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**SITTING DAYS—2015**

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FORTY-FOURTH PARLIAMENT
FIRST SESSION—SEVENTH PERIOD

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

Senate Office holders
President—Senator Hon. Stephen Parry
Deputy President and Chair of Committees—Senator Gavin Mark Marshall
Temporary Chairs of Committees—Senators Christopher John Back, Cory Bernardi, Sam Dastyari, Sean Edwards, Alexander McEachian Gallacher, Susan Lines, Deborah Mary O'Neill, Nova Maree Peris OAM, Dean Anthony Smith, Zdenko Matthew Seselja, Glenn Sterle, Peter Stuart Whish-Wilson and John Reginald Williams
Leader of the Government in the Senate—Senator Hon. George Henry Brandis QC
Deputy Leader of the Government in the Senate—Senator Hon. Mathias Cormann
Leader of the Opposition in the Senate—Senator Hon. Penny Wong
Deputy Leader of the Opposition in the Senate—Senator Hon. Stephen Conroy
Manager of Government Business in the Senate—Senator Hon. Mitchell Peter Fifield
Manager of Opposition Business in the Senate—Senator Claire Moore

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

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

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

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<td>Peris, N.M.</td>
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(1) Chosen by the Parliament of New South Wales to fill a casual vacancy (vice R. Carr), pursuant to section 15 of the Constitution.
(2) Chosen by the Parliament of New South Wales to fill a casual vacancy (vice J Faulkner), pursuant to section 15 of the Constitution.
(3) Chosen by the Australian Capital Territory Legislative Assembly to fill a casual vacancy (vice K. Lundy), pursuant to section 15 of the Constitution.
(4) Chosen by the Parliament of Queensland to fill a casual vacancy (vice B. Mason), pursuant to section 15 of the Constitution.
(5) Chosen by the Parliament of Tasmania to fill a casual vacancy (vice C. Milne), pursuant to section 15 of the Constitution.
(6) Chosen by the Parliament of South Australia to fill a casual vacancy (vice P Wright), pursuant to section 15 of the Constitution.
PARTY ABBREVIATIONS
AG—Australian Greens; ALP—Australian Labor Party;
AMEP—Australian Motoring Enthusiast Party; CLP—Country Liberal Party;
FFP—Family First Party; IND—Independent, LDP—Liberal Democratic Party;
LNP—Liberal National Party; LP—Liberal Party of Australia;
NATS—The Nationals; PUP—Palmer United Party

Heads of Parliamentary Departments
Clerk of the Senate—R Laing
Clerk of the House of Representatives—D Elder
Acting Secretary, Department of Parliamentary Services—D Heriot
Parliamentary Budget Officer—P Bowen
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<tr>
<td>Prime Minister</td>
<td>Hon Malcolm Turnbull MP</td>
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<tr>
<td>Minister for Indigenous Affairs</td>
<td>Senator Hon Nigel Scullion</td>
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<tr>
<td>Minister for Women</td>
<td>Senator Hon Michaelia Cash</td>
</tr>
<tr>
<td>Cabinet Secretary</td>
<td>Senator Hon Michaelia Cash</td>
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<tr>
<td>Minister Assisting the Prime Minister for the Public Service</td>
<td>Senator Hon Mitch Fifield</td>
</tr>
<tr>
<td>Minister Assisting the Prime Minister for Digital Government</td>
<td>Hon Michael Keenan MP</td>
</tr>
<tr>
<td>Minister Assisting the Prime Minister for Counter Terrorism</td>
<td>Senator Hon Scott Ryan</td>
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<tr>
<td>Assistant Minister to the Prime Minister</td>
<td>Hon Alan Tudge MP</td>
</tr>
<tr>
<td>Assistant Minister to the Prime Minister</td>
<td>Senator Hon James McGrath</td>
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<tr>
<td>Assistant Minister for Productivity</td>
<td>Hon Dr Peter Hendy MP</td>
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<tr>
<td>Assistant Cabinet Secretary</td>
<td>Senator Hon Richard Colbeck</td>
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<tr>
<td>Minister for Infrastructure and Regional Development</td>
<td>Hon Warren Truss MP</td>
</tr>
<tr>
<td>(Deputy Prime Minister)</td>
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<tr>
<td>Minister for Resources, Energy and Northern Australia</td>
<td>Hon Josh Frydenberg MP</td>
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<tr>
<td>Minister for Territories, Local Government and Major Projects</td>
<td>Hon Paul Fletcher MP</td>
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<tr>
<td>Assistant Minister to the Deputy Prime Minister</td>
<td>Hon Michael McCormack MP</td>
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<tr>
<td>Minister for Foreign Affairs</td>
<td>Hon Julie Bishop MP</td>
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<tr>
<td>Minister for Trade and Investment</td>
<td>Hon Andrew Robb AO MP</td>
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<tr>
<td>Minister for International Development and the Pacific</td>
<td>Hon Steven Ciobo MP</td>
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<tr>
<td>Minister for Tourism and International Education</td>
<td>Senator Hon Richard Colbeck</td>
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<td>Assistant Minister to the Deputy Prime Minister</td>
<td>Hon Michael McCormack MP</td>
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<tr>
<td>Attorney-General</td>
<td>Senator Hon George Brandis QC</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>Minister for Justice</td>
<td>Hon Michael Keenan MP</td>
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<td>Assistant Minister for Multicultural Affairs</td>
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<td>Treasurer</td>
<td>Hon Scott Morrison MP</td>
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<tr>
<td>Minister for Small Business</td>
<td>Hon Kelly O’Dwyer MP</td>
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<td>Special Minister of State</td>
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<tr>
<td><strong>Minister for the Environment</strong></td>
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<tr>
<td><strong>Minister for Cities and the Built Environment</strong></td>
<td>Hon Jamie Briggs MP</td>
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<tr>
<td><strong>Minister for Health</strong></td>
<td>Hon Sussan Ley MP</td>
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<tr>
<td><strong>Assistant Minister for Health</strong></td>
<td>Hon. Ken Wyatt MP</td>
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<tr>
<td><strong>Minister for Sport</strong></td>
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<td><strong>Minister for Rural Health</strong></td>
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<td><strong>Minister for Social Services</strong></td>
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<td><strong>Assistant Minister for Multicultural Affairs</strong></td>
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<tr>
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Each box represents a portfolio. **Cabinet Ministers are shown in bold type.** As a general rule, there is one department in each portfolio. However, there is a Department of Human Services in the Social Services portfolio and a Department of Veterans’ Affairs in the Defence portfolio. The title of a department does not necessarily reflect the title of a minister in all cases. Assistant Ministers in italics are designated as Parliamentary Secretaries under the *Ministers of State Act 1952*. 
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Tuesday, 13 October 2015

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

DOCUMENTS
Tabling
The Clerk: Documents are tabled pursuant to statute and returns to order. Details will be recorded in the Journals of the Senate and on the Dynamic Red.
Details of the documents also appear at the end of today's Hansard.

COMMITTEES
Corporations and Financial Services Committee
Economics References Committee
Joint Select Committee on Northern Australia

Meeting
The Clerk: Proposals for committees to meet during sittings of the Senate have been lodged as follows:

Parliamentary Joint Committee on Corporations and Financial Services—private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate today, from 7 pm, for the committee’s inquiry into impairment of customer loans.

Economics References Committee—public meeting during the sitting of the Senate on Wednesday, 14 October 2015, from 4.30 pm, to take evidence for the committee’s inquiry into forestry managed investment schemes.

Joint Select Committee on Northern Australia—public meeting during the sitting of the Senate today, from 6.15 pm.

The PRESIDENT (12:31): Does any senator wish to have the question put on any of those motions? There being no-one, we will proceed to business.

BUSINESS
Rearrangement

Senator FIFIELD (Victoria—Manager of Government Business in the Senate, Minister for Communications, Minister for the Arts and Minister Assisting the Prime Minister for Digital Government) (12:31): I move:

That consideration of the business before the Senate on Tuesday, 13 October 2015 be interrupted at approximately 5 pm, but not so as to interrupt a senator speaking, to enable Senator Simms to make his first speech without any question before the chair.

Question agreed to.

BILLS
Fair Work Amendment Bill 2014
In Committee

Debate resumed.
The TEMPORARY CHAIRMAN (Senator Bernardi) (12:32): We are considering the Fair Work Amendment Bill 2014, as amended.

Senator CAMERON (New South Wales) (12:32): I understand that we are dealing with opposition amendments (4) and (5) on sheet 7771—that is, schedule 1, items 28 and 30 to 39. I understand that we are happy for that to go to a vote.

The CHAIRMAN: The question is that items 28 and 30 to 39 of schedule 1 stand as printed.

The Senate divided. [12:37]
(The Chairman—Senator Marshall)

Ayes ......................33
Noes ......................29
Majority .................4

AYES
Abetz, E
Bernardi, C
Bushby, DC
Cash, MC
Day, RJ
Fawcett, DJ
Fifield, MP
Lazarus, GP
Lindgren, JM
Madigan, JJ
McKenzie, B
Nash, F
Reynolds, L
Ryan, SM
Seselja, Z
Wang, Z
Xenophon, N

Back, CJ
Birmingham, SJ
Canavan, MJ (teller)
Colbeck, R
Edwards, S
Fierravanti-Wells, C
Heffernan, W
Leyonhjelm, DE
Macdonald, ID
McGrath, J
Muir, R
Parry, S
Ronaldson, M
Scullion, NG
Smith, D
Williams, JR

NOES
Brown, CL
Cameron, DN
Collins, JMA
Di Natale, R
Hanson-Young, SC
Lines, S
Ludwig, JW
McAllister, J
McKim, NJ
Moore, CM
Polley, H
Rice, J
Simms, RA
Urquhart, AE (teller)
Whish-Wilson, PS

Bullock, JW
Carr, KJ
Dastyari, S
Gallacher, AM
Lambie, J
Ludlam, S
Marshall, GM
McEwen, A
McLucas, J
O’Neill, DM
Rhiannon, L
Siewert, R
Singh, LM
Waters, LJ
Question agreed to.

Senator DAY (South Australia) (12:40): by leave—I move amendments (1) and (2) on sheet 7577:

(1) Schedule 1, item 33, page 14 (lines 23 and 24), omit “the prevailing pay and conditions within the relevant industry for equivalent work”, substitute “the pay and conditions for work performed in similar circumstances, but takes into account the particular circumstances and needs of the employees and the employers who will be covered by the agreement and the enterprise to which the agreement relates”.

(2) Schedule 1, item 33, page 14 (lines 25 to 27), omit the note.

I am moving to replace the words 'consistent with the prevailing pay and conditions within the relevant industry' with 'for work performed in similar circumstances, but takes into account the particular circumstances and needs of the employees and the employers' and the enterprise. My amendments allow enterprise agreements to take into account local conditions, local labour force conditions and local economic conditions—in other words a new site, a new EBA. I commend the amendments.

Senator CASH (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (12:41): I thank Senator Day for his constructive contribution to this debate, and in particular for his engagement with the government on the important reforms in the Fair Work Amendment Bill. As canvassed in the debate yesterday, the purpose of the new prevailing pay and conditions criteria in the bill is to build an extra employee protection for greenfields agreements approved by the Fair Work Commission under the new optional six-month process. The new prevailing standards requirement is in addition to the existing agreement approval tests, including that the employees must be better off overall than they would have been under the award.

The test start will be applied by the independent Fair Work Commission and will assist in assuring the expeditious resolution of greenfields agreements that provide new employment opportunities. We believe that clause 33 is drafted to meet these objectives. It requires the Fair Work Commission to be satisfied that the agreement, considered on an overall basis, provides the pay and conditions that are consistent with the prevailing pay and conditions within the relevant industry for equivalent work. There is also a note that the Fair Work Commission may have regard to the relevant geographical area. This makes clear that the Fair Work Commission has flexibility to exercise its expert judgement and discretion in considering the relevant pay and conditions standard.

The government has carefully considered Senator Day's proposed amendments to this test and, while we believe that the sentiment behind the proposed amendment is meritorious, the government at this point has made the decision not to support the proposed amendments.
Senator CAMERON (New South Wales) (12:43): I do not think it would come as a surprise to Senator Day that Labor opposes these amendments. On the record, can I thank Senator Day for his indulgence last night—we had a long night and I know he gave way to me late in the evening; I sort of got carried away and left Senator Day without an opportunity to speak. I acknowledge that. Senator Day, I must say that the proposition you put up is not acceptable to Labor. The proposition that the government puts up is not quite as bad but it is every bit as bad in relation to the impediment it places before unions to negotiate better pay and conditions than those that apply in particular areas. If you simply had the situation that the government is proposing in this bill, if you only looked at the prevailing pay and conditions, then you would never be in a position to improve wages and conditions anywhere in the country—they would basically be frozen at the existing position. Your position is worse than that. It says that you have to take into account the particular circumstances and needs of the employees, employers and enterprises to which the agreement relates as well as the pay and conditions for work performed in similar circumstances. In our view, this is a recipe for pushing wages and conditions backwards. It is not consistent with allowing proper bargaining under the act. On that basis, we oppose the amendments.

Senator DAY (South Australia) (12:45): Firstly, I thank you for your acknowledgement from last night, Senator. I believe that these amendments are very important for Australia's competitiveness. They correct an error in the government's bill, which would lock in a one-size-fits-all enterprise arrangement regardless of whether the new enterprise or project is in Berri, in Burnie, in Broome or anywhere else.

Senator Whish-Wilson: Or Bunbury or Busselton?

Senator DAY: Or Bunbury. We have already had a B in WA!

Why are these amendments to the provisions of the bill concerning greenfields projects so important? In my discussions with my colleagues, many acknowledged that there is a major problem in job creation regarding greenfields sites around Australia. Here are some data proving that Senator Cameron is wrong and that Australia does have a problem with the conditions for greenfields projects. First, the data shows that the costs of greenfields exploration are now six times higher than they are for brownfields exploration. In 2014-15, exploration expenditure per metre drilled on new greenfield deposits was nearly $700 per metre compared with just one $110 per metre on existing brownfields deposits. The cost differential between greenfields and brownfields exploration has never been higher. The differential or the gap between greenfields projects and brownfields projects is getting higher and higher. In 2014, greenfield exploration accounted for just one-quarter of total metres drilled.

What is all this saying? It is saying that we have a problem with greenfields projects, where, suddenly, you will have to adopt an EBA from somewhere else across Australia. That EBA will not take into account local circumstances. Like I say, whether it is Busselton, Bunbury or Broome in WA; Berri in South Australia; Bendigo in Victoria—

Senator Whish-Wilson: Or Ballarat?

Senator DAY: Or Ballarat in Victoria. We can keep alliterating all afternoon, if we like, but I think that I have made my point.
I think that this is really, really important. I think that the government have missed the boat on this. I do not think that they quite realise just how important it is. When you set up a new enterprise or a new project on a new greenfields site, the unique circumstances of a particular geographical region are so important, whether it is a canning factory or a petrochemical plant in Shepparton—and I will start with the S names, if you like! My home state of South Australia does not have the cost of living and cost base of a project in, say, Western Sydney. New projects will be locked out of my home state of South Australia. New greenfields projects will not be able to compete and they will not be able to set up, because they will be locked into an industry-wide EBA, which they will have to pick off the shelf from somewhere else. Yes, you can make submissions to the Fair Work Commission and start hacking away at an existing enterprise bargaining agreement from somewhere else, but we all know what happens there. My proposal is that, for a new site, you will start with a new EBA. I thank the minister and the shadow minister for their contributions. I commend my amendment to the Senate.

The CHAIRMAN: The question is that amendments (1) and (2) on sheet 7577 be agreed to.

The Committee divided. [12:53]

(The Chairman—Senator Marshall)

Ayes .....................3
Noes .....................41
Majority ................38

AYES

Day, RJ (teller)  Leyonhjelm, DE
Wang, Z

NOES

Back, CJ  Brown, CL
Bullock, JW  Bushby, DC
Cameron, DN  Canavan, MJ
Cash, MC  Colbeck, R
Di Natale, R  Fifield, MP
Gallacher, AM  Hanson-Young, SC
Lazarus, GP  Lindgren, JM
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O’Neill, DM  Polley, H
Reynolds, L  Rhiannon, L
Rice, J  Ryan, SM
Siewert, R  Simms, RA
Sinodinos, A  Smith, D
Urquhart, AE (teller)  Waters, LJ
Whish-Wilson, PS  Williams, JR
Xenophon, N

CHAMBER
Question negatived.

Senator CAMERON (New South Wales) (12:56): I move opposition amendment (6) on sheet 7771 revised:

(6) Schedule 1, page 16 (after line 15), after item 48, insert:

48A After subsection 240(3)

Insert:

FWC may deal with greenfields agreement dispute

(3A) The FWC may deal with a dispute about a proposed single-enterprise agreement that is a greenfields agreement on its own initiative if the FWC is satisfied that it is in the public interest to do so.

48B Before subsection 240(4)

Insert:

Bargaining representatives may agree that FWC can arbitrate

This is about expanding conciliation in relation to greenfields agreements. We heard much from the minister yesterday about bringing certain aspects of the Fair Work Act into the greenfields agreement making and why that was a good thing. If that is the principle then the principle of bringing the aspects of section 240 of the Fair Work Act, which provides a bargaining representative may apply to the Fair Work Commission to deal with a dispute by way of conciliation, should also be in this bill. It would allow the Fair Work Commission to deal with a dispute by way of conciliation on its own initiative, if the Fair Work Commission is satisfied that it is in the public interest to do so. It keeps that greenfields agreement negotiations consistent with the broader act. It was an argument that the opposition put forcefully yesterday. So, on that basis, I would think the government should accept this as part of the principle. Yesterday, they argued about bringing these issues into line.

Minister, I want to go to some of the issues that you raised yesterday in your responses. You indicated that good faith bargaining provisions had been extended to greenfields agreements and you argued that that would improve accountability in the negotiation process. You then spoke about past practice. You said:

… one would anticipate based on past practice that the majority of agreements are going to be negotiated …

That is page 94 of Hansard. You say that in the majority of cases the employer and the relevant unions will be able to reach an agreement. Minister, isn't it the case that presently all greenfields agreements are negotiated, not merely a majority?

Senator CASH (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (12:58): Senator Cameron, it is implicit in the greenfields process that all agreements are negotiated. Yes, that is the process.

Senator CAMERON (New South Wales) (12:59): So, when you spoke about the majority yesterday, that was just how it was presented. But you have clarified there that all the agreements are negotiated, not merely a majority. Presently, do you agree that all greenfields agreements are negotiated, not just a majority? None are excluded?
Senator CASH (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (12:59): No, Senator Cameron. I think you misunderstood what I said last night. As we went through it last night, you have greenfields agreements, you have an employer and you have a union or unions. Under the greenfields process, they get together and negotiate an agreement. Many agreements are actually agreed by the employer and the union or unions. In some cases, there will not be an agreement. We are implementing the relief valve—that is, going to the Fair Work Commission as the individual umpire. So I think there was just a slight misunderstanding in terms of what I said last night.

Senator CAMERON (New South Wales) (13:00): Minister, it is the statement you made last night that I am seeking clarification on—not what you have just said. You said last night that one would anticipate that, based on past practice, the majority of agreements are going to be negotiated. You used the word 'majority'. You then said later:
… in the majority of cases the employer and the relevant union or unions will be able to reach an agreement.

Do you accept that, based on past practice, all greenfield agreements—not the majority but all of them—have been negotiated? It is a simple, factual position.

Senator CASH (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (13:01): Again, I think it is just the way that you have interpreted what I said last night. It is implicit within the greenfields process that there is negotiation. Whether or not there is an agreement is up to the parties. If there is an agreement, that is good. If there is not an agreement, then they can utilise the relief valve and go to the Fair Work Commission.

Senator CAMERON (New South Wales) (13:01): Minister, thanks for the answer. Last night, again, you said that the employer then has the optional process of commencing the six-month period by notifying the union. Do you anticipate that any negotiations would take place before a notified negotiating period commences? There is no requirement to negotiate before a notified negotiation period commences, is there?

Senator CASH (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (13:02): I personally am not able to anticipate what various parties will do. But, as you will be aware, what we are doing with this particular amendment, as we discussed at length last night, is bringing into the greenfields provisions what is currently not there—that is, the good faith bargaining provisions. So you would expect parties to bargain in good faith, and where they cannot reach an agreement the employer is able to utilise this process should the employer wish to.

Senator CAMERON (New South Wales) (13:02): Hansard recorded you last night as saying:
… I think we would all hope that during that six-month period an agreement can be reached between the employer and the union or the unions.

That is on page 96 of the Hansard. Minister, there is clearly an incentive for the union to reach agreement with the employer. If they do not, then the employer can lodge an agreement that contains whatever they would like—that is, whatever the employer would like. What is the incentive for the employer to reach agreement with the union within the six-month period?
Senator CASH (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (13:03): Again, you and I canvassed this for several hours last night. The evidence I gave last night will be the evidence that I re-give you now. I disagree with the fact that the employer can present any agreement that they like. I made it very clear last night that the union must be given a reasonable opportunity to sign the agreement that is put to the Fair Work Commission for approval. If the union has not seen the agreement, then the Fair Work Commission will not be able to approve that particular agreement.

Senator CAMERON (New South Wales) (13:04): Minister, you simply have not answered the question. The question I have put is: there are obvious incentives for the unions to reach agreement but there is no incentive that you have indicated for employers to reach agreement with the union within the six months; so what is the incentive, under the process that you are proposing, for the employer to reach agreement with the union within the six-month period?

Senator CASH (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (13:04): Given that the employer has a project which the employer wants to start, given that the employer is going to have a body of employees waiting to become people who are actually employed, given that the employer is the one assuming all of the risk in relation to this project and given that the employer is probably going to have international financiers who are saying, 'Unless you can get this agreement in place, we may not be able to provide the finance,' I am assuming, Senator Cameron, that there is going to be great incentive for the employer to come to an agreement with the union or unions.

In any event, as I have consistently stated and I will state again, one of the good things that we are doing in relation to this part of the act—which the former government failed to do—is that we are bringing in the good faith bargaining provisions so that employers and employees have to negotiate in good faith. But the other addition to this part of the act—which, again, Labor failed to do in their legislation—is that we are now bringing in, as part of the approval criteria at item 33, prevailing pay and conditions as one of the criteria for the approval of the agreement. Currently, as you would be aware, it is the better off overall test, and you are compared to the relevant award. We are saying, 'If you are going to submit an agreement to the commission for approval, that test is now prevailing pay and conditions as an approval criterion,' and everyone knows, Senator Cameron, that they are going to be higher.

Senator CAMERON: Again, I just say, Minister, that the incentive for the employees and the unions—that is, the union representing the employees—is clear. The incentive for the employer, as you outlined, probably gives a bit of strength to the argument that we have been putting, and that is that the incentive for the employer would be to hang on and not make any concessions until the employer gets the agreement that it wants to put to the commission after the six-month period. If you have, as you have indicated, prevailing pay and conditions as the benchmark, that means that workers would not be in a position through that bargaining process to improve on the prevailing pay and conditions. Is that not so?

Senator CASH (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (13:07): That is not correct. They will have an opportunity, but again I go to the point that the award applies currently
under your system; under our system it is prevailing pay and conditions. There is a
fundamental difference. I also refer you to the review panel that the now Leader of the
Opposition Bill Shorten himself handpicked to review your legislation. One of the reasons
that we are standing here today is that there are a number of recommendations made by that
review panel—your review panel, your handpicked people. We canvassed this last night: the
reason that the government is considering this greenfields relief valve measure is that an issue
has been clearly identified that certain unions have in some circumstances frustrated
greenfields agreement processes. Again, we canvassed this last night, and at that time I read
from the findings of Labor's own handpicked reviewers of the Fair Work Act, where they
recalled evidence and submissions that some unions had hijacked the greenfields processes,
that greenfields negotiations were lengthy, torturous and onerous and that within itself
jeopardises projects.

Senator CAMERON (New South Wales) (13:09): Minister, I do not know why you will
not go to the point and answer the question. It is okay to give us all the
rhetorical flourishes that you have in your speaking notes, but the reality is that I am asking a simple question, and
that is: what is the incentive for the employer to reach agreement with the union within the
six-month period, when clearly, on what you outlined early in your answer, it is probably a
better incentive for them, if it is all about cost pressures, to resist any improvements to pay
and conditions. Thanks very much for advising me that there is a difference between an award
and prevailing pay and conditions. I think most people do understand that, but that does not
go to the question—what is the incentive for the employer to reach agreement with the union
within the six-month period? Doesn't it mean that, if the determination is made on prevail-
ing pay and conditions, then the unions cannot negotiate improvements in pay and conditions in
the areas that are under disagreement for prospective employees—so prevailing pay and
conditions become a cap?

Senator RICE (Victoria) (13:10): Similarly the question to the minister is: where is the
incentive for the employer to do anything other? If they cannot reach agreement with the
union, they will just sit there and wait out the six months. Those six months may not be much
time at all in the whole timeframe of development of the industry. They will sit there and wait
and, if no negotiation is needed after that, you can see that is how it will play out.

Senator CASH (Western Australia—Minister Assisting the Prime Minister for the Public
Service, Minister for Employment and Minister for Women) (13:11): Unfortunately, Senator
Rice, that comment shows a complete lack of understanding of how business works. In any
event, the mere fact is that we are bringing in the good-faith bargaining provisions. I can only
say that so many times. If you go to that section of the act, and it is quite a lengthy section of
the act, you can read what good-faith bargaining is—maybe you have not had an opportunity
to read that—and that will outline for you step by step exactly what the employer and the
relevant union or unions are required to do by way of good-faith bargaining. In the event that
they do not bargain in good faith, one of the parties can go to the Fair Work Commission and
they are able to seek what is known as a bargaining order from the commission.

Senator CAMERON (New South Wales) (13:12): This is a very important issue, and I
am going to persevere with the question. Given that there is clearly an incentive for the unions
to reach agreement with the employer—if they do not reach agreement and the employer can
lodge an agreement that contains the issues that employer wants imposed on workers. What is
the incentive for the employer to reach agreement with the union within the six-month period? Do you not agree that by maintaining the prevailing pay and conditions there is no capacity under your bargaining approach for unions to increase and improve wages and conditions for employees who could be covered by that greenfield agreement?

**Senator CASH** (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (13:13): No, I do not.

**Senator CAMERON** (New South Wales) (13:13): Minister, could you explain: if it is the prevailing pay and conditions that then apply, how could that be an improvement on pay and conditions for workers in that project, when compared to other projects?

**Senator CASH** (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (13:13): Senator Cameron, again I do worry that you do not understand what prevailing pay and conditions are, as compared to an award. You keep talking about a cap. In fact, it is the other way around—it is not a cap; it is actually a floor.

**Senator CAMERON** (New South Wales) (13:14): So, Minister, if it is a floor, my understanding of a floor is something that you build on—something you stand on to build on. If this is the floor, how then, under your legislation, can a union improve on the prevailing pay and conditions for prospective employees?

**Senator CASH** (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (13:14): A union can do so, by negotiating sensibly; otherwise, you would not be in the position to which you are currently alluding.

**Senator CAMERON** (New South Wales) (13:14): Last night, you also indicated on page 96 of *Hansard* that an employer can:

… continue to negotiate ad infinitum if they want to …

Could you outline the circumstances where an employer could negotiate ad infinitum?

**Senator CASH** (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (13:15): That reflects the current situation, whereby an employer or a union can continue to negotiate. That is why we are putting in the relief valve. It is so that there is an opportunity at the end of that period of time to go to the Fair Work Commission and have them as the independent umpire—as I described them last night and I think is agreed in the chamber—have a look at the agreement within the approval criteria.

But I also said last night that you do not have to go to the commission. If you wanted to, you could continue negotiations. Again, from an employer's perspective, you have a major project. You have all sorts of things that are hinging off this major project, let alone the fact that you have a body of people who you want to become employees who are working and accruing entitlements. The system currently enables people to negotiate 'ad infinitum', to quote that phrase, and that is why we are putting in the relief valve.

**Senator CAMERON** (New South Wales) (13:16): I am cognisant of the time, so I will not pursue this, but I must indicate that I think your responses do not shine any light on these issues at all. Let me try again. On page 93 of *Hansard* last night you said:
… an employer can only take a greenfields agreement to the Fair Work Commission to be approved under the new process where it has first given each of the unions that are the bargaining representatives a reasonable opportunity to sign-off on the agreement. This … ensures that the unions have sufficient time to consider the agreement … to the Fair Work Commission.

And on page 96 you said:

… the union must have been given the reasonable opportunity to consider agreeing to the document that is filed with the Fair Work Commission.

I would like to confirm that there is nothing in the bill that says the agreement which has been under discussion for six months is required to be the same document that is filed with the Fair Work Commission, as long as the union has been provided a reasonable opportunity to consider agreeing to the document. I would also like to clarify what happens if the unions disagree with any element that is filed with the Fair Work Commission. What is open to the unions?

Senator CASH (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (13:18): I hope that you understand that negotiations are processes where parties go back and forth between one another. They agree on some things; they do not agree on other things. They might have agreed on something but then decide to change that. That is the whole point of a negotiation. However, to ensure that an agreement is ultimately reached so that the project can get underway and to ensure that the employees, as I said last night, are able to become paid employees and accrue entitlements and have all the rights and conditions that we in this chamber have, we are merely putting in a relief valve.

Again, I confirm the evidence that I gave last night. The union must have been given a reasonable opportunity to sign the agreement that is put to the Fair Work Commission for approval. The union must have seen that agreement. As we went through last night, if an agreement that the union has not seen is put to the commission, the commission will upload that proposed agreement onto its website. You can only imagine, Senator Cameron, I am sure, what the reaction of the union would be if it saw on the commission's website an agreement that it had not had the opportunity to comment on.

In any event, I go back to when the Fair Work Commission is looking at this proposed agreement. In terms of the approval criteria, we have ensured that whilst under your legislation the award is the relevant standard—the better-off-overall standard—we are increasing that. This is of benefit to the proposed employees. The approval criteria now include the prevailing standards and conditions within the industry. Employees will be better off as a result of that.

Senator CAMERON (New South Wales) (13:19): Employees may not be better off if they are not in a position to improve over and above the prevailing terms and conditions, and we have canvassed that. That is clearly a deficiency in the bill. It is not so much a deficiency; I think it is a deliberate position in the bill that would mean that workers are not able to improve their wages and conditions over a period of time.

I want to get back to another issue. Last night you did not answer my question about whether the union could take the employer to the Fair Work Commission to seek a bargaining order at the end of the notified negotiating period. In the ordinary course of events, a bargaining order can be granted by the Fair Work Commission if a bargaining representative
has not met the good faith bargaining requirement. If a bargaining representative has breached a bargaining order, will the Fair Work Ombudsman be able to take legal action against the bargaining representative after the notified negotiating period has concluded?

Senator CASH (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (13:21): Again, I think this goes potentially to a fundamental misunderstanding of what your legislation currently allows people to do and what we, through our amendments to your legislation, are going to enable people to do. You keep attacking good faith bargaining as if it were something bad or deficient. You and I went through this last night, but I am happy to go through it again. It is your right to ask questions, and I appreciate your asking me questions so I can have the opportunity to clarify this yet again with you.

Under the current greenfields agreement-making framework that your government put into place—I think you would acknowledge this, because it is the law—employers and unions have no incentive to bargain for greenfields agreements in good faith. The reason for that is the good faith bargaining rules do not apply at all to these agreements. When you legislated you did not include good faith bargaining for greenfield agreements. What then happens is that the Fair Work Commission has no formal capacity to resolve disputes during greenfield negotiations. For a number of years you had the opportunity to fix this. You had a panel which said, 'Fix it!', but you chose not to.

I am struggling with the fact that every time you stand up you are almost advocating a position that is opposing the extension of the good faith bargaining provisions to this part of the act. What the government is doing via this amendment is ensuring that the good faith bargaining rules apply to negotiations for all single-enterprise greenfield agreements, as is set out in the Fair Work Act. As I stated to Senator Rice, the act says that, where the good faith bargaining rules are not complied with, parties will be able to access bargaining orders and the Fair Work Commission bargaining assistance for the first time. Currently, they cannot do that. They will be able to do it under the amendment that we are bringing in. That is a good thing.

Senator CAMERON (New South Wales) (13:23): Minister, I do not understand why you would need to verbal anyone in relation to this matter. The question being asked is simple. To stand up and to verbal me and the Labor Party, saying that we do not support good faith bargaining, I do not think does you much credit. In reality, the issue is that the problem is not the good faith bargaining principle; the problem is the interaction of good faith bargaining with your flawed process and your bill that would impede proper bargaining and would impede unions having a fair go in the negotiations. Your principle provides a benefit and an added support to the employer over the union bargaining group. We support good faith bargaining—I want to make that clear.

We have now traversed these issues for some period of time. I understand there are other amendments. I would like to get through our amendments, but I would like to place on record that we support good faith bargaining. We think good faith bargaining is impeded by the bad process you have introduced in this bill.

The TEMPORARY CHAIRMAN (Senator Bernardi): The committee is considering opposition amendment (6) on sheet 7771 revised. The question is that the amendment be agreed to.
Question negatived.

Senator LAZARUS (Queensland) (13:25): I move:

(1) Page 3 (after line 11), after clause 3, insert:

4 Review of the operation of amendments

(1) The Minister must cause an independent review of the operation of the amendments made by Part 5 of Schedule 1 to be undertaken and completed within 2 years after the commencement of that Part.

(2) The review must consider:

(a) the effect of the amendments made by Part 5 of Schedule 1; and

(b) any other related matter that the Minister specifies.

(3) The person who undertakes the review must give the Minister a written report of the review.

(4) The Minister must cause a copy of the report of the review to be tabled in each House of the Parliament within 15 sittings days of receiving it.

My amendment puts in place an important safeguard which will require the minister, regardless of who is in power, to undertake an independent review of the workability of the six-month period installed to negotiate greenfield agreements. The review must be undertaken and completed within two years of the legislation taking effect. The person who undertakes the review must give the minister a written report, which must be tabled in each house of parliament within 15 days of the minister receiving it. My amendment puts in place an obligation on the government of the day to work with all stakeholders involved in the negotiation of greenfield agreements to review the success of the six-month time frame.

While I appreciate the opposition has put forward very late in the day a proposal for arbitration in relation to greenfield agreements, my consultations with unions and businesses indicate that my amendment will work and, importantly, will provide the safeguard to ensure that the system is reviewed within a relatively short time to enable adjustments to be made to the legislation in future if required. My amendment ensures there is a balanced approach to greenfield negotiations and that the process of enterprise bargaining is appropriately respected and supported.

Senator CASH (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (13:27): I thank Senator Lazarus for the way in which he has negotiated with me during this process. I have spoken with him about this amendment and, indeed, with a number of the crossbenchers. Senator Lazarus indicated that he felt there was a desire for a review of the greenfield provisions after two years. Certainly, after having discussions with Senator Lazarus and having considered the position, the government will be supporting Senator Lazarus's amendment.

Senator CAMERON (New South Wales) (13:27): The opposition will not be supporting this amendment from Senator Lazarus. We understand where Senator Lazarus is coming from in relation to this amendment which says to us that Senator Lazarus has concerns about the operation of the bill before the parliament. If Senator Lazarus had no concern about this bill, he would not be looking for a review of the operation of the amendments. My view is that this is well intended, but in reality if you have concerns about the operation of the bill, Senator Lazarus, you should not be supporting the bill today. That is the bottom line.

You have put forward a proposition and negotiated with the minister, as I understand, but really what does it do? The minute the minister causes an independent review to take place,
the review considers the effect of the amendments and any other matter the minister specifies—who knows what that may be; I am not sure. Then the person who undertakes the review provides a written report to the minister and the minister causes a copy of the report to be tabled in each house of parliament within 15 days of receiving it. Big deal! What does that do? It does nothing, absolutely nothing. Fine, you do a deal with the minister. That is up to you, but if you have concerns about the operation of the bill, the time to deal with it is now. Do not support the bill. Do not put up a proposition that allows the minister to determine issues in a report that she receives and simply tables with no compulsion to do anything other than table the report. I think that this amendment is well-intentioned, but if you have problems, Senator Lazarus, do not support the bill, because this amendment does not fix the major problems in this bill.

Senator LAZARUS (Queensland) (13:30): I will be supporting the bill, but I also believe that this is a really, really important issue. I think that my amendment should be adopted with other bills as well because if you do something over and over and over again and expect a different result that is the first sign of madness. I am happy with the bill, but I would also like to think that the government of the day would have the scope to be able to change it if it is not working.

Question negatived.

