wish to spread falsehoods about how sustainable and environmentally friendly this industry is. They are people who need to be held to account for what they say. But we'll put that to one side for a moment, because it's really the people who work in this industry—

Senator Rice interjecting—

Senator DUNIAM: I know that I have a great degree of respect for Senator Rice, because she is very strong in advocating for her views, many of which I don't agree with. But we are respectful adults and we agree to disagree on many things. The people who work in this industry are the ones I'm interested in advocating for—the honest, hardworking men and women of Australia who work in this sustainable, renewable and world-leading industry.

These are the people who go to work every morning thinking they are going to come home safely, that there is no risk to their health and wellbeing. But in Tasmania, just last month, we had someone—or a group, I'm not sure who, and we will find out—go into our forests, spiking trees. These were gigantic metal spikes inserted into the trunks of trees in our state, in a way that you could only describe as deplorable. These metal spikes were inserted into the trunks of trees deeply and covered over with silicon, with the bark put back on the outside to conceal the presence of the metal spike. We can only assume that whoever did it—individual or group, I don't know—wanted to cause harm. It doesn't take a rocket scientist to figure out what happens when a tree trunk with a giant chunk of metal embedded in it is being processed and encounters a fast-spinning blade in a sawmill. It doesn't end well. People lose limbs; people are injured. People are killed.

We only have to look at the comments from Wayne Booth from the Karanja timber mill in the Derwent Valley in southern Tasmania, talking about the close call he had when they were processing timber with a metal spike embedded in it. Seven spikes were found and, rightly, there's an investigation underway. I hope it's the most forensic investigation that we can see, because whoever it was out there who thought they were advancing whatever their cause is—and I don't know who it was, but I'm sure they'll be found out—I want them to be brought to justice. No-one out there, no honest, hardworking man or woman, simply because they work in an industry that some people don't like for one reason or another, should ever be subjected to such a risk to their health and safety—just because they go to work. They're not political activists and they're not trying to push a particular barrow; they're going to work to earn an income to pay their bills. What's more, they're doing it in an industry that we should be proud of, because we do it better in this country than anywhere else in the world. Compare us to Brazil or Malaysia, where they rip trees out of the ground and never plant them again, they don't care about the locals they dislodge from their places of residence and they don't care about the wildlife; they have no regard for that. But here in Australia we do. And we have world-class management of that, thanks to the hardworking men and women of the timber industry.
Whoever it is, I hope that somewhere on the 'interweb'—as it's referred to by Senator Siewert from time to time—they will pick up on what I said tonight and will feel regret for what they have done and come forward and admit that they have put the health and safety of hardworking honest men and women at stake. We need to find out who these people are, bring them to justice and protect this proud industry from people who seek to do such awful things.

COVID-19: Western Australia

Senator PRATT (Western Australia) (19:25): Tonight I make a brief contribution regarding the future of manufacturing in my home state of WA. In the west, we have navigated the impact of COVID-19, since it first arrived in the state, somewhat better than others expected, which is pleasing indeed. The McGowan government has done an outstanding job steering the state and protecting the community through the pandemic and crisis. But we know that the economic impact of COVID-19 will have a long tail, including in Western Australia. We have seen destructive and obstructive behaviour from the WA Liberals—like Liza Harvey—who are in opposition, whereas we in opposition nationally have tried very hard to be constructive.

In WA, the state government is focused on the task of economic recovery, rebuilding communities and ensuring decent, secure and well-paid jobs for Western Australians. It has become more evident than ever that we must see jobs restored and grown in the state's manufacturing sector. In commentary about the impacts of COVID-19 on Australia, some have said that some industries have done better than others—for example, mining. But manufacturing industries in Western Australia have been significantly impacted. The impacts have been very real in terms of job losses and an economic downturn. Many companies will be feeling the worst of that impact just as their eligibility for things like JobKeeper starts to dry up.

We have seen officials scrambling to procure the very medical equipment we needed to make it through the crisis, and I think that's a legacy of the shrinking manufacturing sector. We have been overly dependent on overseas supply chains and we're the poorer for it as a nation. From research undertaken by the Australian Manufacturing Workers Union in WA of 600 voters, nine in 10 said WA would be better prepared for future crises if we manufactured more in Australia. More than eight in 10 surveyed thought that the equipment needed to keep essential industries like mining, energy and transport going should be manufactured in WA. I'm confident that, if we asked more Western Australians those same questions, we'd get the same answers. Australians believe in our manufacturing industries in Western Australia and in this whole nation, in their states and in their towns.

Workers and their families in regional Australia have always suffered the most during economic downturns. Our tradies in WA, like those in other places, are more likely to live in outer suburbs and or in regional areas, and they are feeling the impacts of coronavirus very intensely. I really wish the government would amend its restructuring and building incentives so that they could be properly used to stimulate our trade sector. In communities like Collie, Bunbury and other areas of the south-west, they're dealing with the winding down of coal-fired power production and are now experiencing much greater economic distress due to coronavirus.

The Manufacturing Workers Union has put forward a proposal for a south-west advanced manufacturing hub, and it deserves proper consideration by state and federal governments. It could be the hub for the local mining, transport and energy industries and the critical minerals that the government likes to talk about, but, as yet, we haven't seen anything real that delivers on it. This kind of investment, which was successful in the case of the Australian Marine Complex in Henderson, can bring together capital and industry that can really drive manufacturing and economic growth in the region of the South West, and it should really be pushed forward. I'm glad to see the AMWU taking a lead role in economic recovery in my home state of WA and for the manufacturing sector nationally, and I look forward to constructive and continued engagement in securing the future of jobs in regional Western Australia.

COVID-19: Indigenous Australians

Senator SIEWERT (Western Australia—Australian Greens Whip) (19:30): In this time of heightened awareness of and focus on First Nations people's issues and particularly the justice system, Change the Record's release of its report called Critical condition: the impact of COVID-19 policies, policing and prisons on First Nations communities is very timely. This is an important and, as I said, timely contribution on the issues that affect First Nations people, and it highlights how First Nations people are disproportionately affected by the more punitive policy approaches and responses to COVID-19.

As has been Australia's shame for many decades, First Nations people are grossly overrepresented in both the adult and youth criminal justice systems. Places of detention are potential hotspots for the transmission of COVID-19 where social distancing is basically impossible. The policies that have been enacted in places of detention in response to COVID-19 pose a very significant risk to First Nations people. For example, Change the Record has received multiple reports of increased use of lock downs, separation, isolation within corrective
facilities, forced quarantining of incoming prisoners, including children and young people, and reduced access to education, family and legal visits.

Take the case of Daniel, a First Nations man being held on remand in Tasmania. Restrictions on legal visits, limited access to telephone calls and a failure by the prison to facilitate confidential legal meetings meant that Daniel's matter was unable to be resolved in court on the day it was listed for. As a result, Daniel is now spending more time in prison on remand.

The government needs to take a proactive and preventive approach in this COVID crisis, starting by releasing First Nations prisoners who are low risk, have chronic health conditions, are on remand, are elderly, or are children or young people. Many countries around the world have already released prisoners who have less than six months to serve, are on remand, are elderly or have chronic illnesses. Australia should follow these examples.

While the COVID-19 restrictions have been important, the burden of policing and punishment for breaching guidelines disproportionately falls on First Nations people. Look at the case of Tennant Creek, a town of around 3,000 people with approximately 50 per cent of the population identifying as First Nations. Of the 48 fines issued in the Northern Territory related to COVID restrictions, 15 were issued in Tennant Creek. Aboriginal legal services in the Northern Territory, South Australia and Western Australia have reported significant concerns about the issues of fines and overpolicing in border towns. Border town communities have been reporting higher levels of police presence, policing of borders and issuing of penalties. Due to a lack of affordable housing, it is difficult for First Nations communities to comply with directions on gatherings in public and private places.

I am aware of the consequences of police targeting First Nations people. A few months ago in my home state of Western Australia, members of the Noongar community in Perth were issued with move-on notices and fines, despite being homeless and having nowhere to go. In fact, their camping gear, their eskies and their sleeping bags were actually taken and put in a rubbish truck. The issuing of fines has long-term consequences for First Nations people, including further enforcement measures, imprisonment and entrenchment of poverty.

In the wake of the Black Lives Matter movement, Change the Record's report further exposes the discrimination and racism embedded within our justice system, especially during this crisis. I urge everyone, including politicians and policymakers, to take note of the information in Change the Record's report and make sure you put the recommendations into action. Now is the time to rebuild our justice system to focus on investing in communities, not prisons, to increase community safety and to prevent black deaths in custody.

Women

Senator CHANDLER (Tasmania) (19:35): Many Australians would have been shocked in recent weeks to hear about our top science body asserting that anyone who identifies as a woman is a woman, or to see in the media the abuse JK Rowling has received online for stating simple facts about the female sex. I was less shocked than others to read about these developments. Just a few weeks earlier, I'd received an answer to a question I'd asked Sport Australia at Senate estimates earlier this year. I asked them:

For the purposes of supporting, promoting, encouraging and making policy with regard to women's sport, how does Sport Australia define the term 'woman'?

Sport Australia's written response, received three months later was:

Sport Australia has not defined the term 'woman'.

The reason I asked Sport Australia this question is that they have developed a set of guidelines for the inclusion of transgender and gender diverse people in sport, along with the Australian Human Rights Commission. Parents, competitors, sporting administrators, women's groups and constituents from across Australia were taken aback by the tone and implication of these guidelines and a suggestion that participation in sport should be based on a person's affirmed gender identity and not the sex they were assigned at birth. Given that men's and women's sports specifically exist to cater for the biological differences between the two sexes, this pronouncement by Australia's peak sports body is troubling.

During Senate estimates both Sport Australia and the AHRC refused point blank to name the organisations they consulted with as part of developing these guidelines. When I queried them about the practical implications of the suggestions in the guidelines, both organisations were evasive. When I asked the acting CEO of Sport Australia if he thought young girls might be deterred from playing sport if they are competing against males, he replied, 'I don't have an opinion on that.' It's quite extraordinary that an agency would release a 50-page document suggesting that you don't have to be a woman to play women's sport and not have turned your mind to what that means for women.

When I asked the Sex Discrimination Commissioner about people of the opposite sex using women's and girls' change rooms, she told me that she didn't accept the premise of my question and that the act contained location-specific exemptions supporting single-sex toilets and change rooms. Two months later, in response to a written
request on notice, Ms Jenkins corrected the record to say that there is no such exemption to provide for female- or male-only change rooms and toilets in the Sex Discrimination Act. For obvious reasons of privacy and safety, many Australians do not want themselves or their children to have to share change rooms or toilets with the opposite sex.

We've seen in the last week JK Rowling very eloquently explain the very real and very genuine concerns when it comes to single-sex spaces, speaking from her own experience as a woman and a victim of abuse. The vile abuse and threats which Ms Rowling has received for speaking out on these issues is disgraceful and highlights why many women are afraid to speak out on this issue despite the vast majority agreeing with Ms Rowling's point of view. Women's sport, single-sex change rooms and toilets, women's health services, and women's refuges and shelters are all clear examples of services which are designed to cater for a specific sex, with very good reason.

But look at how the institutions, which we should be able to trust to understand the importance of differences between the sexes, are acting. Sport Australia has no opinion on what a woman is. The Australian Academy of Science says that if you say you're a woman, then you are. The Australian Human Rights Commission confirms that sporting clubs can have legal action taken against them for keeping a male out of female change rooms.

The Australian people never voted for these scenarios and in most cases don't even know this is possible under our antidiscrimination legislation. Most Australians would be shocked to know that women may have to share change rooms with a person with male genitalia. They'd be very uncomfortable with an Australian female athlete missing out on an Olympic medal because they were beaten by a transgender athlete who was born male. They'd be appalled if a male sex offender was housed in a women's prison due to their gender identity. Far from being inclusive, replacing sex with gender risks denying Australian women the right to single-sex services which play a vital and necessary role in our society. I stand with JK Rowling and millions of women around the world who are determined to ensure our rights as women are not traded off in the name of diversity.

**Aged Care**

**Senator LINES** (Western Australia—Deputy President and Chair of Committees) (19:40): Last week I met over Zoom with Wendy, Tracey, Rolanda and Sue. The Zoom meeting was with people from right across the country. They're aged-care workers and they're also proud members, as I am, of United Workers Union. They are angry because they've worked really, really hard in very dangerous situations over the last couple of months during this pandemic to keep safe and well Australia's most vulnerable citizens—those people who reside in aged-care and in home care. We've heard the Prime Minister of this country and indeed the Minister for Health tell us how important aged-care workers are.

So imagine their disappointment when they feel like they've been duped. They were angry, and it takes a lot for aged-care workers to get angry. They were angry because they were expecting a bonus of $800 in the case of some of these women and of $600 for the ones who work in home care work. They thought they were all going to get that bonus but, no, we have found out now that, despite the minister's media releases, the $800 and $600 retention bonuses will (1) be taxed, which is a complete breaking of the promise that had been given to those workers; and (2) only apply to some workers in aged care, to caring staff.

I don't know how many times the Prime Minister, the Minister for Health or the Minister for Aged Care and Senior Australians have been into an aged-care facility, but I've been into many. I started work as an organiser at United Voice in the aged-care sector. Let me tell you who are the bulk of the staff working in an aged-care facility. Guess what? They're not the care staff. They're the cleaners, they're the kitchen staff, they're the laundry workers, they're the outside staff and they're the bus drivers, and all of them have contact with residents. All of them do. All of them have put themselves at risk over the last couple of months during this pandemic, and all of them will be denied the retention bonus, which will be paid only to caring staff. Of course, caring staff are vitally important, but I would have thought that all staff in aged care also were vitally important.