Senator CAMERON (New South Wales) (13:31): I move opposition amendment (7) on sheet 7771:

(7) Schedule 1, item 50, page 17 (lines 5 to 14), omit paragraph 255A(1)(d), substitute:

(d) the following provisions do not apply in relation to the agreement at any time after the end of the notified negotiation period:

(i) sections 229 and 230 (which deal with bargaining orders);

(ii) sections 234 and 235 (which deal with serious breach declarations); and

This amendment goes to the issue of the Fair Work Commission declining to make a determination for any reason. This amendment would ensure that the rules around good faith bargaining and conciliation continue to apply. Given what the minister said about the importance of good faith bargaining, this is an example of us supporting good faith bargaining. If the minister really supports it, she would adopt this amendment.

Question negatived.

Senator CAMERON (New South Wales) (13:32): by leave—I move opposition amendments (1), (2), (8) and (9) on sheet 7771 together:

(1) Schedule 1, page 11 (after line 6), after item 20, insert:

**20A Section 12**

Insert:

*greenfields workplace determination:* see subsection 271B(2).

(2) Schedule 1, page 11 (after line 10), after item 21, insert:

**21A Section 12 (paragraph (c) of the definition of workplace determination)**

Omit "determination.", substitute "determination; or".

**21B Section 12 (definition of workplace determination)**

At the end of the definition, add:
(d) a greenfields workplace determination.

21C At the end of section 171
Add:
Note: A greenfields workplace determination may be made in specified circumstances under Division 4A of Part 2-5 if the bargaining representatives for a proposed enterprise agreement that is a greenfields agreement are unable to reach agreement.

(8) Schedule 1, page 17 (after line 18), after item 50, insert:

50A Section 258
After:
(b) after the end of the post-declaration negotiating period, the bargaining representatives for the agreement have not settled the matters that were at issue during bargaining for the agreement.

Insert:
Division 4A deals with greenfields workplace determinations. Bargaining representatives for a proposed single-enterprise agreement that is a greenfields agreement may apply to the FWC for such a determination if they are unable to reach agreement on the terms that should be included in the agreement.

(9) Schedule 1, Part 5, page 17 (after line 33), at the end of the Part, add:

52A After Division 4 of Part 2-5
Insert:
Division 4A—Greenfields workplace determinations
271B Applications for greenfields workplace determination
Application of this section
(1) This section applies if:
(a) a proposed single-enterprise agreement is a greenfields agreement; and
(b) there has been a notified negotiation period for the agreement; and
(c) the notified negotiation period ends; and
(d) one or more of the bargaining representatives for the agreement are unable to reach agreement on the terms that should be included in the agreement.

Bargaining representative may apply for greenfields workplace determination
(2) A bargaining representative for the agreement may apply to the FWC for a determination (a greenfields workplace determination).

(3) An application for a greenfields workplace determination must specify the following:
(a) the terms that the bargaining representatives concerned have, at the time of the application, agreed should be included in the agreement;
(b) the matters at issue at the time of the application;
(c) the employers that will be covered by the determination;
(d) the employees who will be covered by the determination;
(e) each employee organisation that is a bargaining representative of those employees.

271C When the FWC must make a greenfields workplace determination
(1) If:
(a) an application for a greenfields workplace determination has been made; and
(b) the FWC is satisfied that:

(i) the bargaining representatives for the proposed agreement are genuinely unable to reach agreement on the terms that should be included in the agreement; and

(ii) there is no reasonable prospect of agreement being reached; and

(iii) the bargaining representative who made the application has met, or is meeting, the good faith bargaining requirements; and

(iv) the bargaining representatives that are employee organisations that (taken as a group) are entitled to represent the industrial interests of a majority of the employees who will be covered by the agreement, in relation to work to be performed under the agreement; and

(v) the bargaining representative who made the application has exhausted all other reasonable alternatives to reach agreement on the terms that should be included in the agreement; and

(vi) it is in the public interest to make the determination;

the FWC must make a greenfields workplace determination as quickly as possible.

Note: The FWC must be constituted by a Full Bench to make a greenfields workplace determination (see subsection 616(4)).

(2) In deciding whether or not the bargaining representatives have exhausted all other reasonable alternatives to reach agreement on the terms that should be included in the agreement, the FWC may take into account any matter the FWC considers relevant, including whether the FWC has provided assistance under section 240 in relation to the agreement.

271D Terms etc. of a greenfields workplace determination

Basic rule

(1) A greenfields workplace determination must comply with subsection (4) and include:

(a) the terms set out in subsections (2) and (3); and

(b) the core terms set out in section 272; and

(c) the mandatory terms set out in section 273.

Note: For the factors that the FWC must take into account in deciding the terms of the determination, see section 275.

Agreed terms

(2) The determination must include the agreed terms (see subsection 274(4)) for the determination.

Terms dealing with the matters at issue

(3) The determination must include the terms that the FWC considers deal with the matters that were still at issue at the end of the notified negotiation period.

Coverage

(4) The determination must be expressed to cover:

(a) each employer that would have been covered by the proposed single-enterprise agreement that is a greenfields agreement; and

(b) the employees who would have been covered by that agreement; and

(c) each employee organisation (if any) that was a bargaining representative of those employees.

271E No other terms

A greenfields workplace determination must not include any terms other than those required by subsection 271D(1).
52B Subsection 272(2)  
Repeal the subsection, substitute:

(2) The determination must include a term specifying a date as the determination's nominal expiry date, which must not be more than:

(a) for a greenfields workplace determination—2 years after the date on which the determination comes into operation; or

(b) for a workplace determination other than a greenfields workplace determination—4 years after the date on which the determination comes into operation.

52C At the end of section 274  
Add:

Agreed term for a greenfields workplace determination

(4) An agreed term for a greenfields workplace determination is a term that the bargaining representatives for the proposed single-enterprise agreement that is a greenfields agreement had, at the end of the notified negotiation period, agreed should be included in the agreement.

Note: The determination must include an agreed term (see subsection 271D(2)).

52D Paragraph 275(b)  
After "low-paid workplace determination", insert "or a greenfields workplace determination".

52E Paragraph 275(c)  
Omit "other than a low-paid workplace determination", substitute "other than a determination covered by paragraph (b)".

52F After paragraph 275(c)  
Insert:

(ca) for a greenfields workplace determination—whether the determination, on an overall basis, provides for pay and conditions that are consistent with the prevailing pay and conditions within the relevant industry for equivalent work;

52G Paragraph 275(e)  
Repeal the paragraph, substitute:

(e) for a greenfields workplace determination—how productivity might be maximised in the enterprise concerned;

(ea) for a workplace determination other than a greenfields workplace determination—how productivity might be improved in the enterprise or enterprises concerned;

These amendments cover really important issues that we are raising. These amendments go to certainty.

The minister has spoken much about certainty and the need for investors to have certainty. But the minister herself has conceded that there would be no certainty, because an employer can continue to negotiate ad infinitum. There are appeal processes in place and there are many impediments to certainty. The proposition we put here is about ensuring certainty through the creation of a greenfields workplace determination. I will not go into all the details, given the time, but these are important amendments in relation to providing real certainty for investors. On that basis, I would seek the support of the Senate.

Question negatived.

The CHAIRMAN: The question is that the bill, as amended, be agreed to.
The committee divided. [13:38]
(The Chairman—Senator Marshall)

Ayes ................. 33
Noes ................. 29
Majority ............. 4

AYES
Abetz, E
Bernardi, C
Bushby, DC
Cash, MC
Day, RJ
Fawcett, DJ
Fifield, MP
Lazarus, GP
Lindgren, JM
Madigan, JJ
McKenzie, B
Nash, F
Reynolds, L
Ryan, SM
Seselja, Z
Wang, Z
Xenophon, N

Back, CJ
Birmingham, SJ
Canavan, MJ (teller)
Colbeck, R
Edwards, S
Fierravanti-Wells, C
Heffernan, W
Leyonhjelm, DE
Macdonald, ID
McGrath, J
Muir, R
Parry, S
Ronaldson, M
Scullion, NG
Smith, D
Williams, JR

NOES
Brown, CL
Cameron, DN
Collins, JMA
Di Natale, R
Hanson-Young, SC
Lines, S
Ludwig, JW
McAllister, J
McKim, NJ
Moore, CM
Polley, H
Rice, J
Simms, RA
Urquhart, AE (teller)
Whish-Wilson, PS

Bullock, JW
Carr, KJ
Dastyari, S
Gallacher, AM
Lambie, J
Ludlam, S
Marshall, GM
McEwen, A
McLusky, J
McNeil, DM
Rhiannon, L
Siewert, R
Singh, LM
Waters, LJ

PAIRS
Brandis, GH
Cormann, M
Johnston, D
O'Sullivan, B
Payne, MA
Ruston, A
Sinodinos, A

Peris, N
Wong, J
Conroy, SM
Bilyk, CL
Ketter, CR
Gallagher, KR
Sterle, G
Question agreed to.
Bill, as amended, agreed to.
Bill reported with an amendment; report adopted.

Third Reading

Senator CASH (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (13:41): I move:
That the bill be read a third time.

The PRESIDENT: The question is that the bill be now read a third time.
The Senate divided. [13:46]

(The President—Senator Parry)

Ayes .................33
Noes .................30
Majority.............3

AYES
Abetz, E
Bernardi, C
Canavan, MJ
Colbeck, R
Edwards, S
Ferravanti-Wells, C
Heffernan, W
Lazarus, GP
Lindgren, JM
Madigan, JJ
McKenzie, B
Nash, F
Ronaldson, M
Scullion, NG
Sinodinos, A
Wang, Z
Xenophon, N

Back, CJ
Bushby, DC
Cash, MC
Dey, RJ
Fawcett, DJ (teller)
Fifield, MP
Johnston, D
Leyonhjelm, DE
Macdonald, ID
McGrath, J
Muir, R
Reynolds, L
Ryan, SM
Seselja, Z
Smith, D
Williams, JR

NOES
Brown, CL
Cameron, DN
Collins, JMA
Di Natale, R
Gallagher, KR
Lambie, J
Ludwig, JW
McAllister, J
McKim, NJ
Moore, CM
Peris, N
Rhiamon, L
Siewert, R
Singh, LM

Bullock, JW
Carr, KJ
Dastyari, S
Gallacher, AM
Hanson-Young, SC
Ludlam, S
Marshall, GM
McEwen, A (teller)
McLucas, J
O’Neill, DM
Polley, H
Rice, J
Simms, RA
Urquhart, AE
The Social Security Legislation Amendment (Debit Card Trial) Bill 2015

Second Reading

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

Senator MOORE (Queensland) (13:48): The Social Security Legislation Amendment (Debit Card Trial) Bill 2015 is important because it looks at an important change in the way that social welfare will be enacted in various communities. There are no names in the bill before us. It is an amendment of the social security law to enable a trial phase of a new cashless welfare arrangement. This is the 'healthy welfare card' recommendation from the review of Indigenous jobs and training conducted by Mr Andrew Forrest and his team last year. The trial, as explained in the legislation, will be conducted in up to three locations, involving up to 10,000 people. The way the locations for this trial will be identified is a very important issue. Locations will be selected on the basis of high levels of welfare dependence, where gambling, alcohol and/or drug abuse are causing unacceptable levels of harm within the community and where there is a level of community support. That last element is most important. This trial is going to be completely dependent on the level of support of the local community. As we all know, that is a very difficult thing to achieve. Any new proposal going out to any community will be unlikely to receive 100 per cent support. Even though, in the evidence that the Community Affairs Legislation Committee heard when we had our one-day hearing on this bill, the local mayor and community leaders were very supportive—and in fact the mayor claimed that he had well over 90 per cent of his community in favour of this trial—it is very important to realise that, with any change, no-one can guarantee overwhelming support for the action.

However, as a member of the committee that looked at the proposal that was put into this legislation, I was deeply impressed by the absolute commitment being brought to us by leaders of the local community, both within the township of Ceduna itself and in the surrounding smaller communities, many of which are Aboriginal communities—a joint appeal from these leaders to their parliament, saying, 'We need help.' In the committee papers, you will be able to read outstanding comments from the local community—bemoaning the impact of alcohol and drugs on their local community, talking about the lack of family safety, talking about the need to take action and talking about the fact that many things have been
tried before and they have failed. In a memorandum of understanding that was signed earlier this year, there was a real call from this community to do something together—something new and something that would work for the health and the future of their communities. That is a very important element of the arguments about this trial.

Any trial must be well planned, must engage effectively with all those involved, must be effectively resourced and must have a strong element of evaluation built into the original process. On this element, I think that, whilst there was some difficulty in the information that was made available to us by the various departments that attended the hearing that we had, there has been genuine effort made in the Ceduna region—and I am going to concentrate on Ceduna in my comments, because the only area at this stage where there has been a signed MOU put in place and a public commitment to bringing in the trial is the community of Ceduna in South Australia. We know that some areas of the East Kimberley are already interested in this process. We did hear evidence from them on the day, but in the Labor response I will be concentrating on Ceduna.

In terms of the process for consultation, we asked the department and also the local government leaders and the Indigenous leaders about the processes that they had put in place in their communities to ensure people knew what was going on. I respect the fact that efforts have been made. I want to raise the issue, though, that the elements of engagement seem to have been at the local leadership level, and we questioned the department very strongly about this. Their answer was that, because the legislation had not been passed, they had not gone to any lower level personal consultation in the local area. I am concerned by that. I think that we all know that this has been a very public process. The parliamentary secretary, Mr Tudge, and the local member have been doing lots of public activity in the local region, talking about the issues. When I went into the internet during the hearing, I was able to find that there had been various media releases put out in the local areas, talking about the fact that the trial was going to happen and about the need for having a trial. All this information was around, but when we actually asked whether there had been specific personal discussion—and, in particular, discussion with the people who are currently receiving Centrelink payments in the area—we were told that had not occurred.

I am worried about this because the stimulant for engagement in this trial is being currently on a working-age Centrelink payment, so the people who will be immediately impacted by the changes in the way their social welfare process will be working under this trial may not all be aware of it. I cannot guarantee, no-one in the Ceduna committee can guarantee and certainly no-one from the department can guarantee that every person who may be impacted—in fact, every person who will be impacted—by the trial has knowledge about how it is designed, what their responsibilities will be and what the whole process will be into the future. That, to me, is a genuine weakness.

So we do acknowledge that the departments have made efforts to get information sharing. Thank you for the list of meetings that were held, and thank you for the list of telephone conversations that were had. We gratefully accept that—I say that as a member of our committee—but I want to put on my record my concerns. If you are going to be so significantly changing such an important part of your life—in fact, your livelihood if you are reliant on a social security payment—you should be personally aware of what is going on.
It even took a day to get a subsequent response from the department as to how many people were currently receiving Centrelink payments in the region, where they were located and particular information about their age and their gender. That should not have been the case. We should have known immediately how many people were currently receiving Centrelink payments which would be impacted by this trial. That should have been standard information to be exchanged on the day. It was not, but we do now have it, and we know that around 900 people will, should the trial proceed, have a massive change to the way their social welfare payments will operate.

Whilst Mr Forrest's original title was the cashless welfare card, we have moved away from the term 'cashless' because we have actually had some understanding that, no matter where you are in a community, there will be times when you will need cash. So the proposed change to the social welfare payment is an 80-20 split. This split will be operated by a special bank account where 80 per cent of your welfare payment will be placed, which will not be able to be used for the purchase of alcohol, drugs or gambling, nor will it be able to be used for the purpose of cash transfers. So you will not be able to use this new card—which we have not seen yet, but we know people are working on it; we have been told a lot in this process that people are working on it—for those purposes. That 80 per cent of the payment will be quarantined to the extent that you will be able to use it in the same way as you would use any other card.

Twenty per cent of your payment will be able to be used in your existing bank account—if you have one, because we do know some people have other forms of payment—for the things that you and I do all the time, like catching a bus or making a phone call. One of the people who talked to us in this process talked about going to things like community markets. Apparently there are very good community markets in Ceduna which operate on a cash basis. You are nodding, Mr Acting Deputy President Bernardi. If you want to purchase something in a market, you will have to use that 20 per cent of your payment.

At our inquiry, a number of questions were put on notice about exactly how this banking process will operate, because key to the trial is ensuring that the financial and banking processes will be easy to work and will respond immediately and that people will understand what is going on. Unfortunately, here we have a bit of a problem, because the final details of how the financial process will operate, even down to which bank or financial institution will conduct the process, are as yet unknown. Well, I do not agree with that; I believe they are known, except that, because of commercial-in-confidence processes, no-one is allowed to know.

I will put this in context. This trial is scheduled to start in February next year. We as a parliament are expected to approve the trial very soon—I would imagine that is the expectation of the government—but we still do not know how the card is going to operate, which financial institution will be working on it and how people will have that interaction. If we are going to be going into a trial which is so significant—and which the people of Ceduna have said at their leadership level they want so desperately—I believe we should have this basic information before us so that we will be able to see how it operates.

We know that we have a long history of the BasicsCard in Indigenous communities in this country, and a number of issues were raised through those 2½ years about how the BasicsCard works. None of us are confused between this card and the BasicsCard, though
there was a presumption that we did not quite know what we were talking about—I am looking at Senator Siewert—because we were—

The PRESIDENT: Thank you, Senator Moore. It being 2 pm, we move to questions without notice. You will be in continuation.

MINISTERIAL ARRANGEMENTS

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:00): by leave—I inform the Senate that Senator Dean Smith has been elected as an Assistant Government Whip.

SHADOW MINISTERIAL ARRANGEMENTS

Senator WONG (South Australia—Leader of the Opposition in the Senate) (14:00): by leave—I inform the Senate that earlier this afternoon the Leader of the Opposition, Mr Shorten, announced changes to the shadow ministry. As far as these changes affect the Senate, I advise that Senator Katy Gallagher will join the shadow cabinet as shadow Minister for Mental Health, shadow Minister for Housing and Homelessness, and shadow Minister Assisting the Leader on State and Territory Relations. These changes take effect from 1 November 2015. Can I take this opportunity to acknowledge the extraordinary role that Senator Jan McLucas has played over many years as a shadow minister and minister. I thank her for agreeing to continue to complete a number of tasks at the request of the leader. Senator Dastyari has been appointed shadow Parliamentary Secretary to the Leader of the Opposition, shadow Parliamentary Secretary for School Education and Youth, and Deputy Manager of Opposition Business in the Senate. There are also changes to arrangements relating to the representation in the Senate of shadow ministers in the other place. I seek leave to table the revised shadow ministry list and have it incorporated into Hansard.

Leave granted.

The document read as follows—

SHADOW MINISTRY LIST

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<th>OTHER CHAMBER</th>
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13 October 2015
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<td>Hon Gary Gray AO MP</td>
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<td>Michelle Rowland MP</td>
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<td>Hon Dr Andrew Leigh MP</td>
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<td>Shadow Minister for Indigenous Affairs</td>
<td>Hon Shayne Neumann MP</td>
<td>Senator Claire Moore*</td>
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<td>Shadow Parliamentary Secretary for Indigenous Affairs</td>
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<td>Shadow Minister for Employment Services</td>
<td>Hon Julie Collins MP</td>
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Shadow Cabinet Ministers are shown in bold type.

* Senator Katy Gallagher’s appointment to the Shadow Ministry is effective from 1 November 2015. Senator the Hon Jan McLucas will serve as Shadow Minister for Housing and Homelessness and Shadow Minister for Mental Health, and represent the Shadow Minister for Northern Australia, the Shadow Minister for Health, the Shadow Assistant Minister for Health, the Shadow Minister for Sport and the Shadow Minister for Indigenous Affairs in the Senate until 31 October 2015.

**QUESTIONS WITHOUT NOTICE**

**Murray-Darling Basin**

Senator WONG (South Australia—Leader of the Opposition in the Senate) (14:01): My question is to the minister representing the Minister for Agriculture and Water Resources, Senator Colbeck. I refer to his statement yesterday in relation to the allocation of water responsibilities in which he said:

Within the actual agricultural portfolio, there are still negotiations being conducted between Minister Joyce and his assistant minister in relation to the overall specifics of the allocation of the portfolio…

What are the overall specifics to which the minister is referring?

Senator COLBECK (Tasmania—Minister for Tourism and International Education and Minister Assisting the Minister for Trade and Investment) (14:02): As Senator Wong would know, having been a cabinet minister, within a ministerial portfolio, members of the portfolio take responsibility for certain elements of that portfolio and of that ministry. My understanding is that those arrangements are still being finalised between minister—

Senator Kim Carr: What does the ministerial order say?

Senator COLBECK: If you do not understand the difference between ministerial orders, Senator Carr, and a charter letter, you ought to give up because you are doing a perfect impersonation of a boofhead in this place.

The PRESIDENT: Order! Senator Colbeck, you need to withdraw that comment.

Senator COLBECK: I withdraw. As I understand it, the charter letter from the Prime Minister has not been finalised yet, but the arrangements between Minister Joyce and Assistant Minister Ruston will be finalised. As we all understand, a cabinet minister ultimately has responsibility for all elements of the portfolio, and in that context ultimately Minister Joyce is responsible for the elements of the water portfolio that are within his portfolio. I am not sure what all the excitement is from Senator Wong. The important thing for water and for Australia is that water is under the responsibility of the coalition and not the opposition. (Time expired)

Senator WONG (South Australia—Leader of the Opposition in the Senate) (14:04): I ask a supplementary question. Does the minister agree with Senator John Williams, who says that the only interpretation of the coalition agreement is that water must go entirely to the agriculture minister, Mr Joyce, and not to his assistant minister, Senator Ruston?

Senator COLBECK (Tasmania—Minister for Tourism and International Education and Minister Assisting the Minister for Trade and Investment) (14:05): As I said a moment ago, ultimately the responsibility for water within the agriculture and water resources portfolio is with Minister Joyce. Whether Minister Joyce and Senator Ruston have agreed to some arrangements about the overall management of water within the portfolio is a matter for them and the Prime Minister. I am sure that those arrangements will be finalised in due course. I
said yesterday that we are a very contented coalition, and we are. I had the great fortune to spend two years in the agriculture portfolio working with Minister Joyce. I got on famously with Minister Joyce. He was great to work with. He was a very good senior minister to work with. I do not expect that he will be any different with Senator Ruston. In fact, I am sure he will be the same. (Time expired)

Senator WONG (South Australia—Leader of the Opposition in the Senate) (14:06): I ask a further supplementary question. I again ask whether or not the minister agrees with Senator Williams? And I ask this: given that ministerial responsibilities have not been settled, can he explain why Mr Joyce is already making water policy announcements, given Mr Joyce's track record—including telling South Australians to move where the water is—

Senator McKenzie: What track record?

Senator WONG: This has got the Nationals going, hasn't it? How can people in my home state have any confidence that he will make decisions in their best interests?

Senator Heffernan: Mr President, on a point of order: could I point out, and Penny knows this, that she completely ballsed it up.

The PRESIDENT: Senator Heffernan, sit down. You do not have a point of order. Senator Heffernan, resume your seat. That is not a point of order, that is an abuse of using a point of order.

Senator COLBECK (Tasmania—Minister for Tourism and International Education and Minister Assisting the Minister for Trade and Investment) (14:07): As I said, we are a very contented coalition. We are a very contented coalition, and I am certain that the relationship between Minister Joyce and Assistant Minister Ruston will be a very positive and productive one.

On the record of water: Senator Wong should not raise the record of purchases of water or anything to do with water in this place, because her record is absolutely abysmal. In fact, her record in purchasing water and the mistakes that she made in purchasing water when she was in that portfolio were a perfect entree into her role as Minister for Finance and Deregulation, where she has a reputation for having been one of the worst finance ministers ever. So there are plenty of examples, as—

The PRESIDENT: Pause the clock.

Senator Moore: Mr President, I raise a point of order on direct relevance to the question about Senator Joyce's position and his making of statements. The minister has not gone anywhere near that part of the question.

The PRESIDENT: Thank you, Senator Moore. I will remind the minister of the question and inform the minister he has 13 seconds in which to answer.

Senator COLBECK: Senator Wong's record as water minister was completely abysmal. As Senator—

The PRESIDENT: Pause the clock.

Senator Moore: Again, Mr President, I raise a point of order on direct relevance. You drew the attention of the minister to the question, and he went straightaway against the process of your direction.
The PRESIDENT: Thank you, Senator Moore. I will remind the minister of the question. He has seven seconds in which to answer.

Senator COLBECK: The water for Adelaide has been secured. As Senator Birmingham said, it was secured by the development of the plan. (Time expired)

National Security

Senator BUSHBY (Tasmania—Chief Government Whip in the Senate) (14:09): My question is to the Leader of the Government in the Senate, Senator Brandis. Will the minister update the Senate on what the government is doing to further strengthen national security?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:09): Thank you, Senator Bushby, for that very important question. Since 12 September last year, when Australia's national security agencies raised the national terrorism public alert level to high, 24 people have been charged as a result of nine counter-terrorism operations around Australia. That is more than one-third of all terrorism related arrests since 2001. The government constantly review our counter-terrorism laws to ensure they meet the needs of law enforcement and security agencies to respond to the changing threat environment.

On 12 June this year, when I addressed the Regional Summit to Counter Violent Extremism, in Sydney, I foreshadowed that the government would be introducing further counter-terrorism legislation later in the year—that is, in addition to the four tranches of counter-terrorism legislation that have been considered by this parliament in the last 12 months. The government has been discussing a range of reforms with law enforcement and security agencies and with the states and territories to respond to lessons learned from the increased operational activity of the past 12 months.

The bill will include amendments to implement recommendations from the Council of Australian Governments Review of Counter-Terrorism Legislation, as well as the learnings from that operational activity. Among other things, the bill will lower the age for a control order from 16 to 14 years, subject to appropriate safeguards; facilitate the monitoring of individuals subject to control orders through enhanced search, telecommunications interception and surveillance device regimes; provide greater protection to sensitive information in control order proceedings; and introduce a new offence of incitement of genocide. The bill will contain a range of other measures as well. It is the government's intention that it be dealt with by the parliament before the end of this year.

Senator BUSHBY (Tasmania—Chief Government Whip in the Senate) (14:11): Mr President, I have a supplementary question. Will the minister inform the Senate how the government has been working with the states and territories in relation to the proposed legislation?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:11): Yes, I can, Senator Bushby. The Commonwealth government has been working very closely in partnership with the state and territory governments as jurisdictional partners to improve Australia's national security legislation. We have done so in furtherance of the Intergovernmental Agreement on Counter-Terrorism Laws. Draft provisions have been the subject of consultation with states and territories via the Australia-New Zealand Counter-Terrorism Committee.
As I mentioned a moment ago, I foreshadowed this legislation on 12 June. The National Security Committee of cabinet then approved proposals for inclusion in the bill in late June, and my department began drafting immediately. On 2 September, draft provisions of the bill were circulated to state and territory governments in order to commence consultation, and the Commonwealth has been responsive to proposals put forward by the states and territories.

Senator BUSHBY (Tasmania—Chief Government Whip in the Senate) (14:12): Mr President, I have a further supplementary question. Will the minister advise the Senate of any further consultations undertaken by the government?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:12): Yes, Senator Bushby. After the draft proposals were circulated on 2 September, on 5 September the Commonwealth responded to issues raised by some of the state and territory governments, noting that all issues would be pursued as a matter of priority through the Australia-New Zealand Counter-Terrorism Committee. On 9 September and again on 9 October, the Commonwealth hosted consultations at officials level with the state and territory governments to further the consultation in relation to the bill. It is anticipated that the final draft provisions of the counter-terrorism bill will be sent to state and territory governments this week to enable briefing of first ministers to obtain final agreement on the text of the provisions.

DISTINGUISHED VISITORS

The PRESIDENT (14:13): Before I call on the next question, I advise honourable senators of the presence in the gallery of a parliamentary delegation from Kenya, led by the Hon. Johnson Sakaja MP. On behalf of all senators, I wish you a warm welcome to Australia and, in particular, the Senate.

Honourable senators: Hear, hear!

QUESTIONS WITHOUT NOTICE

Employment

Senator O'NEILL (New South Wales) (14:14): My question is to the Minister for Employment, Senator Cash. I refer to the minister’s statement in question time yesterday that the free trade agreements with China, Japan and Korea would 'create up to 178,000 jobs by the time those agreements come into full force in 2035'. Does the minister stand by her claim?

Senator CASH (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (14:14): Yes I do and, certainly, that is what I was advised. But I think the more appropriate question for the Senate to be considering is: why do those on the other side hate the China free-trade agreement in particular? Why have you indulged in what is nothing more and nothing less than a xenophobic campaign that is solely aimed at ensuring that Australians going forward, young Australians, will not have the jobs that can be provided to them by the China free-trade agreement?

Mr President, do you remember last year when the President of China was in Australia and the free-trade agreement was signed? If I recall rightly, there was a lot of high-fiving done by those on the other side who wanted to claim credit in terms of the China free-trade agreement.
But then of course we know what occurred. Calls were made by their mates—the puppet masters in the CFMEU—and they were told, they were given their marching orders—

Honourable senators interjecting—

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

Senator O’Neill: Mr President, I rise on a point of order: relevance. The senator has been asked to justify the 178,000 jobs that she claimed yesterday. She has made one short statement and then has completely moved away from that justification of the 178,000—

The PRESIDENT: Senator O’Neill, the minister was asked a direct question in relation to did she stand by her comment to which she replied in the affirmative and she is enhancing her answer, which she is entitled to do, and she is relevant to the original question. Minister, you have the call.

Senator CASH: You have got to love those on the other side, who continue to tell Australians that they are the great job creators, that they are the great protectors of the workers. They will come in here and quibble over the number of jobs that are going to be created by free-trade agreements. Look what Andrew Robb, the minister, has just done in relation to the TPP. This is a government that does not just talk about creating jobs; this is a government that has a plan, a plan of action to ensure that going forward jobs are created for Australians, and you just do not like it. (Time expired)

Senator Cameron interjecting—

The PRESIDENT: On my left, Senator Cameron.

Senator Back interjecting—

The PRESIDENT: On my right as well, Senator Back.

Senator Rice interjecting—

The PRESIDENT: Senator Lines, you have a colleague on her feet waiting to ask a question.

Honourable senators interjecting—

The PRESIDENT: On my right and left.

Senator O’NEILL (New South Wales) (14:17): Mr President, I ask a supplementary question. What is the basis for the minister's claim that the three North Asian free-trade agreements will create up to 178,000 new jobs by 2035?

Senator CASH (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (14:18): Sound modelling, I would suggest. Yet again, you come into this place and instead of congratulating us, instead of showing a little bit of bipartisanship when it comes to the issue of job creation, all you do is come into this place and quibble. It is a fact that free-trade agreements do create jobs. It is a fact that more jobs will now be created by those of us on this side of the chamber because we have finally entered into those free-trade agreements. If you look at the modelling by the Centre for International Economics, what does that show in relation to our three free-trade agreements with China, south Korea and Japan? It shows they will create thousands of jobs, make households $4,348 better off and boost GDP by $24.4 billion between 2016 and 2035. Again, why do you hate job creation? (Time expired)
Honourable senators interjecting—

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

Senator Cormann interjecting—

The PRESIDENT: Senator Cormann, order on my right.

Senator O'NEILL (New South Wales) (14:19): Mr President, I ask a final supplementary question. Doesn't the government's own modelling show the North Asian free-trade agreements will increase employment by 5,434 jobs in 2035? In light of this, hasn't the minister misled the Senate? Doesn't creating jobs involve more than making the numbers up?

Senator CASH (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (14:19): Let me tell you what creating jobs involves. It involves a plan in the first instance. It involves those on this side of the chamber—

Senator Wong: Mr President, I rise on a point of order: direct relevance. This minister is inclined to hyperbole. She was asked a very serious question about misleading the Senate. The government's own modelling is 5,434 jobs in 2035. Why don't you correct the record?

The PRESIDENT: Senator Wong, the question was more detailed than just that. That was a part of the question and you commenced debating the question. Minister, you are in order and you have the call.

Senator CASH: As I was saying, what does it take to create jobs? It takes a plan. It takes—

Senator Wong interjecting—

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

Senator Wong: Direct relevance. The question is about her misleading the Senate. She should go to that question.

The PRESIDENT: That is not the only part of the question, Senator Wong. The question contained more elements than that. The minister has 45 seconds in which to answer. Minister?

Senator CASH: As I was saying, it takes a plan, and we on this side have a plan for Australians. We understand job creation. We understand that when you are in government you are given opportunities. You are given opportunities to create jobs, going forward for the future. That is why Minister Robb—

Senator Wong interjecting—

Senator Brandis interjecting—

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

Senator Brandis: Point of order, Mr President. Senator Wong just accused Senator Cash of lying to the Senate. That should be withdrawn.

The PRESIDENT: I did not have the advantage of hearing what may have been said. Senator Wong, if you believe anything inappropriate was said, I would ask you to withdraw.

Senator Wong: I withdraw 'lying' and I say 'mislead', and she should respond to that.

The PRESIDENT: Thank you, Senator Wong. Minister, you have the call.
Senator CASH: Unlike those on that side of the chamber, I do not make excuses for job creation because that is what this government does, and we will continue to do it because we know what is in the best interests of Australians. Australians need jobs, and we will create them.

Telecommunications Data Retention

Senator LUDLAM (Western Australia—Co-Deputy Leader of the Australian Greens) (14:22): My question is to Senator Brandis in his capacity as Attorney-General. Senator Brandis, today was meant to be the day that the $300 million Turnbull-Shorten mandatory data retention scheme came into force. Instead, it appears that more than 80 per cent of telecommunications carriers have not had their implementation plan signed off by the Attorney-General's Department, owing to the complexity of implementation and to ambiguities in the law itself. Why are Australians effectively being taxed to fund their own surveillance, when—for as little as 15 cents a day to download a few apps and following a few helpful crypto-tips from Prime Minister Malcolm Turnbull—the system can be bypassed and rendered ineffective?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:23): Thank you very much indeed, Senator Ludlam. That is an important question. Thank you for the advanced notice of the question via Twitter.

Senator Wong: Don't tell us you are watching Twitter?

Senator BRANDIS: You never know your luck, Senator Wong. Senator Ludlam, as you rightly point out, the compliance obligation commenced today. But there is another 18 months in the implementation period to run, under the provisions of the Telecommunications (Interception and Access) Amendment (Data Retention) Act 2015. Senator Ludlam, the point you raise is a point we debated in the committee stage of that debate. I acknowledge that there are some apps which will not enable metadata to be captured; that is commonly known. But that is not the point. The point of intelligence gathering is that you have to determine from all the available sources a picture of that information which is being sought by the agencies. It remains the case that metadata is a useful and a vital investigative tool.

Senator Ludlam, you ask what use it is. It is used by the Australian Federal Police and by state and territory police forces in every single counterterrorism investigation—as well as in other important investigations, for example, investigations into paedophile networks and into transnational and organised crime. While some malefactors may be sophisticated enough to use, for example, over the top applications, not all are. The advice that the Australian government has received from its security and law enforcement agencies is that metadata is one of the most important tools available to them.—(Time expired)

Senator LUDLAM (Western Australia—Co-Deputy Leader of the Australian Greens) (14:25): Mr President, I ask a supplementary question. In the context of reports today that more than 80 per cent of internet service providers have not received a response from the Attorney-General's Department about the compliance plans that they were required to submit, I am interested to know if the Attorney-General can describe for us how internet service providers can be guaranteed to get financial support, and what guarantees the minister can
offer to some of the small ISPs in particular who are warning us that the implementation costs may drive some of them to the wall?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:25): I can give them this assurance. The government has set aside $131 million to assist in meeting compliance obligations. The outlay of that $131 million has been structured so that it is directed in particular to the smaller ISPs; because we acknowledge that the burden, particularly in relation to their cash flows, of compliance with these obligations will fall proportionately more heavily on smaller businesses than on big business. That is why the $131 million has been set aside. That is in the government's judgement a reasonable contribution to those costs.

We in my department are working with all the elements of the sector to ensure that there is full compliance by April 2017—18 months hence—when the compliance obligation will—(Time expired)

Senator LUDLAM (Western Australia—Co-Deputy Leader of the Australian Greens) (14:26): Mr President, I ask a further supplementary question. In March of this year, during negotiations and extended debate over the mandatory data retention legislation, the government committed to have mandatory data breach laws in place before the end of this year, whereby anybody who loses control of your private information would at least be obliged to notify you that that had happened. With only 14½ sitting days left on the parliamentary calendar, where is this bill?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:27): It is still the government's intention to legislate for a mandatory data breach scheme before the end of this year.

Trans-Pacific Partnership Agreement

Senator FAWCETT (South Australia—Deputy Government Whip in the Senate) (14:27): My question is to Senator Cormann, the Minister for Finance, representing the Treasurer. Can the minister advise the Senate why the Trans-Pacific Partnership Agreement is so important for Australia's future economic growth?

Senator CORMANN (Western Australia—Minister for Finance and Deputy Leader of the Government in the Senate) (14:27): I thank Senator Fawcett for that question. The Trans-Pacific Partnership Agreement, alongside our free trade agreements with China, South Korea and Japan, will help Australian exporting businesses be more successful. By helping them be more successful, by helping them to grow their businesses more strongly, it will help them employ more Australians.

The feedback I was getting in Lima at the IMF and the World Bank Annual Meetings this weekend from a number of colleagues from the Asia-Pacific was what an outstanding job our trade minister Andrew Robb had done in helping to achieve a successful landing for the Trans-Pacific Partnership Agreement. What an outstanding job he has done. Australia is a trading nation. We are an open economy. To maximise our success as a trading nation we need to be as productive as possible, as competitive as possible, as innovative as possible; but we also need to ensure we have the best possible access to all of our key markets overseas.

This historic Trans-Pacific Partnership Agreement will deliver enormous benefits to Australia. By establishing a more seamless trade in the investment environment across 12
countries, it will help our exporters get more competitive access to 40 per cent of our world economy. It slashes barriers to Australian exports of goods and services and investment by eliminating 98 per cent of all tariffs across everything—from beef, dairy, wine, sugar, rice, horticultural products and seafood through to manufactured goods, and resources and energy 

It is particularly helpful in the high-skill, high-wages services sector. But, importantly, this agreement, with an open architecture, allows—(Time expired)

Senator FAWCETT (South Australia—Deputy Government Whip in the Senate) (14:29): Mr President, I ask a supplementary question. Could the minister expand on how that agreement does in fact grow the opportunities for the Australian services sector?

Senator CORMANN (Western Australia—Minister for Finance and Deputy Leader of the Government in the Senate) (14:29): I thank Senator Fawcett for that supplementary. The open architecture of this Trans-Pacific Partnership Agreement will facilitate access by additional member countries to join in the future, which will further amplify its benefits.

Senator Whish-Wilson interjecting—

Senator CORMANN: Senator Whish-Wilson is misleading the Senate. He knows that the Department of Foreign Affairs and Trade engaged in over 1,000 TPP stakeholder briefings and consultations between May 2011 and mid-2015 and that, consistent with longstanding treaty-making processes, there will be an opportunity for public and parliamentary scrutiny prior to the TPP being ratified.

TPP countries account for 24 per cent of the world's trade in services. Australia's services exports to TPP countries were worth $20 billion in 2014, almost 35 per cent of our total services exports, and this is expected to grow strongly moving forward.

Senator FAWCETT (South Australia—Deputy Government Whip in the Senate) (14:31): Mr President, I ask a further supplementary question. Is the minister aware of any concerns, other than Senator Whish-Wilson's, about the agreement? If so, what is the government's response to those concerns?

Senator CORMANN (Western Australia—Minister for Finance and Deputy Leader of the Government in the Senate) (14:31): The shadow minister for trade proclaimed on Insiders that Labor has:

… raised some concerns in the lead-up to these negotiations …

We do worry on our side of the parliament that this is the beginning of another fear campaign against a high-quality trade agreement that is in the national interest and that we hope will strengthen growth and create more jobs.

This is a high-quality deal. The TPP includes requirements for the highest labour and environmental standards. The TPP will not affect Australia's ability to set appropriate English-language requirements, training benchmarks, licensing requirements or the temporary skilled migration income threshold. Australia's TPP commitments are consistent with Australia's existing immigration and workplace relations frameworks. It is an agreement that hopefully will receive the efficient and speediest report of the Senate in the not too distant future.
Budget

Senator MOORE (Queensland) (14:32): My question is to the Minister for Women, Senator Cash. Does the minister stand by her claim that there has been a 'false and misleading campaign' by community legal services following the coalition government's decision to cut $12 million in funding from legal assistance, including for domestic violence services?

Senator CASH (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (14:32): I thank Senator Moore for the question. That is not what I said. My claim about a 'false and misleading campaign' in relation to funding for community legal centres was based on what Labor and the Greens had said. That was the basis for the 'false and misleading campaign' comment.

Senator MOORE (Queensland) (14:33): Mr President, I ask a supplementary question. I refer to the CEO of the Federation of Community Legal Centres, Ms Buchanan, who said:

The bottom line is in the government's national partnership agreement that the former prime minister signed in July this year. It is clear and explicit that funding for community legal centres will still be cut by $12m in 2017…

As the issue is the cut of the $12 million, why is the minister misleading Australians about the government's cuts to legal services? (Time expired)

Senator CASH (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (14:33): Senator Moore, I did not mislead Australians. That is exactly what the Labor Party and the Greens have done in relation to this government's decisions on funding. It is a fact that the Commonwealth commitment to legal assistance over the next five years will total $1.6 billion across legal aid commissions, community legal centres and Indigenous legal assistance centres. You will recall that earlier this year Senator Brandis and I made the decision to restore the funding cuts that would have taken place on 1 July this year. We made that decision and ensured that those cuts did not occur. I have always said and acknowledged that in the out years there is a reduction in funding. That will be looked at as part of the normal MYEFO or budgetary processes. What the current government is doing is nothing different to what the former government did. But the allegations that there have been funding cuts this year are untrue. (Time expired)

Senator MOORE (Queensland) (14:34): Mr President, I ask a further supplementary question. I refer to another member of the community legal services, ARC Justice's chief executive Mr Noble, who said:

… $12m will come out of the budget of community legal centres nationally from July 2017. Whether you want to call it non-renewable funding or a cut, that doesn’t matter in my books, and it won’t matter to women in court who receive our help.

Can the minister please explain how the $12 million funding cut is not a cut?

Senator CASH (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (14:35): I have never ever stated that there will not be a reduction in funding in the out years. I have never denied that. There clearly is anticipated to be one. However, what I have always said is that it will be considered as part of the normal budgetary processes.
I want to make one thing very, very clear. It was those on the other side who failed to fund the National Partnership Agreement on Homelessness. That funding came to an end under that government, and there was no provision to re-fund that. That is something that this government did. The former minister, Scott Morrison, made the decision to fund it for two years. It is not unusual to provide funding for a two-year period and then consider ongoing funding in the out years.

Senator Moore, I hope you are not questioning this government's commitment to reducing violence against women and children. I would hope that in this place there is a bipartisan agreement that that is exactly what we need to do. (Time expired)

Trans-Pacific Partnership Agreement

Senator BACK (Western Australia) (14:36): My question is to the Cabinet Secretary, Senator Sinodinos, representing the Minister for Trade and Investment. Will the Cabinet Secretary update the Senate on the next steps in the process for the Trans-Pacific Partnership Agreement?

Senator SINODINOS (New South Wales—Cabinet Secretary) (14:36): I thank Senator Back for his question. The Trans-Pacific Partnership, as my colleague and friend the Minister for Finance mentioned, is the biggest trade deal for Australia for 20 years. It will benefit industries and sectors right across the Australian economy.

This process has been going now for some time. It ends a process which began late in 2008. Over this time, the Department of Foreign Affairs and Trade has held more than 1,000 stakeholder briefings and consultation sessions across the country, including with state and territory governments as well as peak industry bodies, companies, academics, unions, consumer groups and special interest groups, among others.

With these sorts of trade agreements you do have to have a consultation process. You cannot negotiate the text in the open, particularly when you are dealing with 12 other countries.

An opposition senator interjecting—

Senator SINODINOS: I am coming to that. Each of the 12 nations that have joined the Trans-Pacific Partnership must now follow their own processes for entering into treaties. For us here in Australia this will mean in the first instance that a national interest analysis must be performed. This analysis will examine the TPP in detail on how the agreement will affect Australia. From here both the text of the TPP and the accompanying national interest analysis will be tabled in parliament for 20 joint sitting day and the Joint Standing Committee on Treaties will conduct an inquiry into the TPP which will report back to the parliament in due course. Full transparency: the TPP will not be signed prior to the text being released publicly.

The TPP is a big deal for Australia. It will cover 40 per cent of global economic output. It is a deal which eliminates more than 98 per cent of tariffs among 12 member nations and removes tariffs on more than $9 billion of our exports.

Senator BACK (Western Australia) (14:38): Mr President, I ask a supplementary question. I thank the cabinet secretary for his response and ask: is he aware of similar procedures for passing other free trade agreements?
Senator SINODINOS (New South Wales—Cabinet Secretary) (14:38): The process for the TPP to enter into force is the same process that has been in force for 20 years. The Korea and Japan free trade agreements have been subject to the same process for treaties in Australia. Both were supported by the opposition, and we welcome that support. The process is the same as for the Chile and Malaysia free trade agreements, which occurred under the Rudd-Gillard-Rudd governments. Free trade agreements with New Zealand, Singapore and the US, amongst others, have all gone through the same process. The TPP will follow the usual proper processes of all other FTAs to be entered into by Australia in the last two decades.

Senator BACK (Western Australia) (14:39): Mr President, I ask a further supplementary question. I ask if the cabinet secretary could tell the Senate how the Trans-Pacific Partnership will lower the costs of trade for Australian business.

Senator SINODINOS (New South Wales—Cabinet Secretary) (14:39): The TPP will make major reductions in red tape and the administrative burdens on trade. It will ensure customs procedures among member nations are both more transparent and more efficient. Everybody knows that stock that is stuck on the docks is a day of costs, so pallets and containers will no longer attract a duty when used to move goods among member nations. By moving goods into overseas markets faster and cheaper, new opportunities will open up for Australian exporters. There will be regional rules of origin brought into force and a single set of documentary procedures for products traded under the TPP. This will make trading between the 12 member nations cheaper and encourage more common markets across the Asia-Pacific region. If the Greens want more transparency around the TPP, why don't they start with more transparency around their own conferences?

China

Senator LAMBIE (Tasmania) (14:41): My question is to the Leader of the Government in the Senate, Senator Brandis. I refer the minister to a recent ABC Four Corners report which said:

But there are hidden dangers in doing business with China: endemic corruption; a lack of transparency in both business and the legal system, and questions about where the money is coming from and whether ill-gotten gains are being laundered.

"China (is) by far the biggest exporter of illicit capital."

With billions of dollars flowing out of China, international money laundering experts are warning that some of it is making its way into Australia:

I also refer the minister to the Australian Electoral Commission figures which show that since 2007 the Liberal Party have accepted almost $2 million in political donations from two businessmen closely linked to the Chinese communist government. Can the minister—

Government senators interjecting—

The PRESIDENT: Order on my right! Senator Lambie, you can continue your remarks. You were interrupted by interjections.

Senator LAMBIE: Can the minister give this Senate a guarantee that the Chinese money funding his party's election campaigns was not laundered ill-gotten gains? I want a guarantee.

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:43): I did not see the program to
which you refer. I am generally aware of it. I saw a promotional advertisement for it, so I am
generally aware of the kind of allegations that were made in that program. I have no basis on
which to judge the veracity or the accuracy of any allegations that were made during the
course of that program.

I acquaint you with what the Commonwealth does do to protect the Australian national
interest in relation to corrupt foreign payments. Under section 70.2 of the Criminal Code we
have the offence of 'foreign bribery', whereby a person is guilty of an offence if the person
provides, causes or offers a benefit to another person, the benefit is not legitimately due and
the person does so with the intention of influencing a foreign public official in the exercise of
the official's duties in order to obtain business or obtain a business advantage that is not
legitimately due. As well, Australia is a party to the OECD antibribery convention and has
been since 1999.

Australia is in fact a member of the OECD Working Group on Bribery. In 2012 the
working group on bribery evaluated Australia's implementation of the antibribery convention.
The evaluation report made 33 recommendations to enhance our antibribery regime. In
December 2014, the OECD published the response, and the OECD—

The PRESIDENT: Pause the clock.

Senator Lambie: Mr President, I rise on a point of order. I simply asked the senator to
give me a guarantee that Chinese money that is funding his party's election campaigns is not
ill-gotten gains, but, if the minister in his reply cannot table the figures, I have the figures here
about what his political party gets in political donations.

The PRESIDENT: That is not a point of order. The minister is in order.

Senator BRANDIS: Coming to your question about donations to the Liberal Party,
Senator Lambie, I have a very high level of confidence that all donations to the Liberal Party
are compliant with all relevant Commonwealth and state laws.

Senator LAMBIE (Tasmania) (14:46): Mr President, I ask a supplementary question. I
refer the minister to the Australian Electoral Commission's figures, which show that, since
2007, the National, Liberal and Labor parties have accepted at least $4.8 million in political
donations from three businessmen—Dr Chau, Mr Chun and Mr Huang—who are closely
linked to the Chinese communist government. Can the minister detail the steps his
government has taken to guarantee that those funds are not from corrupt activities?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive
Council and Leader of the Government in the Senate) (14:46): I am not familiar with any of
the three men whose names you have mentioned, and I have no idea whether they have an
association with the Chinese Communist Party or not. I am also not familiar with the
particular report to which you refer, so I cannot comment on whether or not that is an accurate
representation of what the Australian Electoral Commission has reported. I cannot speak, of
course, for the Australian Labor Party, but I can tell you, Senator Lambie, that the Liberal
Party, the National Party, the Liberal National Party in Queensland and Senator Scullion from
the Country Liberal Party in the Northern Territory—the family of political parties which I
represent in this chamber—all take their legal and compliance obligations in relation to
political donations very seriously.
Senator LAMBIE (Tasmania) (14:47): Mr President, I ask a final supplementary question. Can the minister give a guarantee that millions of dollars of suspect political donations linked to the Chinese government have not influenced the creation of a dodgy free trade deal which undermines Australian sovereignty, threatens Australian workers' job security and dramatically decreases scrutiny on investment from a country which is a bully, a thief, a liar and a serious security threat to this nation?

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (14:48): I think it is a great pity that you refer to the government of China, which is a country with which Australia has and has had for very many years a very friendly relationship, in those terms. I think that is very injudicious of you, Senator Lambie. You will not find me expressing anything other than pride in the China-Australia Free Trade Agreement because, for the reasons that some of my colleagues have expanded upon during question time today, the China-Australia Free Trade Agreement represents a unique opportunity for Australia to prosper, to grow our markets, to grow jobs for small, medium and large businesses, and to have unparalleled entry into the market of our greatest trading partner. So we are unabashedly proud of the China-Australia Free Trade Agreement.

Workplace Relations

Senator BULLOCK (Western Australia) (14:49): My question is to the Minister for Employment, Senator Cash. Does the minister support cuts to weekend penalty rates?

Senator CASH (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (14:49): The government has a very clear position in relation to penalty rates. Penalty rates are to be determined by the Fair Work Commission. That is it. The government does not have a role in determining penalty rates. Anybody who says otherwise is misleading the Australian people or misleading the Senate. But I can tell you who does like to cut penalty rates, and that is, of course, the current Leader of the Opposition, Bill Shorten. There is only one person in Australia who has a record with an evidentiary basis you are unable to dispute who did not just cut but slashed penalty rates in a deal that he did when he was the National Secretary of the Australian Workers' Union—the same union and the same union colleagues that entered into a new agreement with Cleanenergy. It removed—

The PRESIDENT: Pause the clock.

Senator Wong: Mr President, I rise on a point of order going to relevance. Does the minister support cuts to weekend penalty rates?

A government senator interjecting—

Senator Wong: Then she should sit down.

Senator Williams interjecting—

Senator WONG: Tell us your views on water, Wacka! Come on!

The PRESIDENT: Thank you, Senator Wong—you have made your point of order.

Senator Cormann: Mr President, on the same point of order, Minister Cash could not have been more directly relevant to the question. The reason that Senator Wong got up is that Senator Cash was being too relevant to the question.
**Senator Wong:** Mr President, further to the point of order, I simply make this point: just because something was once relevant does not make something subsequently irrelevant relevant.

**The PRESIDENT:** Order! The minister, in answering her question, indicated the government's position and that is what a minister is to do, and the minister indicated the government's position in relation to penalty rates. All ministers are allowed to enhance their answers provided they stay relevant to the topic and Senator Cash has been relevant.

**Senator CASH:** Thank you. Again, I reiterate the government's position in relation to penalty rates. It has been clearly and consistently stated by government members that penalty rates are a matter for the Fair Work Commission to determine, but as I was saying, if you want to look to someone who is currently a member of parliament, who puts himself out as being the future leader of this country, who has a record in relation to what I personally would call 'slashing' penalty rates—I would not call it 'cutting'—that is, of course, the Leader of the Opposition, Mr Bill Shorten, who entered into a deal which removed 'all penalty rates for low-paid cleaners with no compensation'.

**Senator BULLOCK** (Western Australia) (14:53): Mr President, I ask a supplementary question. Turning to another leader, does the minister agree with the Prime Minister that the only reason penalty rates are different on weekends is due to 'historical factors'?

**Senator CASH** (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (14:53): I think there is a body of evidence in Australia that would suggest that penalty rates were put in place some time ago when the work situation in Australia was fundamentally different. In fact, the Productivity Commission itself has recommended that the Fair Work Commission take into consideration a wider body of evidence when it is setting penalty rates. What we will never resile from on this side of the chamber is having a good debate, allowing the Australian people to put their views. If that means there are some small business people out there who cannot open on a Sunday because their wages bill exceeds their takings bill, maybe we should listen to them. If there are people out there who cannot open on a Sunday but who say, 'I could open on a Sunday if ...', maybe we should listen, but it does not change our position. Penalty rates are set by the Fair Work Commission. (Time expired)

**Senator BULLOCK** (Western Australia) (14:54): Mr President, I ask a further supplementary question. Does the minister agree with Green Senator Whish-Wilson who says that penalty rates are just a 'white Anglo-Saxon cultural thing we have inherited'?

**Senator CASH** (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (14:55): Again, what I say is this.

_Honourable members interjecting—_

**The PRESIDENT:** Order, on both sides!

**Senator CASH:** I was surprised by the comment obviously. I am only hoping his next comment will be that he is standing up for free trade in supporting the China free trade agreement because that is something we on this side could agree with. The bigger picture is this. On this side of the chamber we will never resile from debate because debate is healthy, unlike those on the other side who have one opinion. The bad news for Australians is that it is
not even the opposition's opinion because the opinion they espouse in this place is given to them normally by the union they represent. Certainly, the CFMEU plays a very big part in this chamber.

**Trade**

**Senator SMITH** (Western Australia) (14:56): Mr President, my question is to the new Minister for Communications, Senator Fifield. Will the minister advise the Senate how digital industries stand to benefit from the government's free-trade agenda.

**Senator FIFIELD** (Victoria—Manager of Government Business in the Senate, Minister for Communications, Minister for the Arts and Minister Assisting the Prime Minister for Digital Government) (14:57): I thank Senator Smith for his question. As colleagues know, the government's free-trade agenda has been turbocharged by the nation's best ever trade minister in Andrew Robb. These trade agreements offer significant benefits for our digital industries.

The Trans-Pacific Partnership Agreement recognises that telecommunications is a significant means for service delivery and a critical enabler of international trade, including for small and medium enterprises. The TPP will eliminate over 98 per cent of tariffs in the transpacific region, removing import taxes on around $9 billion of Australian trade. Last year one-third of Australia's total goods and services exports, worth $109 billion, were sent to TPP countries. This agreement opens up a raft of opportunities for digital industries, for the information technology sector and importantly for our start-up sector to embrace the market of our region with open arms. This will only build upon the significant benefits that will come from the China free trade agreement and from the free trade agreements with Korea and Japan.

The TPP includes state-of-the-art e-commerce provisions, which will help drive the information economy and facilitate trade among TPP parties. For example, TPP parties have committed to allow the movement and storage of data across borders providing an exciting platform for growth in Australian ICT exports. Obviously the TPP is a great deal for agriculture and a great deal for services. Importantly, we should also recognise it is a great deal for our digital industries.

**Senator SMITH** (Western Australia) (14:59): Mr President, I ask a supplementary question. Will the minister advise the Senate how the landmark Trans-Pacific Partnership Agreement will deliver significant benefits in telecommunications to those businesses and consumers?

**Senator FIFIELD** (Victoria—Manager of Government Business in the Senate, Minister for Communications, Minister for the Arts and Minister Assisting the Prime Minister for Digital Government) (14:59): The agreement provides greater certainty for Australian telco suppliers operating overseas in TPP countries. Australian suppliers will stand to benefit from future market reforms undertaken by TPP parties. The agreement establishes balanced intellectual property rules that promote investment, innovation and creative endeavour while also supporting consumer access to the latest information and services.

Excitingly, TPP parties have agreed to work together to promote transparent and reasonable rates for international mobile roaming services, which will help promote the growth of trade among the parties and benefit consumers. The agreement provides TPP
participants with the ability to enter into arrangements with each other on the rates and conditions for wholesale international mobile roaming services. This is going to deliver great benefits for both Australian businesses and consumers.

Senator SMITH (Western Australia) (15:00): Mr President, I ask a further supplementary question. Will the minister inform the Senate how digital industries and consumers alike stand to benefit from the China-Australia Free Trade Agreement and whether there are any threats to this?

Senator FIFIELD (Victoria—Manager of Government Business in the Senate, Minister for Communications, Minister for the Arts and Minister Assisting the Prime Minister for Digital Government) (15:00): China's online retail market of half a trillion dollars a year is larger than that of the United States already and it is growing rapidly. Education technology start-ups have visited China recently, sponsored by our government and the New South Wales government, marketing teacher training software and English language software. All of these opportunities are advanced by this landmark free trade agreement.

I do need to make the point that, if Labor want to embrace start-ups and innovation, as they claim they do, they would get out of the slipstream of the CFMEU and support the ChAFTA. That is something we on this side dearly hope those opposite do. Labor are putting up barriers for start-ups to access the endless opportunities in the Chinese market. The government is unlocking the gate and we are embracing the future. What we dearly hope is that Labor get on board. (Time expired)

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

QUESTIONS WITHOUT NOTICE: ADDITIONAL ANSWERS

Telecommunications Data Retention

Senator BRANDIS (Queensland—Attorney-General, Vice-President of the Executive Council and Leader of the Government in the Senate) (15:01): I rise to correct an answer I gave to Senator Ludlam. Senator Ludlam, you asked what the government's intentions were in relation to legislation for a mandatory data breach notification scheme. As I recall, my answer was that the government intends to legislate for such a scheme this year. I should have said that the government intends to introduce legislation before the end of this year.

Employment

Senator CASH (Western Australia—Minister Assisting the Prime Minister for the Public Service, Minister for Employment and Minister for Women) (15:02): I also would like to correct a statement that I made in answer to a question yesterday. I advise the Senate that yesterday I did quote a figure relating to jobs growth arising from the free trade agreements. In citing this figure, I was quoting a secondary source which had incorrectly added annual job creation figures to reach an overall cumulative figure. I have since been advised that the methodology was inaccurate. However, of course, I can comfortably advise the Senate that these free trade agreements will still create many thousands of jobs that would otherwise not exist if the opposition's approach had been adopted.
QUESTIONS WITHOUT NOTICE: TAKE NOTE OF ANSWERS

Employment

Senator LINES (Western Australia) (15:03): I move:

That the Senate take note of the answers given by the Minister for Employment (Senator Cash) to questions without notice asked by opposition senators today relating to employment.

Isn't it amazing that we have already had a correction of the record from yesterday? What we are seeing now from Senator Cash is backflipping, backtracking, correcting the record and the different use of language around the jobs that are to be created under the various free trade agreements.

Today she started off with 'I was advised,' and gone was the banging of the table and the absolutely categorical statement that thousands of millions will be created. We heard today that there 'can be'—she used the words 'can be'—jobs on offer from China. So gone was 'will be' and it was 'can be' today—and today it was based on 'sound modelling'. But we of course did not get any reference to the sound monitoring, and I am just wondering if, when she said that today, she meant the sound modelling she was referring to yesterday—and she has just stood up and corrected the record on that. So perhaps tomorrow she will come in and correct the record once again on whatever the sound modelling was that she was relying on today that, according to Senator Cash, says that thousands of jobs will be created. What are we to believe? No longer is it categorical. No longer is it absolutely determined. We hear words like she was 'advised' and many jobs 'can be' created and 'sound modelling', and at the end of question time, oopsy daisy, she corrects the record and the term is now back to 'many thousands of jobs'.

Last night, in relation to the Fair Work Bill, Senator Cameron asked time and time again, 'Where's the proof; where's the evidence?' According to what she says, Senator Cash likes to have an evidence based framework. She is on the public record as saying that. Senator Cameron asked, 'Where is the evidence that greenfields negotiations are being dragged out for longer than six months?' I think Senator Cameron asked that three or four times—certainly in the time that I was in the chamber. Senator Cash's response was that that was what employers had told her. So, again, we get Senator Cash relying on this 'sound evidence' and then not being able to produce the sound evidence or the sound modelling and then we get the backtracking and correcting of the record. That is all that we are hearing from Senator Cash in her new position as Minister for Employment.

Today Senator Bullock asked her directly whether the government was going to cut penalty rates, and Senator Cash said a number of times, 'Penalty rates are determined by the Fair Work Commission.' But just a couple of weeks ago, on 30 September, she said that 'any proposal by the government to reduce Sunday penalty rates will be taken to the next election'. So what are we to believe? She stands in here today and says, 'No, that is the job of the Fair Work Commission,' and a couple of weeks ago she said, 'Well, if we are going to cut penalty rates'—which is all they have been talking about—'we will do that at the next election; we will take a package to the next election.'

So what are we to believe? What is the truth here? The truth is that they do not have a clue. But they have a very clear mandate on cutting penalties. There has been enough said about it, particularly by Senator Cash. And she could try to backtrack and say that it is up to the Fair
Work Commission at question time today, but in an interview on 30 September she said that the government would determine the package.

The other thing she likes to say is that somehow the Productivity Commission has come up with this idea to create a two-tiered Sunday penalty system all by itself. Well, who put the reference to the Productivity Commission? It was the poor old former Treasurer under the old management, Mr Hockey. So that link between the terms of reference and what the government wants to do in terms of penalty rates is very clearly established. There is no mystery here: the terms of reference given to the Productivity Commission give the Productivity Commission plenty of room to deliver the response right to them that the government can change penalty rates. That was very clearly demonstrated when on 30 September Senator Cash said in a radio interview, 'If we are going to cut penalty rates we will take it to the next election.'

She did not mention the Fair Work Commission in that interview, just like today when she had to correct the record on her modelling of yesterday. Let's see what tomorrow brings!

Senator WILLIAMS (New South Wales) (15:08): It is interesting to contribute to the debate on the answers to questions by Senator Cash. Senator Cash is right when she says that when it comes to penalty rates, the sorts of standards that are set out there are set by the Fair Work Commission. It is as simple as that. As I said in a speech here just recently—I think it was on Senator Leyonhjelm's private member's bill or a general business discussion on a Thursday—they are set by the Fair Work Commission, and that is the end of the story.

Now, if there are going to be changes at the Fair Work Commission then Fair Work Australia are going to have to do their job to make changes if they wish to, without any arguments for it. I said in that speech that I have a problem with some of the penalty rates. Let me explain why. Come a public holiday, anyone working who is 21 years old or over gets paid at least $47 an hour, plus workers comp plus superannuation. It costs employers about $57 an hour. So here is my problem: if you go out to a country hotel in a small community on, say, Easter Monday and walk into the pub and see who is working at the bar, it is the publican—the male publican and his wife. Or, if the licensee is a female, it is the publican who is the wife and her husband or family who are running the pub. Guess what? No-one is getting any casual work or penalty rates in that pub on that weekend. Why? Because they cannot take enough money to pay the extra costs. So what do we have? Everyone missing out!

I have been on both sides of the fence. I have been an employer and an employee. I have said that whatever comes to be in this place, that life is about fairness—a fair day's work for a fair day's pay and vice versa: a fair day's pay for a fair day's work. If you are working weekends or odd times then you should be paid more. Imagine the nurses, male and female—perhaps I might be game enough to say that most of them are female—working night shifts. They must be paid more for the inconvenience—the odd hours and the long hours that they have to work. They are very tiring hours.

There are our ambos and our police officers—those people working through the night. Many of them are called into hospitals—doctors and specialists—and of course they have to be paid more for the inconvenience and extra work. Every worker for the public must be treated in the same way and be paid extra for those difficult hours and especially for times like public holidays. Most people are at the dam, perhaps having a barbecue with their friends, or watching sport or whatever, and these people are going to work.
I make the point again that business does the employing. I am sure there are many coffee shops in Sydney that simply do not open on those days. So how many people get penalty rates on those days? None. It comes back to the owner or manager of the business making the decisions. We can regulate what we want in this place and make whatever we want but it comes back to the business owners to say, 'Well, I'm sorry, we're not opening the doors because our costs are so high that we cannot make a profit. We're losing money.' Businesses are not charities; they are not out there to open their doors to lose money, even though many over many years—probably all my life and longer—have opened their doors and lost money in difficult times.

It was amazing during question time today, the debate about jobs. I cannot believe those opposite—and the Greens especially—when it comes to the free trade agreements. I am very fortunate enough to live in a town where we have an abattoir—Bindaree Beef. It is a family owned business, with great people doing a great job and employing 850 people. But demand for beef is huge. The prices have come off a bit of late because of the hot, dry weather, but in general the beef market is doing very well—the best ever in my lifetime and that of anyone else in the beef industry.

Those abattoirs are increasing their work and the number of their employees. They are looking for workers. Unfortunately, they do not get them all in Australia. Many people in Australia do not want to work in an abattoir. They would rather stay on the unemployment benefits and have the workers brought in from overseas. But with these trade agreements and with the lower Australian dollar, we are getting more exports and more value. These businesses are growing and there are more jobs. Yet I cannot believe that the Greens are saying that these trade agreements are no good. They want to keep the tariffs on; they want to curb our businesses, especially agriculture and the beef, lamb and mutton industries. And there are the wine and dairy industries—these are industries which bring so much wealth to our nation. The better we can do as far that as trade agreements go and remove those barriers then the more people will be employed and businesses will grow.

Thank goodness, businesses grow! Every big business started as a small business, and when they grow they employ more people. We should encourage that. This whole building here, both houses, should encourage more growth, more employment, more jobs and a better living standard for all. But instead, we have some opposite just being cynical about the trade agreements that Andrew Robb, the trade minister, has done a magnificent job on over the time he has had that portfolio.

Senator BULLOCK (Western Australia) (15:13): I too rise to take note of the answers by Senator Cash. I should say at the outset that there is a lot to like about Senator Cash. Firstly, she is a West Australian and that naturally is an enormous advantage!

Senator Nash: Hear, hear to that!

Senator BULLOCK: Secondly, and I say this as a former secretary of the Western Australian Hairdressers and Wigmakers Union, Senator Cash is to be congratulated for consistent and ongoing support for our industry! Thirdly, there is her renowned theatricality: her demonstrative hand gestures and her propensity in pursuit of emphasis to overstate her case. She could, for example, lay the blame for the downfall of civilisation on a combination of the incompetence and malignant intent of 'those opposite'—a sentiment with which I could have some sympathy, albeit from the different perspective of this side of the chamber!
It is, however, this practice of overstatement—more so even than her cruelty to vowels—which opens the senator to well-deserved criticism. Take for example, her answer to the question as to how many new jobs would be created by the China, Japan and Korea free trade agreements. Undoubtedly swept away by her enthusiasm for FTAs, she advised the Senate yesterday—it was slightly corrected today—that up to 178,000 jobs would be created by the time the agreements came fully into force in 2035. I am reminded of a song by Frank Sinatra extolling the virtue of having high hopes, but high hopes are no substitute for the facts.

I have here a report by the Centre for International Economics, prepared for the Department of Foreign Affairs and Trade, on the economic benefits of Australia's North Asian FTAs, dated 12 June this year. On page 35 it sets out the employment impact for Australia of the North Asian FTAs, year by year, for every year from 2016 till 2035. I have added up all of the figures on this page for all of the years, and they come to 178,568—just like Senator Cash said. Unfortunately for Senator Cash, I can read as well as add up, and the introduction to the table at the top of the page helpfully explains how to interpret it. It says:

This table should be interpreted in the same manner as the other results in this report ... For example, we expect there to be 7925 more people employed in 2016 if the FTAs are implemented compared to if they aren’t implemented. Similarly, in 2020 there would be 14,566 more jobs if the FTAs are implemented compared to what would be the case in 2020 if the FTAs were not implemented.

So there it is. The figures set out against each year indicate the total number of new jobs expected to have been created from the inception of the FTAs until that year—not in that year. So, when this report states that there will be 5,434 jobs, next to the year 2035, it means that 5,434 jobs will be created by 2035—not in 2035. Five thousand four hundred and thirty-four new jobs is a far cry from 178,568 new jobs. One hundred and seventy-eight thousand is a wild exaggeration of the employment impact of the FTAs. The Senate is not assisted by wild exaggerations by Senator Cash in answering questions. It is this propensity for wild exaggerations which led one of my colleagues to suggest to me this morning that Senator Cash was loose with the truth. I might not use such colourful language myself, but Australia deserves a minister in the critically important Employment portfolio who can be trusted to stick to the facts and is not prone to wild exaggeration.

The practice of presenting a vision of the world as she wishes it might be, rather than as it actually is, was evident once again in the controversy over the $12 million in cuts to the budget of community legal services nationally. These cuts are very clear to everyone in the sector, including Ms Liana Buchanan, who 'was surprised and appalled to hear a government minister providing such false information to the public'. The false information was Senator Cash's insistence that the $12 million in cuts was simply a false and misleading campaign by legal centres. Given that $12 million in cuts can be transformed into merely a 'false and misleading campaign', and 5,434 jobs—(Time expired)

Senator SESELJA (Australian Capital Territory) (15:18): It is great to have the opportunity to respond to the Labor Party. In listening to the contributions so far, it is hard to know who to give the bigger own-goal question to—whether it is the Labor Party asking about penalty rates, given Bill Shorten's record, or whether it is Senator Lambie with questions around Chinese money donations, given how the Palmer campaign was funded at the last federal election.
I want to focus on penalty rates but also on free trade, because we in the coalition—unlike those opposite, it would appear; increasingly, the Labor Party are walking away from free trade—believe passionately in free trade, in opening up markets and in the transformative potential that this has for the Australian economy and for Australian jobs. I would like to take the opportunity to congratulate the Minister for Trade and Investment, Andrew Robb, who has done an outstanding job representing Australia’s interests, negotiating these difficult and complex trade agreements—most recently the Trans-Pacific Partnership but also the China-Australia Free Trade Agreement and the free trade agreements with Korea and Japan. These present a massive opportunity for the Australian economy, a massive opportunity for working Australians, because we know that the way you provide jobs is to grow the economy. One of the great ways of growing the economy is through trade with other nations. The TPP opens up more and freer trade with some of our biggest trading partners in the region and builds on the fantastic free trade agreements with China, Korea and Japan. We are now entering into an era of much freer trade, where Australian exporters—be they exporters of services or agricultural or other goods—can get access to these markets. But, as we break down these trade barriers and get rid of some of these remaining tariffs, it is good for Australian consumers as well. It is good for Australian consumers as they can buy goods more cheaply. We should be very proud of what this government has achieved.

The Labor Party are walking away from the Hawke-Keating years, where there appeared to be a commitment to growing the economy, where there appeared to be a commitment to freer trade. The Labor Party are trashing those free trade credentials in attacking the China-Australia Free Trade Agreement. You wonder why. I was contemplating why they would be doing it. To get the answer you only have to go to the former head of the ACTU, Martin Ferguson. Martin Ferguson tells us how the modern Labor Party creates its policy and how it comes to the conclusions that it comes to. I will quote from Martin Ferguson, because I think he has put it very well. He says:

Too many of that Shadow Ministry and the Caucus are almost as if they're prisoners of the union movement. It's the union movement now who funds individual candidates. They wait for the phone call from the trade union heavy to tell them what to do.

And haven't we seen that on the China-Australia Free Trade Agreement: they wait for the trade union heavy to give them the call to tell them what to do. But, of course, when we hear from the Labor Party about jobs we know, including from Martin Ferguson, that it is often about their own jobs. Martin Ferguson goes on to tell us how the Labor Party look after jobs. It is not about the jobs of the workers; it is about the jobs of union officials. This is from Martin Ferguson:

...there's always been a very strong union involvement. And I must say, I think back. In the history of the Labor Party we always allowed, ah, the unions to put a few people in our state upper houses.

There was always a retirement, ah, pasture for those who had done a good job. Or some of them worked on the basis: if you can't put them in the Industrial Commission, you put the duds in the Senate or the … Upper Houses.