Wendy, Tracey, Rolanda and Sue told me how angry they are. They're angry and they're disappointed and they feel like they've been let down by their government, as indeed they have. They asked me to speak tonight on this in the Senate and to ask the Morrison government to go back to the commitment that they made to these aged-care workers, that the retention bonus be paid to all aged-care workers and that it not be taxed upfront.

To add insult to injury, last week I heard from workers in Western Australia—but I am assured this is happening right across the country—that they're getting tested for COVID-19 in their own time. Their employer is not paying them to go off and get tested. Of course we want aged-care workers to get tested if they have a sniffle. Many of those workers—and they're predominantly women workers and they're predominantly low-paid and they're predominantly part time—are now having to go and have a test. But they have to lose a shift to go and have that test. If that is not adding insult to injury, I don't know what is. I would urge the aged-care minister to do
something about that. Many of those facilities, sadly, are run for profit, and obviously many providers are putting profits before caring for their staff.

Mr Morrison and Senator Colbeck, I urge you to reconsider the decision and to pay the retention bonus to every single worker in the aged-care facility that you praised. You didn't just praise care workers. You and Minister Hunt said 'all workers'. You thanked all workers for the contribution they'd made. Let's make sure that the retention bonus goes to all workers—workers like Wendy, Tracey, Rolanda and Sue.

Racism
Media

Senator FARUQI (New South Wales) (19:45): There has been a lot of public discussion in the last few weeks about racism in our society. This has largely resulted from the massive antiracist Black Lives Matter protests that have been held across the world. As I said in the Senate last week, these are long-overdue conversations taking place about the way that racism operates in our society, not just in its interpersonal, everyday, so-called 'casual' forms but also through systems, structures and institutions. An ongoing frustration for many antiracist advocates is the often poor and inadequate way that the news media reports on issues of race and racism. This can range from a lack of understanding about how racism works to actually perpetuating racism, both unacceptable.

In 2018-19, the Australian Human Rights Commission received 27 formal racial hatred complaints in relation to views expressed in the media—more than one complaint per fortnight. Complaints are also frequently made to the Australian Press Council, and this is just the tip of a truly ugly iceberg. We know many instances will not be formally reported, nor can one report the kinds of biases that see stories on race spiked or underreported before they even reach the pages and our screens. Independent research released last year by antiracism organisation All Together Now found that more than half of race related commentary in Australia negatively targets racial and cultural minorities. I quote:

Muslim Australians were the most frequently targeted, with 63 of the 281 media pieces sampled discussing Muslims specifically. More than 80% of these pieces discussed Muslims and Islam in a negative way.

Sadly, this is not a new phenomenon, and it's not likely to abate soon. The reality is that there simply aren't any substantive consequences for being racist in the Australian media. You can have a successful media career after being found to have breached the Racial Discrimination Act.

Part of resolving this will inevitably involve ensuring that the media more adequately reflects the racial diversity in our community. If journalists come from communities impacted by racism, it follows that their reporting is more likely to be sensitive to issues of race. The Australian media is overwhelmingly white. Newsrooms should be actively hiring, mentoring and platforming journalists of colour, including the Indigenous journalists who are already doing exceptional work in a frequently hostile industry. It's the responsibility of outlets to try and rebalance this and ensure the media is representative of the huge diversity in our community.

If our media is also to represent a diversity of views, there should be a large range of outlets, not an oligarchy. There must be space for smaller, online, often youth focused publishers. Tragically, in the past few weeks and months, we have seen the closure of outlets including BuzzFeed News in Australia and 10 daily. It is smaller, youth-media outlets that have followed issues that bigger publishers simply won't touch. A case in point is the coverage of abortion law and access in Australia by Gina Rushton of BuzzFeed News. This incredibly important issue simply would not have received the detailed, ongoing attention that it has in the last few years without Gina's reporting. Likewise, the landscape of reporting on refugees and the impacts of politics on young people is impoverished for the absence of the likes of BuzzFeed, 10 daily and their reporters.

While reflecting on the contributions of young journalists, I want to pay tribute to Sam Langford, who tragically passed away last month, aged 23. Sam interned in my New South Wales parliament office and was simply a joy to be around. An amazing writer and thinker at such a young age, Sam was a force of nature in their student journalism and work at Junkee and SBS. Their writing spoke truth to power and raised the voices of those usually left out of the conversation. Their endless curiosity and the joy they took in sharing their wonder at the world made the days of countless readers. Sam was so near and dear to my heart. They were incredibly talented, most thoughtful and truly kind—always there with unconditional love for their family and friends. My thoughts are with Sam's family and friends through this time. We will miss you so much, Sam.

Freedom of Speech

Senator ANTIC (South Australia) (19:50): I rise tonight to speak regarding the battle this country faces against a rising tide of political correctness and aggressive left-wing ideology and why everyday Australians should be alarmed. Australians are overwhelmingly respectful and tolerant people, but disappointingly, in the last
few weeks, we've seen a small but vocal minority behaving badly and, in some cases, behaving unlawfully. Across the United States, protests which were initially related to the tragic death of George Floyd have descended into chaos. Left-wing agitators in this country didn't waste much time using this as an opportunity to mobilise. While most Australians did the right thing during COVID-19 and refrained from attending gatherings such as Anzac Day, Mother's Day and in some instances, sadly, even the funerals of loved ones, these protesters did as they pleased and marched in large numbers across the country, potentially even putting lives at risk.

Left-wing protesters then vandalised our historic statues and even forced monuments, including a statue of James Cook in Sydney, to be placed under police guard. This wave of spite continued, sending TV publishers into a meltdown as they searched through their back catalogues to sacrifice a few comedic lambs. Netflix decided to dump the iconic Chris Lilley TV series, prompting the ABC to conduct what they described as a 'harm and offence' audit to ensure they were meeting current community standards, which is ostensibly code for rewriting history. Today not even Aussie beer is safe anymore, with news that Australian owned craft brewer Colonial Beer Co is no longer being stocked by a Melbourne liquor store due to the word 'colonial'. Alarming, the owners are reportedly considering changing the name rather than incurring the wrath of the PC brigade.

Frankly, this censorious behaviour has been indulged for too long. I understand sometimes it's hard to call these things out. Most Australians have better things to do and better things to think about. Jobs, families and other commitments all make it difficult for people to find time to argue the point, and many Australians find it challenging to speak out, for fear of being screamed at by an angry mob. But, sadly, tacit endorsement for this woke culture is all around us. Many corporations have been seduced by these self-appointed moral guardians and continue to join campaigns on social issues and submit to the mob.

Many of these trends are, of course, simply laughable, but many are far more sinister. 'Cancel culture' is a new phrase for an old and familiar tactic of the far Left. It was a tactic used by Stalin, who would literally make his enemies disappear and then delete them from photographs. The far Left want to remove any views they disagree with on the grounds that they see them as offensive. They are incapable of existing in a world in which there are views which they don't agree with. This trend threatens the very soul of this country. There are many Australians who understand what this is doing to the fabric of society, but we need all of them to call it out. We need Aussies to prove that these intolerant themes are a minority position in this country. We must all stand up to the imperious ambitions of the PC brigade, because every capitulation to the mob emboldens it.

The struggle by the far Left to undermine and ultimately overturn the traditional and respected institutions that have served our society so well is underway. It may seem trivial, but rest assured: the Australian way of life as we know it is under threat. If we don't battle this insidious trend, free thought, reason and perhaps even our democracy are at risk. To paraphrase General George S Patton, no-one ever won a war by refusing to fight a battle.

Northern Territory: Indigenous Australians

Senator MCCARTHY (Northern Territory—Deputy Opposition Whip in the Senate) (19:54): I'd like to raise in the Senate the importance of the work of the Northern Territory government in terms of the restrictions across the Northern Territory in relation to COVID-19 and commend the Chief Minister and the cabinet for their handling of what has been an incredibly difficult time. Just recently we've seen the people of the Northern Territory who live beyond the capital city, Darwin, and the Palmerston region have their restrictions removed, so internal travel around the Northern Territory has been quite significant.

I thank the people in all those areas, in all those communities across the Northern Territory, for their diligence in making sure that these concerns around COVID-19 were followed, were adhered to. Many traditional owners, family clan groups, community members, went home, went on country, and just waited until it was the appropriate time to travel again throughout the NT. It was difficult for people to not be able to get to Katherine or Alice Springs, but we did see in recent weeks, with the removal of those intra-Territory restrictions, that our communities are now able to engage right across the Territory.

On the weekend there were around 1,000 people, perhaps more, who then gathered in Darwin to raise their concerns about the high incarceration rates of First Nations people in Australia but also to call on governments— not just the Northern Territory government, not just other state governments, but also the federal government—to realise that this issue, the issue where so many First Nations people are being incarcerated at an enormous rate when we are only three per cent of the population, must be brought to the forefront of the federal government's agenda.

I reiterate my call that the Prime Minister, through the national cabinet, can make this an absolute priority. We have witnessed, through the work done on that national cabinet, the ability of our country to engage in the concerns around COVID-19 and to do so in a united way. We can do the same with issues that are impacting and
affecting hundreds of thousands of Australian who have taken to the streets in recent weeks to express their deep passion, their heartfelt views, in terms of the deaths in custody of over 400 people—437—and the fact that there has not been anyone convicted or charged on those occasions.

It is a difficult time in our country's history. But as political leaders that's what we're here for. It's to deal with the complex and difficult times as much as the good times. We're not here to demonise the views of others, and we should not do that. We must always rise higher than that, especially here in this Senate, especially over there in the other house. We must do everything we can to make sure that we are not inflaming the division or even hatred at a time when people desperately need strong leadership. It's not about always agreeing, but it is about always trying to work together to find a common goal, a common road.

So I say to the people of the Northern Territory, those who marched the streets of Darwin city, on Larrakia country, on the weekend, to the organisers, to the young Larrakia women who led the way: thank you. Thank you for your passion, your vision. Thank you for working with the Northern Territory police to ensure that this was a safely held march and rally, and thank you to the Northern Territory police for your support. Thank you to the Chief Medical Officer and to the Northern Territory government for rising above what they could see was causing division across the country. When you do work together, when you commit to working together, you can have some really positive outcomes.

Racism

Senator BRAGG (New South Wales) (19:59): Australia is the most successful multicultural nation on Earth. That we have been able to settle millions of people after the Second World War in a harmonious fashion is, perhaps, the strongest record we have as a democracy and as a country. My own family has been a beneficiary of our very harmonious and cohesive society.

Over the last few months, during the coronavirus pandemic, there have been some troubling but isolated incidents against Chinese Australians and against Asian Australians, some of which have occurred in my home state of New South Wales, in Sydney. The Chinese Australian Forum, which is a group I've had quite a bit to do with during my time as senator, has started a petition. Its members have collected 10,000 signatures of people in support of cohesion and unity over division, which has been an important theme here in the Senate. The Chinese Australian Forum said:

We are living through some challenging and frankly scary times, but fear of the coronavirus is not justification for vilifying our fellow citizens. This petition sends a strong message to those who have been victims of racial abuse that our community stands with them.

In New South Wales, between January and April this year, there were 240 complaints, including 62 based on race. Again, these are very troubling fringe incidents but one incident is one incident too many, and we on this side join with our colleagues across this parliament in saying no to racism. There is no place for racism in Australia.

Chinese Australians have been thanked by Prime Minister Scott Morrison, who has consistently said throughout this pandemic that Chinese Australians have done more than any other group to protect us against the pandemic. The PM said they were the ones who first went into self-isolation. They were the ones who were returning from family visits to China and it was through their care, their commitment and their patience that Australia was protected in the first wave. Minister Tudge, the relevant minister, has also gone on to say that we have got to be very, very clear here in separating people's view about the Chinese government, the Communist Party of China, and Australians or permanent residents here in Australia who may be ethnically Chinese. The minister's point is that the coronavirus has nothing to do with our citizens and the coronavirus has nothing to do with Chinese Australians or Asian Australians. So that is why we have already, through the Human Rights Commission, launched a campaign, a very important initiative, because we need people to know that racism is intolerable in this country.

I am pleased to report to the Senate tonight that this has been a bipartisan initiative, and Mr Andrew Giles in the House of Representatives made some similar comments last week. I very much thank him for his cooperation and partnership in working on these difficult issues because, at the end of the day, we have been a shining light to most countries around the world. We have settled millions and millions of people since World War II in a harmonious way. Yes, there have been some incidents of racism during the pandemic, but, in the main, people have pulled together to get through this pandemic, and diversity has been a strength. Our Asian Australian communities have helped us more than any other group get through this pandemic. So the least we can do is to repay their efforts to help our whole country by not engaging in any form of racism, which has absolutely no place in our country, which we are all so proud of.
Rural and Regional Services

Senator MacDonald (Queensland) (20:03): I am excited to speak tonight because of the future opportunities for regional Australia that have become apparent during the COVID crisis. Rolling out the Morrison government’s COVID-19 tracking app meant that Telstra had to hit the fast-forward button on allowing text messages to be delivered via wi-fi, even if there is no phone reception. This is a major breakthrough for regional and remote communities. It means that people can do business and stay in touch with loved ones, even when they are far away from the beaten track. People in regional Australia don’t require an advantage; they only require a level playing field and this is just one small example, one small step towards levelling that playing field. Communications connectivity opens the door to further enhancements for business, telehealth, education and for agriculture.

The other major consequence of coronavirus has been the realisation that many businesses operated effectively with their staff working remotely. Meetings were conducted online. Instructions were emailed or phoned in. People had to learn how to use web based drive applications to share large files. Working remotely opens up huge potential for people to move to or stay in the regions while working for big city companies. The work of Jo Palmer, the 2019 winner of the National Rural Women's Award, is a case in point. She sees location as no obstacle to having well-paid people working right around the country, be it remotely on a cattle station or even in some of our bigger regional centres, like Townsville. Regional Australia is where we build the nation’s wealth. It’s where you can build your own prosperity and a family. When we level the playing field for education and medicine, we allow families to stay and build a life. It’s good for families and it’s good for the regions, but most importantly it adds to the depth, capability and capacity of Australia as a nation.