That is pretty harsh from Martin Ferguson. They are his words, pretty harsh, and I do not want to cast aspersions on some of my fellow senators, but if that is the attitude of the modern union movement—that they use the Senate as a retirement pasture for some of their lower performing union members or union delegates—then that is not a good reflection of the union
movement's commitment to growing jobs and growing the economy. On the other hand, the coalition is committed to growing the economy and growing jobs, as demonstrated by the recent free trade agreements. *(Time expired)*

**Senator URQUHART** (Tasmania—Deputy Opposition Whip in the Senate) (15:23): So we have learnt today that Minister Cash continues to fabricate figures, rewrite history and deny the indisputable. She has misrepresented the effects of free trade agreements on job creation by a factor of more than 30. In doing so, the minister ran perilously close to misleading the Senate. She has today, I note, corrected the record on this misinformation that she provided to the Senate. So what are we to believe now?

She has tried to hoodwink the Australian people into thinking that savage cuts to community legal services are nothing but a scare campaign. Today I would like to focus on this. The Abbott-Turnbull government's deplorable cuts to legal services have had devastating consequences for Australian women who are seeking to find a way to escape family violence. As Minister for Women, Senator Cash has again tried to misrepresent reality and pretend that the cuts are a figment of Labor's imagination. Tragically, one woman dies every week at the hands of a current or former partner. Domestic violence is a national tragedy, and it has gone on too long. The Abbott government sat on its hands. I am not going to argue that the new government has done nothing to address domestic violence. In fact, I congratulate those opposite on the commitments that have been made in recent weeks. It has been a long time coming, but there are some commendable actions. But it is simply not enough. It is estimated that Australian police deal with 657 domestic violence matters every day; that is one every two minutes. This is a crisis, and there is absolutely no justification for a government that says it is committed to addressing the scourge of domestic violence to maintain short-sighted and damaging cuts to community legal services.

Labor recognises and applauds the recent decision to return the $15 million to legal assistance services to help women experiencing domestic violence, but the Liberals' record on this is clear: those opposite have cut $24 million from community legal centres, those opposite have slashed $15 million from legal aid commissions, those opposite have hacked $13 million from Aboriginal and Torres Strait Islander legal services, and those opposite have forced family violence prevention legal services to retender for their funding after they were axed from the Attorney-General's Department. We know how these cuts have impacted in Australian communities. We have seen programs cancelled. Women in need are turned away at the door, and staff have been laid off. While we acknowledge that the government has been forced to walk away from some of these cuts, not all have been reversed. The reality is that its new national partnership agreement locks in future cuts to community legal centres, which will lose almost a third of their funding from 2017-18. This is not acceptable, and the minister has not been truthful about how hard these cuts will hit.

But you do not need to take my word for it. Just listen to the voices of people who will have to deal with the fallout—people like ARC Justice Executive Officer Peter Noble, who told it like it is when he said that arguments over semantics of cuts or non-renewed funding do not change the reality on the ground:

Whichever way you look at it, it will hit community legal centres nationally.

National Association of Community Legal Centres Chair Michael Smith confirmed that the deal locks in a national 30 per cent funding cut from 2017-18 and has seen immediate
cutbacks in some areas. Mr Smith pointed out the clear disconnect between the government's words and its actions when he said:

This is at odds with the government's rhetoric on … family violence across Australia.

Community legal centres provide some of our most important front-line protections and services to enable women to escape family violence. Australian Legal Assistance Forum Chair Mark Woods brought the issue home clearly when he said:

Lack of legal assistance can be a major barrier to victims escaping violence or putting their lives—and their children's lives—back together.

If women are going to be able to do this, they absolutely need appropriate advice and support. As Opposition Leader Bill Shorten said recently, these cuts must be reversed, or we will not even have got to where we were before the 2013 election. If the government is truly committed to ending the scourge of domestic violence, this funding must be restored. If Minister Cash wants to salvage any credibility, she needs to fight for these cuts to be reversed and start being honest with the Australian people. (Time expired)

Question agreed to.

China

Senator LAMBIE (Tasmania) (15:28): I move:

That the Senate take note of the answer given by the Attorney-General (Senator Brandis) to a question without notice asked by Senator Lambie today relating to political donations from China.

The report from Australia's leading current affairs program, Four Corners, last night vindicated the warnings I have made about the dangers of money from China which is not properly scrutinised.

The answers today and other comments from Liberal government representatives in response to my questions showed that there is no political will from the Turnbull Liberal government to fix the problem of corrupt Chinese government funds purchasing Australian property or Australian political party favours. There is only a will to cover up the truth, with predictable personal abuse and racist smears. I call for all Australian political parties to ban donations from money linked to China's communist government.

Only an independent senator would have asked questions demanding answers about corrupt political payments coming from China because the majority of Australia's main political parties—the Liberals, the Nationals and Labor—are receiving millions of dollars linked to the Chinese state or their associates.

Our leading radio current affairs program, AM, on Radio National recently reported that:

The flood of Chinese money into Australia's hot real estate market has prompted calls for new rules that would force solicitors and real estate agents to report suspicious financial transactions.

A Four Corners investigation has found no Australian agency is charged with identifying the true source of foreign funds streaming in from China.

Insiders say unless Australia asks more questions, or enforces better standards, it could inadvertently become a safe haven for corrupt funds.

It is stunning that one of our most important national watchdogs, the Foreign Investment Review Board, deems the issue of dirty money to be outside its scope of responsibility! I will quote again from the Radio National report:

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CHAMBER
Two former board members have confirmed concerns about offshore corruption are rarely discussed, even though $US1.25 trillion worth of corrupt and criminal proceeds from China is estimated to have been spent around the world in the decade to 2012.

No federal authority checks the source of Chinese investment unless there are obvious concerns about drug trafficking or other serious crimes.

But Raymond Baker from Washington DC’s Global Financial Integrity says ignorance could cost Australia.

Mr Baker is being kind when he describes as ignorance the fact that no Australian agency is charged with identifying the true source of foreign funds streaming in from China. It is not ignorance. It is deliberate, it is seditious, it is criminal because no-one could be so stupid to stand by and allow the sell-off of Australia and the undermining of our national security and sovereignty to Chinese communist crooks. Unfortunately for Australia’s future generations our food, water, energy, national security and workers’ security are being compromised by the dirty deals the Liberal, National and Labor party members of this parliament are prepared to do with those who owe their wealth to the small group of elite people that rule the Chinese people.

The answers given by the minister representing the Prime Minister, Senator Brandis, only confirmed the very serious threat that the China free trade agreement poses to Australia—threats to national sovereignty, workers’ job security and proper scrutiny of investment from a country which everyone knows is an international bully, thief and liar.

Right now China is, firstly, flexing its military muscles in the international waters of the South China Sea and bullying international shipping. As I speak, the Americans are even risking an armed confrontation with China by sailing through contested international waters. Secondly, China is stealing every piece of data and intellectual property not nailed down in cyberspace. And I am yet to find one economic expert who is willing to say they trust any financial or economic figures to come out of mainland China. Clearly the Chinese government is an international bully, thief and liar and is a serious security threat to Australia and its allies.

These latest media reports, combined with the evasive, predictable condescending replies to my questions, show that the Chinese government and its ruling communist elite have been caught out using their unlimited financial might to infiltrate Australians by stealth and attack our national security and sovereignty so that they can further their national interests and gradually impose their corrupt, totalitarian culture on us. As one veteran of the Korean War said:

What the Chinese failed to do by the bullet and bomb in the 1950’s, they’re now doing with their cheque book’s and political donations in 2015. (Time expired)

Question agreed to.

PETITIONS

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

Marriage

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

This petition of certain citizens of Australia draws to the attention of the Senate:

Marriage is the union of one man and one woman, voluntarily entered for life.
It is an institution vital to the well being of all society. In particular it confirms the importance of motherhood and fatherhood and seeks to protect children's biological identity. It has a meaning that we hold deeply for its cultural, religious and social significance. We therefore ask the Senate not to redefine marriage to admit relationships to which it does not naturally or historically apply. 

by Senator Bullock (from 11 citizens).

Debit Card Trial

To the honourable President and members of the senate in Parliament assembled:
The Petition of the undersigned wish to express our concern in regard to the SOCIAL SECURITY LEGISLATION AMENDMENT (Debit Card) BILL 2015 and its mandatory nature. The Initiative is paternalistic and will serve to discriminate and stigmatise not only those it's meant to protect but also those who manage their affairs in a responsible manner. Not only in the region where individuals reside will they be identified as someone incapable of managing their own affairs, they will have that discrimination and stigmatisation follow them around the country.

We humbly call on you to reject the legislation in its current form.

by Senator Siewert (from 288 citizens).

Petitions received.

NOTICES
Withdrawal

Senator WILLIAMS (New South Wales) (15:34): Pursuant to notice given on 12 October 2015, I withdraw business of the Senate notice of motion No. 2 standing in my name for 12 sitting days after today for the disallowance of the Migration Regulations 1994—Specification of Occupations, a Person or Body, a Country or Countries 2015.

The PRESIDENT: Are there any other notices of motion to be given for another day?

Senator WILLIAMS (New South Wales) (15:35): I give notice of my intention at the giving on notice on the next sitting day to withdraw business of the Senate notice of notion No. 1 standing in my name on the next day sitting for the disallowance of Financial Framework (Supplementary Powers) Amendment (2015 Measures No. 3) Regulation 2015. I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator WILLIAMS: The Senate Regulations and Ordinances Committee has been making inquiries about a number of issues in relation to this instrument. Following correspondence with the minister, the committee has concluded its examination of this matter. The committee's final report on this matter is contained in the delegated legislation monitor No. 13 of 2015.

Question agreed to.
BUSINESS

Leave of Absence

Senator McEWEN (South Australia—Opposition Whip in the Senate) (15:35): by leave—I move:

That leave of absence be granted to the following senators from 13 to 15 October 2015:
(a) Senator Bilyk, for personal reasons; and
(b) Senator Sterle, on account of parliamentary business.

Question agreed to.

COMMITTEES

Education and Employment References Committee
Environment and Communications References Committee
Legal and Constitutional Affairs References Committee

Reporting Date

The Clerk: A postponement notification has been lodged in respect of general business notice No. 876 to 14 October. Extension notifications have been lodged by committees as follows:

Education and Employment References Committee—private vocational education and training providers—extended from 14 October to 15 October 2015.

Environment and Communications References Committee—stormwater management—extended from 14 October to 2 December 2015.

Legal and Constitutional Affairs References Committee—Commonwealth payments relating to asylum seeker boat turn backs—extended from 11 November 2015 to 4 February 2016.

The PRESIDENT (15:37): Does any senator wish to have the motion put on any of those three matters? There being none, we will now proceed.

MOTIONS

International Day of the Girl Child

Senator MOORE (Queensland) (15:37): I move:

(a) notes that:

(i) Sunday, 11 October, is internationally recognised as the Day of the Girl,
(ii) Day of the Girl has worked to assist girls all over the world in issues such as sexual assault, child marriage and education, and
(iii) in 2015 the Day of the Girl's theme was adolescent girls;
(b) congratulates all those involved in bringing awareness to the needs of women and girls by launching and maintaining this movement; and
(c) acknowledges the need for the ongoing development and support of women and girls in all areas across the world.

Question agreed to.
National Carers Week 2015

Senator MOORE (Queensland) (15:38): I, and also on behalf of Senator Siewert, move:

That the Senate—

(a) notes that:

(i) National Carers Week 2015 will run from Sunday, 11 October, until Saturday, 17 October, to recognise and celebrate the outstanding contribution unpaid carers make to our nation,
(ii) carers in Australia make an enormous contribution to our communities and our national economy,
(iii) in 2015, it is estimated that nearly 2.9 million Australians will provide more than 1.9 billion hours of informal care and unpaid care, and
(iv) the replacement value of informal care would be $60.3 billion, equivalent to 3.8 per cent of gross domestic product and 60 per cent of the health and social work industry; and
(b) congratulates Carers Australia for its strong advocacy and support for those providing care and support to family members and friends who have a disability, mental illness, chronic condition, terminal illness, and alcohol or other drug issue, or who are frail and aged.

Question agreed to.

Royal Queensland Bush Children's Health Scheme

Senator MOORE (Queensland) (15:38): I move:

That the Senate—

(a) notes that:

(i) BUSHkids, is the Royal Queensland Bush Children's Health Scheme, which has provided and continues to provide the children of rural Queensland with physical and mental health assistance since 1935, and
(ii) Thursday, 22 October 2015 is BUSHkids Thanksgiving, and celebrates 80 years of the BUSHkids service; and
(b) congratulates BUSHkids for the dedication and commitment of the many people involved who provide to families across regional Queensland through this pioneering health scheme.

Question agreed to.

National Rugby League

Senator IAN MACDONALD (Queensland) (15:38): Mr President, before I ask that the notice of motion be taken as formal, can I indicate that my fellow North Queensland senator, Senator Jan McLucas, a loyal and unrefined Cowboys supporter, as I am, also wants to be part of the motion, and I am very happy that Senator McLucas join me in this motion. I ask that the general business notice of motion No. 884 be taken as formal.

Senator McLucas: Go Cowboys!

The PRESIDENT: Is there any objection to this motion being taken as formal? That was an interjection, Senator McLucas. There being no objection, I call Senator Macdonald.

Senator IAN MACDONALD: I, and also on behalf of Senator McLucas, move:

That the Senate:

(a) notes that the North Queensland Cowboys Rugby League Team won its first ever National Rugby League Grand Final;
(b) congratulates Cowboys co-captain Johnathon Thurston on:

(i) his leadership,
(ii) his award of a record fourth Dally M Player of the Year Medal, and
(iii) winning the Clive Churchill Player of the Grand Final Medal and the Provan Summons Fans Choice Medal as the Best Player of the Year; and

(c) urges the Government to continue to support excellence in sport and the identification of role models.

Question agreed to.

National Rugby League

Senator LAZARUS (Queensland) (15:39): I seek leave to amend general business notice of motion No. 885, standing in my name for today.

Leave granted.

Senator LAZARUS: I amend the motion in the terms circulated in the chamber, and I ask that it be taken as formal.

The PRESIDENT: Is there any objection to this motion, as amended, being taken as formal?

Senator IAN MACDONALD (Queensland) (15:40): Mr President, I seek leave to make a short statement in relation to this motion.

The PRESIDENT: Leave is granted for one minute.

Senator IAN MACDONALD: In crafting the motion that Senator McLucas and I drafted, we wanted to highlight the great win of the Cowboys rugby league team and the excellence of its co-captain, Johnathan Thurston. We did not want to sully what is, in effect, a great sporting achievement by referring to any political matter whatsoever. So I am disappointed that this motion brings in some other issues that become matters of politics. I leave as an aside that it is moved by someone who actively supported the opponents and actually played for New South Wales in the State of Origin, but, all that aside, it is good that the opponents also—

The PRESIDENT: Order, Senator Macdonald. A point of order, Senator Lazarus?

Senator Lazarus: It is on relevance. What relevance does that have to the motion, honestly?

The PRESIDENT: There is no point of order, Senator Lazarus, because Senator Macdonald sought leave of the Senate chamber, and he was granted leave for one minute to make a statement, so there is no issue on relevance. Senator Macdonald, you have 14 seconds left.

Senator IAN MACDONALD: Thank you, Mr President. As I say, it is tremendous that even opponents are supporting the North Queensland Cowboys, and I appreciate that, but I would ask Senator Lazarus to consider removing paragraph (d) completely.

The PRESIDENT: Before I call you, Senator Lazarus, I will just clarify. I did ask whether there was any objection to the motion, as amended, being taken as formal. That is as far as we got. Is there any objection to that motion, as amended, being taken as formal? There being none, Senator Lazarus, I call you now to move your motion formally.

Senator LAZARUS (Queensland) (15:42): I move the motion as amended:
That the Senate—
(a) congratulates the North Queensland Cowboys on winning the 2015 National Rugby League Grand Final and Johnathan Thurston on winning the 2015 Clive Churchill Medal;
(b) recognises the positive impact of the win for the North Queensland region which is being impacted by drought and other social and economic challenges;
(c) acknowledges the important work of the North Queensland Cowboys in supporting and promoting the region; and
(d) calls on the Government to consider funding the construction of a new multi-purpose sporting venue in Townsville to accommodate North Queensland Cowboys home games and other local, state, national and international sporting and recreational events.

Question agreed to.

Senator Ian Macdonald interjecting—
Senator Lazarus interjecting—

Senator Ian Macdonald: You are a thug—

The PRESIDENT: Order! Senator Macdonald, I ask you to withdraw that, please—and do not repeat it.

Senator Ian Macdonald: I will not repeat it—

The PRESIDENT: Thank you.

Senator Ian Macdonald: but in case Senator Lazarus is offended and is going away to cry, I will withdraw it.

The PRESIDENT: That does not help, Senator Macdonald.

Senator Moore: Mr President, I do not think that is the nature of an appropriate apology or withdrawal in this place.

The PRESIDENT: Thank you, Senator Moore. Senator Macdonald, it did not assist the situation. I just ask you to withdraw those remarks.

Senator Ian Macdonald: I'll withdraw it.

The PRESIDENT: Thank you, Senator Macdonald. Senator Lazarus, do you still want to take a point of order? Thank you, Senator Lazarus.

BILLS

Commonwealth Grants Commission Amendment (GST Distribution) Bill 2015

First Reading

Senator WANG (Western Australia) (15:43): I move:


Question agreed to.

Senator WANG: 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 WANG (Western Australia) (15:44): I move:

That this bill be now read a second time.

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

Leave granted.

Senator WANG: 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—

Distribution of the Goods and Services Tax (the "GST") has been problematic because it has not been allowed to evolve while the world economic environment is fast changing. Western Australia ("WA") has been a victim of the distribution model's failure to adapt to the new terms of global trading, especially those around the iron ore market. Global iron ore trades shifted to quarterly prices 5 years ago with a lot of iron ore traded on a spot market. The commodity market has its ups and downs but because of this shift commodity prices have become less predictable.

Yes of course, WA being a mining state, has been hit fairly badly by the volatility during recent years. But the Commonwealth Grants Commission still calculates each state or Territory's capacity to raise mining royalty based on data at 3-year intervals. This, frankly is the 20th century way of thinking and it fails to adjust to the way the 21st century world trades.

A bad year is a bad year. It cannot be moderated just because the 2 previous years were better. So the states and territories should be provided with the means to cope with revenue shortfall immediately, not 3 years later.

Using 3 year old mining revenue data has driven a huge reduction in GST distribution to Western Australia at the same time as the actual mining royalties reduced.

The issue of the volatility of mining revenue has been raised in the Commonwealth Grants Commission reviews of the GST distribution process for 10 years now. The issue is of particular importance to the Western Australia Government and, to a lesser extent, the Queensland Government.

WA's share of the GST revenue has been unacceptably low in recent years. Ironically the prices of iron ore have fallen in the same period as WA's share of the GST shrinks.

This Bill instructs the Commonwealth Grants Commission, when considering the capacity of a State or a Territory to raise mining revenue in preparing its annual recommendation on GST distribution, to only take into account the most recent financial year for which data is available.

Some may say that using annual assessments of royalty revenue will disadvantage the mining states when these royalties are increasing. This argument clearly shows a lack of understanding of the current impacts felt by Western Australia. My Bill offers a real buffer to the states against the volatility.

Of course I am putting forward this Bill because the GST distribution has not been fair to my home state. But more importantly, I am doing so because we now know that the distribution model has a problem which is capable of producing undesirable results, as proven in this case by Western Australia's unfair share of the GST. This problem has to be fixed so that it will not haunt another state or territory in the future as the state and territories' economic circumstances and revenue mix change. It could be Queensland, it could be Tasmania, it could be any of my good colleagues' home state should the mining industry become a bigger part of its economy.

I welcome the $500 million Commonwealth compensation to Western Australia this year. But the fundamental problem with the GST distribution remains untouched. We cannot sweep it under the carpet and pretend the job is done. Why is it that my home state has to cry for compensation every now
and then like a baby crying for milk? Honestly I do not like the prospect. And dare I say, if it was a bigger state population-wise suffering from this unfair distribution, we would have this problem fixed in no time because there are more House of Representatives seats.

Yes, unanimous agreement by all states and territories is required for the Commonwealth to change the rate of the GST but no such agreement is needed to modify the distribution.

Under my Bill, if legislated, Western Australia would have received $2,395 million additional GST revenue in 2013-14, $3,057 million in 2014-15 and $3,500 million in 2015-16. Queensland would also benefit in the foreseeable future.

I am putting forward this Bill for WA, a state I love, a state I am a representative of here in the Parliament. I make no apology for doing this because WA has been ripped off for too long. But any state or territory could potentially benefit from this long overdue change.

**Senator WANG:** I seek leave to continue my remarks later.

Leave granted; debate adjourned.

**MOTIONS**

**United Nations Summit 2015**

**Senator RHIANNON** (New South Wales) (15:44): I, and also on behalf of Senator Bilyk, move:

That the Senate—

(a) notes that:

(i) the United Nations (UN) summit for the adoption of the post 2015 development agenda took place from 25 September to 27 September 2015;

(ii) the Sustainable Development Goals build on the achievements of the Millennium Development Goals, which have:

(A) reduced the number of people in absolute poverty,

(B) reduced child mortality,

(C) increased the number of children in school, and

(D) increased access to clean water and sanitation, and

(iii) the Sustainable Development Goals were endorsed by all members of the UN as objectives for all countries to meet, and achieving these will require policy and financial commitments from all countries; and

(b) calls on the Government to:

(i) endorse the Sustainable Development Goals as a blueprint to end extreme poverty; and

(ii) adopt the Sustainable Development Goals as a framework for Australia's aid program, and work with other countries to support these Goals which includes contributing Australia's fair share internationally to achieve their targets.

Question agreed to.

**Ride Sharing Services**

**Senator LAZARUS** (Queensland) (15:45): I move:

That the Senate—

(a) notes the range of issues currently being experienced across the country in relation to the operation of UBER, including allegations of acts of violence and intimidation against UBER drivers by members of the taxi industry in Queensland;
(b) acknowledges the important role of competition, change and disruption in forging new industries and creating new services;

(c) further notes the impact of UBER and other ride-sharing services on the viability of the taxi industry and the stakeholders involved in the taxi industry, including owners, administrators, drivers and others directly and indirectly employed by the industry;

(d) urges the Government to consider the opportunity for all transport services, including the taxi industry and ride-sharing services, to have a legitimate and legal role in Australia; and

(e) calls on the Government to show leadership and urgently address the taxi and ride-sharing issue by working with state and territory governments to develop a national approach which:

(i) puts the needs of the people of Australia first,

(ii) improves the quality, safety, effectiveness and efficiency of taxi and ride-sharing services across Australia,

(iii) creates a framework to enable the operation of taxi and ride-sharing services on a level playing field basis, including regulation, fee introductions and fee modifications,

(iv) engages with the complex policy questions regarding taxi licences as a financial asset,

(v) proposes amendments to policy, legislation and administrative instruments and mechanisms across relevant levels and areas of government to facilitate the adoption of the framework,

(vi) is developed in consultation with all taxi industry, ride-sharing service providers and other stakeholders, and

(vii) aims to resolve the issues being experienced across the country, and reduce the tension and concern being felt by many involved.

Senator McKIM (Tasmania) (15:45): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator McKIM: The intent of Senator Lazarus's motion is no doubt good and admirable. It basically calls on governments to collaborate not only with each other but also with the taxi sector and the ride-sharing sector to consider regulatory frameworks that would cover both of those sectors. Normally we would be very happy to support this motion as it stands; however, what Senator Lazarus's motion fails to consider is that there are actually inherent differences between the ride-sharing sector and the taxi sector including regulations, fee introductions, fee modifications and other aspects. On that basis, we have concerns with some of the wording in this motion but we do support the principle of it. (Time expired)

Question agreed to.

Nous Group

Senator KIM CARR (Victoria) (15:47): I ask that general business notice of motion No. 883 relating to the order for the production of documents concerning the Nous Group be taken as a formal motion.

The PRESIDENT: Is there any objection to this motion being taken as formal?

Senator Leyonhjelm: Yes.

The PRESIDENT: There is an objection.
Suspension of Standing Orders

Senator KIM CARR (Victoria) (15:47): Subject to contingent notice of motion, I move:

That so much of the standing orders be suspended to allow consideration of the measure contained in motion 883.

This is a fairly straightforward proposition. It concerns the employment of the former associate secretary of the Department of Education, who has been engaged by the Commonwealth of Australia to undertake negotiations through this chamber on the matters relating to the higher education package that the former minister for education, Minister Pyne, had introduced to this chamber. I am particularly concerned because there have been reports of a very large sum of money being paid to Mr Griew, a former associate secretary of the department, to undertake negotiations with senators in this chamber. We have Senate estimates next week, and I think it is appropriate for the Senate to be able to examine the details of the contract and the report. I am particularly interested in the report that Mr Griew has provided to the government concerning his discussions with senators on behalf of the government.

It strikes me as a particularly serious matter. Under the Commonwealth of Australia, we have had for a very long time, and it is certainly my understanding, a view that Commonwealth officers should not act as contractors for the government immediately upon leaving their positions within the Public Service. And it seems to me that there is a serious issue there about the use of information which is procured through the operations of the Commonwealth Public Service—in this case, in the position of a senior officer as associate secretary—and then being engaged by the Commonwealth on a commercial contract to undertake negotiations on behalf of the government.

Senator Ian Macdonald: You used to do that all the time when you were in government, Kim.

Senator KIM CARR: No, I did not. This is a very serious question about the misuse of contracting arrangements. I would like to see, and the reason I ask this is I think the Senate is entitled to see, the nature of the contract and the report that this former officer has provided to the government. Senate estimates are to be held next week and will provide us with the opportunity to examine in detail the claims that have been made regarding this matter.

Senator LEYONHJELM (New South Wales) (15:50): I oppose the contingent motion and oppose the material motion of Senator Carr. The reason I did so is not because I oppose the release of documents; I normally support the release of documents and I think my voting record would confirm that unequivocally. The issue here is that it involves the release of a report primarily between the consultant engaged by the former minister for education and the crossbench. The crossbench has not seen the report—

Senator Kim Carr: You will this way; vote for it.

The PRESIDENT: Order!

Senator LEYONHJELM: and the discussions with the consultant by the crossbench were not at any stage considered to be liable for public release. We were all under the impression—

Senator Kim Carr: This is the man for disclosure.
Senator LEYONHJELM: You may not care about your discussions being put into the public domain, but, bear in mind, what goes around comes around.

I have no problem with the contract being released in the public domain, but I think it is just sheer decency that we—the people who are consulted by this consultant in the context of that engagement by the previous minister for education—at least know what on earth it is we are reported to have said when we made comments about people in this place, ministers and other members of the government—and even whether it was accurate or not. That is the purpose of opposing this. I think it is a perfectly legitimate expectation that we at least know what is coming before it is released.

The PRESIDENT: Thank you, Senator Leyonhjelm. The question is that the motion to suspend standing orders be agreed to.

The Senate divided. [15:57]

(The President—Senator Parry)

Ayes ..................31
Noes .................32
Majority .............1

AYES

Brown, CL
Cameron, DN
Collins, JMA
Di Natale, R
Hanson-Young, SC
Lines, S
Ludwig, JW
McAllister, J
McKim, NJ
Moore, CM
Peris, N
Rhiannon, L
Siewert, R
Singh, LM
Waters, LJ
Xenophon, N

NOES

Abetz, E
Bernardi, C
Bushby, DC (teller)
Cash, MC
Day, RJ
Fawcett, DJ
Fifield, MP
Johnston, D
Lindgren, JM
Madigan, JJ
McKenzie, B
Nash, F
Reynolds, L

Back, CJ
Birmingham, SJ
Canavan, MJ
Colbeck, R
Edwards, S
Fierravanti-Wells, C
Heffernan, W
Leyonhjelm, DE
Macdonald, ID
McGrath, J
Muir, R
Parry, S
Ronaldson, M
Tuesday, 13 October 2015

SENATE

7467

NOES

Ryan, SM
Seselja, Z
Smith, D

Scullion, NG
Sinodinos, A
Wang, Z

PAIRS

Bilyk, CL
Conroy, SM
Gallagher, KR
Sterle, G
Wong, P

O’Sullivan, B
Williams, JR
Brandis, GH
Payne, MA
Cormann, M

Ruston, A

Question negatived.

Trans-Pacific Partnership Agreement

Senator XENOPHON (South Australia) (16:00): Before I proceed, I ask that the name of Senator Wang be added to the motion. I, and also on behalf of Senators Lazarus, Muir, Whish-Wilson and Wang, move:

That the Senate—

(a) notes that:

(i) on 6 October 2015, 12 Pacific-rim countries signed the Trans-Pacific Partnership Agreement,

(ii) to date the text of the Agreement has not been made public, and

(iii) on 24 June 2015 the Productivity Commission released its Trade and Assistance Review 2013-14, which stated ‘the emerging and growing potential for trade preferences to impose net costs on the community presents a compelling case for the final text of an agreement to be rigorously analysed before signing’; and

(b) calls on the Government to refer the text of the Agreement to the Productivity Commission for a full-scale review prior to the Agreement's implementing legislation being introduced into the House of Representatives and the Senate.

Senator WHISH-WILSON (Tasmania) (16:00): I seek leave to make a very short statement.

The PRESIDENT: Leave is granted for one minute.

Senator WHISH-WILSON: 'Transparency is in our genes.' Those are the exact words the Productivity Commission used at Senate estimates when I asked them about trade deals. They have long been critics of aspects of our trade deals, particularly the secrecy and the flawed process that go towards our trade and treaty negotiations. I wrote to the new Prime Minister, Malcolm Turnbull, last week asking that he send the Trans-Pacific Partnership text to the Productivity Commission. He wanted to do the same thing for the NBN when he was shadow minister. He wanted the Productivity Commission to independently assess it. There is no reason for the secrecy around the Trans-Pacific Partnership Agreement to remain. We as a parliament should get to see it; the Australian people should see it, and the Productivity Commission should independently assess it. I ask all senators to be reasonable today and to send the text of the Trans-Pacific Partnership Agreement to the Productivity Commission. I thank Senator Xenophon for organising this today.
The PRESIDENT: The question is that the motion moved by Senator Xenophon be agreed to.

The Senate divided. [16:02]

(The President—Senator Parry)

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

AYES

Brown, CL             Bullock, JW
Cameron, DN           Collins, JMA
Dastyari, S            Di Natale, R
Gallacher, AM         Hanson-Young, SC
Lazarus, GP           Lines, S
Lu dall, S            Ludwig, JW
Madigan, JJ           Marshall, GM
McAllister, J         McEwen, A (teller)
McKim, NJ             McLucas, J
Moore, CM             Muir, R
O'Neill, DM           Peris, N
Polley, H             Rhiannon, L
Rice, J               Siewert, R
Simms, RA             Singh, LM
Urquhart, AE          Wang, Z
Waters, LJ            Whish-Wilson, PS
Xenophon, N

NOES

Abetz, E              Back, CJ
Birmingham, SJ        Bushby, DC (teller)
Canavan, MJ           Cash, MC
Colbeck, R            Day, RJ
Edwards, S            Fawcett, DJ
Fieravanti-Wells, C   Fifield, MP
Johnston, D           Leyonhjelm, DE
Lindgren, JM          Macdonald, ID
McGrath, J            McKenzie, B
Nash, F               Parry, S
Reynolds, L           Ronaldson, M
Ryan, SM              Scullion, NG
Seselja, Z            Sinodinos, A
Smith, D

PAIRS

Bilyk, CL             O'Sullivan, B
Conroy, SM            Williams, JR
Gallagher, KR         Brandis, GH
Ketter, CR            Payne, MA
Sterle, G             Cormann, M
Wong, P               Ruston, A
Question agreed to.

East West Link

Senator RICE (Victoria) (16:04): I move:

That the Senate—

(a) notes that:

(i) Australia suffered a severe underfunding of public transport under the Abbott Government,

(ii) the former Prime Minister, Mr Abbott, labelled the 2014 Victorian election as a 'referendum on the East West Link', and that there was a change of government in Victoria because of that election, and

(iii) the Turnbull Government has this week [11 October to 17 October 2015] labelled the East West Link toll road as 'indispensable and inevitable', and included it in a publicly-released list of their priority infrastructure projects for Victoria; and

(b) calls on the Government to withdraw the allocation of federal funding set aside for East West Link and to reallocate this funding to the Melbourne Metro Rail project.

Senator FIFIELD (Victoria—Manager of Government Business in the Senate, Minister for Communications, Minister for the Arts and Minister Assisting the Prime Minister for Digital Government) (16:04): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator FIFIELD: Solving the east-west transportation dilemma is crucial to transport efficiency in Melbourne and the broader state. While the Victorian Labor government had no qualms destroying 7,000 jobs and wasting hundreds of millions of dollars by cancelling the East West Link project that the federal opposition leader supported, the Turnbull coalition government is keen to get on with building the infrastructure Victorians want and need. All projects of national significance in Victoria will be on the table for consideration when the Victorian government come forward with credible options. But we have to be clear: a one-sided solution to Melbourne's congestion problems is insufficient. The solution needs to solve the full east-west transportation dilemma. Any project submitted for funding consideration together with detailed business cases, including the Western Distributor and Melbourne Metro projects, will be subject to rigorous assessment by the Australian government and Infrastructure Australia.

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

The Senate divided. [16:07]

(The President—Senator Parry)

Ayes .................30
Noes ....................32
Majority.............2

AYES

Brown, CL
Cameron, DN
Dastyari, S
Gallacher, AM
Lambie, J
Ludlam, S
Madigan, JJ

Bullock, JW
Collins, JMA
Di Natale, R
Hanson-Young, SC
Lines, S
Ludwig, JW
Marshall, GM
McAllister, J  
McKim, NJ  
Moore, CM  
Peris, N  
Rhiannon, L  
Siewert, R  
Singh, LM  
Waters, LJ

McEwen, A (teller)  
McLucas, J  
O'Neill, DM  
Polley, H  
Rice, J  
Simms, RA  
Urquhart, AE  
Whish-Wilson, PS

Abetz, E  
Bernardi, C  
Birmingham, SJ  
Canavan, MJ  
Colbeck, R  
Edwards, S  
Ferravanti-Wells, C  
Heffernan, W  
Lazarus, GP  
Lindgren, JM  
McGrath, J  
Muir, R  
Parry, S  
Ronaldson, M  
Seelion, NG  
Sinodinos, A  
Wang, Z

Bilyk, CL  
Conroy, SM  
Gallagher, KR  
Ketter, CR  
Sterle, G  
Wong, P  
O'Sullivan, B  
Williams, JR  
Brandis, GH  
Payne, MA  
Cormann, M  
Ruston, A

Question negatived.

Live Animal Exports

Senator CANAVAN (Queensland—Nationals Whip in the Senate) (16:08): I move:
That the Senate notes:
(a) the approval of Port Alma as a live cattle export facility;
(b) the benefits of providing new export options to producers and the cattle industry in central Queensland;
(c) that in 2014-15, the live cattle export industry contributed $1.4 billion to Australia's economy; and
(d) that lowering transport costs, by providing local export options in addition to the highly important processing industry, will deliver better returns to central Queensland cattle producers by giving access to more markets.

The PRESIDENT: Leave is granted for one minute.

Senator RHIANNON: This motion again represents the Nationals' failures to stand up for farming communities to lock in a jobs-rich future for them. The deception lies in the figures themselves. I am disputing not the figures that are there but the figures that are left out, because the live export trade represents just 0.4 per cent of Australia's trade exports. It is the chilled box meat trade that is worth 12 times more, and that is where the jobs growth could occur in rural Australia. If the Nationals would stand up for farming communities to create jobs, they could be created across northern Australia by opening the abattoirs, and that is what is so urgently needed. The growth in trade in this sector in the chilled box meat trade, which is growing at an exponential rate, with beef and sheep way ahead of the live export trade. (Time expired)


The PRESIDENT: Leave is granted for one minute.

Senator CANAVAN: I would like to focus on some figures too. The figure I would like to focus on is the price of beef in this country—the price of live weighed cattle—which fell to nearly 200c a kilo in 2013 directly as a consequence of the decisions of the Greens-Labor government, which shut down the live cattle trade and caused pain not just for live cattle producers in northern Australia but for the cattle industry across the country. Since this government has come to power and reintroduced the live cattle trade, opening up seven new live cattle markets, the price has gone to nearly 600c a kilogram for live weighed. What is the difference? It is the live cattle market. The problem with the Greens is that they do not understand markets. They do not understand the fact that, if you shut down industry in one part of our country, it can have ramifications for the entire nation. We saw that played out with the live cattle trade. We have had an experiment. Let's hope the Greens and the Labor Party do not get back into government to do that experiment to the cattle industry again.