The work of the Cooperative Research Centre for Developing Northern Australia in producing a road map for extraordinary opportunities has been terrific. Ambitious targets can be achieved by collaborating more. Given that western Queensland is not supplied with STEM teachers, it will be interesting to see if Education Queensland can be flexible enough to take up the idea of having, for example, a physics class where the students of smaller schools can be dotted all over the state but still have access to the same opportunities that we expect kids in urban locations to have. I want to applaud Councillor Andrew Martin, the mayor of Blackall-Tambo in western Queensland, for the work he has done to access the capability of internet technology for remote areas. For an investment of about $1 million, people in that remote area are achieving normal download speeds. This is a massive game changer for remote communities, and it is not a significant amount of money compared to what we spend around the rest of the country. Cloncurry Shire Council is looking to do a similar project.

Another factor that discourages people from wanting the move to the regions is access to specialist health care, but another silver lining of the virus crisis is that telehealth, via phones and the internet, was thrust to the fore and is now poised to be very much mainstream. Not only are GPs and specialists able to consult remotely via video calls, but the Royal Flying Doctor Service has professionals providing telehealth consultations to rural patients and healthcare workers 24 hours a day by phone, radio and videoconferencing. I have seen incredible technology for remote bluetooth sensing that would allow the Boulia medical centre to assess if somebody is actually having a heart attack and needs to be airlifted out of town or if they just need to go home and have a good lie down.

Key to this seismic shift in regional livability is fast, reliable and cheap telecommunications. These are all things that I am very proud to say the Morrison government is committed to facilitating.

Youth Employment

Senator Green (Queensland) (20:08): I am becoming increasing concerned that this government is not listening to young people. We know that young people are bearing the brunt of Australia’s first recession in 29 years, and the truth is that young workers were already being left behind by this government before the pandemic hit. Their economic security and safety is only going to get worse as this crisis drags on, but the government is leaving them out of the conversation and letting them down. In the aftermath of the GFC, youth unemployment went steadily upwards, reaching 13.2 per cent. After the GFC, it took longer for youth unemployment to come down. It has never recovered to pre-2009 levels, and after this crisis it will be much worse. Older workers are unlikely to retire as early, because they will need to rebuild their super. Young people make up the industries most affected by shutdowns, and a large number of people were working as casuals for less than 12 months, so they missed out on JobKeeper.

We know that youth unemployment has jumped to 13.8 per cent, and that in some places in regional Queensland it is reaching upwards of 16 per cent. It’s not a surprise given that we have a Minister for Youth and Sport who has never been able to come in here and give satisfactory answers about these unemployment rates or what the government is planning to do about them. Yesterday, when I read these figures out in the Senate, Minister Colbeck muttered something under his breath about statistics. I guess he didn’t want to hear these statistics.
What the Liberal-National government has forgotten is that this recession is not just about numbers. It is about people, and these numbers represent every single young person who is worried about their future. This government has forgotten about the almost 500,000 young Australians who have had to raid their retirement savings instead of getting support from this government. The government has forgotten about the 100,000 apprentices and trainees who will lose their jobs as a result of the ongoing skills crisis. The government has forgotten about the 1.1 million short-term casuals who have missed out on JobKeeper. And the government has forgotten about young workers employed in the arts and entertainment industry, because they are still waiting for that support. Particularly in regional Australia, we know that the arts are a crucial part of the community and the economy, and those workers have had nowhere to go.

Labor haven't forgotten about this government's dodgy PaTH program—a complete and utter dud: internships for car washes paying $4 an hour. And we haven't forgotten about when the government decided to pay Scott Cam $345,000 for 15 months work as the National Careers Ambassador. And we won't forget about the childcare workers booted off JobKeeper, because the thing about childcare workers is that 90 per cent of them are women and 40 per cent are under 29. Those are the first people that this government kicked off JobKeeper—young women who are childcare workers and who did essential work during this pandemic.

That is despite the Treasurer's $60 billion budget blunder, which would have meant that more people could have accessed JobKeeper. When we asked why some Australians were missing out on JobKeeper the government said that they had to draw a line somewhere. That is true, but they decided to draw a line that left young Australians down lower, languishing on their own. These numbers aren't something that the government should scoff at, or put into the too-hard basket. They represent young people, every single one of these statistics, and those people deserve a lot better.

I said in my first speech that young Australians shouldn't be afraid to speak up and speak out, and there has never been a more important time to do that. There are young workers hubs in every state across the country which young people can join and organise, mobilise and share their stories. Don't be afraid to speak up; do not let this government get away with shutting you out of the recovery process. They'll tell you that it will trickle down, but we know that it won't. Young Australians were already hurting before COVID and it's time that they had their voices heard.

Tasmania: Queen's Birthday Honours

Senator ASKEW (Tasmania) (20:13): This evening I would like to recognise and thank Tasmania's 12 2020 Queen's Birthday honourees. Each of them has made a significant contribution at the local, state or national level, and these efforts have been recognised by their peers through an award nomination.

Upon announcing the Queen's Birthday honours recipients, Australia's Governor-General, the Hon. David Hurley, AC, said that the list contained all the positives that are in our community, spanning great ideas, hard work, love and compassion for our fellow human beings. Tasmania's honourees comprise two appointments as Members of the Order of Australia: Hugh Hiscutt from Howth, for his significant service to the people in the Parliament of Tasmania and to the community of West Devon; and Dr Rosemary Callingham from Launceston, for her significant service to mathematics education and teacher development, and to the community.

Inspector Glen Ball received the Australian Police Medal and Tasmania had nine Medal of the Order of Australia recipients. These OAMs went to Rodney Bramich for service to the Port Sorell community, particularly his involvement in the local Lions Club; Christopher Jones of Sandy Bay for service to the community of Hobart; Michael King of Geilston Bay for service to the project management sector, with involvement at a state, national and international level; the late Ian Gordon Paton for his service to the community of Wynyard; Edna Pennicott of Kingston for her service to the community of Kingborough in many volunteer positions and who was acknowledged by Senator Bilyk in this place last week; Lola Phillips of Lindisfarne for her service to women in the community of Sorell; and Rex Wilson for his service to education and the Tasmanian community. During his career, Mr Wilson taught mathematics at schools all around the state.

I would like to speak about the two remaining Tasmanian OAM recipients in more detail. They are two very special people who I've known for quite a few years. Firstly, Donald 'Don' Ives received an OAM for his service to music and to the community. A music teacher for more than 25 years and a member of the Suncoast Jazz Club on the east coast of Tasmania for many years, Don's love for music is infectious, and I am sure his students treasure their memories of learning piano with him. More recently Don and his wife, Susanne, moved to Longford. Since that time, Don has been a driving force behind Longford standing as a jazz town. He is the co-founder of the Longford Jazz Club, which was launched in 2011, as well as being a member of the organising committee for the Longford Jazz Festival, which has been running since 2014. He's also performed in the Art of Mozart concert at the Holy Trinity Anglican Church for many years. Don loves entertaining and he loves people.
He was quoted in *The Examiner* last week, saying that the ability to share music was important to him because music makes people happy, and that makes him happy. But Don's OAM was awarded for more than his cultural contribution. He is a justice of the peace and has been a member of the Tasmanian Society of Justices of the Peace since 1974 and a member of the northern JP association since 2000. Don has always been an active supporter of local community and charitable causes, and is always willing to give up his time.

From a community's cultural pursuits to the health of its members, our final OAM recipient is Colleen McGann, who was recognised for service to community health in Tasmania. Colleen witnessed many changes within private health care during her 52-year career. Starting at Tasmania's own private healthcare provider St Lukes Health in 1962, Colleen worked her way up through the organisation, starting as a junior clerk and later serving as company secretary, public officer, general manager and managing director. In a speech to the House of Representatives in 2013 acknowledging Colleen's retirement from St Lukes Health, former member for Bass Andrew Nikolic described her as 'a transformational leader who has made a major difference in the lives of so many of her staff'. Only those who worked with her fully appreciate the truth of that statement.

Colleen's industry knowledge and nous was recognised more widely when she was named Telstra Tasmanian Business Woman of the Year in 2000. Colleen was the first woman elected vice president of the Australian Health Insurance Association, which is now known as Private Healthcare Australia. Her community service extended to a number of board appointments, including chair of the Health Benefits Council of Tasmania and Australian Regional Health Group, director of MyState Foundation and serving member of the Prime Minister's Community Business Partnership. In addition, in her spare time Colleen has been a vital member of the Rotary Club of Launceston since 1995, regularly serving as a director as well as being club president twice, including the current year, during that time. She will often be seen manning the club's barbecues at local events around Launceston.

**Political Discourse**

_Senator ABETZ_ (Tasmania) (20:18): If an individual were to engage in self-loathing, relentlessly finding the fault with self and ridiculing and denigrating all their past endeavours, we would rightly conclude the individual had issues. Counselling might be in order. So too with a society. If a society is willing to engage and embrace those who relentlessly spread negativity and wallow in fault-finding, it will have an extremely bleak future. A mature reflection of self or of society recognises the good with the not so good. We should learn from past mistakes, not to tear down and destroy but to build an even better future. This is how our society has progressed and why we are where we are today as a nation the envy of the world.

Let's be clear: one of the great freedoms we have in Australia is the liberty to leave if we don't like it. I don't see any of the professionally and perpetually outraged leaving Australia for North Korea, Cuba or China. For all its alleged and real faults, Australia is the favoured destination of the peoples of the world seeking freedom and opportunity.

As Professor Allan so eloquently wrote:

You know you're living in George Orwell's world when speech is considered violence and actual violence is considered speech.

That is exactly what we are witnessing today—ugly double standards, courtesy of the anarchist Left. When conservatives speak they are accused of violence if they take a view contrary to the woke Left. But if the same language is used by the Left, it is an indication of empathy and wokeness—always excused.

Earlier this year Bettina Arndt's award was vehemently attacked by Labor's Senate leadership team. That same team of two women remains as silent as a rock over the more recent award to that purveyor of ugly, sexist violence against women and anti-Semitic tweets, Mike Carlton. The reason? He's from the tribe; he's from the Left. Similarly, there is the treatment of Cardinal George Pell and Paul Bongiorno, both in a seminary with that horrific paedophile Ridsdale. Pell should have been fully alert and known all that went on. Bongiorno, on the other hand, is fully excused; of course he couldn't have known. The difference in treatment? Pell is of a conservative disposition, while Bongiorno is from the Left.

We see the woke Left attacking statues of former coalition leaders and Captain Cook, possibly the world's greatest-ever navigator, for allegedly being racist. But a Labor leader who supported the White Australia policy and infamously said 'Two Wongs don't make a white' sits in the pantheon of Labor leaders, as does another Labor leader who referred to Vietnamese refugees as 'expletive deleted' Vietnamese Balts'. No, their names are not to be vilified or desecrated. Instead they are hallowed. Why? Because they are from the Left. Whereas the coalition leader who voluntarily dedicated a week per year to assisting Indigenous communities without media fanfare needs to be vilified for his alleged racism. Go figure.

Refusal to acknowledge any good in others and any possible failings in the tribe has become the mantra and justification to remove people from employment, and films and books from the public, for sportspeople to kneel
for a cause and to close businesses. So much for the celebration of diversity. Everything is judged in terms of claimable victimhood, division and partisanship. The tribe excuses each other and accuses everyone else—the recipe for disharmony, anarchy and societal collapse. Facts, evidence and objective truths are junked in favour of bullying, slogans and emoting.

The time has come to stand firm, push back and advocate the cause of our wonderful heritage bequeathed to us by our forebears: heritage of civility; a system of democratic government; the rule of law; personal freedoms; and the standard of living—all of which make Australians the envy of the world. I for one will continue to be thankful and to defend and promote that heritage, because, for all its faults, I know no better country and I know no better people.

**Paramedics**

**Senator McLACHLAN** (South Australia) (20:23): I wish to pay tribute to all of the paramedics in Australia, especially those in my home state of South Australia. In many ways they are a forgotten frontline service, too often bundled into the title 'health workers' when congratulations are publicly in order. They are rarely singled out for the credit and appreciation they deserve.

It is important to recognise that they are not just health workers; they are equally an emergency service. Being so, each and every paramedic must deal with the inevitable danger and risk that comes in delivering such a service. They are not armed or trained to defend themselves. Instead, they have the skills to ease pain and save lives. More often than not, they work in pairs, giving care to the sick on the very same streets and in the same houses that the police so often have to patrol or visit. This makes them one of the most noble of our professions. During the pandemic, they just kept going on with serving their communities. While the rest of us adjusted our lives to keep ourselves and our loved ones safe during the pandemic, they walked willingly out the doors of their own homes to serve their communities, leaving their loved ones behind. At the end of their shift, they returned home, often returning in the early morning, when their partners were just starting the day, weary in body and soul, desperately attempting to put the trauma they had experienced behind them, trauma that seems so far from their own personal lives yet remains within them and subtly challenges and disrupts their efforts to live as others do. The life they lead in our service is what makes them truly exceptional. They are the angels that walk among us.

Earlier this month, on 2 June, we took time to acknowledge emergency services, on Thank a First Responder Day. We also are currently in Post-Traumatic Stress Disorder (PTSD) Awareness Month. Both of these events drive me at this time to bring the life of a paramedic and the impact of this life on their health to the attention of honourable senators. By the very nature of their duty, paramedics are at great risk of suffering from PTSD. Some research suggests that they are at the highest risk amongst the rank of emergency services. Research makes it clear that a paramedic's mental health is adversely affected not only by the trauma they experience on a weekly basis but also by the inherent pressures of their job, such as making life-and-death decisions, the relentlessness of shift work, training obligations and fatigue. Despite their professional and assured patina, which we all experience when seeking their care, underneath the calm many are in great pain. Honourable senators may not have had the opportunity to have read the report published by Beyond Blue titled *Answering the call national survey*. Beyond Blue conducted a national mental health and wellbeing study of emergency services. It makes sobering reading and compels action.

Before I came to this place, I spent a modest sojourn at the foot of the Hindu Kush. I know firsthand that many of those who have served in our military, far from home, now suffer stress associated with their service. There is an abundance of services offered by all levels of government, as well as community support to ensure veterans receive the care that they need. This is the right path and I will never waver from advocating for this commitment to our veterans. But I seek the same commitment for our paramedics. Whilst they do not travel far from home, exposure to traumatic events is an integral part of their working lives. Day in and day out they are confronted with tragedy and pain. Then they go home, expected to live ordinary lives with their loved ones, which is often very difficult. I acknowledge the state and territory funded support programs that exist within many ambulance services. However, I believe that more can be done and achieved. I call on state and territory leaders, in the spirit of compassion, to reflect on those men and women who serve in this unique and special role and to ask themselves whether we are doing enough to ease the burden of their service. I suspect the answer will be that we fall short. The patron saint of paramedics is Saint Michael, an archangel. We should not just leave it to him to watch over our paramedics.

**Silvery, Ms Chai**

**Senator DODSON** (Western Australia) (20:28): I want to pay tribute to Chai Silvery. On Tuesday, 19 May, I was informed that my office manager, Chai Silvery, had tragically passed away. She had only just given birth to her first child. She was a loved member of my team, fiercely protective of us all and someone who always sought...
to bring people together. Though not from political circles, she was a person of conviction. She believed in social justice, despised discrimination and treated people respectfully, regardless of rank or privilege. But, like many, she would not have used those words to describe her values.

She was unflaggingly caring. She always asked about our families, often bringing us delicious Indian food for the office, organising staff lunches before we all flew off to Canberra, and making sure we were rested and healthy when times were very busy. In the early stages of this pandemic, well before restrictions had commenced, Chai went to great lengths to protect me and my staff from harm. She never took no for an answer, even when we protested. She was definitely the boss of the office.

Born and raised in India, Chai and her husband moved to Broome and became an integral part of that place. She represented the best of the rich multicultural traditions of Broome. She loved Broome and contributed to her community. She was proud of her rich cultural heritage, her language, her movies and her food. And she supported fellow new arrivals to Broome, assisting them to navigate the many barriers in front of them as they called a new place home. Many observing the work of this parliament understandably do not see the hard work our office undertake, and Chai was an integral member of my team, ensuring that things were organised behind the scenes. My office is a small team, and most of us are based in Broome, far away from Canberra.

Chai’s passing is a huge loss not only for my team but for the Broome community as well. She left her mark in a small town, far away from the place of her birth. Chai is survived by her husband, Nembali, and their newborn daughter, Krysha. I’m personally grateful for her support and, on behalf of my team, I pass on my condolences to her family and recognise her great contribution to this place and to our lives. I wish to also thank and express our gratitude to all the Labor colleagues who have expressed their support and concern for us and for her family as well.

China

Senator FIERRAVANTI-WELLS (New South Wales) (20:32): I rise to speak about compensation post Wuhan and, inter alia, the Port of Darwin. Australians will no longer accept ‘business as usual’ with the Communist regime in China. Failure by the CCP to properly follow World Health Organization procedures has killed hundreds of thousands and caused huge economic damage. Domestic and collective international action is needed. Domestically, we need a clear plan to reduce our dependence on overseas supply chains and build domestic self-reliance and resilience. Supporting ‘Australian made’ will come at a price. Governments at all levels will need to re-examine procurement practices to favour ‘Australian made’.

I now turn to the plan for reparations or compensation. This necessitates an examination of the CCP’s culpability, which was canvassed in the recent report by top UK think tank the Henry Jackson Society in London, entitled Coronavirus compensation? It clearly states that, had the CCP provided accurate information at an early juncture, ‘the infection would not have left China’. China only reported to the World Health Organization on 31 December 2019, stating no evidence of human-to-human transmission. This contradicts reports in the South China Morning Post citing Chinese government documents of 200 cases by 27 December. Instead, China covered up and punished the doctors who sought to tell the truth. US intelligence reports refer to massive underreporting of cases, and the CCP has been desperately trying to rewrite the narrative.

We are now in recession, with loss of jobs and livelihoods. Billions of dollars have been borrowed. Australian taxpayers will need to shoulder the enormous burden of repaying the debt. No Australian has been left untouched by the negligent actions of the CCP. Therefore, it is just that China pay compensation. Reparations are synonymous with monetary compensation. The Henry Jackson report argues that, were the UK to pursue a claim against China and secure a judgement that mandated compensation, and were China to ignore it, the United Kingdom would be entitled to pursue any lawful means for collection of that judgement. On the collective international front, given closer economic ties between the Five Eyes and indications given by President Trump and Secretary Pompeo that China must pay, the possibility of international action should be considered.

Firstly, look at whether assets owned by China or its state owned entities in Australia could be seized, liquidated or, in any way, form part of a compensation claim. To extend its influence, China has poured billions into Australia to acquire assets, including the port of Darwin. Following the seizure of any assets, they could be refloated or sold. Would China retaliate if seizure of assets was part of a compensation claim? China is a totalitarian regime. Its history of nonrecognition of international legal frameworks is well known. China is hardly likely to contest a legal claim—to do so would mean recognition of jurisdiction.

Secondly, consider whether we halt repayment of Chinese owned sovereign debt as part of any compensation claim. The Australian Office of Financial Management issues Australian government debt. The total Australian debt owned by China or its entities is not publicly available, because the public register only identifies ownership of less than half of all Australian government debt. The extent of the debt we currently owe China and its entities
is within the purview of the government. A 2015 analysis by the Royal Bank of Canada suggested that China may own as much as 20 per cent of all Australian government debt. Collating numbers released in the IMF's quarterly update on foreign exchange reserves, RBC said it appeared China held around $130 billion of the $730 billion Australian government and quasi-government bonds in the market.

Thirdly, seek to impose tariffs on Chinese imports as part of the claim. This is a blunt tool, which the CCP is ready to use against us—and we should not be afraid to do likewise. Of course, this would further impact on the relationship, but judging by the ongoing threats by the CCP to Australia across many areas it clearly doesn't give a damn!

I now turn to the port of Darwin. The lease should never have been granted, and we should be looking to break it not only as a practical demonstration of asserting our national sovereignty and security but, potentially, as part of any compensation claim. Following its win in August 2012, the CLP started exploring the privatisation of assets, including the port. Consultants were engaged, reports were prepared throughout 2014 and, in January 2015, an exploratory process to gauge interest was launched. Thirty-three investors, including Australian and European companies, as well as Chinese owned Landbridge, registered an interest.

Media reports showed that Landbridge was a subsidiary of the Shandong Landbridge Group, a private company founded in 2001, and that in 2013 its billionaire owner, Ye Cheng, was named by the Chinese government as one of the top 10 'individuals caring about the development of national defence'. It was found to have extensive links to the CCP and the PLA. Indeed, in an interview in Beijing in 2016, Mr Ye said the Darwin port investment fits the company's strategy to expand its shipping and energy interests and serve China's foreign policy goal, known as One Belt, One Road.

In February 2015 the NT assembly appointed the Port of Darwin Select Committee. Its inquiry indicated the federal government had advised the NT government that the port was better privatised than continuing in government hands. Key recommendations in its April 2015 report were that an Australian entity control the lease and that there be FIRB and Defence consultations regarding the strategic and security risks of a potential international investor.

On 14 September, Malcolm Turnbull became Prime Minister. The day after, FIRB contacted Landbridge, indicating the lease and purchase of shares in the port operator were exempt under the Foreign Acquisitions and Takeovers Act, because assets owned by state, territory and local governments were exempt from FIRB scrutiny. On 13 October 2015, then Chief Minister Giles announced the 99-year lease was valued at $506 million and included Landbridge taking a controlling stake in the port operator, Darwin Port.

The lease process raises a legitimate question as to why, given the years of lead time, more effort was not made by those in key federal ministerial positions, and those advising them, to remove the foreign investment exemption, given the national security implications of allowing such a critical strategic asset to be handed over to an entity with such known and close ties to the CCP and the PLA. Those in key positions included then Defence Secretary Richardson, who, at the post-lease Senate inquiry, sought to defend his department's actions in the face of strident criticism from ASPI and the National Defence Association; and then DFAT Secretary Varghese, now UQ Chancellor and overseeing the debacle of the expulsion of Drew Pavlou following his criticism of CCP activities at the university. I note that then Trade Minister Robb left parliament in January 2016 and, some months later, took an $880,000-per-annum job with Landbridge—and he's still promoting the BRI in Victoria.

Perhaps the answer to the 'why' lies in the fact that the lease decision was made against the background of years of dealings between Canberra and Beijing. On 7 October 2013 then Prime Minister Abbott attended the APEC summit in Bali. After meeting President Xi Jinping, he expressed confidence that he could get a free trade deal with China within 12 months. Both leaders met again on a number of occasions in 2014 and, on 17 November, President Xi addressed a joint sitting of our parliament. The next day, Minister Robb announced the $18 billion FTA, and the FTA was subsequently signed, in June the year after.

Regardless of why the lease was signed, national security imperatives, including threats from China's actions in the South China Sea and the growing military requirements, are such that the lease should now be broken. (Time expired)

Sheean, Ordinary Seaman Edward (Teddy)

Senator URQUHART (Tasmania—Opposition Whip in the Senate) (20:42): Over the last several weeks we heard a great deal in the media and in this place about an incredibly brave young Tasmanian, Edward (Teddy) Sheean. Teddy Sheean, at the age of 18, was among 149 passengers and crew ordered to abandon their ship, HMAS Armidale, on 1 December 1942 during operations in the Timor Sea. Sheean was the loader of the Armidale's aft Oerlikon gun. Armidale had come under aerial bombardment and torpedo attack from a number of
Japanese bombers and fighters. *Armidale* was struck by two torpedoes and possibly one bomb. The ship sank in a short period of time.

Teddy Sheean, after assisting crewmates to free a lifeboat, instead of obeying the order to abandon ship, turned back, returned to his weapon and single-handedly engaged the enemy. He would have known that, by doing so, he would go down with the ship. He was wounded by the attacking Japanese aircraft but proceeded to strap himself to the Oerlikon gun and use this weapon to shoot down at least one Japanese aircraft. He remained at his weapon until he was killed.

Teddy Sheean is undoubtedly a hero. His family and community are intensely proud of his achievements. Crewmates who witnessed his valour spoke of it even as they struggled in the water after the vessel sank and in the years that followed. While Sheean was awarded a posthumous mention in dispatches, an MID, it has been constantly asserted by his many supporters that the MID does not adequately reflect his gallantry. Those supporters straddle almost all political divides.

Unlike Air Force commanders, Australian Navy commanders in 1942 could not specify the nature of the award they were submitting. Australian Imperial Force and Royal Australian Air Force awards were decided by Australians in Australia. But our Navy, at that time, had to submit its recommendations to the Admiralty in London. Those recommendations were then considered by an honours and awards committee.

In my view and the view of many people, Sheean's heroism was not adequately acknowledged in London. His deeds were also suppressed from public knowledge by a decision of the Department of Defence, eight days after the *Armidale*'s sinking, to impose a complete publicity ban upon HMAS *Armidale*'s story. For decades Sheean's family and others, including the Hon. Guy Barnett MP, the Tasmanian Minister for Veterans' Affairs and one-time senator in this place, have agitated for an Imperial Victoria Cross or a Victoria Cross for Australia to be awarded to Sheean for his actions during the sinking of the *Armidale*. I'm sure, then, you can imagine the intense sadness and frustration after a valour inquiry conducted in 2013 by the Defence Honours and Awards Appeals Tribunal found Sheean's actions did not meet the criteria for a Victoria Cross award.

In July 2018 the Chief of Navy, Vice Admiral Michael Noonan, informed Mr Barnett that Sheean's recognition had already been considered during the valour inquiry and that the findings of that inquiry had been accepted by government back in March 2013. Admiral Noonan also informed Mr Barnett that he had also considered the matter and formed the view that there was no new evidence that supported reconsideration or review of Sheean's actions. In October that year Mr Barnett applied to the tribunal, seeking a review of the Chief of Navy's decision of July 2018. He submitted that Sheean's actions were deserving of a full merits based review by the tribunal. That review went ahead. In its decision, the tribunal said:

On 23 July 2019 the Tribunal decided to recommend to the Minister for Defence Personnel that:

a) The decision by the Chief of Navy to refuse to recommend the award of the Victoria Cross for Australia to Ordinary Seaman Edward Sheean in respect of his actions in HMAS *Armidale* during a Japanese aerial attack in the Timor Sea on 1 December 1942 be set aside.

b) The Minister recommend to the Sovereign that Ordinary Seaman Edward Sheean be posthumously awarded the Victoria Cross for Australia for the most conspicuous gallantry and a pre-eminent act of valour in the presence of the enemy in HMAS *Armidale* during a Japanese aerial attack in the Timor Sea on 1 December 1942.

In May this year the chair of the tribunal, Mark Sullivan, wrote to the Minister for Defence, Senator Reynolds, to correct the record after she misled this chamber over the Sheean situation. Because of this letter we know that the recommendations were presented to the Minister for Defence Personnel, Darren Chester, in July 2019. Shortly afterwards, Mr Chester advised Mr Sullivan that he was comfortable with the recommendations and that he would be communicating with senior ministers, including the Prime Minister. The Prime Minister then rejected the recommendations of the tribunal and his own minister out of hand and refused to recommend to the Queen that the VC be awarded posthumously to Teddy Sheean. In doing so, the Prime Minister later said, he took advice from Australia's military chiefs past and present in making his decision. It is this advice the Senate has demanded to see and expects to be tabled in this place by noon tomorrow.