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

The Senate divided. [16:12]

(The President—Senator Parry)

Ayes ....................... 45
Noes ....................... 10
Majority ................. 35

AYES

Back, CJ
Bullock, JW
Cameron, DN
Cash, MC
Collins, JMA
Day, RJ
F ierravanti-Wells, C
Gallacher, AM
Lambie, J
Leyonhjelm, DE
Lines, S

Bernardi, C
Bushby, DC (teller)
Canavan, MJ
Colbeck, R
Dastyari, S
Edwards, S
Fifield, MP
Johnston, D
Lazarus, GP
Lindgren, JM
Ludwig, JW
AYES

Macdonald, ID
Marshall, GM
McEwen, A
McKenzie, B
Moore, CM
Nash, F
Parry, S
Polley, H
Ryan, SM
Singh, LM
Smith, D
Wang, Z

NOES

Di Natale, R
Ludlam, S
Rhiannon, L
Siewert, R (teller)
Waters, LJ

Hanson-Young, SC
McKm, NJ
Rice, J
Simms, RA
Whish-Wilson, PS

Question agreed to.

DOCUMENTS

Consideration

The documents tabled earlier today Nos 1 and 2 were called on but no motion was moved.

COMMITTEES

Consideration

The following orders of the day relating to committee reports and government responses were considered:

Environment and Communications Legislation Committee—Landholders’ Right to Refuse (Gas and Coal) Bill 2015—Report. Motion to take note of report moved by Senator Waters and agreed to.

Economics Legislation Committee

Additional Information

Senator SMITH (Western Australia) (16:15): On behalf of the Chair of the Economics Legislation Committee, I present additional information received by the committee on its inquiry into the provisions of the Asian Infrastructure Investment Bank Bill 2015.

Parliamentary Joint Committee on Human Rights

Report

Senator SMITH (Western Australia) (16:15): On behalf of the Chair of the Parliamentary Joint Committee on Human Rights, I present the 28th report of the 44th Parliament, the Human rights scrutiny report.

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

That the Senate take note of the report.

Question agreed to.

Senator SMITH: I seek leave to have the tabling statement incorporated into _Hansard_.

Leave granted.

_The document read as follows—_

PARLIAMENTARY JOINT COMMITTEE ON HUMAN RIGHTS
SENATE TABLING STATEMENT

I rise to speak to the tabling of the Parliamentary Joint Committee on Human Rights' Twenty-Eighth Report of the 44th Parliament.

The committee's report examines the compatibility of bills and legislative instruments with Australia's human rights obligations. This report considers bills introduced into the Parliament from 7 to 10 September 2015 and legislative instruments received from 14 to 27 August 2015. The report also includes the committee's consideration of three responses to matters raised in previous reports.

The one new bill examined in this report is assessed as not raising human rights concerns and 43 instruments raise matters in relation to which the committee will seek a response from the legislation proponents. The committee is also continuing its examination of instruments made under two Acts. The committee has concluded its examination of two bills, and deferred its consideration of five bills.

One of the bills for which the committee has concluded its examination is a private senator's bill, titled the Criminal Code Amendment (Animal Protection) Bill 2015. The bill would introduce an offence provision to provide that a person recording malicious cruelty to animals commits an offence if they fail to report that event to the police. The committee considered that the bill engages and limits the right not to incriminate oneself because providing a recording of cruelty to animals to the police may provide evidence of the individual who made the recording committing an offence, such as criminal trespass.

The privilege against self-incrimination is a core principle of both the Australian common law and international human rights law. In its analysis, the committee has drawn on _The Guide to Framing Commonwealth Offences, Infringement Notices and Enforcement Powers_. This guide was developed by the Attorney General's Department to assist Australian Government departments to frame criminal offences and provides detailed information on when the privilege against self-incrimination may be limited.

While the guide does not consider international law principles directly, where the guide is followed in drafting a provision that limits the privilege against self-incrimination the provision is highly likely to be a justifiable limitation on the privilege against self-incrimination under international human rights law. Accordingly, as the guide was not followed in the drafting of the bill, the committee has sought to make helpful recommendations to the legislation proponent to improve both the drafting of the offence provisions in the bill and, consequently, their compatibility with international human rights law.

The report also includes the committee's continued consideration of a number of instruments made under the _Autonomous Sanctions Act 2011_ and the _Charter of the United Nations Act 1945_. The committee, in considering 30 instruments made under these Acts, has focused its analysis on measures that freeze the assets of designated persons or prevent declared persons from travelling to, entering or remaining in Australia. These instruments expand the operation of the sanctions regime and so, to assess whether the instruments are compatible with human rights, it is necessary to assess whether certain aspects of the sanctions regime are compatible with human rights.
The committee recognises the importance of Australia acting in concert with the international community to prevent egregious human rights abuses, and agrees that laws designed to prevent such abuses pursue a legitimate objective under international human rights law. However, the committee considers that further information is required to conclude that the process of designation of persons under the sanctions regimes is proportionate to the stated objective.

While the committee is unaware whether anyone in Australia has been affected by these measures, I note that the committee's mandate is to examine Acts and legislative instruments for compatibility with human rights and whether legislation could be applied in a way that would limit rights. It is on this basis that the committee has applied its usual analytical framework to engage in a constructive dialogue with the minister in relation to this matter.

As always, I encourage my fellow Senators and others to examine the committee's report to better inform their understanding of the committee's deliberations.

With these comments, I commend the committee's Twenty-eighth Report of the 44th Parliament to the Senate.

Debate adjourned.

**Regulations and Ordinances Committee**

**Delegated Legislation Monitor**

**Senator SMITH** (Western Australia) (16:16): On behalf of the Chair of the Senate Standing Committee on Regulations and Ordinances, I present the Delegated Legislation Monitor No. 13 of 2015.

Ordered that the document be printed.

**Rural and Regional Affairs and Transport Legislation Committee**

**Report**

**Senator McEWEN** (South Australia—Opposition Whip in the Senate) (16:16): On behalf of Senator Sterle, I present a dissenting report to the report of the Rural and Regional Affairs and Transport Legislation Committee on the provisions of the Shipping Legislation Amendment Bill 2015.

Ordered that the report be printed.

**Senator McEWEN**: I move:

That the Senate take note of the report.

I seek leave to continue my remarks later.

Leave granted.

**Senator RICE** (Victoria) (16:17): On behalf of Senator Siewert, I present a dissenting report to the report of the Rural and Regional Affairs and Transport Legislation Committee on the provisions of the Shipping Legislation Amendment Bill 2015.

Ordered that the report be printed.

**Senator RICE**: I move:

That the Senate take note of the report.

This dissenting report into the inquiry into the Shipping Legislation Amendment Bill 2015 notes that the Australian shipping industry has proven itself to be efficient, clean and safe. But the government, with its proposed changes to the shipping legislation, is putting it all at risk.
We feel that the majority report on the legislation has not captured the full breadth of the impacts that this legislation would have on our local shipping industry. The deregulation that is included in this proposed legislation for the coastal shipping sector in Australia will lead to a massive loss of Australian jobs and will allow ships on our seas that are not up to scratch, which will risk polluting our oceans and coastlines.

We have an issue with Australian coastal shipping: there has been a decline in recent years. This bill represents the government's response to that reduction in Australian shipping. But, rather than facilitating an increase in Australian owned, Australian flagged and Australian crewed ships, this proposed legislation will send it over the cliffs. The provisions in this bill would mean that we would see a very rapid end to the Australian coastal shipping industry.

There were a number of submissions that were made to the inquiry which we feel were not appropriately considered in the majority report which highlighted a range of technical shortcomings in the government's basis for deregulation—in particular, the cost-benefit analysis. There was a submission which noted that the cost-benefit analysis:

- It fails to appropriately set the scope of the assessment—in other words, whose costs and benefits count. It appears to include millions in benefits to foreign-owned companies, with little consideration of Australian workers.
- It adopts an unorthodox approach to the value of labour, without adequate justification, or quantification of losses to seafarers. While the methodology is unclear, there appears to be an unstated $74 million present value loss to Australian seafarers in the CBA.

This very scathing and detailed analysis of the cost-benefit analysis was not adequately addressed in the majority report.

The basis of the shortcomings of the proposed bill is further undermined by other independent analysis that was presented to the inquiry, noting that neither the regulatory impact statement nor the cost-benefit analysis are documents that provide a sound basis for decision making and policy development. Both largely ignore the economic context of the coastal shipping industry and contain various omissions and technical flaws that reduce their usefulness.

In particular, I want to note that this analysis showed that employment in the coastal shipping industry is estimated under this legislation to decline from its current levels of almost 2,000 jobs to under 100 jobs. The analysis that was done, which was not refuted, showed that essentially the only Australian jobs that would remain in coastal shipping after the government's proposed legislation was enacted would be the jobs on the Spirit of Tasmania. This is obviously an outcome that would be extraordinarily damaging to the Australian economy and to Australian jobs. It would also be something not in the interests of the industry. It was recognised to be not in the industry's interests across-the-board, including the members of the shipping industry and shipping owners who submitted to the inquiry. They did not want to see the legislation passed.

One of the things I took to heart in the submissions made to this inquiry was that the shipping industry wants certainty. We have legislation that was brought into force in 2012. Some finessing of that legislation could be required but the industry does not want to see the wholesale rejection of the 2012 legislation and to have this new legislation brought in. It would have us lurching from one government to another, meaning there would be a total lack of certainty and a lack of ability for the shipping industry to plan for the future. It would be a
totally destabilising move which, in itself, would undermine confidence and the ability for people to invest in the shipping industry.

Our dissenting report notes that we oppose the government's proposed shipping legislation. We urge the government to keep the current legislation and to do some thorough consultation with a whole range of stakeholders, with the aim of reaching an agreement that all stakeholders can support, rather than having the industry and workers lurching from one government to another with destabilising changes each time.

Question agreed to.

BILLS

Landholders' Right to Refuse (Gas and Coal) Bill 2015

Report of Legislation Committee

Senator WATERS (Queensland—Co-Deputy Leader of the Australian Greens) (16:23): by leave—I move:

That the Senate take note of the report by the Environment and Communications Legislation Committee into the Landholders' Right to Refuse (Gas and Coal) Bill 2015.

The Greens have introduced this legislation not once, not twice but three times into this federal parliament over the last four years. In that time, we have seen growing community concern for the scientific impacts and for the impact on health, community and climate of this new, rapacious fossil fuel industry, which is coal-seam gas, shale gas and tight gas or unconventional gases, as is the overarching term. We are seeking to give landholders the right to refuse access to coaling mining companies and unconventional gas companies, which come knocking at all hours of the day and night. Currently landholders cannot say no. There is no legal right for them to refuse entry or access to their land, for it to be turned into an open cut coalmine ought to be hydrologically fracked—‘fracking’ as it is known, for evident reasons. Landholders have absolutely no right to determine that they in fact want to continue to farm this beautiful land.

In Queensland, we have seen the coal-seam gas industry roll out on some of our best food producing land which has some of our best soils, which, sadly, we have too little of. It was with that community sentiment and with the scientific concern in mind that we once again introduced this private member's bill, to empower landholders to protect their land and water and to enable them to continue to produce food, of which we are currently a net exporter, and to continue to address climate change, given the huge fugitive emissions from unconventional gas and given the direct impacts of coaling mining on climate.

In the course of this inquiry, we heard some incredibly powerful evidence. I want to take the opportunity to thank all of the communities who took the time to make submissions and to give us evidence at the hearings. It was a deeply emotional experience from many community members who have had their lives and their land overrun and who, in many instances, have suffered personal family health impacts. I would like to take this opportunity to read into the record some of the evidence given by some very passionate community members on that topic. We heard from Shay Dougall and Narelle Nothdurft from the Hopeland Community Sustainability Group. Narelle's family have documented problems with eyes, nose and throat. They have problems with chronic headaches and migraines. She said in a letter:
My seven year old boy … has been suffering fast onsetting headaches for a few years now. They are so severe he bangs his head into the wall or the floor anything to make them stop.

We heard some evidence that there had been some studies recommended by the Queensland Department of Health to be done into air quality. Those studies were discontinued for no apparent or discernible reason and the studies were not in fact then carried out. Two years later the residents are still waiting to find out what sadly they already know from the daily experience—that their family's health is being threatened by this new industry.

We had heard some very serious evidence from the CSIRO and from the Department of the Environment who confirmed that in their studies into hydraulic fracturing they have not even started to look at the impact of fracking on deep aquifers. They also acknowledged that that meant they had not looked at the risks of mobilising naturally occurring carcinogens in the geology, which occurs in the fracking process. Those studies are in their infancy.

We also heard that there have been several jurisdictions, not just domestically. Some of the states, in recognition of the scientific dangers, have placed a moratorium on fracking—that is, Victoria and Tasmania. Of course, internationally many jurisdictions have said that fracking is too risky for our communities and our land—in Canada, Nova Scotia, Newfoundland and in Europe, Germany, Wales, Scotland, France, Bulgaria and the Netherlands and there are many states of the USA. We are hearing more and more about the potential dangers of this process, yet we also heard in the course of the inquiry that the big parties do not wish to do anything about it.

I found it incredibly disappointing—that would be understating it—that the report into this bill does in fact acknowledge that there are problems but it then proceeds to recommend doing absolutely nothing about those identify problems. In effect, it is a statement that says, 'This is not our problem; let's leave it up to the state governments. They're doing a perfectly fine job.' Clearly, they are not doing a perfectly fine job. We heard evidence from many legal groups saying that the regulation of this industry is utterly woeful, that there are multiple breaches of permits, that there is a real risk to land and water from this new fossil fuel rapacious industry and that national leadership is required to at least put a moratoria on fracking until we better understand the kind of experiment that we are wreaking on communities. In the Greens' view, that evidence is already clear enough and there should be a ban.

Coming back to the key aspect of the bill, which is to allow landholders to say no to large coalmines and unconventional gas and fracking on their land, it was really quite duplicitous, I thought, to hear from industry saying, 'But look at how many voluntary agreements the community signed. They must be so happy with this arrangement; they have signed up to these agreements.' They have no choice to sign. They have no legal right not to sign. That was made patently clear not only simply from the common sense of it but also by some of the excellent witnesses who talked about this imbalance of bargaining power. Drew Hutton, from Lock the Gate, who of course should be acknowledged as the father of that movement, has done fantastic work in unifying communities and giving them a voice and some courage to speak out against this David and Goliath battle between the very wealthy multinational fossil fuel companies and the farming and community groups who have, sadly, been forgotten about by many folk in this place. Drew Hutton said:

Drew Hutton said:
The first assumption is that there is some sort of equality in the negotiation that goes on between mining companies and farmers. In fact, as far as we are concerned, there is no equality. It is negotiation with a gun at the head of the landowner.

Rosemary Nankivell, from the SOS Liverpool Plains group, said:
…the bill uses the term 'agreement'. I can tell you unequivocally that, when dealing with a resource company, there is no such thing as an agreement. In some cases, perhaps, a painful type of coexistence results, but it is the farming community that does the giving.

Kirsty Kelly, from People for the Plains, said:
All the power lies with the coal and gas companies; the landholders' only position is to accept or go to legal challenge. There is much discussion about coexistence between coal and gas and agriculture. But how can you have coexistence when all the power lies with one party?
Of course, the legal challenge that she is referring to there is not the ability to say no; it is just to quibble over the price of access.

So it was with great disappointment that, despite the excellent evidence given in the course of the inquiry into this bill that both of the big parties said, 'Not our problem; we’re not going to do a thing about this. Let's leave it up to the state governments. Yes, there seems to be some problem here, but it is not our responsibility to deal with it.' We think that this does need a national approach. Clearly, the vested interests in the coalmining companies and the unconventional gas companies, who make some generous donations to the political parties in this place, have been running the agenda and writing their own rules for far too long. It is about time the community had a fair go and had their rights to clean air and clean water and health protected.

If we are to truly tackle climate change, this notion that unconventional gas somehow burns cleaner than coal needs to be debunked. When you factor the leaking gas and those fugitive emissions that I have seen with my own eyes and heard with my own ears on various visits to these places around the country you find that this stuff is just as dirty as coal. It is no solution to climate change. Clearly, it is not worth the risk to the health and longevity of our farmland and our farming communities.

So I commend the bill to this place. I do not commend the report, but I commend the dissenting report. I urge all members of this place to speak to their communities about this issue. You will find there is a real and growing community concern. People want their land, their water and their communities protected and they want their voice back. They are sick of not being heard and of their needs coming last as opposed to the big fossil fuel companies. I am really pleased to have been able to give those communities a voice in the course of this committee inquiry. We will not give up on this fight.

Question agreed to.

COMMITTEES

Environment and Communications Legislation Committee
Legal and Constitutional Affairs References Committee

Membership

The ACTING DEPUTY PRESIDENT (Senator Whish-Wilson): Order! The President has received a letter requesting changes in the membership of various committees.
Senator NASH (New South Wales—Deputy Leader of The Nationals in the Senate and Minister for Rural Health) (16:34): by leave—I move:

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

Environment and Communications Legislation Committee—

Appointed—Substitute member: Senator Dastyari to replace Senator Singh on 20 October 2015

Legal and Constitutional Affairs References Committee—

Appointed—

Substitute member: Senator Gallacher to replace Senator Collins for the committee's inquiry into the regional processing centres in the Republic of Nauru and Papua New Guinea

Participating member: Senator Collins.

Question agreed to.

BILLS

Australian Immunisation Register Bill 2015

Australian Immunisation Register (Consequential and Transitional Provisions) Bill 2015

First Reading

Bills received from the House of Representatives.

Senator NASH (New South Wales—Deputy Leader of The Nationals in the Senate and Minister for Rural Health) (16:35): I move:

That these bills may proceed without formalities, may be taken together and be now read a first time.

Question agreed to.

Bills read a first time.

Second Reading

Senator NASH (New South Wales—Deputy Leader of The Nationals in the Senate and Minister for Rural Health) (16:35): I move:

That these bills be now read a second time.

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

Leave granted.

The speeches read as follows—

AUSTRALIAN IMMUNISATION REGISTER BILL 2015

I am pleased to introduce the Australian Immunisation Register Bill 2015.

The Australian Immunisation Register Bill 2015 creates a new, consolidated legislative framework for the establishment and ongoing management of Australian immunisation registers, and expands the scope of our two existing immunisation registers.

These changes implement measures announced in this year's Federal Budget as part of the Government's focus on improving immunisation rates across Australia, and will complement other Government initiatives, including No Jab, No Pay, and new catch-up incentives to GPs and other immunisation providers.

The Coalition has a strong track record when it comes to improving immunisation rates, successfully increasing vaccination rates from 52% in 1996 up to around 90%, and it was the current Prime Minister,
as then Health Minister who introduced the Human Papillomavirus (HPV) vaccination programme for school aged women in 2007. These new measures build on our successful record.

As I mentioned previously, the scope of our two current immunisation registers will be broadened. The Australian Childhood Immunisation Register (ACIR) will be expanded to become the Australian Immunisation Register, which will capture all vaccines given, from birth to death, through General Practice and community clinics.

The ACIR currently records vaccinations given to children aged less than seven years. The ACIR will be expanded in two stages. From 1 January 2016, it will expanded to collect and record vaccinations given to young individuals under the age of 20 years, enabling implementation of the Government's No Jab No Pay Budget measure.

From September 2016, it will be expanded further to cover all vaccinations from birth to death given through General Practice and community clinics, supporting the addition of the zoster virus (shingles) vaccine to the National Immunisation Program for persons aged 70 years.

Implementing these changes to our national immunisation registers will broaden and improve immunisation data capture to assist recognised vaccination providers to boost coverage rates.

Additionally, this bill expands the National Human Papillomavirus (HPV) Vaccination Program Register (the HPV Register) to become the Australian School Vaccination Register (ASVR), which will capture all adolescent vaccinations given through school programs from the start of the 2017 school year.

The HPV Register currently only captures administration of the HPV vaccine. Other adolescent vaccinations administered through the school programs that would be captured in the Australian Schools Vaccination Register include Varicella (chickenpox) and the Diphtheria, Tetanus and Pertussis (whooping cough) booster.

Currently, separate legislation within the Health Insurance Act 1973 and the National Health Act 1953 provide the foundation for how the two national immunisation registers are operated. In this context, it is considered timely to consolidate the two pieces of separate legislation for the Australian Childhood Immunisation Register and Australian School Vaccination Register into a new, single piece of legislation to provide for the ongoing management and data capture for both registers.

This Bill will lay the foundations for future work to move towards an integrated system that captures and reports on all vaccines given in Australia from birth to death, providing a single 'front door' for consumers and immunisation providers.

This Bill provides the framework under which Australian immunisation registers are operated and removes obstacles associated with the appropriate collection of personal information. This includes detailing the provisions in which individuals can access personal information, the type of information collected and including offence provisions that detail the offence generated by unauthorised disclosure of personal information.

The Bill provides for the establishment of the Register and the recording of certain personal information about individuals. The Bill also creates an offence for the unauthorised disclosure of personal information contained within the Register.

The amendments contained within this bill will commence in three stages. From 1 January 2016 the new Australian Immunisation Register Act 2015 will commence and it will facilitate the collection of information of 'young individuals' under the age of 20 years to assist the implementation of the Government's No Jab No Pay Budget measure. At the same time, a number of required consequential amendments will be made to other legislation.

Amendments commencing in September 2016 include amendments to the Australian Immunisation Register Act 2015 to reflect the name change and expansion of the ACIR to the Australian Immunisation Register and the Healthcare Identifiers Act 2010. These amendments will accommodate
the Government's approval to list zoster virus (shingles) vaccine (Zostavax) on the National Immunisation Program for persons aged 70 years.

Finally, from 1 January 2017 onwards, the Australian Schools Vaccination Register will capture all adolescent vaccinations given through school programmes from the start of the school year. Provisions of the new Bill will apply equally to the Australian Immunisation Register and the Australian School Vaccination Register and Part 9BA of the National Health Act 1953 will be repealed.

Through this Bill, expansion of the National Immunisation Registers and the way they continue to operate in the future will not only benefit the health of individuals; general practitioners and health care providers will have a consistent way in which immunisation records can be obtained for individuals of all ages, not just the young.

AUSTRALIAN IMMUNISATION REGISTER (CONSEQUENTIAL AND TRANSITIONAL PROVISIONS) BILL 2015

This Bill provides for the Consequential and Transitional Provisions required to support the operation of the Australian Immunisation Register Act 2015.

The proposed Act will have amendments that commence in three stages.

Part IVA of the Health Insurance Act 1973 will be repealed, along with associated offence provisions relating to the Register. These offences will be replaced by an offence in the new Australian Immunisation Register Act 2015. Additionally, minor amendments are proposed which will allow the disclosure of Medicare enrolment data to the Register.

Minor amendments to Part 9BA of the National Health Act 1953 will be initiated to refer to a prescribed body within the meaning of the new Australian Immunisation Register Act 2015.

The Freedom of Information Act 1982 will be amended, to provide for information in the registers to be exempt from disclosure under section 38 of the Freedom of Information Act 1982 in response to a freedom of information request.

Provided under the amendments commencing 1 January 2016 include changes to the Healthcare Identifiers Act 2010 to repeal the definition of the Australian Childhood Immunisation Register (ACIR) which links the register to the Health Insurance Act 1973 and refer instead to the Register operated under the new Australian Immunisation Register Act 2015.

Amendments to the A New Tax System (Family Assistance) Act 1999 to allow the definition of a 'recognised immunisation provider' to be consistent with the meaning of recognised vaccination provider in the new immunisation register Bill is also proposed to occur from 1 January 2016.

Finally, amendment to the Child Support (Registration and Collection) Act 1988, the Human Services (Medicare) Act 1973 and the Human Services (Centrelink) Act 1997 are also proposed to prescribe that the Australian Immunisation Register Act 2015 is a 'designated program Act'.

Amendments commencing later in 2016 include changes to the Australian Immunisation Register Act 2015 to reflect the name change of the ACIR to become the "Australian Immunisation Register (AIR)" and the provision to be able to collect vaccination information for all individuals regardless of age.

A secondary amendment to the Healthcare Identifiers Act 2010 is proposed to repeal the definition of ACIR and allow for use and disclosure of health care identifiers for the purposes of uploading information from the Register onto an individual's Personally Controlled Electronic Health Record.

The final transition arrangement proposed is to commence 1 January 2017. From 1 January 2017 onwards, the provisions of the new Australian Immunisation Register Act 2015 will apply equally to the Australian Immunisation Register and the Australian School Vaccination Register. Following this expansion Part 9BA of the National Health Act 1953 will be repealed.
The schedules listed in the transitional and consequential arrangements in this Bill will only commence if the *Australian Immunisation Registers Bill 2015* obtains Royal Assent.

**Senator NASH:** I move:
That resumption of the debate be made an order of the day for a later hour.
Question agreed to.

**COMMITTEES**

**Joint Select Committee on Trade and Investment Growth**

**Appointment**

Message received from the House of Representatives notifying the Senate of a resolution agreed to by the House varying the resolution of appointment of the Joint Select Committee on Trade and Investment Growth.

**Senator NASH** (New South Wales—Deputy Leader of The Nationals in the Senate and Minister for Rural Health) (16:36): by leave—I move:
That the Senate concurs with the resolution of the House of Representatives relating to the variation of appointment of the Joint Select Committee on Trade and Investment Growth.
Question agreed to.

**BILLS**

**Social Security Legislation Amendment (Debit Card Trial) Bill 2015**

**Second Reading**

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

**Senator MOORE** (Queensland) (16:37): As I was saying in my previous contribution to this debate on the Social Security Legislation Amendment (Debit Card Trial) Bill 2015, this is a really important trial, and to make a trial effective we have to have all the issues considered and examined closely, both by the parliament and by the community which is involved.

Certainly, one of the core aspects is the fact that we are changing social security access by members of the community. As I said, many of these members of the community may not know that these changes are going to occur, so it is very important that that information is shared. But what has become very clear over many years in this place is that there is never a single, brought reaction to any process. In this case it became very clear that the change to the healthy welfare card must be supported by wraparound services that identify the very issues that the community has said they need to struggle against. And those are the impact of alcoholism, drugs and gambling, and the dissolution of effective community.

One of the core aspects of the investigation that we took in the Senate Community Affairs Committee inquiry was what the process was going to be for ensuring that these wraparound services are introduced, well-resourced and also evaluated, to see that not just the card process alone but in fact intensive support for the community can make a difference in lives. That is what the community has asked for. The community of Ceduna—the leadership of the community of Ceduna—told our committee that they wanted a change in their area.

At the time of our community affairs inquiry we had no detail at all. We were just told that there had been discussions, that there would be changes and that there would be processes put
in place. Only very recently—in fact, at the end of last week and earlier this week, at the time when this piece of legislation was being brought to the Senate—the assistant minister responsible in the government has been in communication with Ms Macklin and also, I take it, with other people in this place, about what will be invested in Ceduna to ensure that the community has the most effective trial put in place. A figure has been allocated which has been added to existing services. Earlier, there had been an audit of services in the Ceduna community to see what was then available. Then, through agreement with the federal government and the state government, it was going to be the full wraparound package for the area.

We do appreciate that there has been more detail provided now. We appreciate that this detail has been put forward by the government after discussions with the local community. But I just put on record that for there to be any outcome—any effective response to the issues that have been identified—it is most important to make sure that the kinds of support services which we discussed at our committee are in place. They include things like appropriate alcohol support for people who are struggling with this process and appropriate financial counselling support. When you are living on a low income in any way it is hard enough to cope. But when you have assessable income and the way it is received by you so massively changed by the introduction of an 80-20 split, that is when you certainly need that financial counselling support.

Mr Tudge, in his role as assistant minister, has provided that detail very recently. We think that it gives an opportunity to ensure that the community can work effectively with the three levels of government—local, federal and state—to ensure that Ceduna and the outlying areas have support. As we know, it is not only the township of Ceduna involved; there is also the range of outlying communities which are in the coverage area for the trial.

Another aspect that was talked about consistently was the absolute need for an effective evaluation process. Since we had our committee hearing—and I do apologise, Mr Acting Deputy President: I had been talking earlier with some concern about the lack of information that was available to us when we actually had the one-day hearing to look at this legislation—there has been provided to the committee and also to the shadow minister, more detail about the importance of and the process for putting in place an effective evaluation mechanism.

Again, there is still much which has yet to be finalised. This is another time when this parliament is being asked to support a process without having all the information in front of it. I think that we need to have it to feel certain that the trial process is given every possible chance.

On that point: in some of the interaction that has occurred with the assistant minister talking to the shadow minister, Ms Macklin, and other people, there seems to have been some issues raised that Labor may not be responding to the demands and needs of the people of Ceduna. I want to put clearly on the record that the Labor Party is interested in responding to what the people of Ceduna and the surrounding region have asked for, which is support to look at the social issues which are, in their words, 'destroying their community.' As I have said, we have listened to that.

But this needs to be an effectively designed, resourced and evaluated trial. If not, it will add again to what I believe is the betrayal of the people of that region. They have been given a set of expectations that they will be given the necessary support they need to work together to
ensure they can rebuild their community. And, as we have heard from them, they want their kids to grow up healthy and safe, and want people to feel as though they have that chance for a future. Again, if any process is not done with the most strict understanding of what can work, how it will be evaluated and how the people in the community will be actively involved it will be another failed process. What the people of Ceduna do not need is another failed process.

On that basis, the first step included in the bill is about three communities which would be identified to be part of the trial. There may well be variations in the way in which it operates in different parts of the country—you would expect that. But the most clear aspect of our inquiry was that people want this to work. We do not want to be part of any process that does not give that the best possible chance. So there needs to be considerably more exchange of information. There needs to be a commitment that, should things change in Ceduna during the time of the trial, there will be more support available so that, if things are identified that should be introduced, the governments will make a commitment that they will intercede at that time. This needs to be a flexible, dynamic process. We cannot just say, 'This is how the trial will operate,' and walk away from it.

I know there are different views. I particularly want to acknowledge the submissions provided to our committee by ACOSS and the National Welfare Rights Network, who have great concerns about any of these processes with changing the way the social security system works or impacts on people. Because of technical difficulties on the day, we could not hear their evidence, on top of their very detailed submissions. But they have raised serious issues about how we can most effectively work with the community. Should the trial proceed, we have to get everybody who has interest, concern and expertise involved. In terms of the government process and the range of departments involved—this is not a single department process; this crosses at least three Commonwealth departments and a number of departments in the South Australian government—there needs to be confidence that information will be shared openly, that there is a transparency about this process and that consistently along the way there are checkpoints to see how the progress is occurring and what evaluation is taking place, because it is in everybody's interest to ensure that this community is safe and healthy.

Senator SIEWERT (Western Australia—Australian Greens Whip) (16:46): I rise to make a contribution on the Social Security Legislation Amendment (Debit Card Trial) Bill 2015. It will come as no surprise to anybody that, right up-front, the Greens are opposing this flawed approach to deal with extremely complex, serious issues. This is flawed legislation. It is income management on steroids. We know that income management has not worked. The monitoring and the evaluation processes have clearly showed that. This legislation is being rushed through. The committee was limited in the extent to which we could inquire into this bill because we were forced to meet a very short time line for reporting, to the extent that we could not hear from two of the peak social service organisations in this country: the Australian Council of Social Service and the National Welfare Rights Network. They made very important submissions, bringing up very important issues, and we could not find time to hear from them, because of a technical difficulty on the day. We had to cram them into one session. The phone lines failed so we could not hear from them, and we could not find another time to meet with them. That is appalling, when they are two of the largest organisations in this country that are particularly qualified to talk about this particular issue.
This is a punitive, ideologically driven approach that is not based on evidence. We are in an evidence-free zone here. I will come back to the government's proposed evaluation. A limited amount of information has just been made public, in a letter from Minister Tudge to the ALP. I will come back to the flawed approach that it looks like the government will be undertaking with this so-called trial. This bill is being rushed through. I suspect one of the reasons the government want to rush it through is that, if more communities find out what is going on, they will refuse to take the trial as well. The government hope that, once they get Ceduna up, maybe some other communities will come on board. It is well known around the shops that a number of centres have refused to participate in the trial. I will come back to where we are with East Kimberley later.

I was hoping that, with the change of PM, the new PM would abandon this ideological approach to how we help communities. But no. We have a new PM but the same old policies. The PM, I am sure, must know that this is the 'brainchild' of Andrew Forrest, again based on ideology and not on evidence of what does and does not work. Throughout the committee process, we heard of a number of problems in relation to this bill. These add to the concerns that we already had about income management. The overriding concern here is that these trials are to expand income management. We know that. The minister was the parliamentary secretary, he made comments about the fact that this would provide further evidence around a possible expansion of income management. So any claims by government that this is not income management are simply not true.

The bill amends the social security legislation to split welfare payments into restricted and unrestricted portions. Basically the trial proposes that 80 per cent of payments received by trial participants will be restricted, with the remaining 20 per cent available to cash. Those of you who know the limited size of the payments of Newstart, for example, will know that that is a very small amount of cash that people are going to be able to receive. The restricted portion will be paid into a specified bank account. At this point, we still do not know who the financial provider of the so-called debit card will be. We are voting on this legislation and we do not know who the financial institution that provides the card will be. I have just read the letter that has been made public, and it does not say it in there. They are in the final stages of negotiation.

This card will not be able to be used to purchase alcohol or gambling products or to withdraw cash. The bank and the government will potentially know what types of purchases you make, because there will be a transfer of information between the bank and the financial institutions. Participants in the trial will be determined by legislative instrument, based on a combination of trial areas, the income support payment an individual is receiving and the class of persons, which we understand may be used to distinguish based on age. At this stage we know that the legislation includes trigger payments for youth allowance, Austudy and carer payments. These are payments to people that are caring for their loved ones, caring for relatives, carrying out important tasks. We are income managing carers—people on disability support payment, parenting payment single, widow pension B and wife pension. The age pension does not trigger this; I am aware of that.

We know there are a number of broad problems with income management. This blanket measure will apply to the trial locations regardless of whether a person struggles with some form of substance abuse—whether it be alcohol or another drug—or gambling. It will not be
tailored to meet the differing needs and circumstances of individuals, which we know from all
the evidence are absolutely crucial when we are dealing with such things as substance abuse,
gambling abuse, and people that are living in difficulty and suffer from disadvantage. We
know that individualised approaches are the things that work, not blanket approaches, taking
decision making out of their hands or imposing on their dignity. That is one of the things that
people have said to me in personal communications—in emails or in talking to me. They have
a deep concern about the impact on their dignity that this sort of thing has.

We have strongly opposed income management, I will say right from the start, because we
did our due diligence. We looked at the international evidence that showed that income
management does not work. You know what? Evaluation after evaluation has in fact shown
that to be the case, including the final evaluation of income management. We will continue
to oppose this approach, which in fact is punitive and top-down. We spoke about this when the
Howard government introduced the Northern Territory intervention in 2007, and we spoke
about it in 2010, and we spoke about it in 2011 and 2012, when the Gillard government
continued income management.

We do not oppose voluntary income management per se. There is some evidence to suggest
that in fact voluntary income management can work, and so we do not oppose voluntary
income management. I again point out that Tangentyere Council in Central Australia have
been running what they used to call a form of Centrepay, different to Centrelink or Human
Services Centrepay, where they had about 2,000 people on their books who, at various times,
were in fact doing their own form of money management through Tangentyere Council. That
was voluntary.

In the evidence the committee has received from independent researchers, academics and
commissioned evaluations, we have had a consistent message, and that is that income
management has not been working. A note by the Parliamentary Library said:

The evaluation reports published to date have not provided strong evidence of benefit for those referred
under the 'membership of a class' measures—

that is, people who are forced to undertake income management because they are receiving a
particular type of income support payment. That is exactly how this trial will apply in the
locations it will be rolled out in. In a submission to our inquiry, Eva Cox, adjunct professor at
the University of Technology Sydney, wrote:

… there is no valid evidence that the income management program, in its various form, has improved
the alcohol and related problems in the range of communities in the NT where it has been applied.

One of the most important conclusions from a report commissioned by the government—after
much prompting, I must add—when they were evaluating income management and the
intervention in the Northern Territory was:

• The evaluation could not find any substantive evidence of the program having significant changes
  relative to its key policy objectives, including changing people’s behaviours.

… … …

The evaluation data does not provide evidence of income management having improved the outcomes
that it was intending to have an impact upon.

Through the inquiry process, we have heard from one of the authors of that very extensive
evaluation; we understand that it is in fact one of the most in-depth evaluations that we have
had on income management yet. That expert confirmed that there was no evidence that income management achieved its goals and that the findings are very relevant to the measure that we are currently debating. That is particularly important because the government has consistently been trying to imply that income management is different to what we are going to do in Ceduna, when quite plainly one of the authors of that evaluation said it is highly relevant to the legislation that we are currently talking about.