To most people who are aware of this case, it was distressing and baffling that the Prime Minister would reject the recommendation of the independent tribunal set up for the express purpose of providing this advice. It seemed incredibly unfair that an open and proper process could be ditched by the Prime Minister in favour of private advice. It provoked criticism, grief and a good deal of uproar. Then, under pressure, the Prime Minister announced yet another review, not one provided for by any prescribed process but one that he just made up—an extra review, an extraordinary review, by three independent experts.

In the meantime, passionate people who care about due process, who care about transparency, who care about acknowledging the sacrifice of the 18-year-old who knowingly turned his back on the lifeboat and strapped
himself to a gun to fight back against the air attack that was strafing, maiming and killing his shipmates have been vocal. Many have made statements in support of Teddy Sheean being posthumously awarded the VC. We do it because we care. We do it because we revere the Victoria Cross and those who have been awarded it. And we believe proper processes should be followed. Yesterday, in the other place, these passionate, well-informed pleas and statements were likened by one MP, Mr Gavin Pearce, the member for Braddon, to conducting a chook raffle. A chook raffle it is not! And to use such language is an attempt to demean all of us who fairly and rightly call for Teddy to be awarded the medal that he so deserves. Mr Pearce can try to silence us, but we believe in free speech. We have a right to speak up and we would be irresponsible not to.

There is a view, and a view that I hold, that the recently announced additional review by three independent experts is simply an attempt by the Prime Minister to save face over a poor decision and to kick the can down the road. But in kicking the can down the road, the Prime Minister has only made its rattling louder. He has made thousands more Australians hear its sound, so he can expect more people to speak up—as is their right. Mr Pearce may blunder about what we may or may not speak about in this place, but in the end he has to face the facts: the person who politicised this, who made it controversial, was his mate the Prime Minister. Mr Morrison made this a subject of debate in this place and across the country by rejecting the advice of the independent tribunal that is commissioned to provide frank and fearless advice, based upon evidence, to him.

Since then, many have weighed in on this conversation. One high-ranking military official even said that requesting the Queen to award the VC posthumously to Teddy Sheean would put her in an awkward position, or even damage Australia's standing with her. My goodness! How unfortunate would that be? But I don't believe it. My mother was a staunch royalist; she loved the Queen, and the Queen that my mother loved would be quite prepared to calmly and reasonably consider such a request and see justice at last for Edward 'Teddy' Sheean.

**West Papua**

**Senator DI NATALE (Victoria) (20:51):** One of the great privileges of being a member of parliament is that you get the opportunity to shine a light on important issues that are too often ignored. Tonight, I want to do something that I've tried to do many times over the last decade in this place, and that is to bring attention to the plight of the West Papuan people. West Papua, which covers the two western peninsulas of the island of New Guinea, was occupied by the Dutch until 1969, when it came under the control of Indonesia. Since that time, Indonesia has killed more than 500,000 Indonesian Papuans—half a million men, women and children—simply because they were fighting for freedom and for independence.

I first became aware of the West Papuan cause through my involvement in the East Timorese independence movement. The conflict and bloodshed following the 1999 Timorese independence referendum resulted in the evacuation of hundreds of East Timorese refugees to Australia and, as a young doctor, I flew to Darwin to help with medical checks and ensuring that those refugees were able to settle temporarily here in Australia. I later travelled to Timor-Leste, where I visited the graves of many East Timorese people killed in their bloody struggle, and heard firsthand about the atrocities committed by the Indonesian military. There are some eerie parallels with the conflict occurring in West Papua.

Our assistance to Timor-Leste during the referendum was a bright spot in an otherwise dark history. In the 1970s, Gough Whitlam assented to Indonesian President Suharto's plan to occupy what was then referred to as Portuguese Timor. We failed to investigate and hold anyone to account as they murdered Australian journalists—the Balibo Five. They were murdered by Indonesian security forces in Timor in 1975. Indeed, subsequent administrations cooperated and conspired with the Indonesian military and President Suharto to obscure details about conditions in Timor-Leste and to preserve Indonesian control of the region. Of course, after Timor-Leste's independence, Australia spent well over the next decade undermining our newest neighbour, behaving reprehensibly in our maritime boundary dispute. Indeed, it's going on right now, with the secret trial of Bernard Collaeary, who had the temerity to blow the whistle on the illegal spying of one of the world's poorest nations. It seems we've learned nothing.

The West Papuan people today face oppression and violence under Indonesian rule, just as the East Timorese did. For decades now, the West Papuans have endured a brutal injustice. Since the effective takeover by Indonesia in 1969, they have suffered a UN process that's been rigged against them and endured countless human rights abuses. What has been occurring in West Papua is described by many people as a slow-motion genocide. Half a million West Papuans have been slaughtered at the hands of the Indonesian military and militia. It's a genocide that's facilitated by the support given to the Indonesian government by Australia through military training and other support. Successive Australian governments have also supported Indonesia's actions in more insidious ways. Indonesia refuses free access to West Papua by the media and UN observers yet Australia has remained silent and we have been silent in the face of the countless deaths of peaceful protesters.
In the second half of last year, we watched the violence dramatically escalate in West Papua. It became international news. West Papuans were killed while protesting and were detained and charged with treason for doing nothing other than flying their flag, the Morning Star. This week seven West Papuan activists and students are on trial for treason for their involvement in the protests in Jayapura. For decades the Indonesian government has discriminated against West Papua's Melanesian people. There's been a deep-seated racism at the approach of the Indonesian authorities. The protests last year were sparked by Indonesian militants and soldiers, who called West Papuan students monkeys. The seven defendants—Buchtar Tabuni, Agus Kossay, Stevanus Itlay, Ferry Gombo, Alexander Gobai, Irwanus Uropmabin and Hengki Hilapok—face between five and 17 years in prison. Their trial is a travesty of justice, something that is recognised by many decent Indonesian people who have opposed sending these activists to prison for treason.

Just like we did for decades over East Timor, the Australian government has been silent in the face of systematic human rights abuses. There are many Australians who stand in solidarity with the people of West Papua, and I'm certain there would be many, many more if this tragedy received the attention it deserves. Over the years I've worked with many of these incredibly passionate, decent people, some of them from West Papua, like Ronny Kareni, Jacob Rumbia, Rex Rumakiek, some of them Australians, like Peter Arndt, Louise Byrne, Jennifer Robinson, Jason McLeod and Joe Collins, some musicians, like David Bridie, who dedicated so much creative energy to the West Papuan struggle, and some Indonesian human rights activists, like Veronica Koman, an amazing advocate for justice here in Australia. Some put themselves at great risk simply for speaking out.

Over the years I have worked with this wonderful community on West Papuan self-determination and human rights and have witnessed them come under surveillance from the Indonesian authorities yet they remain resolute in their determination.

In parliament here in Australia some brave MPs have spoken out, politicians from across the political divide, people like Jane Prentice from the Liberal Party, Laurie Ferguson and more recently Ged Kearney from Labor. The Greens have always stood in solidarity with the West Papuan community. In Indonesian President Widodo's recent visit, our parliamentary leader, Adam Bandt, confronted him directly on the issue, despite our Prime Minister refusing to raise it. I hope that soon my parliamentary colleagues will do what I haven't been able to do, and that is to organise a parliamentary visit to West Papua to see firsthand the situation and report it back to the world. I hope I can support such a visit in some way.

I may be leaving the parliament, but I will continue fighting to stop Australia from repeating the mistakes of the past. I'll continue to support West Papua in standing against oppression and injustice, West Papuans like the 1.8 million people who managed to covertly and under huge threat sign a petition calling for self-determination only a few years ago. Their struggle is our struggle. As the West Papuans say: 'Merdeka'.

**Corangamite Electorate: Infrastructure**

_Senator HENDERSON (Victoria) (21:01):_ I rise in this adjournment debate to provide a progress report on some of the key projects the Morrison Liberal government is delivering for the Corangamite electorate, across the greater Geelong region and through south-west Victoria. I am indeed honoured to be a regional senator for Victoria, but I want to reiterate that the Liberals are continuing to deliver in spades for the mighty Corangamite electorate, and that we are, in fact, the only ones proudly delivering for the mighty Corangamite electorate.

While Labor in Victoria is embroiled in the most shocking crisis of its own making—behaviour that shows that Labor is rotten to the core in Victoria—our government, led by Prime Minister Morrison and led here in the Senate by Senator Cormann, is getting on with the business of putting Australians first at this most extraordinary, difficult time for our nation. While our focus is on delivering the urgent economic and health response to the coronavirus pandemic, we are also continuing to deliver on the many investments on which Australians rely to support their communities, whether they be road and rail infrastructure upgrades, community infrastructure, health facilities, better telecommunications or of course vital investments to support jobs growth. Tonight I want to present a bit of a report card on some of the key investments in our region. I have my Senate office now in Geelong, so I am still very much a part of this particular region.

The wonderful news for so many residents living in south-west Victoria is that the Princes Highway duplication is almost complete. While the state member for South Barwon tried erroneously to open that project of his own accord last year, the fact of the matter is that that project is not quite complete. But it is a wonderful testament to our commitment to better roads for regional Victoria: an investment of some $550 million in partnership with the state which is delivering so much for regional communities, for regional businesses and of course for families.

Another wonderful project is the howitzer Defence project: the building and sustaining of 30 self-propelled howitzers which our government has committed to Geelong, which will not only provide vital capability for the Australian Army but will deliver up to 350 jobs. When Labor cancelled this project in 2012, they neglected a huge
opportunity to support Australia's advanced manufacturing industry whilst stripping the Army of a much-needed capability. I am incredibly proud of our commitment to this great project. I have to put on record that it is the height of hypocrisy for the member for Corio to criticise anyone in relation to this project when we consider Labor's dismal record. It is a great project that demonstrates our commitment to local jobs and to advanced manufacturing in the Geelong region.

I'm delighted to see some great progress with our commitment to aquatic facilities on both the Bellarine and the Surf Coast. Today the Surf Coast Shire has approved, in principle, a $38.5 million aquatic and health facility which includes a 50-metre pool—one of the conditions for funding for our $20 million commitment made before the last election. This is a massive win for the Surf Coast community, for community health, for wellbeing and for swimming safety. I have fought for this facility for such a long time, and now, again, I call on the state Labor government to deliver the funding shortfall of some $9 million that is required to match the Commonwealth's funding, so that this dream can be realised. I am incredibly hopeful that state Labor will come to the table. I want to particularly acknowledge the incredible community effort which has gone into advocating for an aquatic facility, including by the Surf Coast Aquatic Leisure Centre Action Group. As they so passionately argued, 'Build it and we will swim,' and we're very much hoping that will happen.

Of course, I'm also very proud of the $10 million commitment we made to a Bellarine outdoor pool, and I'm also very proud of the leadership shown by Mayor Stephanie Asher. We are, in contrast to Labor, determined to make this happen. As locals may remember, Labor committed to nothing more than a small amount of feasibility funding. The Morrison Liberal government, in fact, committed to $10 million, and we have a great vision for the people of the Bellarine. I very much hope, again, that state Labor will come to the table with funding for stage 2 of this project. This is under feasibility consideration right now. It will be, we hope, in Drysdale but is also a great win for this community and demonstrates the Liberals' commitment to the people of Corangamite.

We've also have had some very good progress on the Geelong rail duplication project stage 1, which is a second platform and a pedestrian overpass at Waurn Ponds. It is contracted and has got underway. The state government has finalised the project proposal for stage 2, which is duplication of the track from Waurn Ponds through to South Geelong, upgrade of the Marshall and South Geelong railway stations and the grade separation of several roads, including the Surf Coast Highway. But it is disappointing that this project has taken so long to deliver. The business case in itself took two years. Back in 2015, when I first started campaigning to fund this project, which is all about delivering faster and more reliable rail services, the responsible Victorian minister, Jacinta Allan, said it was not a priority. This federal government is now delivering some 80 per cent of the total cost of the project, some $850 million, combined with works on the Warrnambool line, and we are very proud of our commitment to faster, more reliable rail in the Geelong region. I want to place on record the letter which the Prime Minister wrote to the Premier last August requesting that the Premier nominate infrastructure projects for the fast-tracking of funding. It is disappointing that this project was not nominated, and I again urge the state Labor government to get on with this incredibly important project.

We have had some really major challenges with the infrastructure. There has been some serious botched planning for the Geelong Ring Road extension, and Labor has failed to deliver any funding to duplicate the Barwon Heads Road, as it promised to do before the last state election. Of course, there is also no matching funding to the $2 billion that we committed to more than a year ago for fast rail between Melbourne and Geelong. That is incredibly disappointing. We need to see a plan, we need to see a commitment and we need to see the Premier deliver on better rail services for regional Victoria.

I'm delighted that the $370 million Geelong City Deal, the funding agreement for which I fought so hard, has now been signed by all parties, supported by $183 million from the Morrison Liberal government. It is delivering some wonderful projects, including the upgrade of the Apollo Bay Harbour, great infrastructure facilities for Kennett River, the Lorne-Point Grey upgrade, a huge investment into the Twelve Apostles, a new convention centre for Geelong and a new ferry terminal for Queenscliff. These are critical infrastructure projects to drive the visitor economy in particular, and we know how important these investments will be as we work so hard to reopen our economy and to build the jobs growth that we so desperately need.

There are also plenty of other investments being rolled out: a new headspace for Ocean Grove, which is due to open in the next few months; upgraded medical facilities for Portarlington; a large number of new community sporting facilities; and surf lifesaving club upgrades. Of course, works have already started on a $193 million upgrade on the Point Wilson ammunition wharf, which is very important for our defence capability, and there are some great private investments for our region. The Spirit of Tasmania will make Geelong home—wonderful news!—and today Viva Energy announced an incredible commitment to establishing an LNG import terminal. There are great things happening in our region, and I'm so proud of the work of the Morrison government and how we are delivering for Corangamite, for Geelong and for south-west Victoria.
Forestry

Senator CICCONE (Victoria—Deputy Opposition Whip in the Senate) (21:11): I rise tonight to speak on a topic that is of great importance to many in my constituency, back home in Victoria, particularly those who live in eastern Victoria. The direct output value of the native forestry industry in my home state is estimated to be in the order of $462 million. This figure represents the value of growing, harvesting, hauling and processing native timber. Whilst this is a significant enough figure in its own right, when you take a moment to think about the industry and incorporate the processing and downstream economic activity this output grows, it is quite substantial. We're looking at somewhere in the order of $1.4 billion. I don't think I need to tell anyone in this place just how substantial a $1.4 billion industry would be to any part of regional Australia.

In the context of this industry in Victoria and across Australia, we're looking at around 5,000 jobs. The workers who hold these jobs exist in all parts of the supply chain. They're loggers, truck drivers, forklift operators, process workers, machinists and sales people. They are full-timers, part-timers, casual workers and apprentices. In Gippsland, they are the fabric of many communities and the backbone of their local areas. Every single one of these jobs is of value. Every single one is important and worth fighting for.

Every kind of worker is important in some way and deserves respect. Anyone who works for a living deserves respect from our community. However, there are some members of our community who don't always recognise the value and dignity of work in certain industries. They look down on certain workers and believe that those people are worth less than others. Workers in industries such as forestry, resources and agriculture are not always offered the respect and acknowledgement that I believe they are owed. These workers deserve respect not only for the basic fact that there is dignity in all work but because of the contribution that they make to our nation's prosperity, our way of life and our very existence. We must never forget that.

As a senator who represents the state of Victoria, I am concerned about the future sustainability of the forestry industry. I am concerned that this industry is largely under siege by activists and that governments at all levels are not doing enough to make sure that we better support these workers. The recent decision by the Federal Court putting in doubt elements of the Central Highlands Regional Forest Agreement only serves to provide further uncertainty to an industry that all of us should be very proud of. Whilst the full impact of this decision is yet to be realised, I know that it is one of great concern to many people living in these areas, especially those out in Gippsland. Many people are counting on these jobs not just to support themselves or their families but to support local communities. I know, because I have spoken to them. I have visited these mills. I have met these workers. These are real people. I have seen firsthand that this industry is sustainable, despite what we might hear from the Australian Greens. It is an industry that offers rural and regional towns in Victoria a life. All timber workers deserve our utmost respect.

The Federal Court's decision isn't what the forestry industry was hoping for. But it is by no means the only thing that is serving to put the livelihoods of these workers at risk. Nor, might I add, is it the first time that activists have sought to damage this industry by exploiting our judicial system. A report by Deloitte Access Economics in 2017 found that the demise of the Victorian native forestry industry would have significant impacts beyond its mere economic footprint. It argued that the native hardwood industry is an important employer in regions where limited alternative employment exists and that without it these regions would suffer and there would be significant negative social impacts. We cannot allow this future to be realised. Workers in this industry should know that they can count on us in this place and in the other place to work co-operatively—and with those in many state governments around Australia—to protect their livelihoods. After all, that is why people elect us to parliament. We should also honour the dignity of their work.

All workers have an important role in Australia's success and national prosperity, and we should be supporting them to succeed. There is nothing to be gained in undermining the industries that they belong to or in attacking these workers for simply making a living, for creating wealth and for bringing stability to the future of our nation.

Political Donations

Veterans: Suicide

Senator LAMBBIE (Tasmania) (21:17): You are abusing the public's trust. That is what you are doing. You are selling us out in darkness for profit. Every single election pamphlet you print out should have a little message on the bottom of it: 'This pamphlet was paid for with dirty money.' You think the voters are idiots. You think you can just keep hiding this from them and nobody will do anything about it. Well, I have bad news for you. We see what you are doing. We all know that every time the Liberal and Labor parties get together to work on our donation laws, the loopholes get bigger and bigger. They are so big these days that you could just about drive a jumbo jet through them. We are seeing it happen again this week.

CHAMBER
Ladies and gentlemen, here is the latest in a long line of betrayals of the public's trust. It is a bill to change our electoral laws that was introduced by the government last week. It would completely undermine strict rules on political donations in states like New South Wales, Victoria and Queensland. I have a sinking feeling that the Liberal and Labor parties want to rush it through without even sending it to an inquiry. Won't that be another shameful day? I have that feeling because that is exactly what they are going to do. The bill would let the major parties' branches ignore the donation laws in their state and territory by claiming that they are using the money for federal purposes. What a load of rubbish. Just write 'For the feds' on a brown paper bag and you can give whatever you want, no matter who you are. Just like magic, you can get a free pass from the state laws. State branches of the major parties get to say, 'We don't accept dodgy donations,' while they are accepting them behind the scenes the whole time. It is designed to give politicians the chance to get money from developers while they say that they never received it—nothing to see here! It's designed to let them get away with keeping us all in the dark about where they get their money from, like it isn't already dark enough. I can't help but wonder: was the October Queensland state election in Minister Cormann's mind when he introduced this legislation? It'll almost certainly benefit the LNP up there. You can bet your bottom dollar on that one. Minister, do you reckon Queensland voters are okay with being sold out like this or did you simply hope that they wouldn't notice?

The sad fact is that Labor is in on it too. The major parties are working out a deal to avoid even a hint of public scrutiny, because they know that if this bill went to a committee inquiry they'd get torn to shreds. They know that it'll expose what they're really trying to do here and what they're up to. Well, here's a message to the Labor senators: if you don't finally grow a spine, especially after the last 48 hours, and insist that this bill goes straight to a full committee review, you might as well pack up your bags and go home, because you're all but done for the next election. If you wave this through, voters will finally know for sure that we don't really have an opposition party in this parliament any longer. We've suspected it for a long time, and I'm sorry to have to say that. For a long time, we've seen that the opposition will roll over for the government like dogs if it suits both political interests. I'm sick of these politicians who think they can buy their seats and not tell us where they got that money from and be transparent with the public about that. Seriously, you're just letting yourselves be bought and sold by the highest bidder, and the only thing missing in parliament these days is the auctioneer.

Two months ago thousands of people stood in their driveways at dawn and said, 'We will remember them.' Three years ago, Jesse Bird was alive. Jesse enlisted in 2007 and was deployed to Afghanistan in 2009. Two months later, Jesse's friend was killed by an improvised explosive device. Jesse came back in 2010, and his mum, Karen, said that he was different—he was moody; he was distant; he was evasive. On his post-service health examination, he said he was binge drinking and wasn't sleeping. Nobody in DVA screened his psychological health. Defence didn't hand over the recommendation from Jesse's occupational health and safety report, saying that he needed ongoing psychological treatment. The assessor didn't know about it. As a matter of fact, he got the all clear.

His partner at the time, Connie, said he was having night terrors and mood problems. She told him he had PTSD and that he should go and see someone about it. She helped him approach DVA for help. In 2016, they had a miscarriage. It broke both of their hearts, and not long after their relationship broke down. Jesse's family was scared that he was suicidal. His trauma was due to his service; it was due to his status as a veteran. He needed his health. Defence didn't hand over the recommendation from Jesse's needs assessment form, but he didn't hear anything further from them.

The whole time Jesse is telling his volunteer advocate that he feels like a burden. His advocate calls DVA to tell them he thinks Jesse is suicidal. He says, 'It's due to money.' He says, 'It's due to the time it's taking to process Jesse's claim.' Jesse hasn't heard anything for months and he lodges another claim for financial help. DVA acknowledges they've received it. They arrange for a doctor to check if Jesse qualifies for support. He meets the doctor in November. The doctor says Jesse isn't stable. DVA rejects Jesse's claim for compensation, and Jesse learns about it like so many others have: from a letter. Nobody explains the decision. Nobody explains he has a right of appeal. And here's the brutal truth of it: DVA's own policy manual says Jesse should not have been rejected. Once again, like so many others, it should never have happened. That letter should not exist. Instead, it does. It arrives and he opens it, reads it and is absolutely shattered, devastated.

DVA was the last little bit of light at the end of the tunnel, and, with one letter, the light goes out. Jesse writes to DVA and says:

... I would and have come close to becoming another suicide statistic. I've done my time and now I need your help ...

'I've done my time and now I need your help.' DVA send another email back to Jesse, and—you wouldn't believe it—like many people, they get the email wrong. I just don't know how they do that. Nobody at DVA does anything about Jesse's threat of suicide. And nobody, still today, like with Jesse, bothers to follow up. Jesse is
dead two days later. He's found alone in his room, wearing his uniform, 'duty first' printed on his jumper. He's surrounded by his medals, his military equipment and his DVA claim rejection letter—the one that should never have existed. Why did Jesse deserve this? How the hell do we let a veteran who's given everything to his country, who has served us with all he can give, die alone in a room, broken and bankrupt, covered in letters saying he deserves absolutely nothing?

Three years ago, the department lost Jesse. Since then, they've lost at least 150 more, and I'm being conservative. The scale of this absolutely breaks my heart. Jesse's family want a royal commission because they know there is no other way to get to the heart of what's breaking and taking our bravest. It needs independence, transparency, full powers and authority. It needs a royal commission. It's going to take more than what the government has announced. It will take more than a cut-price coroner and a review of the last 17 reviews from the last 17 years. Why would you put in place a commissioner that doesn't pick up a pen and start doing his job until the veteran is already dead? Who does that? Who does that? It's been three years since we lost Jesse, and he should be here. He should still be here.

Politicians get photographs saying 'lest we forget'. Well, guess what. You forgot—and you're still forgetting. We failed Jesse and we'll fail another veteran this week and next week and the week after. We failed Dave, we failed Michael, we failed Ian and we failed Daniel, and every week that we fail them we break that pledge; we let ourselves forget. Every week that we accept some cut-rate coroner instead of a royal commission into veterans suicide, we break that pledge. Well, I'm not breaking it; I refuse to lie down and break it. So this is my line in the sand. Lest we forget.

**Lendlease**

**Senator PATRICK** (South Australia) (21:27): Last Wednesday, 10 June, I spoke here in the Senate about the Australian construction giant Lendlease and, in particular, about the fact that, although the company has generated tens of billions of dollars in revenue and profit before tax, has raked in a billion dollars of federal government construction contracts and is now dipping into the JobKeeper wage subsidy, it hasn't paid any corporate tax for years—not a brass razoo.

I had some strong things to say about the chair of the Lendlease board, Michael Ullmer, who has, quite wrongly, been honoured with an AO for a long career in corporate number-crunching and the pursuit of profit without social conscience. Predictably, this didn't go down well with Lendlease. These corporate executives rarely like to have the spotlight turned on them—at least, not unless it's been directed at them by their own team of PR flunkies.

Last Thursday, the day after that speech, I received a letter from Mr Ullmer and the Lendlease group CEO and managing director, Steve McCann. I hadn't mentioned Mr McCann in my speech last week, and it was remiss of me not to do so. So I shall fill in some details about him now. Steve McCann has been with Lendlease for 15 years, and CEO since 2009. Prior to his appointment as chief executive officer, he was Lendlease Group's finance director and the chief executive for Lendlease's investment management business. McCann, like his boss, Mr Ullmer, is a lifelong corporate number-cruncher. Prior to joining Lendlease he had 15 years experience in property funds management and investment banking. With degrees in finance and law from Monash University, he's a member of the Business Council of Australia and the Property Council of Australia. McCann appears to lack the social pretensions of his boss. He's not on the board of any symphony orchestra or art gallery. He doesn't feel the need to cloak his corporate wheeling and dealing in some engagement with high culture. Instead, he enjoys the country air at his sprawling mansion, once used on The Biggest Loser TV series, in the exclusive Sydney suburb of Duffys Forest. And if you've done as well as McCann has as a corporate account and lawyer you can certainly indulge in your hobbies, which in his case are racehorses and punting.

Although he has been described by other investment bankers as one of the finest leaders in business, it's hard to see McCann as any sort of corporate exemplar. After all, his single achievement has been to radically minimise Lendlease's corporate tax liabilities to the point of not paying corporate tax for the last five years. Just to recap, and this is according to the tax office's tax transparency data: over the last five years, from 2013-14 to 2017-18, Lendlease generated $43 billion in revenue and they didn't pay a cent in corporate tax. There is lots of greyness—

*An honourable senator interjecting—*

**Senator PATRICK**: And you ought to come along to the Senate Economics Committee and listen to the tax commissioner as he talks about the difference between being responsible and being unlawful. Then you might learn something.

Lendlease realised a profit before tax of more than $5 billion, delivered an annual return on equity to security holders of 11.7 per cent and returned over $2 billion to security holders. But, again, not a cent of corporate tax
was paid. Lendlease's own report showed that they still paid no tax in 2018-19, and that they don't expect to pay any at any time soon.

In their letter to me last Thursday Lendlease's Chairman Ullmer and CEO McCann remonstrated at some length, pointing out that for the 10 years prior to 2014 Lendlease paid more than $400 million in corporate tax in Australia. That may well be so but, in effect, Mr McCann has underlined the fact that Lendlease stopped paying corporate tax shortly after he became the CEO and managing director. Ullmer and McCann were also keen to highlight that in 2019 Lendlease paid, collected and remitted $384 million of direct and indirect taxes, plus $446 million of employee PAYG withholding taxes for 2018-19. I'm not quite sure what their point is there. Perhaps it's news to Lendlease that employee's PAYG tax is actually paid by the employees! By the workers! And yet they're claiming that that's been paid by them as Lendlease. That's their warped sense of social responsibility. That isn't Lendlease paying tax.