This is an issue that we have been campaigning against for a number of years now, and the evidence bears out that income management is an expensive process that hurts the people who actually need help the most. I am deeply concerned that what we are seeing here is an ideologically driven approach that is not based on evidence and that, unfortunately, the other two major parties in this country are supporting income management and this approach without evidence that it works. When this first came in the noughties, maybe they could say there was not any evidence from Australia to show that it would not work, but we do have evidence now. We clearly have evidence now that this does not work.

Let me go to the consultation process for a short time. Mr President, do you want me to keep going and stop at five, or would you like me to finish my speech?

The PRESIDENT: Senator Siewert, if you want to continue through to past 5 pm and conclude when you want to conclude, that would be fine.

Senator SIEWERT: Okay. I just thought I had better check to see how you wanted to handle it, Mr President.

The PRESIDENT: You are entitled to continue your remarks until the expiration of another eight minutes and 11 seconds.

Senator SIEWERT: One of the arguments that the government has been making is that this is different because they have actually gone out and done consultation. I will say that in the past governments from both sides, when they were talking about income management, have said they had carried out consultation too, and in fact that plainly was not sufficient. I would suggest that, while there has been some consultation and meetings undertaken by the government, there clearly was inadequate consultation undertaken in Ceduna.

There is a petition that should have been tabled today—if not, it is being tabled tomorrow. Over 200 people have signed the petition, which is around 10 per cent of the population of Ceduna. They have said, 'We don't like this.' We know there is a climate of pressure on a number of people in Ceduna about this particular trial, but individuals who are on Newstart, carers payment or DSP have not been consulted. As far as we can tell, from the limited time we have had available during the Senate inquiry, what happened is that while some of the office bearers in Ceduna have said, 'Yes, we like this idea,' they have not consulted their actual constituents. People who are actually on income support have not been consulted. For some, the first time they found out about this was when they saw it in the media. There was no town meeting. In fact, the only meetings that have been held in the broader population in Ceduna are by the people who hold concerns about this particular measure. So the government cannot claim that they have had an extensive consultation period.

I notice that the opposition tailored their comments largely to Ceduna. This government, though, is planning to roll this out in East Kimberley. Just last week we had the Halls Creek Shire and the Aboriginal advisory committee to the local shire reject the healthy welfare card.
So the government cannot claim that they have overwhelming support from either the broader community in Australia or, particularly in East Kimberley, from a large number of Aboriginal people who are rejecting this particular measure. So much for the consultation process. It is very clear that there has not been a lot of consultation with many members of the community who will be subjected to this particular measure.

There are many people in Ceduna who have been emailing me, who have presented evidence to the committee, who gave very eloquent evidence about what impact this particular measure will have on their lives. Unfortunately, I am going to run out of time but there are a lot of issues about the implementation of this particular measure. Senator Moore outlined some of those issues that came up during the committee process and some of those measures are addressed again in the letter from the minister, but there are still significant issues. What are the minimum purchase prices that you will be able to use when you are using your ETPOS card? What happens when you lose your card? I know from personal experience that when you are in regional and remote areas you cannot get a card replaced very quickly.

"Government senators interjecting—"

Senator SIEWERT: Mr President, I have limited time as it is, without having to compete with interjections.

The PRESIDENT: You have the call, Senator Siewert. On my right.

Senator SIEWERT: I know from personal experience that it is very difficult. You cannot get your card replaced straightaway, so you have to go into a bank to get cash. If you are only allowed 20 per cent, that is not going to be much cash to get you through until your card is replaced. The government could not answer a question that we asked on notice about bank fees, and now they have come back in a letter to Ms Macklin to say that there are not going to be transaction fees. Who is going to pay for those transaction fees? The financial institution? Is that going to add further to the cost? People have talked about needing cash to participate in a cash economy, particularly when they have a limited amount of funds. People on income support are not poor money managers. My experience is that those living on income support are some of the best money managers you can find because they are living below the poverty line, or very close to the poverty line. They have to take care of every dollar that they have available. They participate in the second-hand goods market. What happens when they go to a restaurant? Now the government is saying that places that sell alcohol, or a gambling establishment, will still be able to use the card. Those products will just be banned. What happens when they sit down and have a meal? The government is saying that people on income management cannot have a meal with a glass of wine.

Senator Scullion: They use their 20 per cent cash.

Senator SIEWERT: I just heard that interjection saying that they can use their cash. What happens when they have to use their cash to give their kid money for the school bus, for a school lunch, for second-hand goods, for a taxi? They can use cash for that, but what you are saying is that they cannot go in and then pay for that separately. What do they do when they are in a restaurant? It is supposed to be, 'There's no discrimination here. We're going to maintain people's dignity.' They are going to have to use a separate card for paying for their meal and then get cash out to pay for alcohol. They might as well wear a sign saying, 'I am on
income support' when they go into those places. What happens when they are running short of cash and they cannot get any more? In some cases we are talking about $50, folks.

It comes to the point where people talk about their loss of dignity. People who are living on income support are so careful to protect their dignity and to have control over their own lives. We know from the evidence that what helps people find employment, to access education and training and to start to overcome some of the causes of disadvantage or some of their abuse issues is being able to have a form of control over their lives. That is what people have been talking to me and emailing me about. It is the fear of the loss their decision making capacity and the loss of their dignity. Whether they have a substance abuse issue or whether they have a gambling problem, there will be a large number of people who will be subject to this measure and they are going on it because the government has ideologically decided that this is a way that they think that they will make a difference when it does not work. People who are struggling to make ends meet now face a feeling of loss of control over decision making and a loss of their dignity.

There are many case examples that were provided to us during the Senate inquiry, such as people needing extra cash to be able to travel, to contribute to buying a birthday present, a christening gift or a gift for a first grandchild, and not being able to do it. That is what we mean when we are talking about people's loss of dignity and loss of control over decision making. We know those are key things when you are dealing with people's substance abuse, when you are dealing with people who are trying to get their lives together if they have a chaotic life or if they have got some issues. This is why income management does not work. This is why this approach will not work. Yet again, we are going to be spending and wasting more money on this.

Debate interrupted.

FIRST SPEECH

The PRESIDENT (17:06): Order! Before I call Senator Simms to make his first speech, I remind senators of the usual conventions and courtesies in relation to first speeches. I have great pleasure in calling Senator Simms.

Senator SIMMS (South Australia) (17:06): Thank you, Mr President. I start by acknowledging the traditional owners of this land, the Ngunawal people. I acknowledge their elders past and present. This is, and it will always be, Aboriginal land.

Mr President, it is an honour to stand here today as the third member of the South Australian Greens to represent my party in the national parliament and as the 99th person to represent South Australia in the Senate. I want to pay tribute to my predecessor here in this place, Penny Wright. As a founding member of the Greens in South Australia, Penny has made an enormous contribution to our movement and was a strong voice for my state in this parliament. Penny stood with local communities in Kangaroo Island to protect their environment and economy from oil and gas exploration. She worked with residents in Mount Gambier in their fight against coal seam gas on their farmland. She advocated for the building of Australia's first solar thermal plant in Port Augusta. Penny was also a fierce and passionate advocate for increased investment in and focus on mental health, particularly in the regions. Penny has been a driving force behind the growth of the Greens in South Australia and a friend and a mentor to me and so many other people within my party. So thank you, Penny,
for all that you have done. I know that you will be missed from the parliament but that you will continue to make a positive contribution to green politics.

I also want to thank the members of the South Australian Greens for placing their trust in me and giving me this remarkable opportunity to represent our shared values in this parliament. I joined the Greens in 2007 and, eight years on, I continue to be inspired by the passion and integrity of the people of green politics. I know I will continue to draw inspiration from that here in this place.

The Greens are more than just a political party; we are a people powered movement that works together to bring about positive social change. The history of social change in our nation and across our planet tells us that, when good people work together with passion and purpose, we can change the world. Workers who founded our union movement and fought for fair pay; environmentalists who fought to save the Franklin River from destruction; women who fought for the right to vote; gay and lesbian activists who fought for gay law reform—history tells us that, by working together collectively, communities can achieve positive change. It is this belief in the power of politics to change lives for the better and to make the world a better place that has always inspired me as an activist, and it will continue to inspire me as a Greens senator.

I would not be in this place today without the love and support of my family, and it is great to have them in the gallery today. I want in particular to thank my parents, Marion and Brian, for supporting me throughout this political journey and for supporting me in all things in life. I know that their values will be a good basis for the work that I do here in this parliament. I also want to thank my brother, Michael, and my half-sister, Rachel, for always supporting me on my political journey. I have always appreciated their advice and encouragement. It is wonderful to have you all here today.

My family has been one that has always enjoyed talking about current affairs. I remember my dad, Brian, remarking that it was not always polite to talk about politics or religion—or at least lamenting that this is often said—and yet these are two of the most interesting things to talk about. Indeed, I do remember a lot of interesting discussions about these things at the family dinner table, growing up. In particular, I remember some debates with my late grandmother, Majorie, who used to visit us from the UK each year. I think it is fair to say that my grandmother's political philosophy was probably a little bit different to my own, but I know that, if she were here today, she would be very proud—probably enjoying a gin and tonic as well!

As well as encouraging my interest in current affairs, my mum and dad always instilled in my brother and me a sense of community and civic responsibility. We had the benefit of a big extended family, with four sets of aunts and uncles and lots of cousins. As children, we spent considerable time in Broken Hill, where my mum is from, but we also kept in contact with our family in Yorkshire, in the UK, where my parents were married and where I was born before the family moved back to Australia in 1987. In many ways, Yorkshire and Broken Hill are very different, and so, as a child, I did have the opportunity to learn a bit about the world.

I am a proud product of public education. I went to Flagstaff Hill primary school and later Aberfoyle Park High School, at that time the biggest public school in my state. I was involved in the SRC and the debating club. Some might even say I was a bit of a nerd, but I had a very
happy childhood. At times, however, as a young man growing up, I did often feel as though I
did not quite fit in. I was not always sure of my own place in the world, and I did not have the
easiest time at school.

I stand here today as an out and proud gay man, but it certainly was not always so. I
remember I was about 12 when I realised I was gay. I was in my final year at primary school.
It was a secret that I carried for a long time. Indeed, I did not tell anyone until I was in my
early 20s. I had no conception of what a gay life might look like, and I was scared for the
future. I have to say that standing in the federal Senate talking about coming out was not
something I had really envisaged for my future as a closeted teenager in suburban Adelaide!
These days, however, I am very comfortable in my own skin, but I think it is important to talk
about these things because it is not an easy thing for a lot of young people today.

I do hope that, through my work here, I can make things a little bit easier for people in the
future. I have always had the support of my family and my friends on my journey with
sexuality, but I know that, unfortunately, not everybody is that fortunate. For, despite all that
we have achieved on this long road for equality, there is still much more to be done. I know
that young people are still bullied at school for being same-sex attracted or transgender, and I
know that homophobia and transphobia are still dangerous forces within Australian society.
But I want to say to any young person who might be struggling with their own journey with
sexuality or gender identity that things really do get better. Our nation is changing. Our world
is changing, and you have a bright future ahead of you. Be brave, be strong, and be proud of
who you are.

It is my experiences with sexuality that underpin my support for marriage equality. I know
that, when I was a young person, that reform would have made a big difference to me. It
actually would have changed things quite a lot—a positive symbol that, no matter who you
are or who you love, all are equal before the law. The time has well and truly come for our
nation to turn its back on the homophobia and discrimination of the past. This parliament
must get this job done. We must get it done.

It is interesting that the thing about me that I would have done anything to change is now
one of the things I cherish the most. Being gay has given me the capacity to look at the world
in different ways, to imagine how things should be beyond the rules of the world I grew up in.
For me, the personal is political and my experience strengthened my resolve to fight
discrimination and to stand up for outsiders. That is fundamental to my political philosophy
and I am proud to be a member of a political party that has always fought to create a fairer
and more equal society for all. The fight against homophobia and transphobia is of course part
of a much bigger struggle for justice in our world. It is part of a struggle against a fear and
hatred of difference. We see that ugly hatred and fear in racism in this country as well. It
should be named and it should be challenged head-on.

It is this fear and hatred of others that has been fundamental to Australia's treatment of
asylum seekers and it was this issue that led to my political awakening as a young person. I
was at high school at the time and I remember I was horrified by the images of children
sewing their lips together, of boats being turned away. I was appalled that our nation was
turning our backs on the world's most vulnerable people, people who were coming to us
seeking our help and protection. It is a sad indictment that, more than a decade on, the brazen
cruelty of mandatory detention continues. What kind of nation lets innocent children languish
in island prisons? What kind of country does that? I believed then, as I still believe now, that this policy has no place in a civilised society; it demeans us all.

I am proud to stand here today as a representative of the Australian Greens, a political party that has always had the moral courage to stand up for these people. I never lose hope that love and compassion will one day triumph over hatred and fear and that our nation will soon find its conscience. Martin Luther King once said:

Darkness cannot drive out darkness, only light can do that. Hate cannot drive out hate, only love can do that.
I believe with love and compassion we can change our world. Whether we are black or white, gay or straight, Aboriginal or non-Aboriginal, whether we are born here, or whether you arrive by plane or by boat, it is love that is the foundation of the human experience. It is love that unites us all. And it is love that has been severely lacking in our nation's approach to this issue. Let Australia be a country that celebrates generosity rather than just prosperity. For if we do that, we will really be the richest country on earth.

I started to take political action when I started my law-arts degree at Flinders University. I remember being approached by a member of the Flinders University Education Collective about the Howard government's plans at that time to increase HECS by 30 per cent. I knew that that was not fair. I decided not to get mad but to get elected, so I got elected to my students' association. I ended up being elected state education officer for the National Union of Students and later education officer of my student association before becoming Flinders' student president. These were challenging times for the student movement. We fought not only the Howard government's fees agenda but we also fought against their plan to destroy student services and representation through voluntary student unionism. Indeed, I remember watching on in dismay as this Senate passed VSU into law. It is clear that a decade on, try as they might, governments will never silence students fighting for fairness and equity in education.

Universities are vital to our nation's future, not only because they are fundamental to the growth of our economy—although we know that to be the case—but because they are a public good. Universities are not just degree factories; they provide pathways for citizens to realise their dreams and to reach their potential. They provide avenues for the exchanging of ideas, for the building of knowledge, for reflecting on our world and for finding solutions. The Greens have a strong record when it comes to fighting for these important principles and for standing shoulder-to-shoulder with the student movement.

I join the parliament as a member of the so-called 'generation debt', a generation that may never be able to afford to buy our own home, squeezed by mammoth HECS debts and sky-rocking property prices. Indeed, I have lived in share housing ever since I moved out of home and, like many people my age, I am used to living pay-to-pay and have done so for many years. Obviously, my circumstances have changed a little bit in recent weeks but there is something very wrong in our country if you have to be on a senator's salary before you can consider home ownership. We do need to take a serious look at negative gearing. Is it fair that those who already have a foothold in the property market are able to slam the door on those trying to find a way in? It is not fair and it needs to be changed.

Being shut out of home ownership is just one of many issues affecting young people today. Long-term work is hard to find, we have got increased casualisation and short-term contracts,
and we know that this impacts disproportionately on young people. We need to look at how we can encourage businesses to employ young people because we know that when you get that first job, when you get that first foot in the door that other opportunities will follow. And of course we should never expect young people to surrender their rights at work or to give up their penalty rates in order to secure employment.

Government needs to provide support to young people looking for work, not harm them with punitive policy. It is a sad irony that, in many ways, young people are so often the victims of decisions made in this place yet are so often shut out of the political process. I started my working life in the community sector as a policy advocate for the Youth Affairs Council of South Australia and I do want to be a strong voice for young people here in this place.

My home state of South Australia is a leader in social reform in this country. South Australia was the first place in Australia before Federation to grant universal suffrage to women and the first place in the world to give women the right to stand for parliament. In 1966 South Australia became the first state in the nation to prohibit racial discrimination with the passage of the Prohibition of Discrimination Act. Forty years ago this year, South Australia became the first state in our country to decriminalise homosexuality. It is an honour to stand here today as a gay man representing my state in the federal parliament. I want to acknowledge the courage of all those who fought so hard for that reform, who risked imprisonment simply for being who they are. It is their struggle that has made the future brighter for people like me, and I say thank you for that.

These are just some examples of South Australia leading the way. For it is our state that has always been a leader in positive social change and innovation in Australia. It is that spirit that we must harness as we confront the challenges that lie ahead. As an incoming South Australian senator, I know my state faces some big challenges, but with these challenges comes enormous opportunity. As our economy transitions away from coal and carbon, we can create new green jobs for the future. We should harness the skills of our manufacturing industry, to create new jobs in green innovation, supporting the production of technology like electric cars, light rail and cutting edge renewables. In places like Port Augusta there is the potential to create new jobs in energy production through a solar thermal power plant. South Australia can lead the world with green technology.

South Australia has a reputation for quality food and produce and can also lead the way with sustainable agriculture. For far too long, the lifeblood of my home state, the River Murray, has been a political plaything. We need a plan that ensures that it is governed by the science, not the politics. There are many industries within my home state that are showing the way with sustainable water use, and I know we can make big progress on that in the years ahead.

South Australia is the hub of creativity in our country. The Adelaide Fringe Festival one of the biggest open-access arts festivals in the world. Indeed, alone, Adelaide hosts more than 10 major festivals a year. These create huge opportunities for tourism for my state. We need to be doing more to support the arts community, not just in South Australia but right across our country. For despite the huge benefits it brings for tourism and hospitality, valuing the arts is about more than that. The arts are not simply about entertainment; the arts hold a mirror up to society. The arts enrich the collective soul of our nation. Sometimes we laugh, sometimes we
cry, but we are forever enriched by the experience. It really is time that government investment reflected that value.

As a South Australian senator, my mission will be to ensure that we make the most of these opportunities. I know there is an exciting future ahead, and that South Australia can strengthen its status as a world leader in sustainability and creativity. The sky is the limit for my state.

Right across our country it is clear that we need a different style of politics. The failure of today's politics to address the social, economic and moral challenges of our time is failing our country and our planet. If we do not change course, we will leave a bitter legacy for future generations who follow. It is often said that politics is the art of the possible, but I respectfully disagree; I think politics is about making what once seemed impossible, possible. It is about achieving the unimaginable. It is about challenging the status quo. It is about taking on the established order. It is about moving beyond the reality and inspiring with the dream. And to do that, we need to be willing to swim against the tide.

Imagine what we can achieve as Australians if our politics appeals to the best in us, rather than the worst; if politicians talk the language of love and compassion rather than the language of hatred and fear; if we build an economy that guarantees that no one is left behind, rather than an economy that guarantees only some get ahead; if we deal with the challenge of climate change today, rather than leaving it for the children of tomorrow.

The Australian Greens are a force for hope in our politics, and I am honoured to be able to play my part in promoting our positive vision here in this place.

I want to conclude by thanking all those who, like my family, have supported me on my road to the Senate: my many friends from my time working in the Greens; from my time at university and from school. There are too many here today to mention you all by name, but I do thank you for encouraging me and supporting me in this journey.

I also come here as someone who has had the opportunity to work for three senators: Natasha Stott Despoja, Scott Ludlam and Sarah Hanson-Young. I want to thank them for all the advice and guidance they have given me over the years. Senators Ludlam and Hanson-Young, I look forward to working with you in my new role. I also want to thank all my Greens colleagues for welcoming me into the Senate, and in particular Senator Di Natale's office for all of their support over the last few weeks. Finally, I want thank my staff, who have worked very hard to get the new office up and running. It has been a very busy time, and I thank them for their hard work and dedication.

Mr President, it really is an honour to be here, and I will be working very hard to justify the faith so many have placed in me. Thank you.

**BILLS**

**Social Security Legislation Amendment (Debit Card Trial) Bill 2015**

**Second Reading**

Debate resumed on the motion:

That this bill be now read a second time.

**Senator SESELJA** (Australian Capital Territory) (17:30): I am pleased to be supporting the Social Security Legislation Amendment (Debit Card Trial) Bill 2015. This bill is
absolutely critical to finding ways to deal with social harm, particularly violence against women and children, caused by welfare-enabled alcohol and drug abuse. This bill will allow for the introduction of a cashless debit card trial for up to three different communities. These communities will be selected for the trial on the basis of high-welfare dependence and high-social-harm indicators and also openness from community leaders to participate in the trial. The trial will run for 12 months, be limited to 10,000 participants and be subject to independent evaluation. This card is an important recommendation from the Forrest review report, *Creating Parity*, as a way of dealing with significant harm occurring in heavily welfare-dependent communities.

I would like to respond to some of the things Senator Siewert had to say on consultation. I found them a little bit ironic. I met with the Yalata community and the Ceduna Aboriginal Corporation, whose leaders came to Canberra in the last couple of days to talk to senators about this legislation, and I am told that Senator Siewert refused to meet with them.

*Senator Siewert interjecting—*

**Senator SESELJA:** You talk about consultation, but then you refused to hear from the very community leaders who are going to be affected by this trial, who are affected by the problems right now and who are best placed, in my opinion, along with other community leaders and other community members, to have a view on why this is necessary.

Mr Andrew Forrest, whose *Creating Parity* report recommended this reform, gave evidence to the community affairs committee inquiry a few weeks ago on 11 September and set out the tragic and troubling context for this reform. We should pay tribute to Mr Forrest. He is clearly committed to getting better outcomes for Indigenous Australians. I do not think we should question that at all. I think there is a genuineness to him, and certainly that is the way he presented as a witness. If we look at his record, he has done some great things. We should commend significant Australians like Mr Forrest who are looking to put something back. Mr Forrest told our committee:

Unfortunately, over the 40- or 50-year period that I can remember, I have seen the degradation of communities at the hands of alcohol and drugs. As many would know, in those communities there is a very high rate of attendance at funerals of friends and people who, like me, were bright-eyed, confident, happy and looking forward to living a full and secure life in Australia as youth. I feel that has been denied to so many of our vulnerable Australians, both Indigenous and non-Indigenous, through disproportionate access to alcohol and drugs in vulnerable communities. These are the great destroyers of community, of lives.

Ceduna in South Australia will be the first site where this trial will take place. Ceduna and its surrounding region has a population of 4,425. It is a town on the midcoast of South Australia around 800 kilometres west of Adelaide. In 2013-14 there were over 500 presentations to the emergency department due to alcohol or drug abuse—more than one a day. The Ceduna Sobering Up Centre had 4,667 admissions in that same year. Hospitalisations in the region due to assault are 68 times the national average.

The Ceduna community leadership, who also made a submission to the community affairs committee and appeared at the public hearing, have called for this reform and see it as a crucial way of addressing the wide-ranging drug, alcohol and gambling problems in their community. When the government announced they would like to bring the trial to Ceduna, these leaders said:
We want to build a future for our younger generation to aspire to and believe we cannot do this if our families are caught up in the destructive cycle of alcohol or drugs that destroys our culture, our lands and our communities.

At the heart of this reform is a change that is being shaped specifically to meet our local needs. It has been a true collaboration to ensure that we can give our mob and our Communities every chance to create real and genuine change in their lives.

We have grasped this initiative; we have helped shape this initiative; and we are confident that this initiative is for the betterment of all people within our region.

These are very powerful words coming from these community leaders. They are saying that they want to empower their community and deal with the scourge of drug and alcohol abuse in their communities. We as a government want to work with those communities who are willing to take these steps. We want to work with them and trial these technologies to see if we can make a genuine difference to some of these horrifying statistics. That is what this reform is about. It is about improving the lives of people in the regions. It is about protecting people from harm and giving people who have been caught in a cycle of welfare dependency, addiction and abuse some hope that there is a better way and a better future. Ceduna community leaders told the committee during the public hearing:

We understand the introduction of this trial is not the silver bullet to solve all of our issues, but we strongly believe that it provides part of an overall plan aimed at reducing easy access to alcohol, drugs and gambling addiction. As community leaders, we are very much aware of the social consequences of sitting back and not doing anything. We are at the forefront of alcohol and drug related violence. Families are going without food and children are not attending school, and there are other social issues which impact on the general health and social wellbeing of our people.

In the past, measures to reduce alcohol fuelled violence and chronic alcohol misuse—contributing to the premature deaths of our people—have been tried and tested and have failed. It is our belief that as a first trial site, amongst a possible three across Australia, we now have an opportunity to make positive change in the lives of our people.

Again, these are powerful words coming from those on the ground. The government is listening to those communities and working with them to get better outcomes.

Let's go to some facts about the card. This card will look, feel and act like the normal debit card product that we all use every day and will be connected to the Visa, MasterCard or EFTPOS platform. Participants in the trial would receive this cashless debit card for the cashless part of their welfare payment, and their existing bank account will receive the cash component of their payment. Government consultation with community leaders has determined that 80 per cent is the sensible cashless figure.

Under the trial, if you are on Newstart, single with three children and live in your own home, you have over $145 cash per week, with the remainder of the payment on your card. If you are on parenting payment, single with four children and living in a private rental, you will receive over $220 cash per week, with the remainder of the payment on the card. If you are on disability support pension, partnered and with no children, you will receive over $85 per week, with the remainder of your payment on the card. If you are single and on Newstart, you will receive $60 per week cash, with the remainder of your payment on the card.

This card will work like any ordinary debit card from any ordinary bank except for those store categories which have been switched off. These stores would include liquor stores and gambling outlets. Participants will also not be able to withdraw cash using this card; however,
the 20 per cent that goes into their usual bank account can be withdrawn and used without restrictions. Participants will be able to benefit from banking technologies, including online budgeting options. Participants may also be able to manage their welfare payments and develop their budgeting skills through setting daily spend limits, maximum transaction values and maximum numbers of transactions per day should they wish to.

The card will include push text technology for recipients and their mobile phones. This will help people develop their financial literacy and financial management. People will receive these notifications when their Centrelink payment has arrived in their account, to show them the remaining balance after a purchase over $10 and when their balance is running low.

It was made clear that many in the communities affected by this proposal were generally in favour of it and those against it were often external to the community. For example, Professor Eva Cox gave evidence at the hearing to oppose this measure. I asked Professor Cox if she had actually spoken to people in Ceduna about the trial. Her answer was, 'No, I have not.' The committee also heard from Mr Rob Bray of the ANU, who, when asked if he had spoken to people in Ceduna, replied, 'No, I've not spoken to any of the community of Ceduna.' Professor Ilan Katz of UNSW also opposed this measure; but, again, when asked about his involvement with the people of Ceduna, he said, 'I've not spoken to them either.'

Many of those opposed to this measure went on to mount a straw man argument about income management with regard to this bill. This issue came up during the committee hearings, and it needs to be made clear that this is a false comparison. This trial is not income management. It was emphasised a number of times during the committee hearings that this debit card is not to be confused with the BasicsCard or any other type of income management. Professor Marcia Langton, who has worked in some of the affected communities, made it clear that this measure is not income management. She told the committee:

It is quite a different model. Income management works in a kind of reverse way. What is being proposed here will work substantially differently and it is important to trial this in order to see if this kind of approach will work better. Under this scheme, there will be something like the Families Responsibilities Commission—that is, a committee of responsible members of the community, including elders, who subscribe to good social norms, who hear cases to remove the high levels of the cashless component of the income to enable people to access the cash, depending on, critically, whether or not they are sending their children to school every day.

Mr Michael Haynes, the CEO of Ceduna Aboriginal Corporation and one of the community leaders actually from Ceduna, also told the committee:

… this is not about income management. This is a cashless debit visa card. We see it as totally different …

Mr Gregory Franks, the CEO of Yalata Community Inc, expanded on Mr Haynes's comments to the committee by saying:

The difference between this card is that it has a 70/30 minimum split, a standard split of 80/20 and potentially 90/10, so it has the variable. It has very strong Aboriginal leadership commitment to it. It has very strong community support. It is a standard visa-type card that you can use anywhere in the country. It is a catch-all for everybody, black or white—anybody who is receiving benefits. But the big aspect of whether this will work or not will be around the fact that the trial will have a range of support packages provided with it, things like financial counselling, alcohol and other drugs counselling, and grief and loss counselling, as well as support for employment programs, support for economic development activity and support for diversionary activity. That is where this card will succeed or fail.
It is not the mechanics of the card or the card itself. I know that I, and probably you, do not use more than 20 per cent of my own cash when I do most of my transactions. It is a normalising behaviour and it facilitates that normalising behaviour. It has very strong community support and very strong Aboriginal leadership support, but it is the support packages that we are still negotiating that will determine whether the card does or does not work.

Some critics of the trial also talked about it being a paternalistic measure or limiting people’s human rights. When asked about this during the hearing, Professor Langton said:

I do not believe that it is paternalistic at all. Aboriginal leaders in these communities want this measure, and they want this measure because you have to see alcohol abuse to the extent that it occurs in these communities at firsthand to understand their concerns. What has happened over the last 50 years is that Aboriginal people have become normalised to welfare dependency. The proposition that a capable adult could go and get a job is simply regarded as impossible by many Aboriginal people because they have a mindset that their permanent destination is social security dependence.

... ... ...

This is not a paternalistic measure; this is a protective measure that leaders have examined closely and want for their communities because children are unsafe, women are unsafe and, more and more, people are being dragged into the drinking culture and increasing the proportion of drinkers in the community.

Professor Langton went on to say:

In relation to human rights, this is not a human rights abuse. The proposition is not race based. Both of these towns are open towns that have multicultural populations, including Australian settler folk, various kinds of Australians from elsewhere in the world, and very large Aboriginal populations—and much larger Aboriginal populations in the Hinterland of these towns.

Mr Forrest also addressed this issue, saying:

... this card is not remotely paternalistic. Anything which gives thinking adults caring for community—experienced adults—an ability to further help their community is not paternalistic. To deny those Australians that basic right without a trial, to deny them access to a better technology which has transformed our own lives in this inquiry ... is very paternalistic.

I also note that the committee looked at the value of this trial in helping teach those on welfare important habits such as budgeting and saving. Mrs Michele Pucci of the east Kimberley region told the committee:

I think there is a general feeling and acceptance in the East Kimberley that there needs to be something done around addressing some of the antisocial behaviour. There is a belief that the card will in some way limit that as it limits people’s access to alcohol and drugs.

... ... ...

I also believe there is an opportunity. People may be able, through this card, to better manage their spending, and I think that there are some services that then will be able to get in behind those families.

This is an absolutely critical bill. It will help address the significant harm being done in small, welfare-dependent communities where alcohol, drug addiction, abuse and gambling are rife. This is not income management. This is a card that will operate like any card that everyday Australians have. The only difference is that it will have stores that are switched off, such as liquor stores and betting agencies. In addition, people will have access to 20 per cent of their income in cash, which they can use on absolutely any product they choose to spend their money on.
This is about empowering communities. This is about addressing the scourges of alcohol abuse, drug abuse and gambling addiction, and some of the terrible, negative effects that we see in some communities as a result of those scourges. I would urge all senators to get behind this. It is a trial, it is an important trial and it is a trial which has overwhelming support in the community. I think that we in this place should always be looking at ways in which we can improve the lives of Australians. But importantly, as we do that, we should be looking at ways in which we can work with local communities, in consultation with local communities, to deliver local solutions which will make the lives of ordinary children, men and women in these communities much better as a result. I commend this bill to the Senate.

Senator LUDWIG (Queensland) (17:46): I rise to speak on the Social Security Legislation Amendment (Debit Card Trial) Bill 2015. This bill will amend the Social Security Administration Act 1999 to enable a trial phase of new, cashless welfare arrangements. Under the trial, welfare recipients will have a proportion of their payments credited to an account that they can only access using a restricted debit card. The trial, as outlined, will extend across three locations, involving up to 10,000 people.

These changes come as a result of the Forrest review that was conducted a short while ago, which found that the current income management system was economically unsustainable and unsuitable for broader application. When income management was first implemented by the Howard government, the scheme that was put in place—that is, the first scheme—suffered from the same thing: it was economically sustainable and unsuitable for broad application. It was a detailed methodology used by the then Howard government to income-manage individuals during the Northern Territory intervention. It was clunky in the extreme; it required significant numbers of personnel to operate the system and work with the communities to ensure that it at least worked in the way that it was designed; and it left no room for growth in the system.

Ultimately that was replaced by the BasicsCard, which is well known now across the Northern Territory and in other locations. The BasicsCard served the purpose of overcoming the limitations that were inherent in the system that was implemented by the Howard government in the Northern Territory intervention. In line with technology updates, we now have a new scheme, a debit card trial, that will hopefully prove more economical, sustainable and suitable for broader application, as outlined by those opposite in their second reading debate contributions.

There are, on this side, some concerns about how it will operate, and they have existed throughout the history of income management more broadly. The previous speaker tried to indicate that it is not income management. If it is not income management, it is a form of welfare assistance that could be more broadly or generically described as managing incomes rather than dealing with problems in a more nuanced way.

The trial locations will be selected based on where there are high levels of welfare dependence and where gambling, alcohol abuse or drug abuse are causing unacceptable levels of harm within the community. I think that alone describes the issue—that you intend to income-manage those communities to avoid those levels of difficulty. Of course, a high level of community support is always a key factor in determining trial locations. The card itself will not allow cash withdrawals for purchases of alcohol or for gambling services.
Subject to the passage of the bill, the first trial will commence next year, as I understand it, in Ceduna, South Australia, and surrounding areas. On 4 August, community leaders in the Ceduna area signed a memorandum of understanding with the government, to trial the card in Ceduna. As I said, obviously you need a high level of community support for such a trial to proceed. You need to give an explanation of how it will work. You need a broad level of government support in that initial trial to ensure that it is successful. I have doubts as to whether the government will provide that complete level of support that is needed, but I will wait to see the final outcomes of that trial before being so bold as to criticise the government at this juncture. The arrangements will apply to all people on working-age payments, including Newstart, disability support and carer pension recipients who reside in the trial locations. Age pension recipients and wage earners may also voluntarily nominate to have the debit card. It is also understood that the government is in further discussions with two other communities across Australia that may wish to take part in the trial.

In doing that based on location, the government should proceed carefully and ensure that it is appropriate to offer the debit card to all those within that trial location who fit the description, because it appears there is no opt-out provision. The government must ensure that those persons do require or should have the card, and that there are no objections—because objections are always very difficult to deal with, post a rollout.

Initially, 80 per cent of participants' income support payments and 100 per cent of lump sum payments will be restricted. However, the minister or a community body may vary the percentage of a person's payment that is restricted. In doing that one would hope that procedural fairness is provided for and that a reasonable process to ensure fairness is provided to a person who may find that the percentage has changed—increased or decreased as the case may be. Participants will receive a cashless debit card that will work as similarly as possible to any other bank card. I commend that. I think it is a good process to move to a debit card that is indistinguishable from any other payment system that is used, and that it is used in a way that ensures that the user of the card is not identified by the card itself. The trial will seek to ensure that the card works at all terminals and retailers, except those that exclusively sell restricted products. There will be no requirement to direct funds to priority goods and life's essentials. It is essential to ensure that issues are managed, so that where the debit card does not function participants understand why it is not functioning, or that where there has been an error at an ordinary location the sales assistants also understand what to do. A certain level of support needs to be provided to ensure the trial does have a fair opportunity to be successful.

It is clear that action is needed to tackle alcohol abuse and excessive gambling and the harm they cause in some communities. That has been obvious for some time. Labor believes that targeted income quarantining can be a useful tool in supporting vulnerable people; however, in saying that, such an approach requires a range of responses and support services delivered in close consultation with communities. The government does need to be mindful that in implementing this new technology—although it may be old in some respects the EFTPOS system is ubiquitous; it has been around for some time—and using it to tackle the issues of alcohol abuse and excessive gambling it must draw heavily on the past experiences of the Department of Human Services and the original intervention by I think it was then minister Mal Brough with the Northern Territory intervention to ensure that there is sufficient support for persons who have the trial card.
In saying that, a card itself will not solve the issues. It is the support and the case management of individuals that will go a long way to breaking the cycle of alcohol abuse and excessive gambling. Labor did push for a Senate inquiry on the bill to allow the impacts of the trial to be thoroughly explored and give affected communities the opportunity to make submissions. Labor does believe that welfare quarantining should only apply to vulnerable people who meet certain criteria rather than to all people within a particular location. We must ensure that the measures proposed in this bill are not discriminatory and that they meet community expectations. I remain less convinced that the government has taken this issue to heart to ensure that it does act in a nondiscriminatory way and does meet community expectations. But the trial, if the government fails in this area, will highlight that more broadly.

I know the government does not think this is the same as income management, but I think it is apposite to say that under the existing income management scheme a proportion of a recipient's income support payment is set aside to pay for necessities such as food, clothing, housing and utilities. Recipients can spend their income managed funds using a PIN-protected debit card, which is still known as the BasicsCard, or by arranging for Centrelink to make payments on their behalf. The major issue that exists with the BasicsCard is, as I think I outlined earlier, that a merchant must apply to the Department of Human Services to accept payment and it is the merchant's responsibility to block purchases of excluded goods such as alcohol. In saying that, the BasicsCard did well in moving away from what was an overly regulated, burdensome and cumbersome process, and of course the new restricted debit card system will address several problems identified with the existing BasicsCard. It will also not have the costs associated with administering the BasicsCard, which is not affiliated with any payments provider. The debit card will also do away with the perceived stigma associated with the BasicsCard, which clearly identified recipients as income support recipients.

Existing income management arrangements have been rolled out in conjunction with a range of support services, and this is the point I was making earlier—support services are where you make the major advances; you will not find the solution in the card itself. The card is just a tool that will assist. What we do need, and we remain unconvinced about whether the government has provided it, is sufficient individual support and support services to make sure that the system is successful. Success will be measured not by how the card has operated, not by how many transactions the card has successfully processed, not by how many errors the card may have caused; it will be measured by the change in the community in response to both the support and the tool, the card itself. We hope this arrangement will lead to a much better community in the longer run. That will be harder to measure for, and during, the trial, but it is something that the government should spend some time considering in order to ensure that the trial, and not simply the card, is a success.

Unfortunately, additional support services will not be provided in the trial areas as part of the debit card trial. Debit card participants will also miss out on the additional support from Centrelink that is provided to income management participants. I think that the government is being a little duplicitous when it says that this is not income management so we therefore do not have to have support services and Centrelink and that the debit card will operate effectively on its own and do its job. The question is: what are you trying to achieve? The job is to move community expectations from where they are now, dealing with drug and alcohol
abuse and gambling abuse, to where you want the community expectations to be—that is, a much better environment for the raising of families in those communities. In not providing those additional support services, I think that the government has missed a great opportunity to ensure that the card is a successful implementation of the strategy. The objective of the strategy is to move the community to a much better place.

In my view, those opposite need to consider the complexities of breaking the cycle of alcohol abuse and excessive gambling. The debit card—as I have underlined—will not offer a standalone technological fix to what is ultimately a social issue. The government needs to consult with affected communities and listen to their concerns so that this becomes a process and a feedback loop, and not only during the trial. You may want to ensure the success of the trial, and you will need to ensure that it is monitored and reviewed as well as that the lessons from that trial are learnt. In addition, those affected in these communities will require financial counselling services, they will require early childhood and community safety services and they will require substance abuse services. Without those services being provided, I cannot see how such a trial will demonstrate that it is making a substantial difference to that community.

It is of concern that the trial does not allow participants to seek an exemption or to be excluded from the trial. Therefore, if a person is identified as a compulsory participant, they will have their payments restricted regardless of their level of vulnerability. Existing income management participants are identified through a range of triggers, including child protection notification, length of unemployment, young people at risk and people on prison release. Labor simply does not believe in the blanket use of income management. Labor is aware that the vast majority of Australians receiving income support are more than capable of managing their own income. We are, however, committed to ensuring that welfare payments are spent responsibly and in the interests of individuals and, particularly, children. That is why income management should be targeted towards those that are most vulnerable within the community.

I look forward to reading the report of Senate Community Affairs Legislation Committee. This inquiry has allowed for the impacts of the trial to be thoroughly explored and for people who will be affected to have a proper say. Labor will continue to engage with the communities that will be affected by the government's proposed trial and will take the opportunity of listening to their concerns. What are required to curb the surge of alcohol, drug and gambling dependence are, in truth, community based initiatives which engage with persons, including with those most vulnerable in the community, and which provide assistance and support when it is required. That can be done alongside such a payment card as this, should it prove to be a useful tool in supporting those outcomes. The card should not be the final solution in and of itself; it should be able to be utilised in a way that supports those initiatives that I spoke about.

I doubt that the government have taken much of that on board. They seem to be clear that this is not income management; it is a technological solution and an improvement on the BasicsCard. They are all arguments to be had about the card but not about changing community attitudes, changing community social norms, ensuring that our children can grow up in a safe environment, and assisting in resolving community excesses around alcohol abuse and drug dependency.
I rise to contribute to the debate on the Social Security Legislation Amendment (Debit Card Trial) Bill 2015—or the card I like to call the healthy welfare keycard. After being injured during my service in Australia's Army, I know what it is like to live from pay cheque to pay cheque on a disability support pension. I have experienced the anxiety and fear you feel when you are forced to pay for the grocery bill by credit card hoping that you are not about to max it out buying the essentials. I know how hard it is to manage your money, make ends meet, break out of the cycle of poverty and raise a family while you are struggling to cope with physical and mental pain and the addictions that all too often come with those injuries. I know what it is like to be discriminated against by government agencies and treated like a second-class citizen.

I understand the fears of discrimination that people may have about the introduction of this new money management initiative. However, the time has come to face up to a few hard realities.

Our kids are needlessly suffering, because too much of our welfare money is being spent on illicit drugs and alcohol. Our mums and dads with diminished capacity through addictions and mental health disabilities are needlessly suffering, because too much of our welfare money is being spent on illicit drugs and alcohol. That is why I support the broad principle that a healthy welfare keycard is based on—namely, that it introduces a cashless method of managing welfare payments for communities which are suffering from a crisis with alcohol and drugs. Once the teething problems with this new card and its technology are sorted out, I would like a healthy welfare keycard rolled out across the whole of Tasmania. It will save lives and needless personal harm and suffering. It will significantly reduce the rates of family violence and family break-ups. It will reduce the rates of admissions to our hospital accident and emergency departments.

The healthy welfare keycard is also a vital early intervention initiative. Not only will it save lives; it will save a lot of taxpayers' dollars in the long run. As one of the Jacqui Lambie Network senate candidates for Tasmania, Rob Waterman says, 'Every dollar spent on early intervention saves $7.' And that is exactly what the healthy welfare keycard is—an effective and compassionate early intervention initiative, which will save at least $7 for every dollar invested in it. The healthy welfare keycard contains a function whereby an automatic text is sent to a card recipient's phone, stating what the total of their account balance is after every transaction over $10. This is an important tool, which will help people on welfare better manage their money. It will gently encourage better financial management skills.

There are a number of groups of people who will either hate or be very disappointed by the introduction of the healthy welfare keycard. Drug dealers will hate this card, because over time it will mean fewer people will buy their products. Pub, hotel and bottle shop owners will experience reduced profits in the communities where the healthy welfare keycards will be in use. People who make a living from the gambling industry will also experience reduced profits in the communities where the healthy welfare keycard is in use. This is because, as the explanatory notes reveals:

The trial will test whether significantly reducing access to discretionary cash, by placing a significant proportion of a person's welfare payments into a restricted bank account, can reduce the habitual abuse and associated harm resulting from alcohol, gambling and illegal drugs.
Despite the obvious social and personal benefits which this trial has the great potential to produce, I had and still have reservations about the manner in which this trial is to be conducted. One of the proposed trial sites is the South Australian community of Ceduna. I accompanied Senator Xenophon on a tour of the community on Friday, 2 October and spoke with many people about this trial. While I listened to all the community's concerns, from Indigenous and non-Indigenous people, it became apparent that a significant section of the community, mainly non-Indigenous stakeholders, had not been properly consulted with and their interests were not being properly represented. Based on that meeting I had in Ceduna, I was prepared to vote against this legislation should the government fail to delay presentation of the bill before the Senate. However, after a further meeting I had in my Senate office this Monday with the Assistant Minister to the Prime Minister, Alan Tudge, and more Ceduna community representatives—Greg Franks, Michael Haynes and Wayne Miller—I have decided to support this Turnbull government initiative and trial immediately. I changed my mind after listening to the Ceduna community representatives and also after Assistant Minister Tudge gave a personal undertaking to travel with Senator Xenophon and me back to Ceduna in South Australia over the next month so that we can hear all of the community's concerns and answer their questions honestly and openly.

After my visit to Ceduna, I became very worried that the government was swooping in to 'save the day', without knowing all the facts—but that is not the case. I acknowledge the long, hard detailed work which has been put into this project. After reflecting on his commitment, advocacy and willingness to consult, I have to congratulate Assistant Minister Tudge for his leadership, passion and drive with regard to the healthy welfare keycard. It is also important to acknowledge the courage and bravery that local leaders, both in local government and within the Indigenous community, have displayed. They have borne the brunt of a lot of community heat and criticism. They could have easily folded under the pressure and opposed this initiative, but they knew in their hearts that what they were doing was a good thing for their community and for the generations to come. So they pressed on and fought the good fight and had the courage to act on the knowledge in their minds and the feelings of love in their hearts for their community. This can teach us all an important lesson. It is one thing to have knowledge and feelings of love; it is another thing to have the courage to act on that knowledge and love and turn thought and feeling into deeds. And that is what we have with this legislation. It is a means for this federal government to resource and fund good deeds through a program which will make the world safer and happier for the communities which are fortunate enough to be selected for the healthy welfare keycard trial.

I am reluctant to make too many comments about Australian billionaires, given my recent, unfortunate and painful experience with one of them. However, if there is one lesson I have learnt from this legislation it is that there are billionaires and there are billionaires. It would be ungracious of me not to acknowledge the hard work of Mr Andrew Forrest, who really is the father of this healthy welfare keycard. Twiggy Forrest is a well-known Australian businessman and entrepreneur. This legislation would not be before this Senate if Twiggy Forrest had not decided to act. Australian communities suffering from all the harms and illnesses that come with alcohol and drug addictions would not have the hope that comes with the presentation of this legislation. Twiggy is not just responsible for a new card; he is responsible for a new approach to solving the terrible problem of Indigenous and non-Indigenous Australian disadvantage.
The JLN supports Twiggy's 27 recommendations of creating parity and ending disadvantage. I do not care what colour your skins is or what religion you are. If your community is suffering from alcohol or drug addiction thenTwiggy's solution for early intervention—particularly through the establishment and integration of early childhood services in the most vulnerable communities and intervention before birth—will be vital for the safety of our children who are placed at risk because of the alcohol and drug addictions of adults. If this legislation passes this Senate, then, according to the explanatory memorandum, it will:

… enable a trial phase of new cashless welfare arrangements in response to a key recommendation from Mr Andrew Forrest’s Review of Indigenous Jobs and Training. The purpose of the trial is to test the concept of cashless welfare arrangements by disbursing particular welfare payments to a restricted bank account, accessed by a debit card which does not allow cash withdrawals. The trial will test whether significantly reducing access to discretionary cash, by placing a significant proportion of a person’s welfare payments into a restricted bank account, can reduce the habitual abuse and associated harm resulting from alcohol, gambling and illegal drugs. It will also test whether cashless welfare arrangements are more effective when community bodies are involved.

Throughout this debate, the word 'disadvantaged' has been used by me and many other speakers. Many people watching these Senate proceedings or reading Hansard may ask the question, 'What is disadvantage?' Probably the best report I have read that clarifies, describes and quantifies the word 'disadvantage' is a report published by Catholic Social Services and Jesuit Social Services, written by Tony Vinson and Margot Rawsthorne, with Adrian Beavis and Matthew Ericson. Dropping off the edge 2015, or DOTE 2015, examines persistent communal social disadvantage in Australia. 'Social disadvantage' was defined as a range of difficulties that reduce a person's opportunities in life and prevent people from participating fully in Australian society. Social disadvantage is calculated by combining statistics and research on criminal convictions, juvenile offending, long- and short-term unemployment, youth unemployment, disabilities, lack of formal qualifications, family violence, family incomes, rental assistance—to name just a few social indicators.

In Tasmania, the five most disadvantaged of the 29 local government areas, or 17 per cent, accounted for 64 per cent of our state's top-ranked consistently entrenched place-based disadvantaged people. We have some of the worst rates of unemployment and youth unemployment in Australia. This report shows that the local government authorities which are really doing it hard are Brighton, Central Highlands, Derwent Valley, George Town and Glenorchy.

As I mentioned earlier, one of the reasons why I want to support this trial is that I think it will be a success, and then I will fight hard to have the trial of the healthy welfare card transferred to cover the whole of Tasmania. If it is a success, I have no problem going into bat for it to make sure that the state of Tasmania is first in the receiving line. As Mission Australia's executive summary says in its 2014 youth survey, there is no doubt that in Tasmania:

Inequality and disadvantage remain entrenched in areas of our society with intergenerational poverty becoming well-known. It is becoming increasingly common to understand that this disadvantage is concentrated in some locations.

Tasmania is one of those locations. This card will be one of the steps we take to address this crippling social disadvantage.
Other solutions that I have put forward to also address and solve the unemployment crisis and the lack of confidence include supporting an involuntary ice detox and rehabilitation act that gives parents the right to use non-consensual medical treatment on their drug-addicted children; supporting voluntary national service for our young people which will allow them to join the military for a year and learn some skills or participate in trade training and apprenticeships; making areas in Australia where high unemployment is endemic, including most of Tasmania, special economic zones that are payroll tax free; creating a national policy which guarantees the protection of Australia's prime ag land or best farming lands, noting that Australia only has 3.4 per cent prime ag land; guaranteeing the supply of health gold cards to members of the ADF and police who have served overseas in war zones and under warlike conditions, with that to be automatic; supporting the introduction of national legislation which targets members of organised crime groups and their associates, similar to America's RICO laws—the Racketeer Influenced and Corrupt Organizations Act; and guaranteeing that Australia's fuel, gas and power are cheaper than our major trading partners' so that our manufacturers, small businesses and farmers can profitably compete in unfair world markets while maintaining wages and standards of living for Australian workers and providing a lot more jobs, especially for our youth.

Senator WILLIAMS (New South Wales) (18:20): I rise to speak on the Social Security Legislation Amendment (Debit Card Trial) Bill 2015. I applaud this initiative that will enable a trial phase of a new cashless welfare arrangement and a cashless debit card. It will try to reduce the harm caused by alcohol, gambling and drug abuse.

When I read the details, I cast my mind back to a Senate inquiry that I was involved in in 2009. It was the Senate Select Committee on Men's Health. There was plenty of evidence about disadvantage from rural and remote communities, and I always remember the evidence given by Risk Welsh, who was the Aboriginal Men's Health Project Officer with the Men's Health Information and Resource Centre. I will quote what he said:

I recently visited a community in north-western New South Wales, at Wilcannia—probably far-western New South Wales is the correct description—and that is a pretty grim place, because the average life expectancy for Aboriginal males out there is 35, so they are basically lucky to see their kids hit high school.

That the average life expectancy of an Aboriginal male at Wilcannia was 35 shocked all committee members. I actually went out to Wilcannia on a couple of occasions to see for myself.

On one occasion, the then minister for Indigenous affairs, Senator Mark Arbib, actually came out at my request and met with the council and local groups to discuss how some of these problems could be addressed. We heard of children having to get themselves ready for school—dressing themselves and, most likely, not getting breakfast. We heard that the school bus often did a second run to ensure that those children who wanted to go to school did get the opportunity. This is just one example of a community that needs help.

The reason I support this trial, which starts in Ceduna, South Australia, is that we cannot stand by and watch these communities killing themselves and their children. For too long governments of all persuasions have thrown billions of dollars at these communities in the belief that it will fix the problem, but it never has and it never will. This is why we are here today discussing the need for a cashless welfare card.
I live in a country town that has a good and decent reputation but is not without its problems. When you drive through the business centre late at night and see young children, who are primary school age, walking around the streets or on their skateboards, and you wonder about their home life. Are they rebellious? Do mum and dad have no control over them? Have they just given up on trying to discipline them? Are mum and dad at home or at the pub affected by alcohol? Is there a mum or a dad? What is the future for these children? We can close our eyes and block our ears and pretend that it is not happening, but I can assure you that, unless something is done to arrest the alcohol, drug and gambling issues affecting some communities, we cannot expect future generations to be any different.

I was interested to read the speech given in the other place by my National colleague, the member for Parkes, Mark Coulton. He mentioned that Moree in the north-west of New South Wales would be a good place for a trial, and I would agree with him. For those who do not know their geography, Moree is only a 90 minutes' drive from my home town and has produced some very good sportsmen over the years, including the Sutton cycling family and NRL star, Ewan McGrady. I am pleased to say that in this year's group 9 rugby league grand final, the Inverell Hawks just outlasted the Moree Boomerangs to win the title. Mr Coulton pointed out that about one quarter of the population of Moree is Aboriginal and the welfare split of Indigenous and non-Indigenous is about 50-50. This is not about the colour of people's skin or their background; this includes all in the community. For various reasons, including misinformation that was spread, the trial in Moree will not go ahead and so we will never know what impact it may have had.

It will go ahead for 12 months in Ceduna in South Australia and it will then be reviewed. When you read the shocking statistics in that location you will understand why some form of intervention or control is needed. In 2013-14 presentations to the hospital emergency department due to alcohol or drug use exceeded 500—more than one per day and nearly two a day. The Ceduna Sobering Up Centre had 4667 admissions in 2013-14 financial year. Hospitalisations due to assaults are 68 times the national average. Minister Tudge said on Monday that for the last year in Ceduna there were 4600 admissions to the local sobering up centre, despite the population being only 4400. I will repeat that: there were 4600 admissions to the local sobering up centre despite the population being only 4400 people. If those stats alone do not make Labor and the Greens sit up and take notice, nothing will, and so Ceduna is a good choice for the first trial site. The community leaders of Ceduna actually approached the government to explore the idea of the cashless debit card and they have supported a trial to address some of the alcohol and drug abuse affecting the region.

I want to stress that this is not income management. Participants in this trial can use the card anywhere and purchase anything except alcohol and gambling products and will not be able to withdraw cash with the card. Participants in this trial will receive a mainstream everyday debit card, which will be connected to a Visa, MasterCard or Eftpos platform. Cash will not be available from the card, and the holder will not be able to purchase alcohol, gambling products or illicit substances. Eighty per cent of a person's social security payments will be placed into a debit card account and the remaining 20 per cent cash will be placed into their existing bank account.

All working age social security support recipients within the Ceduna region will be part of the trial and receive the card. Aged pensioners, veterans and workers may volunteer to opt in.
This is how it works: under the trial, if you are on Newstart, single with three children and live in your own home, you have over $145 cash per week with the remainder of your payment on the card. If you are on a parenting payment, single with four children and live in a private rental, you will receive over $220 cash per week with the remainder of your payment on the card. If you are on a disability support pension, partnered with no children, you will receive over $85 cash per week with the remainder of your payment on the card. If you are single and on Newstart, you will receive $60 per week cash with the remainder of your payment on the card. It is adjustable. If it is found that a person needs more cash and they are known to have been responsible with their spending in the past, then the arrangement can be adjusted to allow them more cash.

How will this be achieved? The package focuses on areas where there are existing gaps in funding and where it has been identified locally that people are likely to need the greatest support during the trial. Funding is being made available to support a new mobile patrol team to operate 24 hours, experienced drug and alcohol counsellors, increased rehabilitation services, intensive financial counselling, family violence services and other services. This package is not being forced on the community; it has been codesigned by the Ceduna community.

I was interested to read the comments from the Greens back in March, when this program was first made public. That then Green leader Senator Milne said it was offensive for the Prime Minister and mining magnate to tell people throughout Australia who are less well off how they should manage their income. Even Senator Siewert was quoted in the article as saying that 'this patronising and paternalistic policy decision will not work'. It was interesting to read the exchange between Senator Siewert and the chair of the Australian Indigenous Studies at Melbourne's School of Population and global health, Professor Marcia Langton, at the Senate hearing.

Prof. Langton …First of all, this is not income management.

Senator SIEWERT: But it is.

Prof. Langton: No, it is not income management.

Senator SIEWERT: Why not?

Prof. Langton: It is quite a different model. Income management works in a kind of reverse way. What is being proposed here will work substantially differently and it is important to trial this in order to see if this kind of approach will work better.

Professor Langton earlier said that she supported the legislation and that it certainly was not paternalistic. She pointed out that Aboriginal leaders wanted the measure because, as she said: …you have to see alcohol abuse to the extent that it occurs in these communities at firsthand to understand their concerns. What has happened over the last 50 years is that Aboriginal people have become normalised to welfare dependency.

… … …

…children are unsafe, women are unsafe and, more and more, people are being dragged into the drinking culture….

I also refer to the evidence of the Mayor of the Ceduna District Council, Allan Suter. He said:

In this case, council support for the trial of the cashless debit card was made on condition that we got strong support from the senior Aboriginal leaders, and I am happy to say that we have got that. We are also satisfied that we have got strong support from our non-Indigenous community, with, of course, a
few exceptions. Some of the objections are very genuine and passionate. Being a small town, we have a
good knowledge of people's motives. Some objections are from people who wish to have money to
purchase drugs or alcohol. Some are even from people who are very anxious that their customers will be
able to have money to purchase drugs and alcohol. We respect the opinions of the genuine and
passionate objectors, but they really are very few.

Andrew Forrest, a man who has a great passion to ensure people get off welfare and get some
self-respect, had this to say at the Senate inquiry:

Unfortunately, over the 40- or 50-year period that I can remember, I have seen the degradation of
communities at the hands of alcohol and drugs. As many would know, in those communities there is a
very high rate of attendance at funerals of friends and people who, like me, were bright-eyed, confident,
happy and looking forward to living a full and secure life in Australia as youth. I feel that has been
denied to so many of our vulnerable Australians, both Indigenous and non-Indigenous, through
disproportionate access to alcohol and drugs in vulnerable communities. These are the great destroyers
of community, of lives.

This week, we saw the report of the Community Affairs Legislation Committee. In part of its
summing up, the committee said it was:

… satisfied that the trial is strongly supported by community leaders in the proposed trial communities
in Ceduna and the East Kimberley. The committee considers that the expected benefits of the trial to
reduce the social harm caused by alcohol and gambling, particularly for children, justify the measures
outlined in the Bill.

The committee recommended that:

… the Minister for Social Services include safety net provisions in the proposed legislative instrument
to ensure that vulnerable people impacted by the trial are able to be exited from the trial, where
appropriate, to ensure they are not further disadvantaged.

The committee recommended that the bill be passed.

Mr Deputy President, I want to take you back to the mid-1970s, when I was driving
livestock transport. We would go out to places like Wertaloona station in the Flinders Ranges,
where four or five semitrailers would show up late in the afternoon. Bob Wilson would be in
the cattle yards with three or four Aboriginal stockmen—bandy-legged, slim fellows with
high-heeled riding boots and big hats. They were good stockmen and good workers. It was
hot. They did their job well and tied their horses up under the trees as they drove the cattle
that we would load at daylight the next morning. I think if I took you out there today, Mr
Deputy President, you probably would not find many Aboriginal workers out there. There
would be some but certainly not like there were back in the 1970s.

What did we do? I will tell you what we did. We threw money at these people. We on all
sides of politics over the last 40 years thought money would solve the problem. We threw
money at these people, and what did they do? They gave up their jobs, they went to the pub,
they got drunk and they probably bashed their wives when they got home—not only people of
Aboriginal descent, I can tell you, but also people of Anglo-Saxon descent as well. We are not
focusing on one colour here or anything like that. Colour does not come into this debate. It is
about looking after taxpayers' money. But we threw money at these people, and I think we did
a great deal of harm to them. It is a good lesson to all of us that lack of money is not the
problem.

Here is a situation where these people will get some cash and a debit card, just like most
people have. They can buy products that are essential items—food, clothing or whatever they

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need—on those debit cards at the stores, but they cannot be used for gambling or alcohol. That bring us to the situation where the social security cash is simply spent on Friday and Saturday, much of it at the local pub or perhaps gambled or spent on illegal drugs. What do the mums and kids live on for the next week? This is where it is so wrong. There is abuse of social security. Hardworking Australians are paying their taxes to give money to these people—people who are certainly not well off, perhaps unemployed, perhaps obese and perhaps not in good health. But throwing money at them makes their situation worse.

I commend Ceduna. I have been to Ceduna many times. It is a good community, a beautiful place on the Great Australian Bight off the Southern Ocean and a lovely place to drive through. In my previous job, I actually had an agent who sold my products there. I would visit the town quite often and go right back through Streaky Bay, Elliston to Port Lincoln et cetera. To think that this community has such a terrible record of alcohol abuse—4,660 admissions out of a population of 4,400 in a year—is just unbelievable. That is outrageous. It is crazy.

So what do we do? If we do nothing, nothing will change. I have always had the attitude that to try is to risk failure but to do nothing is to guarantee failure. The government, under Minister Tudge, is working with community members such as Twiggy Forrest and the local government representatives at Ceduna to give this a go. We should give it a go. I encourage everyone to have their say on this issue. Let's help these people. Let's try to get them off their problems of alcohol and drug abuse and especially unemployment. As I said, throwing money at the issue does not always solve the problem. Of course money helps in many respects. We in Canberra collect a lot of money from the taxpayers of our nation—and, of course, too much is being borrowed—and we must spend that money wisely. Sometimes that money is going out there and actually destroying people's lives.

I take you to a trip I did to Wilcannia with former Senator Mark Arbib where I found out the average man in Wilcannia has a life span of just 35 years. I put it to you, senators, where could you go on this planet, to what other country, where the average life span for men is less than 35 years? Maybe Ethiopia or some other African country or somewhere else? I do not know. I do not think you would find a place or a country on this planet where the average life span of a man is just 35 years. I think this is a disgrace. Of course Wilcannia is a community with a high Aboriginal population. I have been travelling through there for 40 years. I know why they have problems: they are unemployed, they have little to do and they have alcohol, drugs, a bad diet, obesity and a lack of exercise. All of the above contribute to that terrible statistic that the average man in Wilcannia will live to just 35 years of age. As I said earlier in my presentation, they probably will not live long enough to see their children get to high school. If you were to search the world for a worse statistic, I do not think you would find anywhere worse.

So we have to trial this. We have to do something. We are throwing money at these people who can then go to the pub and fill up with grog. I have seen them. I have been driving through Wilcannia for 40 years. On social security day, where is everyone? They are lined up outside the pubs.

Then of course there is that terrible drug ice, which seems to be right throughout Australia. It is in the big cities, in the bigger country towns, in the smaller country towns and even out in the shearing sheds. Ice is a big concern. People who are peddling these rotten drugs are destroying people's lives. If we hand out cash, when people are bored and do not have a job,
what are they going to do? Just one shot of ice and people are totally addicted to it. It is a terrible drug and is causing so much damage. People are going off their brain in anger, bashing the women around them and committing all sorts of crimes. I know they are bashing the ambos and the police when they are arrested. They are bashing the nurses and the doctors in hospitals. If we are going to hand out people's hard-earned cash—governments do not have the money; we either take it from the people or we borrow it—and promote more social unrest, more social harm and more harm to women and kids especially, when the money is all gone at the pub on grog or on drugs at the start of the social security week, what is mum cooking? What is she feeding the kids? How are the kids clothed? How are they getting off to school? We have seen too much at Wilcannia. These are issues which each and every one of us in this chamber should work to correct.

What we have done is not working. As I said, I doubt whether those great Aboriginal stockman would be out there today. Why? Because they worked hard in those days. They earned their living and then we threw money at them. I think it is shameful—not only the Aboriginal community but the community as a whole. I commend the minister for this program and the committee for its report and the research. We have to give it a go. It is a trial. It is not running right across Australia. If it works, and I hope it does, let us hope it is broadened out so that when people receive taxpayers' money they do not blow it in the pub or blow it on drugs or gambling. I hope they use their debit card to buy food and clothing, the things they need to care for themselves and, more importantly, for their families, for their wives, for their children, to see that they are treated well and that they live properly. Hopefully in time things will be better so that the average man in Wilcannia will live longer than just 35 years of age.

Senator GALLACHER (South Australia) (18:39): I rise to make a contribution to the debate on the Social Security Legislation Amendment (Debit Card Trial) Bill 2015. A number of senators have made reference to a recommendation which emerged from Mr Andrew Forrest's review of Indigenous jobs and training. What is probably not well known about Mr Andrew Forrest is that he goes a little bit further than giving advice to government. He employs Indigenous workers—13 per cent of his workforce are Indigenous. He contracts over a billion dollars worth of work per annum to Indigenous companies which employ 40 per cent Indigenous workforces. He goes further than just giving advice.

I have visited his employment centre in Roebourne, where he has a very deep connection. I think that was the genesis of his experience, where children were wandering the streets late at night, hungry and sometimes affected by alcohol and drugs. He decided to do something. What he did is quite remarkable and is worth repeating ad infinitum in this chamber. He actually employs Indigenous people. He looks at the barriers to employment, whether they are no licence or lack of literacy or numeracy, and he addresses, identifies and provides training for them. If they pass the vocational education and training course, he gives them a job, I think on $117,000 a year fly-in fly-out from any of his remarkable mines in Western Australia where he is producing 165 million tonnes of iron ore. He is not just giving advice to government or to communities; he is actually walking the walk and doing the things that will make a difference.

When you move through Port Augusta, Port Pirie, Whyalla, Elliston and over to Ceduna, as I did recently, most of the local mayors are quite open about the connection Indigenous
communities have with the country and they are well aware in some cases of the awful history, but not too many of them offer employment. There are not too many who are taking the step Andrew Forrest has taken and saying, 'I will have 10 per cent of this council workforce cutting the grass, emptying the garbage and doing whatever who are Indigenous.' In fact, some very wealthy communities over there employ no Indigenous people. I do not know why that is. I just make that observation.

When Mr Forrest gives the Australian community advice, backing up that advice are his actions. He is moving people from welfare dependency into good, well-paying jobs. I met grandmothers who had returned to work in the stores. I met a young Indigenous person who said that their ambition was to buy a house. You need a senator's wage to buy a house in Perth, but he was not frightened of it. He was saving to do that. The reality is that these measures are eminently defendable, but we do need children to get fed and clothed and to go to school. We need a safe environment where they can be kept in a measure of comfort and experience the normality of growing up in Australia, where they can kick a football, go home and have a jam sandwich or a Vegemite sandwich and be looked after. We know that in some of these communities alcoholism, drug addiction, petrol sniffing and glue sniffing, substance abuse has torn all that asunder.

I take particular note of Senator Williams' contribution because I, too, can go back to the late 60s in the Northern Territory, to places where Indigenous people could get a drink but it was usually in a bar separate from the white person. There were plenty of stockmen would have had good jobs. It is probably three or four weeks work now and the rest of the time is drinking. That is the awful reality in some of these outback communities. I no longer stop in Tennant Creek when I am driving through, as it depresses me so much. If you go to the Goldfields Hotel it is amazing how a licensee can actually go to sleep at night with the obvious, almost death in front of you, drink-till-you-drop culture in some of these places. Anyway, I do not want to get too carried away on those issues.

I did visit Ceduna, and I had a very agreeable meeting with the local mayor—who, I might add, had checked with the local member to make sure it was okay to talk to me. Apparently I passed the test and he did speak to me. He said that they had sat down and worked it all out; that they had sat down with a number of groups in the community, and this was a community driven position. I was encouraged by that. I asked who the main opposition was. The main opposition would not be all that hard to find. It is a grand premises adjacent to the beachfront that provides alcohol and gaming for the community. According to the local mayor, there was some stern talking and they had to sit down and really knuckle it out.

They want a community that is attractive to tourists. It is the start of the tourist trail through to Port Lincoln. They were getting a substantial number of tourists but, according to some of the press reports, the behaviour of some people was detrimental to growing that sector. I must stress that the local mayor had a not unusual view in South Australia that the local paper was not reporting things accurately and that the local paper had reported things that were quite ancient and unproven as fact—as if they had happened the day before. When he tried to address that with the Advertiser they basically did a double-up on the story of inaccuracy and virtually canned his community a bit more. So he had a ban on them. He was not going to talk.
to them anymore. But he was very, very insistent that the community was getting together with a view that they could make things better, and I fully support that.

I do however think that there are risks with all of this. If it is not capped by a genuine attempt to provide employment, a genuine attempt to move people, all we will end up with is some sober people without hope. I am not sure that is what we are trying to achieve here. We do know that there is mineral exploration and drilling going off in the Great Australian Bight, 300 kilometres off the coast. We know that the airport is receiving additional traffic numbers and may well be upgraded. If there is a substantial find in the area, there may well be a boom in Ceduna's economic activity. But it is important that people who live there, and have always lived there, get to share in that. I do not see any connectivity at the moment between the obvious need to have people sober and feeding their children and how we move to the next stage, which is to take advantage of that situation and get them into useful paid employment.

Clearly, there are a number of other issues. I want to go through some correspondence I received from a constituent in the area. I do not want to mention his name, but I think it is fairly insightful that we place on the record that not all of these trials are going to be suitable. This person has a fairly straightforward position. He is 50 years old, of working age, and receives a disability support pension. He has been told that his payments will be part of the mandatory income management package being rolled out. He says:

I was employed and payed taxes for most of my working life. I have a mortgage and 3 children in school. My health gave out a few years ago and I have been on a disability support pension since. I have COPD with possible Sarcoids and suffer severe back pain and nerve damage issues due to arthritis and disc damage from the physically demanding and heavy work I used to do to earn my living. These sicknesses are further complicated by the early stages of Chronic Kidney disease.

This person is on a disability support pension—through no fault of his own, I suppose—and is now in the situation where he is subject to this trial of 20 per cent cash and 80 per cent on goods. The police or social services have never attended his residence due to domestic violence, noise or unruly behaviour. He values his peace and privacy and considers his neighbours and their rights to the same things, and he tries to instil those values in his children. He goes on at length to say that he is managing his disability pension payment well and managing a mortgage and that the kids are in school and the school fees are paid—all of the normal things that a prudent person can manage.

As part of this trial he will have reduced flexibility. He makes a couple of good points. He is a thrifty person and he says he buys his gear at the op shop whenever he can but that op shops do not have EFTPOS facilities. I am not really sure about that, but that is what I am told—op shops do not have EFTPOS facilities. So, if he is prudent and wants to get some second-hand clothes from the Save the Children shop or United Mission or whatever it may be, these businesses do not have EFTPOS facilities; they deal in cash. He also says:

We will no longer be able to take advantage of the sharp practice of many local traders who will give substantial discounts to non credit or eftpos card transactions.

I am not familiar with that either, but these are matters that he has raised with me. This person says that he will no longer be able to purchase foodstuffs direct from growers markets or producers, which will drive up his cost of living. He has a long list of issues.

I hasten to say that, on 20 August, I provided this information to the Hon. Scott Morrison's office, and I am awaiting a reply. The reality is that this particular person is not someone we
are out to try to income manage or to quarantine payments for. When we get an answer from the minister's office it may well be that there is a local committee that can look at his particular circumstances and vary his arrangements. However, he for one is not very happy.

So to say it is unanimous in the area is probably a long bow to draw. I think there is some evidence on the public record that some of the Indigenous women leaders in the communities would prefer that the alcoholics and the druggies were managed where the elderly, the vulnerable and children are at risk. They do not appear to support a blanket trial.

It is an awful thing: if you do put 10,000 people on this system and they only have access to 20 per cent of their cash then they are in a position of some vulnerability in some respects. A neighbour of mine actually provides financial counselling, formerly as a volunteer and now with COTA, to a lot of very vulnerable people on Newstart and the like—those sorts of pensions. He tells me that they do not lack the financial knowledge and they do not lack the financial management skill; it is that they make poor decisions when they go to enter into agreements with people. He has lost count of the number of times that people have made decisions on the hire-purchase of a fridge or the renting of a TV—really poor decisions. He provides advice to people all over South Australia. There is one particular well-known national company which does a lot of work with people in this area. Financial counsellors will send people down to that shop and they will do their best deal. Then the financial counsellor will ring up and ask, 'Can you do better?' And sure enough, this particular national company does do the right thing. So I just wonder whether the quarantining of the 80 per cent of the spend will have some unintended consequences. Will it drive up prices in certain areas? We know those are the only places they can get their stuff from. They cannot go elsewhere.

I used to know a pensioner who lived at Elliott, which is halfway between Alice Springs and Darwin. When pension payments and went cashless he used to drive to Tennant Creek to shop because the shopkeeper in Elliott would say, 'Well, pick out what you want and then we will give you the change.' And he would say, 'No, no—you give me the money. You cash my cheque and then I will go and buy what I want.' Anyway, they could not agree so he used to drive 350 kilometres to Tennant Creek to do his shopping and come back. I just wonder whether quarantining that amount of the payment will have some unintended consequences. That may well need to be very carefully monitored.