Ullmer and McCann further emphasised that over the five-year period to June 2018 the company made distributions of approximately $1.9 billion to security holders in Australia. Lendlease estimates that the tax ultimately payable would be in the vicinity of $225 million to $325 million for resident security holders. But, again, that isn't tax paid by Lendlease, that's tax paid by its investors on their gains.

Perhaps the most striking thing in Lendlease's letter, however, is the company's unembarrassed confirmation that they're accessing the JobKeeper scheme, sucking off the taxpayer. According to Lendlease, some 15 per cent of its 9,200 workers—that's some 1,400 employees—are being paid through the wage subsidy program administered by the federal government. Lendlease claims that it's strictly in line with government guidelines in the JobKeeper legislation. That may be so, but it's an extraordinary state of affairs. Notwithstanding the COVID-19 pandemic, Lendlease's business is proceeding apace—especially construction work for the Defence department. According to the Australian government's own figures and announcements, Lendlease is a company that has been awarded nearly $800 million in federal construction contracts so far this year, 2020, and it's still only June. So you've got to ask: how can a company that's receiving hundreds of millions of dollars in government contract work and pays not a cent in income tax on billions of dollars of revenue be allowed to milk taxpayers through JobKeeper? It doesn't make any sense and it's not moral—it might be legal. So it's a good question for Lendlease and it's a very good question for the government too.

With respect to Lendlease's lucrative retirement village business, vehicles for the company's most impressive tax dodges, Mr Ulmer and Mr McCann are keen to shift responsibility onto the ATO, arguing their approach has been informed by the ATO's relevant ruling covering development, operation, purchase and sale of retirement villages. Perhaps, but Lendlease's self-serving interpretation of that ruling has been problematic. Ulmer and McCann point out that Lendlease provided input to the consultation process on the draft tax determination issued by the ATO in November last year. I can imagine that they've been very active in this regard. Companies like Lendlease have deployed legions of tax lawyers and accountants to push back at the ATO's efforts to counteract aggressive tax planning and minimisation. As I said last week, the ATO may yet catch up with Lendlease; we'll have to wait and see.

In closing their letter, Ulmer and McCann expressed a desire to meet with me to discuss the company's tax affairs and the utilisation of the JobKeeper wage subsidy. They said they'd await my response. I'm happy to meet with them. The first question I'm going to ask them is about their warped perspective that they pay PAYG when they don't; it's workers that do that. And we'll ask them when they're going to change their business model to have a socially responsible position where they contribute to the very environment in which their company thrives.

In conclusion, I should add that Lendlease's correspondence is part of a counter-battery fire that I've been encountering in response to my campaign to shine the light on corporate tax dodging. Business giants aren't used to seeing some political shellfire lobbed about their corporate headquarters. They don't like being named in parliament. They're more used to politicians quietly knocking on their door and holding out a begging bowl, asking for political donations. When someone like me comes along and puts in a few rounds to highlight their personal responsibilities as directors for immoral tax dodging strategies and lack of social responsibility, they tend to feel a bit wounded, and some form of counterattack, usually drafted by their corporate minions, generally follows. I expect a few more shots, but I won't be deterred and I will be calling out more corporate tax dodgers.

Queensland Day

Senator SCARR (Queensland) (21:37): I rise today to acknowledge the fact that Queensland Day occurred on 6 June 2020. What a great day Queensland Day is. It's the day that Queen Victoria signed the letters patent which established the new state of Queensland, of course named in honour of Queen Victoria. On the coat of arms of Queensland there's a sheaf of wheat to represent Queensland's agricultural past and future, heads of a bull and a ram to reinforce that fact, two stalks of sugar cane, a column of gold arising from a heap of quartz to signify the
importance of mining to my home state of Queensland, and also our state motto—audax at fidelis. I will be impressed if any of my colleagues can do the Latin translation. I'll admit I had to go to the Latin-English dictionary. It means 'bold but faithful'. It's a motto which does reflect my home state of Queensland—bold but faithful, audax at fidelis.

My home state of Queensland needs to be bold and also faithful as it comes out of the COVID-19 pandemic. I want to mention in this respect that the state Liberal National Party opposition has a bold plan which is faithful to Queensland's past—bold but faithful. This plan was outlined by the opposition leader, Deb Frecklington, in an article in The Courier Mail on 16 June 2020. I'd like to share some of the highlights from this article with this chamber to reinforce what 'bold but faithful' means.

The LNP's economic plan for Queensland is far reaching and ambitious—bold but faithful. Firstly, there will not be a single new tax under an LNP government and that is faithful to Queensland's past. We used to have a place of honour as Australia's low-tax state. That was the Queensland I remember when I was growing up. We used to have a place of honour as the low-tax state. It is faithful to our past for the LNP opposition to have that as a cornerstone of its policy into the next election—bold but faithful.

Secondly, as well as ruling out new taxes, the LNP will cut red tape, speed up government payments and make sure Queensland firms get their fair share of government contracts. That, again, is faithful to Queensland's past. Perhaps the boldest measure, and it is bold, is that the LNP government is proposing what's being referred to as the new Bradfield Scheme. This drought-busting project is the brainchild of two visionary Queenslanders—Sir Leo Hielscher and Sir Frank Moore. Sir Leo and Sir Frank helped build today's Queensland. They were part and parcel of the Queensland I grew up in.

The state opposition, under Deb Frecklington, conferred with Sir Leo and Sir Frank. There is no-one better to be true to that bold but faithful motto than Sir Leo and Sir Frank. The new Bradfield Scheme would create Queensland's biggest dam and a hydro-electric dam capable of powering 800,000 homes—bold but faithful. It will hold as much water as 28 Sydney Harbours and allow an area larger than Tasmania to be irrigated in outback Queensland. It is a bold scheme that's been put forward by Deb Frecklington and the LNP state opposition that is faithful to Queensland's past—bold but faithful. As Deb Frecklington says, the scheme is bold, it won't be cheap but Queensland will get tens of thousands of jobs in return. That is the bold vision which is faithful to Queensland's past that Queenslanders are looking for.

The LNP will also back a further four new dams, including the Nullinga Dam, Rookward Weir and Urannah Dam as well as raise the Burdekin Falls Dam. It is time for the state of Queensland to build dams. Queensland needs to build dams. The current government, under Premier Palaszczuk, are not building dams. They're in the process of lowering the dam wall at Paradise Dam instead of building dams. The Paradise Dam needs to be repaired, needs to be rectified and needs to continue to provide water security to all the fruit and vegetable growers in the Bundaberg region. But in addition to that, Queensland needs to build dams. It needs to approve projects and build dams. It is a disgrace that the new stage of the Acland coalmine has been in an approvals process for 12 years—12 years!

Thirdly, we need to open the state border. This is a matter which I raised last week. I moved a motion in this place co-sponsored by the other five senators from the Liberal and National parties from Queensland, which was passed in this chamber. There were comments made by the Premier of Queensland in relation to opening the borders but, unfortunately, today in question time in the Queensland parliament we saw Premier Annastacia Palaszczuk backsliding back into this world of timidity and incoherence.

The people of Queensland do not have a firm plan from their Premier as to when the Queensland border is going to open. And don't just believe me. The headline in Brisbane Times this afternoon was: 'Palaszczuk walks back from original border benchmark'. Last week, after national cabinet, I thought Premier Palaszczuk had realised that she needs to open that state border for the good of the tourism industry on the Gold Coast, in Cairns and everywhere else in Queensland. That state border needs to be open. But today in the Queensland parliament, under questioning from opposition leader Deb Frecklington, she appears to have 'walked back from the original border benchmark'. It's not 'bold but faithful'; it's 'timid and incoherent'. But that's not the motto of my home state. The motto of my home state is 'Bold but faithful', not 'timid and incoherent'.

And it isn't just Brisbane Times. The Courier Mail headline this afternoon—and I pay tribute to them for running hard on this issue—is: 'Premier's stunning claim on border closure'. Those are not my words; they are The Courier Mail's words. I quote from the article: 'Premier Annastacia Palaszczuk has made a stunning claim about the border closure despite howls of protest from Queensland businesses. Premier Annastacia Palaszczuk has claimed most Queenslanders fear a second wave of the coronavirus pandemic and do not want the borders opened.' I have absolutely no idea on what basis she makes that claim. The Queenslanders I talk to want to see
their state go ahead, they want to see that state border opened; they want to see the thousands and thousands of Queenslanders employed in the tourism industry have an opportunity to go back to work. But Premier Palaszczuk seems to be backsliding.

My good friend the Surfers Paradise MP John-Paul Langbroek said the Premier had indicated the border won't open until there is no active transmission at all. What sort of standard is that! And, as he says, is it to be July, September or whenever? Queensland needs to return to its motto: 'Bold but faithful'.

National Party of Australia

Senator DAVEY (New South Wales—Nationals Whip in the Senate) (21:47): Next Monday it will be 100 years and six months to the day since the formation of the federal National Party of Australia. I rise to mark this milestone. We are the second oldest party in this parliament, having been formed on 22 January 1920. I'm sure those in the oldest party, the Labor Party, can attest that to continue for an unbroken 100 years is no mean feat. Our party has been written off, virtually since its inception, by opponents and detractors. But we have survived for decades. We have survived the challenges by adapting to changing economic, political, social and demographic circumstances. Our party has broadened its base, changing its name from the original Country Party to the National Country Party and then to the National Party, to reflect the changes in country Australia and the regional industries that underpin our national economy—farming, forestry, mining and tourism to name just a few.

Over all incarnations, our party remains an important and influential contributor to Australian politics while remaining committed to its founding values. We are a specialist party, we are a regional party, and we make no apology. We don't contest metropolitan seats and we have no intention to. Commentators often like to highlight that our primary vote is notionally lower than that of, for example, the Greens. But that's not surprising. The Greens contest nearly all the seats in the House of Representatives, whereas we generally contest fewer than a quarter, and only in regional areas, because that is who we're interested in representing. Of course the Greens will have a higher primary vote, but they don't win; we do. At the federal election last year, we contested only 30 House of Representatives seats and we won 16. The Greens contested nearly every seat and won just one. Other parties spent more and had even less success.

In fact, in our 100 years in this parliament, we have contested a total of 1,192 House of Representatives seats at general elections, and we've won 617. That is a success rate of nearly 52 per cent. Our lower house numbers have ranged over time from a low of nine in 1943 to a high of 23 in 1975. Indeed, since 2007, contrary to the recent callers of our demise, our lower house numbers have increased from 10 to 12 to 15, and we currently have 16 members of the other place and five here in the Senate. We have held our ground and, in doing so, have succeeded in delivering for the nation as well as for our regional constituents.

Our achievements over the years have been numerous, from setting up agencies that are still in existence today—like the CSIRO in 1926 and the Trade Commissioner Service, which is now Austrade, in 1934—to the first medical benefits scheme, in 1953, which led to our first national health scheme. We've also abolished poor policy, like petrol rationing in 1950 and death duties in 1977. We established Australia's first regional university, the University of New England, in 1954. We've negotiated numerous trade agreements over the years, most notably the Australia-Japan agreement on commerce in 1957, which resulted in Japan becoming our largest trading partner for about 26 years from the early seventies. And, of course, we've ensured—and we make no apology for doing so—the investment of multiple billions of dollars over the years on regional infrastructure, such as mobile phones, internet connectivity, roads, railways, regional airports, water infrastructure, health and education. We invest in Aboriginal affairs and, of course, we continue to fight for drought and natural disaster relief.

Our success is principally because everyone in the Nats, from branch members on up, is centrally focused on fighting for better services, facilities and opportunities for the nearly nine million Australians living and working beyond our capital cities. As a party, we realised very early that if you seriously want to make a difference, if you want to get results on the statute books, you have to be part of government. That is why we've been a forceful contributor in coalition formed governments almost continuously since Earle Page signed our first agreement with Stanley Bruce in 1923, because you don't get outcomes from the sidelines. The Nationals are in there, we deliver and we make a difference.

From time to time we've had to flex our muscles to get our way with our coalition partners, and that's led to the many successes I mentioned before. But, equally, we've had to be prepared to support policies that are right for the nation, even when opposed by our own members. The tougher gun laws following the 1996 Port Arthur shooting massacre are just one example. So the point is that, while we have been and are forceful and we punch above our weight, we have been and are a reliable partner.
The Nationals have provided three prime ministers over the time: Earle Page, Arthur Fadden and John McEwen, each taking on the role in difficult circumstances. They're often denigrated as being only stopgap prime ministers, but, while their tenure may have been short, they were far from gap fillers, each being sworn in in his own right with full authority and each making decisions and taking actions that went far beyond the conventions of a caretaker administration.

What I am particularly proud of is that we are a party that operates on the basis of equality. From our earliest days we've allowed membership for men and women, and everyone is given the chance to progress to the highest levels of our organisation. We provided the first-ever female president of any political party in Australia—Shirley McKerrow, who led the Victorian National Party from 1976 to 1981. She then went on to become the first female president of any federal party—of the federal National Party, elected each year from 1981 to 1987. We employed the first female director of a party in Australia—Helen Tiller, in South Australia, in 1978—and in 1992 we appointed the first female federal director of a party—Cecile Ferguson, someone I'm proud to call my friend. Today more than 28 per cent of our parliamentary party are women, and here in the Senate that ratio is 80 per cent. And we've done all of this through equal opportunity, not through quotas.

I am biased; I believe in a party whose values I share, whose achievements I applaud and whose history I am proud of. For one reason or another, I've grown up with the National Party and I'm proud that I can say I've known every federal leader from Doug Anthony on. I worked for a while with Ron Boswell, who served in this place for 31 years and who I was delighted to see appointed as an Officer of the Order of Australia in this year's Queen's Birthday honours.

In conclusion, I quote from a 1950 Country Party brochure titled *Mileposts*:

> You can't afford to be without a Country Party … Thank your stars there is a Country Party.

Change the name from 'Country Party' to 'National Party', and that statement remains as true today as it was in 1950. You need a National Party to deliver for the regions, to take the focus away from the cities and to make sure that those nine million Australians are not forgotten.

**Western Australia: Mining**

Senator DEAN SMITH (Western Australia—Government Whip in the Senate) (21:57): I rise this evening to talk about the importance of industrial development in the north-west of my home state of Western Australia and the challenges facing Australia's world-leading resources sector. As many in the chamber are aware, Western Australia is a major economic player within the Australian economy, primarily driven by its globally competitive resources sector.

Last year WA's resources sector posted record sales of $167.3 billion; that was almost $200 billion shared by every Australian. A May 2020 report commissioned by the Minerals Council of Australia estimated that total royalties plus company tax payments from the minerals sector were $39.3 billion in the 2018-2019 financial year. This is $8 billion more than the previous year, and a tax and royalty dividend that, again, benefits every Australian. In the same year WA received $6.22 billion in royalties from the resources sector, and that projection is estimated to increase to $6.37 billion this financial year.

In 2019 the WA mining sector employed a record 133,000 workers—up from 120,000 in 2018. This indirectly created thousands of jobs in the transport, supply support and service based sectors throughout the Western Australian economy and, indeed, the whole economy of Australia. Significantly, the mining and resources sector has continued to operate throughout the coronavirus pandemic and has greatly assisted many families and businesses to weather this period of great economic uncertainty.

This point was well made by one of Australia's most senior officials. During a recent public hearing of the Senate Select Committee on COVID-19, the Secretary of the Treasury, Dr Steven Kennedy, highlighted the importance of mining to the Australian economy:

> Mining represents 10 per cent of gross value added of the Australian economy and three per cent of employment.

Dr Kennedy also acknowledged that the early and decisive action by the Australian government substantially reduced the adverse economic impact of the health response to the pandemic:

> … in Australia we have been able to continue a wider range of economic activities, such as construction, manufacturing and mining. Some countries have had no choice but to act more aggressively.

This view is reinforced by iron ore research analyst Philip Kirchlechner, who stated:

> By keeping the mines open … Western Australia is supporting the whole country

and

> Iron ore miners are paying company tax which goes to the Federal Government, so it's all the Australian people [who] benefit from the taxes the mining companies pay.
It's also important to note that both the WA and Australian economies are expected to recover from the impacts of the pandemic sooner, as a direct result of the resilience of the mining and resources sector. This is no surprise to many Western Australians who have long recognised the wide-ranging benefits this sector has brought to our local economy and our high standard of living.

But our mining and resources sector has many facets. Yara Pilbara, which operates two facilities in the Pilbara region of Western Australia, is a little known but critical feature of the state's industrial development. The Yara Pilbara's fertiliser plant is one of the largest ammonia production sites in the world, producing fertilisers which are exported globally. Yara Pilbara is the operator of the first modular technical ammonium nitrate manufacturing plant, located on the Burrup Peninsula, adjacent to Karratha. The technical ammonium nitrate facility converts ammonia into ammonium nitrate, a crucial material for mining and resource operations throughout the Pilbara, as the main chemical component of industrial explosives. Despite the obvious connection between industrial development and the prosperity of Western Australia and Australia, some operators are now finding themselves the subject of passionate but unsubstantiated claims of environmental vandalism. A powerful example is the poor treatment levelled at Yara Pilbara by environmentalists and the Western Australian state Labor government.

In November 2016, the Senate Environment and Communications References Committee established an inquiry into the protection of Aboriginal rock art on the Burrup Peninsula. The inquiry was tasked to examine whether industrial emissions were having an adverse effect on nearby rock art. The inquiry heard from a range of stakeholders, including the CSIRO subject matter experts. It examined: the Commonwealth-state regulatory framework; the strict environmental approvals process for the construction and operation of the technical ammonium nitrate facility plant and the requirements to undertake extensive air-quality and spectral mineralogical monitoring; the independent CSIRO monitoring being conducted to identify risks associated with industrial emissions impacting upon the rock art and the role of the Burrup Rock Art Technical Working Group, established by the Western Australia government to monitor the heritage rock art sites on the Burrup Peninsula from 2004 to 2016; and, finally, the CSIRO's role in conducting the monitoring work designed and commissioned by the Burrup Rock Art Technical Working Group.

Between 2004 and 2016, the CSIRO conducted independent monitoring of colour change and spectral mineralogy and conducted a series of art quality studies to assess any likelihood that industrial emissions could affect the nearby Aboriginal rock art. Its final report, released in September 2017, concluded that monitoring since 2004 indicated that industrial emissions had had no statistically significant or measurable impact on the rock art.

The Senate inquiry was initiated by the Australian Greens and was designed to undermine confidence in the activities of Yara Pilbara and future industrial development across the Burrup Peninsula. Central to claims by the Australian Greens, aided by the Bob Brown Foundation and others, was so-called evidence presented by Professor John Black that sought to destroy the scientific credibility of the CSIRO's monitoring and findings. For context, Professor Black is a former assistant chief of the CSIRO division of animal production and former adjunct professor in veterinary science at the University of Sydney. He is currently an honorary research fellow at The University of Western Australia and affiliated with the Friends of Australian Rock Art advocacy group.

Professor Black's criticism of the CSIRO's research was primarily directed at the methodology applied to measure colour and mineralogy changes at rock art sites. However, Professor Black's submission also addressed the health and safety effects of additional pollution from the plant, including nitrate poisoning, carbon monoxide poisoning and risks of ammonium nitrate explosion. None of these claims were supported by credible scientific evidence.

Further proof of the lack of evidence and unsubstantiated claims of Professor Black has been revealed in recent materials and analysis as part of Yara Pilbara's license extension approval, overseen by the WA state government. BenchMark Toxicology Services Pty Ltd was engaged by the Department of Water and Environmental Regulation to undertake an independent peer review of the information submitted by Yara Pilbara. The review made the following comments regarding Professor Black's claims. It said that John L Black Consulting 'did not consider' the concerns of other scientific studies about 'the additional complexities in the atmosphere that might affect the colours and chemistry of gases'. On the important point of nitrogen dioxide emissions, Professor Black claimed Yara's nitrogen dioxide emissions were 23 times higher than the ambient air quality guidelines specified. What did the independent review find? It found:

This conclusion is alarmist and not scientifically justifiable.

The exceedances quoted by JLBC in this period occurred as a result of daily recorded high emissions levels from calibration and drift span checks … not routine operational conditions.
On Professor Black's method for assessing nitrogen dioxide exposure health risks, the independent report said that the report 'is scientifically inappropriate and the outcomes are misleading'.

Having failed to make a compelling case in front of a Senate inquiry and had their claims repudiated by authoritative and independent advice commissioned by the WA state government, Professor Black and others have continued their advocacy. This time they have found a softer, more impressionable target in the form of the WA Labor government Minister for the Environment, the Hon. Stephen Dawson. In November 2017, approximately nine months after appearing before the committee, Professor Black and former senators Bob Brown and Christine Milne wrote to Minister Dawson, repeating their alarmist and unsubstantiated claims. I look forward to returning to the Senate very soon to continue my story about how the WA state Labor government Minister Stephen Dawson has now become the soft target for environmentalists and those wanting to undermine industrial development across the Burrup Peninsula.

**Australian Politics**

Senator ROBERTS (Queensland) (22:07): As a servant to the people of Queensland and Australia, I want to discuss character—specifically, the character of members of parliament. Australia has people that are of fine quality, resources in abundance, opportunity and potential. We're close to a huge and growing market, yet financially many people are going backwards. The Australian median wage is the wage at the halfway point. Half the people are above that wage; half the people are below that wage. It's a great way to compare how everyday Australians are faring. Median in this way is more representative than average. The figures I'm about to present are all after inflation, which for the last 15 years was 40 per cent. Over the 15 years to 2017-18, the median wage fell 2.4 per cent. We have officially gone backwards, but it gets worse. Everyday Australian families trying to live on an income that is going backwards are paying more to buy their first home. In the last 15 years, in Brisbane home prices went up 100 per cent and in Sydney by 150 per cent, yet median income is $48,000 and falling. How the hell do Australians buy a home on $48,000 per year?

For people who do manage to buy a home, it will cost slightly more than 100 per cent more for electricity now. Kids' education expenses over the last 15 years have gone up 100 per cent. State government fines have increased enormously. Speed cameras, for example, are now a revenue-raising device. It's a tax; government fines are taxes. So that's why people are feeling uneasy, scared, hopeless and lost. People do not feel heard. People are needing leadership, support and hope. They need solid economic management. Remember: early in our nationhood, we led the world in per-capita income. For per-capita income, we were No. 1. Now we're sliding out of the top 10.

Why is Australia falling? It is because governance is failing the people. Consider the events of the last five days. I tried to present data this morning and the government denied me the right to present that data in a simple motion presenting the facts that the government's agency, the Australian Institute of Criminology, developed. Taxpayers funded that data, but taxpayers can't hear the data. Does that mean we should sack all public servants because we're paying them to do nothing because government wants to rely not on data but on opinions? No, we shouldn't sack public servants, but we should have governance in this place that requires policies and decisions to be based on data.

The Left—and I consider many of the Liberal-Nationals to be Left—use unfounded opinions, lies, hate, emotions and fear to control. The Greens, for example, in the 285 days since I first challenged them, have never provided any evidence for their core policy of climate change. They've never fronted me for the debate that I challenged them to 285 days ago. I challenged Senator Waters 10 months ago. She jumped to her feet and said that she would not debate me, and she still won't. Ian Macdonald stood just over there in 2016, looked across and said that he didn't always agree with me but that at least I had the courage to start the debate on climate science. But no-one wants to debate, because they don't have the data and they know that I do.

The Liberal-Labor-Nationals are chasing the Greens agenda, which is pushing the United Nations Agenda 2030. If you don't believe me, have a look at their policies: by 2030, to be compliant with the UN's agenda. The policies of the main parties are the same in substance, differing slightly in degree—Liberal-Nats-Labor. The UN Kyoto Protocol is the basis for stealing farmers' property rights, which both sides of politics do. The UN Rio Declaration, the Ramsar sites, international agreements and the Water Act are the result of both sides of politics. The UN Kyoto Protocol and the Paris Agreement—climate lies and false alarms—are the basis for energy policy on both sides of politics. The Renewable Energy Target and the National Electricity Market, which is really a racket, led to inflated retail margins and networks being goldplated. Privatisation is really a tax in Queensland under the Labor government. It's both sides of politics.

We supposedly have deregulation, and what we have now is a power-sharing plan for saving the Portland smelter, in which the various privately owned privatised entities supplying power are getting together to save
Portland. And who will control it? Victorian and federal regulators. We've seen as the result the destruction of manufacturing and agriculture.

Taxation policies are hideous. Senator Hanson and I have done those many times; we have exposed them. Economic management is now based on budget cycles—annual cycles to pay for bribes. We've seen immigration driving up house prices, driving wages down and driving taxes up. We've seen regulations—red tape, green tape and blue UN tape. Richard Court, who became Liberal Premier of WA in 1993, has outlined, in his book *Rebuilding the Federation*, the policies and the processes by which the UN has usurped our governance.

But let's dig deeper. Barnaby Joyce was the most colourful and effective climate sceptic in this country, and certainly in this parliament. Then, when he sniffed cabinet, he suddenly became an alarmist and allowed Malcolm Turnbull to shower $400 million for wind farms on his New England electorate. Matt Canavan was his chief of staff when Barnaby Joyce was in the Senate. He became his replacement, and then, when he sniffed cabinet power, he became an alarmist as well.

In an article going around in the newspapers recently, the Nationals have been talking about the grandfathers of their party—wonderful people: Fadden, Sinclair and McEwen. The last person mentioned in that article was John Anderson, and he left in 2007 after signing, with John Howard and Rob Borbidge, the policies that stole farmers' property rights in New South Wales and Queensland.

On energy policies, the Liberal-Nationals and the Labor Party are implementing the same policies as Trent Zimmerman in the lower house here—woke Liberal-Nationals. Property rights are basically Greens policy. John Howard sold them—no, he didn't sell them, he stole them. His government stole them. The Howard-Turnbull Water Act 2007 destroyed water policy in this country. We went from being the best to being the worst. That's not my view; that's an international expert's view. Look at the specifics: the dairy bill, and Defence land being stolen until Senator Hanson and I jumped in. On the Bradfield Scheme, today we heard the reality. We heard Senator Duniam say that Deb Frecklington was in favour of elements of the Bradfield Scheme.

Senator Hanson cares; she gets the data. Senator Hanson cares; she speaks out. Senator Hanson cares; she steps up.

Thomas Jefferson said you can have farms without cities but you cannot have cities without farms. That is still correct. That's why One Nation focuses on property rights. We want restoration of compensation. We focus on water—getting the Murray Darling Basin Authority under control—and eliminating, getting rid of, the Water Act 2007. On the Bradfield Scheme: we want to tie water back to the land. Energy: competitive federalism will deliver us cheap power. We need to get back to compliance with our Constitution. Coal-fired power, hydro power; on taxation, tax multinationals and reform the tax system. On small business: protect small business. Reduce immigration to net zero. And free up freedom of speech.

The real issue in this country is control versus freedom. This parliament is about controlling people. One Nation pushes to restore freedom. The bigger picture: our keys are cost of living, which is affecting the standard of living; quality of living, which is about security; and future living, which is about infrastructure. We need to do all three of these things, but we also need strong governance and the restoration of our sovereignty. We need truth and to have governments serving the people, not stealing from the people. We need to restore personal rights and freedoms. One Nation believes that government's duty is to provide the business environment for investment that brings employment that is favourable to the people of this country instead of serving political careers. That requires serving the people, that requires courage and truth, and that requires strength of character.

_Senate adjourned at 22:17_