I am absolutely sure on this one: if you take a person who is dependent on alcohol or gambling and you make it that they cannot spend money on that, they will come up with another way of doing that. There will be a trade somewhere which will allow those people to get access to alcohol. Prohibition has never worked anywhere. So if someone is dependent on alcohol and you have quarantined their money they are going to do something silly, like buy something and trade it for a carton of beer or a bottle of rum or, as I saw in the bottle shop in Ceduna, a five-litre cask and a sixpack of Bundy and Coke.

I do not think we should be kidding ourselves that this will actually solve the problem where people have a genuine addiction to alcohol or gambling. It is not going to solve the problem. It may well increase—we probably need to say this—prostitution and things like that. It just may well do that. There will always be people who will take advantage of people's addictions and there will always be people who can go to a pub and buy grog for people who cannot buy grog. So let's not have our rose-coloured glasses on with any of thisstuff.
As I said at the outset, kids have the right to be brought up in a safe home environment—fed, clothed, looked after and cared for with all the love that most families in Australia get. But let's not kid ourselves that this is going to be all roses because we have quarantined the spending. In fact, we might be patting ourselves on the back and saying, 'Oh well, we've stopped those people wasting their money on alcohol and wasting their money on gambling.' Well, I am not sure about that. Time will tell. I am hopeful that this will be a successful trial, if this legislation gets up. But I do not have any confidence, looking back over the last 35 years, that this will be all good. In fact, it is probably going to impact on people who do not need management. We had one case there in evidence, as I spoke about. And we hope to get a response from the minister's office about that.

I think that it is a good initiative. It is a community-led initiative, if the local mayor and the other people who participated are correct. It is a courageous initiative, but it is not one that is guaranteed to succeed. I think what will guarantee success is if we can build on this initiative and give them some hope about involvement in employment. Let's give them some hope—not training jobs just for the sake of it. One of the things that Andrew Forrest has done very well is that if you complete a training course with his outfit you actually get a job. You do not just complete training for the sake of training. I think that these initiatives, if they are to be successful and if they are to work, need to have a component in them where the whole community gets behind employing some of these people—furthering their education and giving them the opportunity. Let's face it, local councils are, in some cases, the biggest employers in these areas. I challenge those local councils to have a look through their workforce and to look at the people who have lived the longest in their communities and see how many people are actually offered employment.

I know all the stories. I know that they do not have a licence and that they will not turn up every day and all that sort of stuff. Well, Andrew Forrest disproved a lot of that. And there are Aboriginal organisations which should be contracting to these local businesses and contractors; taking responsibility and building proper economic opportunities for their people so that they are not dependent on welfare and they are not dependent on having their income managed. I do not think that is too much to ask. I think that the will is there in regional South Australia to have a go at this sort of stuff. I think that they should. It is very clear if you look at some of the operations in the APY lands. One Indigenous construction company hangs out how many visibility vests they need for the next day. Five visibility vests means that five people get a job. You just turn up, put a visibility vest on, do the job and get paid. Those sorts of initiatives are operating in the APY lands and I think that with this, combined with employment opportunities, we may well measure some small progress. Thank you.

Senator XENOPHON (South Australia) (19:00): I have not found making a decision on the Social Security Legislation Amendment (Debit Card Trial) Bill 2015 to be easy. The bill deals with inherently difficult issues and seemingly intractable problems—not problems over recent years but problems over many years, over generations. Whether these problems can be tackled, or even go some way to being solved, with this bill remains to be seen.

This bill seeks to have a trial of the healthy welfare card in up to three locations around the nation. But it needs to be made clear at the outset that this bill does not actually set up those locations. They are not specified in the bill as such; they must be set out in regulations. And those regulations can be disallowed by either house of parliament. That is something that I am
sure the government will be acutely aware of should this bill pass. Should any of these trials—and I emphasise ‘trials’—be established, they will need to be subject to regulations, and those regulations can be disallowed in terms of setting up any trial site. That in itself, I believe, is an additional safeguard in respect of the implementation of these trials. It is an additional safeguard because the Senate can scrutinise, at least within the statutory period, these trials.

I will discuss with the Assistant Minister for Social Services, Alan Tudge—who, with a lot of good faith and with a lot of goodwill, has engaged in enormous amounts of consultation with local communities and indeed with my crossbench colleagues and, I believe, with the opposition on matters raised in this bill—whether we ought to look at having a provision for the period of disallowance to be extended so that, if the trial is established and it appears that there are serious problems with the trial, the regulations setting up the location of that trial can be disallowed. That is something I will have a good-faith discussion with the assistant minister about.

I am acutely aware of the limitations that this bill will place on a person's spending. However, I am equally, if not more, aware of the devastating harm that alcohol and gambling addictions are causing individuals, families and communities as a whole. This bill not only attempts to address these harms; it does more. I believe that if implemented properly—and I emphasise those words: ‘if implemented properly’—it can actually create hope. As imperfect as this bill is, my concern is that doing nothing, not at least attempting an alternative approach, would be a worse position. But I am acutely aware of the remarks made by Senator Siewert of the Australian Greens, whom I have enormous regard for, who implacably opposes this bill because the Australian Greens consider there are alternative pathways to deal with these issues. But I think that what is contained in this bill—having a healthy welfare card—could, if implemented properly, actually work.

The history of this is contained in a report prepared by Andrew Forrest, who most people know as a mining magnate but who I believe is someone who cares passionately about Indigenous Australians, about Indigenous Australians having a fair go and about remedying those generations of inequity and disadvantage. This particular approach could actually work. Mr Forrest suggested that a cashless welfare system for vulnerable Australians:

… poses a way of providing stability for families and individuals so they can concentrate on finding employment, providing adequately for their families, and sending their children to school.

Let us make this clear: this healthy welfare card applies across the board. It does not simply apply to one class of Australians. It is going to be done on a location-specific basis as a trial. Because the beautiful town of Ceduna, on the west coast of South Australia, in the Great Australian Bight, is one of the proposed sites, I went there to visit, on Friday, 2 October, with my colleague Senator Jacqui Lambie. I want to take this opportunity to thank the community of Ceduna—both those for and those against the healthy welfare card—for the reception they gave me and Senator Lambie, for the time they spent with us and for the discussions we had, which I thought were incredibly useful.

I thank the District Council of Ceduna, including its mayor, Allan Suter, and its CEO, Geoff Moffatt. I thank the communities that I met at Ceduna Council Chambers: the Ceduna Aboriginal Corporation, with Mick Haines, their CEO; and Wayne Miller, their Indigenous Community Engagement and Governance Officer; the Koonibba Aboriginal Community

CHAMBER
Council, with Corey McLennan; the Scotdesco community, with Robert Larking; and the Yalata community, with Greg Franks, who dialled into that meeting. The Oak Valley and Maralinga Tjarutja communities, with Peter Clark and Keith Peters, were also part of this process. I also heard from members of the community at the Ceduna Community Hotel, where there were about 20 or 30 people. One of the local organisers recorded the whole meeting, so apparently you can get on YouTube to see Senator Lambie and I being asked questions and responding to very legitimate concerns in relation to this proposal.

For those who have not visited Ceduna, it is a beautiful coastal town located on the west coast of the Eyre Peninsula in South Australia. It is famous for its annual Oysterfest, which coincidentally was held over the weekend that Senator Lambie and I visited, although I hasten to add that we left before the festivities. We were there just for the day. Clearly there was a certain buzz about the community because of the number of people coming into Ceduna for its annual Oysterfest.

Sadly, though, it is not Ceduna's beauty and natural assets that make it famous; rather, it is the town's struggle with drug and alcohol abuse that has led to some adverse publicity in relation to the community. The local council has tried time and time again to curb the damage caused by alcohol addiction. A dry zone encompassing Ceduna and the nearby township of Thevenard—the port—has been in place since 1988. There are restrictions on the sale of certain types of alcohol. It is also a requirement to produce ID when buying alcohol so that a purchaser's name can be checked against the list of persons who are barred from buying alcohol. The question of whether that is being enforced or followed through is another matter altogether. But these measures are simply not enough.

In 2011, the South Australian deputy coroner handed down his findings in the inquest into the deaths of six Indigenous Australians in Ceduna. The findings were damning. The deputy coroner had serious concerns with the health of Indigenous Australians with an alcohol problem located in the region around Ceduna. He identified numerous satellite Indigenous communities within a 300-kilometre radius of Ceduna. Of particular concern to him were the Yalata and Oak Valley communities. The deputy coroner found there was overwhelming evidence that members of these communities often travelled out of Ceduna to acquire large volumes of alcohol, thus circumventing the dry zones. While the dry zones in Ceduna and these communities were found to have been effective, it was clear to the deputy coroner that determined people often used areas just outside Ceduna to consume the alcohol they had purchased. The deputy coroner heard evidence that authorities very frequently reported breath alcohol analysis that exceeded a staggering 0.25 per cent. The inquest found that many in those communities around Ceduna also suffer from chronic ill health and self-neglect. An extract from the report explains just how entrenched the problem of alcohol abuse is in the area. The deputy coroner said:

It would be wrong to stereotype the entire indigenous population in this region as having drinking problems, but the evidence adduced before the Court establishes that there is without a doubt a severe and intractable culture of excessive alcohol consumption among the transient Aboriginal population in Ceduna and that this culture is having a negative impact on the wellbeing and functionality of those people.

The deputy coroner concluded that there would remain an ongoing need to reduce the availability of alcohol to affected communities. The government says that it hopes that
restricting access to cash through the trial of this debit card will restrict the accessibility of alcohol. But the point here is: will this work in isolation? I do not think it will. You actually need to have a number of measures and to have a holistic approach to dealing with these issues.

The figures from Ceduna's Sobering Up Centre, which is a very important facility, indicated that there were over 4,500 admissions to the Sobering Up Centre in a population of about 4,000 people. These are devastating figures. They are not just statistics. They are families—mothers and fathers, and children and young people in some cases—who are gripped by addiction. There is a question of the informed choices that a person can make in the grip of an addiction, particularly with respect to substance abuse.

Some of the key Indigenous communities—not all, but a number of them: Ceduna Aboriginal Corporation and Koonibba Aboriginal Community Council, for instance—are strongly in favour of a trial of the healthy welfare card, and they have extracted concessions from the government in terms of additional support for the communities: drug and alcohol services and additional services to provide that support. The question is whether the healthy welfare card in itself will be useful in dealing with these issues.

Some concerns were expressed to me by Indigenous and non-Indigenous Australians, and it was quite pointed. One person who approached me at the meeting said that they had never, ever been on welfare, they had paid their taxes all their life, and they resented the fact that they would be subject to this card, because it would cause them difficulty in their own financial commitments and the like, and going to a panel seemed to them to be inherently unfair. By the way, effectively that was put to me by an Indigenous and a non-Indigenous Australian who had jobs, who had worked for many years and who found themselves on hard times needing support from the community through our welfare system. Two of the volunteers at the local op shop were concerned about the fact that they do not have EFTPOS facilities there and that restricting access to cash could have a very devastating effect on the op shop or, indeed, be a great inconvenience to some of the volunteers, stalwarts of the community in their 80s—senior citizens—who say, 'Do I have to be trained in how to use an EFTPOS or payWave facility in the context of a healthy welfare card?'

So they are some of the issues. This will not be easy. I think that any trial needs to be strictly monitored for the purpose of seeing whether it works or not. The undertaking that I gave to the community that I spoke to at the Ceduna Community Hotel was that there ought not to be any trial commencing and that, before we go any further, there needs to be further community consultation. I acknowledge that Assistant Minister Tudge has dealt extensively with key stakeholders in the local community, but it appears that there has not been a robust public meeting where those who are concerned about the health welfare card can ask questions and those questions can be answered fully. There needs to be that level of consultation so that matters can be taken on board before any place is designated for this healthy welfare card trial. That is an undertaking that Mr Tudge has given to me. I hope to be able to travel with him to Ceduna—and Senator Lambie may be coming to that meeting as well—so that we can genuinely hear from the community—those in favour but particularly those against the healthy welfare card. That is something that I think is essential.

I think another safeguard, if a particular place is chosen as a trial site, would be that there is the opportunity for the regulations to be disallowed for that particular area. I think that is a
very critical safeguard in relation to this. There must be a robust evaluation process, and I think that, should this bill pass its second reading stage, there must be some very clear undertakings, guidelines and parameters as to how the evaluation will take place and some of the matters that have been raised—I think very legitimately—by Senator Siewert on behalf of the Australian Greens as to how this would actually work in particular cases. If you are in a restaurant and you are having a meal, you can use the healthy welfare card for that, but if you decide to have beer or a glass of wine then that can cause problems. I think that is a very good point made by Senator Siewert, as to how that would be dealt with in the context of this card and the issue of people feeling stigmatised in relation to that.

A particular interest I have had is about the impact on the local community of gambling. The feedback that I have had is that poker machines have had a devastating impact on the local community in Ceduna. The Productivity Commission says that something like 40 per cent of gambling losses come from problem gamers, and I dare say that figure could be even higher in the Ceduna community. I think that having a healthy welfare card restricting that access to gambling would be a good thing. We also need to be aware that online gambling, presumably on both illegal and legal sites, is also very problematic. It has been a growing problem, particularly in those remote parts of the west coast where access to poker machines is not so easy. People can go online and lose a lot of money very quickly on their credit card, and that in itself is very problematic. The question I will be asking in respect of the healthy welfare card in the committee stages of this bill—should it get through the second reading stage—is: you can work out the legal sports betting operations, the online gambling operations, because they would have certain merchant numbers and they would no doubt cooperate with such a trial, but in terms of those illegal gambling sites based in places like the Caribbean and Gibraltar, where they have innocuous names that do not appear to be linked to the merchant name, how will that work? That is a huge and growing problem for the Australian community generally.

I note that there has been correspondence between the shadow Minister for Families and Payments, the Hon. Jenny Macklin, and the Hon. Shane Neumann, the shadow Minister for Indigenous Affairs, and Assistant Minister Tudge in relation to this issue. I think it is fair to say that Minister Tudge has attempted to fairly comprehensively address a number of the concerns raised. The level of engagement and the detail in that letter indicates at least a willingness to engage in the concerns that have been raised by the opposition in relation to this particular proposal.

I note that the opposition considers that the bill should not be progressed further until there is, in their view: sufficient consultation; an agreed comprehensive package of supports; further consideration and consultations; details of the operation of the bill—including possible community involvement in quarantine decisions—made public; and a fulsome evaluation framework for all possible participating communities established, in place and made public. I think for the Senate to do its job, we need to rigorously, forensically, deal with these issues. It has never been my position to support a gag on a substantive debate such as this, so I think it is very important that those questions be answered.

These are difficult issues, but the questions raised by the opposition and by the Australian Greens must be answered in the context of this debate. It is important that we go into committee. I will support the second reading stages of this bill, but I think it is important that
the questions raised by those who have concerns, or who have outright opposition to this bill, need to be addressed in the context of this debate. I want this trial, should it go ahead, to be effective, to work, but there needs to be further consultation. I am pleased that Assistant Minister Tudge said that should this bill get through the second reading stage, there will be further consultation and extensive consultation with the people of Ceduna, which is proposed to be one of trial sites. Having said that, I look forward to further debate on this issue. This issue will not go away. I think all sides of this debate have legitimate concerns that need to be respected. I hope that the Senate can robustly but fairly deal with concerns in respect of this bill.

Debate adjourned.

ADJOURNMENT

The PRESIDENT: Order! I propose the question:
That the Senate do now adjourn.

Parkinson's Disease

Senator CAROL BROWN (Tasmania) (19:19): I rise to speak about an important report that was released recently titled Living with Parkinson's disease: an updated economic analysis. As the Deputy Convenor of the Parliamentary Friends of Parkinson's Group—with the convenor, Ms Ann Sudmalis—I was fortunate enough to attend the briefing on the findings of this report by Deloitte Access Economics.

In 2007, Parkinson's Australia commissioned Access Economics to produce an economic report, Living with Parkinson's disease: challenges and positive steps for the future. This report was updated in 2011 and reviewed and updated this year. All these reports highlight the significant growth in both the number of people living with Parkinson's disease and health system costs, productivity and other losses.

The 2015 report found that there are nearly 70,000 people—or one in every 340 people—living with Parkinson's in Australia. The report explains that Parkinson's disease is a chronic, progressive, incurable, complex and disabling neurological condition. It is a surprisingly prevalent condition. On average, 32 new cases are diagnosed every day. There are likely to be nearly 12,000 new cases diagnosed this year. Of the nearly 70,000 Australians living with Parkinson's, nearly one in five are of working age. The number of people with this condition is expected to continue to grow in the coming years because of our ageing population.

While 82 per cent of people living with Parkinson's are aged over 65, people as young as 30 years of age can be diagnosed. The median time from onset to death is 12.4 years, though many people living with Parkinson's do live with the disease for well over 20 years. In 2014, there were an estimated 1,743 deaths from Parkinson's disease in Australia.

As well as the huge personal and human costs associated with this disease, the report highlighted the very real economic costs. The total financial cost of Parkinson's disease in 2014 was almost $1.1 billion. This is more than double the cost of $527 million in 2005. According to the report, individuals bore 17 per cent of these costs; governments, 57 per cent of the costs; employers, three per cent; and the rest of the community, 24 per cent. For someone living with Parkinson's for 12 years, the average lifetime financial cost is around $161,000. This is on par with the average lifetime
financial cost of cancer of $145,000. People living with Parkinson's are more than five times more likely to be in residential aged-care facilities than the general population. The total economic cost of Parkinson's last year was nearly $10 billion. This is an increase of 46 per cent, or $3.2 billion, since 2005.

This will only increase unless Parkinson's is made the focus of national action. The report found that there are cost-effective interventions that can help people living with Parkinson's to achieve a higher quality of life while at the same time reducing the cost to the community of this condition.

When I attended the briefing by Parkinson's Australia, I was able to catch up with the President of Parkinson's Tasmania, Helen Connor-Kendray, a tireless advocate for people living with Parkinson's in my home state. Helen spoke to me about the importance of people with Parkinson's having access to specialist nurses. This is also highlighted in the report, which says research has shown the potential benefits associated with the availability of specialist Parkinson's services. Importantly, the report said:

Patients have improved health outcomes and their carers report less emotional strain.

The benefits are found in Tasmania, where there are three specialist Parkinson's nurses, one in each of the regions, but they have a heavy workload. Regrettably, some people wanting the help and advice of these Parkinson's nurses can wait between six and eight weeks for an appointment.

This is not good enough. We must do more to help people living with Parkinson's disease. More people are being diagnosed with young-onset Parkinson's, and we must ensure they receive age-appropriate support. This includes ensuring they have a smooth transition from the NDIS into residential care.

I commend Parkinson's Australia for commissioning this report and for all the work they do to support and advocate for all people affected by Parkinson's.— (Time expired)

Motorcycle Helmets

Senator MUIR (Victoria) (19:24): I rise to make some short comments pertaining to motorcycle crash helmets for use on public roads in Australia. The crash helmet is the most important part of motorcycle protective equipment—combined, of course, with the brain that is inside the head inside the helmet. Recognising this, there are laws and regulations about what helmets can be sold and what should be worn. Compulsory helmet laws make a lot of sense. Unfortunately, in Australia, that is about where the logic ends.

As 650 specialists from around Australia and overseas meet on the Gold Coast this evening on the eve of the first Australasian Road Safety Conference, it is an appropriate time to highlight the significant conflicts around motorcycle crash helmets between Commonwealth laws and those of the states and territories. These conflicts have been recognised for a number of years, yet little has changed to address this—and nothing at the Commonwealth level. Hopefully, through the COAG process, this is about to be addressed.

Motorcycle and scooter use has grown significantly in Australia in the past decade. There are almost twice as many riders in 2015 as there were in 2005. The number is now around 800,000. Yet riders looking to do the right thing would be confused because it has been impossible to purchase a complying motorcycle helmet for almost that entire decade.
The consumer product safety standard governing the sale of motorcycle crash helmets is Consumer Protection Notice No. 9, which was published in 1990—25 years ago. It refers to the Australia and New Zealand helmet standard 1698, from the year 1988. However, Standards Australia subsequently reviewed this standard in 2006. Whilst federal laws govern what can be sold, it is state and territory regulations that govern what is legal for use whilst riding. These state and territory regulations refer to the later standard, AS 1698 of 2006. Since the introduction of the updated standard, no helmet sold in Australia has complied with Consumer Protection Notice No. 9. What kind of consumer protection law is this?

Following representations from rider organisations, the governments of Queensland, the Northern Territory and Victoria have amended regulations to allow riders to wear helmets complying with the European standard, ECE 22-05. This is all well and good, yet it remains illegal to sell a helmet in Australia complying with ECE 22-05 as a motorcycle crash helmet. That is because the consumer protection notice is 25 years old.

Motorcycle riders recognise their own vulnerability and are highly aware of safety. Riders want to choose from the best helmets they can afford. Consumer Protection Notice No. 9 needs to be revoked or amended to allow the sale of ECE 22-05 helmets and to recognise the current Australian standard, not one that was surpassed a decade ago. This needs to go a further step to ensure that Australia has a standard that reflects the current global market. All state and territory road authorities need to amend road rule 270 and the definitions of an 'approved motor bike helmet' to ensure uniformity across all jurisdictions.

I understand that, through COAG, the infrastructure and transport ministers from across the country plan to discuss this issue at their next meeting, in November. I urge the relevant Commonwealth ministers to ensure that we work with the states and territories to finally bring about a quick and sensible resolution of this issue. I also urge the Australian Competition and Consumer Commission to play their part in working with organisations such as the Australian Motorcycle Council to resolve the matters around consumer protection as soon as possible, in the interests of improving motorcycle safety.

**Turnbull Government**

**Aged Care**

**Senator POLLEY** (Tasmania) (19:29): I rise tonight because I think it is important to acknowledge that, Mr Turnbull having knifed Tony Abbott and becoming the new Prime Minister, he announced his ministry, but once again, in the tradition of the Liberal Party, one of the issues that he failed to address which is so important to the Australian community is that a minister for ageing or aged care was not announced at that time. But I do give credit to the new Prime Minister that a Minister for Aged Care was announced a week later. It was a bit of an after thought after all the sector and those on this side, including myself, had been saying for two years or more that we needed to have a minister that was dedicated to aged care and the care of older Australians. Finally, now, I pay tribute.

I have worked with Minister Ley on committees during my time in this place. She has an enormous task ahead of her for the government to regain the trust that they are now listening to the sector and to the community around issues affecting older Australians. We know that the assistant minister left a long list of issues that were unresolved. We know the government over the last two years had taken their eyes off the ball when it came to aged care in this
country, and, unfortunately, it was never given the priority it deserved. So now we have a fresh start. We have a new Prime Minister with the same old policies in all areas, and I do not expect that aged care is going to be any different. But we do have an opportunity, if this minister can grasp the concept that the sector and the Australian community need to be listened to when it comes to ageing and aged care issues in this country.

As we heard in question time today, it is not just about areas of policy like whether the Nationals are going to be done over when it comes to water but we are now hearing whispers that Ms Ley may not, as minister, have a hands-on control of what is happening in the aged care sector in this country, which gives great concern to those on this side of the chamber.

Over the last week, I visited a number of aged care centres in Tasmania to gauge their views on what still needs to be done in this area of policy development. The response was resounding that we need a minister that is across these issues and who has the vision and the passion to lead the debate. We also have an issue around the aged care gateway; it is not working the way that it should be working. The assistant minister came into this chamber on 26 June last year and said the government were cutting the funding for those people suffering severe behaviour issues around dementia. Then there was a great policy announcement, without any thought or planning, of what they were really going to deliver. We got the flying squads. Now the tenders have gone out for these flying squads. What direction was given to the sector in what was going to be expected of these flying squads? This government said 'you tell us how they should work'. How is that for leading aged care in this country? No vision, no passion and no real understanding. Quite frankly, I do not think those opposite like older Australians. There is a big issue there and a big hole to fill as to what this government are going to do around dementia and around planning for the ageing of the Australian population.

But there was a number of other issues that were brought to my attention when talking to those people in the sector—that is, they believe that the Labor Party's policy framework of Living Longer Living Better was a well defined policy. Of course it needed to be put into practice and it needed to have the eye of the government firmly monitoring the outcomes of the programs. But what did we see from this government, a government that took its eye off the ball, a government that cannot be trusted? I want to put Minister Ley on notice that we on this side of the chamber will be keeping our eyes firmly on her to ensure that she fulfils the requirements of the Australian community.

Workplace Relations

Senator LINES (Western Australia) (19:34): Tonight I rise in Anti-Poverty Week to talk about women's wages in this country and about the gap between men's and women's wages under the Abbott-Turnbull government that is growing and growing at alarming rates. It seems the Abbott government did not do anything about it and it appears that the new Minister for Employment and, indeed, the Minister for Women, Senator Cash, is not doing anything about it either.

The wages gap sits at 17.1 per cent nationally. The gap between men's and women's wages nationally is almost 20 per cent. But wait, in Western Australia, my home state and, interestingly, the home state of the Minister for Employment and the Minister for Women, it is a whopping 26.1 per cent. What has this government done about that? You do not even hear it being mentioned. But what those opposite are doing is continuing their attack on workers, on low-income earners and on those who rely on a benefit from the government, and those...
people are predominantly women. We know that in our community it is women who predominantly work across the service sector. Whether it is hospitality, whether it is retail, whether it is aged care, whether it is cleaning or whether it is disability services, they are the sectors where women are clustered. In Western Australia there is a 26.1 per cent gap in the wages between men and women.

Yesterday we had another Western Australian senator kind of imply that Vinnies were really interested in jobs, any jobs. I think Senator Back, whilst he did not wrongly quote Dr John Falzon, certainly made an implication that Dr Falzon would think jobs were above all else. I want to put on the record a quote from Dr Falzon around penalty rates. Dr Falzon, on behalf of Vinnies—he is the CEO—said:

Penalty rates are an essential means of building fairness in our economy, keeping many of Australia's lowest paid workers from falling into deeper poverty, and should not be tampered with.

He went on to say:

It is vital that Australia's penalty rates system be maintained as an essential buffer against poverty, relied on by people who are battling to make ends meet.

Those who rely on penalty rates to meet their household expenditure are far more likely to be single parents, women in receipt of a household income less than $30,000 and living on the edges of our cities or in regional Australia.

You do not fix unemployment by penalising people in low-paid and insecure work.

That was what Dr Falzon said.

Indeed, at Labor's fair work taskforce, where we heard from low-paid workers last week, the Western Australian branch of St Vincent de Paul appeared before us and they also talked about how necessary penalty rates are, particularly across the service sector, and how they made up a significant portion of people's incomes.

Today, again in Western Australia, we see that single-parent families, mostly headed by women, are really suffering in the private rental market—and, if they remain in the private rental market, they will end up living below the poverty line. Indeed, after my penalty rate speech yesterday I got an email from a woman who told me what a struggle she was having as a single parent bringing up a son while trying to manage work and rent.

Yet, with the national gap for women's wages at 17.1 per cent—and, alarmingly, at 26.1 per cent in Western Australia—we hear nothing from the Turnbull government. Some of that climb in the gap in wages in Western Australia directly relates to the Court Liberal government's harsh industrial relations laws, where they allowed employers for the first time in Western Australia to go below the award rates and to abolish penalty rates. That is exactly what employers did. It did not increase the unemployment rate. What it did do, though, was increase the gap between women's wages and men's wages. It is time the government came to grips with this and put a plan in place to address this absolutely disgraceful gap between men's wages and women's wages. Thank you.

**Sustainable Development Goals**

Senator McALLISTER (New South Wales) (19:39): Earlier this week I was very pleased to receive a delegation of people—mostly very young people—associated with the Micah Challenge. The Micah Challenge is an organisation dedicated to promoting the Millennium
Development Goals and the Sustainable Development Goals, which have recently been adopted to replace the Millennium Development Goals.

It is an important time for us to reflect on the significance of coordinated global action to combat poverty, to promote sustainability and to pursue justice and equality across both the developed and developing worlds.

We have made much progress in the years since the millennium—not on all goals, but on many goals. The great genius of the Millennium Development Goals was that they provided a framework in which public organisations, private organisations and NGOs could all work collaboratively for a clear purpose. Some of the most impressive results have been around health. The goals acted to galvanise support around the diagnosis, treatment and prevention of communicable diseases like HIV malaria and tuberculosis. In just one example, malaria-related mortality has dropped by 25 per cent since 2000. I had the very good fortune to visit Vietnam earlier this year and see the remarkable success that the global fund has had in combating malaria in rural provinces there, and to see the power that comes from bringing public and private sector funding and leadership and expertise together in pursuit of a common goal.

The Sustainable Development Goals have now been developed in a 15-year plan to coordinate international activity. They focus on the three dimensions of sustainable development: economic prosperity, social inclusion and environmental sustainability. They are spread across 17 different goals and they relate to issues as varied as gender equality, access to clean water and sanitation, education, reducing inequality, affordable and clean energy and climate change. They are not vague aspirations. Every one of the goals has clear targets that the global community will try and reach 15 years from now.

This is a very important policy document. It is a clear statement of vision and intent by the global community, and the goals represent a very big agenda. They are the culmination of extensive input from countries, non-government organisations, businesses and millions of ordinary citizens from around the world. All countries include Australia are expected to use the goals in framing their agendas and their policies. There are steps that we can take domestically. As one example, there is much that we can do to remedy the inequality and poverty that is faced by Indigenous Australians.

However, if as a global community we are to have any hope of achieving the Sustainable Development Goals, more well-off countries such as ours will have to contribute more to development aid. As one of the most well-off countries in the Asia-Pacific region, we have a particular obligation to help out. Chinese president Xi Jinping has unveiled and initial pledge of $2 billion, with the aim of increasing that to $12 billion by 2030.

Unfortunately, here in Australia the cuts to our aid budget make it very difficult for Australia to be the good global citizen that we believe we can be. The Liberal government has ripped $11.3 billion in aid out of the last federal budget. This included a $2 million cut from some of the poorest countries in Africa. It is a 70 per cent drop in the last budget alone. Our budget is now the weakest aid budget in our country's history.

Turning our back on the global community does not mean that they will go away. The Liberal government's decision to slash Australia's aid budget was short-sighted. Hopefully it will also be short-lived. The Sustainable Development Goals are an ambitious piece of global
development policy, and Australia should give what it can afford, because we really cannot afford not to.

**National Day of Unity**

Senator SINGH (Tasmania) (19:44): Today I rise to celebrate and mark the launch of National Day of Unity, a day that brings together political leaders, community leaders and faith leaders to stand for a modern, inclusive Australia. Here in Parliament House we celebrated this National Day of Unity.

More than 50 faiths attended, representing Muslim, Christian, Jewish, Buddhist, Hindu, Sikh, Baha'i and other traditions, all of whom joined with many of my colleagues in a very uplifting launch that highlighted the desire for all Australians to live in peace and safety. It was truly about celebrating diversity, encouraging mutual respect and fostering that positive relationship between people of all faiths, ethnicities and backgrounds. I want to thank Welcome to Australia and the Lebanese Muslim Association for bringing us together today and for being here in Parliament House with so many members of our multicultural community from various religious faiths.

The National Day of Unity seeks to build and strengthen the ties between all Australians regardless of heritage, faith or ethnicity. The words of Christian pastor Brad Chilcott, founder of Welcome to Australia, perfectly summarise the motivation behind today. He said:

There are countless things that could divide us. But we are united by a vision of an Australia where people are afforded equal respect and dignity. We are united in our belief that prejudice and hatred damage all Australians and believe that unity, empathy, and welcome are the foundations of a better future.

Celebrating diversity and the strength it brings to our nation only makes us a stronger nation. Our nation has a rich history of multiculturalism. For decades now we have welcomed immigrants into our community and been enriched by the culture that they bring.

As someone who stands here in the Senate as the daughter of a migrant father and an Australian-born mother, I feel that it is incredibly vital that we continue to ensure that the rich tapestry that makes Australia what it is—from our first peoples to our migrants who continue to come here and make Australia home—and the harmony that we celebrate in our diversity are strengthened. If we reflect on the tragedy that has occurred in the past week, now more than ever is the time to build strong, resilient communities—and that is exactly what this Day of National Unity was all about. It was about adding dignity, respect and unity to our national conversation. Part of that includes highlighting the Walk Together event that will take place on 31 October. In over 25 cities and regional centres in Australia you will be able to participate by visiting a mosque or by being part of a local Walk Together group where you can celebrate the diversity that makes Australia a special, strong and resilient multicultural community.

We have so much to share with each other. It is not about losing your own cultural identity; it is about sharing it with one another and enriching Australia in the process. At this point in time, when some of that unity, resilience and harmony is potentially being threatened—like what we saw last weekend in Bendigo—it is more important than ever that we as a nation show that we are very strong and resilient in the face of such threats of bigotry and hatred speech that unfortunately do tend to occasionally find their way into the lexicon of our communities. There is no place in this country for hate speech. We have strong racial
discrimination laws that deal with that. Nevertheless, we are a country of free speech, so hate speech is there sometimes. I stand for this National Day of Unity to say no to hate speech and yes to unity.

**Sport**

Senator PERIS (Northern Territory) (19:49): I rise tonight to speak about the amazing sporting achievements of Australians in recent weeks, as well as the superb efforts of some Aboriginal athletes who have achieved at the highest level across sporting codes. Territorians are proving themselves to be excellent athletes who punch well and truly above their weight. September and October are always busy with grand finals and sporting awards nights, but this year was just spectacular.

Firstly, I am extremely proud of the Northern Territory Thunder for their grand final win in the North East Australian Football League—commonly known as NEAFL—beating the Queensland team from Aspley by one point in the decider. This was their second NEAFL premiership and their first grand final win in Darwin at TIO Stadium. I was at the game along with a stadium filled to capacity with Territorians who, of course, all got behind the NT boys. It was a thrilling game of football. At one point the Territory Thunder led the Aspley Hornets by 30 points in the last quarter. With the Thunder up by two points and only a few seconds to go, Aspley had a shot at goal, which they fortunately missed, and the mighty Territory Thunder got up by one point.

The Thunder were founded in 2008 and have competed in the NEAFL Cup ever since. They have continued to go from strength to strength and have shown that Territorian athletes are fierce competitors. The Thunder have consistently performed against the AFL reserves teams in the NEAFL. This year, the Territory Thunder beat the Sydney Swans, the Brisbane Lions, the GWS Giants and the Gold Coast Suns reserves teams. Each of those teams included several AFL players who were not playing in the top teams that week. This shows the high level of performance being reached by the NT Thunder players and the calibre of our organisation.

Former St Kilda player and Aboriginal Territorian Xavier Clarke is now coaching a mix of young players and some more experienced players who show up every week to represent the Territory with pride. He is doing a fantastic job and should be commended for this year's premiership win. The captain, Cameron Ilett, leads a team that includes former AFL stars Richard Tambling and Liam Patrick and young guns like Neil Vea Vea and Ben Rioli. I should also make mention of my younger cousin, Jono Peris, who played in the grand final and throughout the whole season for the Territory Thunder, running out at half-back. Well done, boyo! Unfortunately, the grand final trophy was lost after the game as the team's celebrations went into 'Mad Monday'. Two days later the trophy appeared at the TIO Stadium, which was fantastic. Congratulations, once again, to the NT Thunder on their second premiership.

Another Territorian who is making Territorians extra proud is, of course, young Cyril Rioli, commonly known to us Territorians as 'Junior Boy'. Cyril's home town is Pirlangimpi, also known as Garden Point, and it is home to almost 400 people. In the AFL Grand Final, Cyril showed true Territory class and ability. He kicked two goals in the first quarter and helped set up the great victory for the mighty Hawks. Cyril is the perfect example of Tiwi football showmanship. He creates goals out of nothing, finds space where there is none and...
shows the AFL what Territorians can do. He is a champion and role model for all Tiwis, Territorians and Australians.

My son Jack is an avid supporter of Hawthorn and an even bigger supporter of Cyril, his hero. I am thankful that he has someone like Cyril to look up to. Cyril, of course, won the Norm Smith Medal for best on ground in the grand final. He was without a doubt the stand-out player in the Grand Final.

I want to read a short extract from former Sydney Swans star Michael McLoughlin’s column in the *Koori Mail*: ‘Rioli’s performance maintained a proud family history that is almost beyond comprehension. He was the third family member from a remote and small community to win the highest individual honour on the day.’

Cyril repeats the feat of two of his uncles: the late and great Maurice Rioli, who won the Norm Smith Medal for Richmond in the 1980 grand final—and, by the way, the grandstand at Marrara Oval in Darwin is called the Maurice Rioli Stand—and then of course the great Michael Long, who had won the award in 1993 playing for Essendon. Funnily enough, Cyril was quoted in the column, stating that he knew his Uncle Mick had a Brownlow but he did not know until recent years that his Uncle Maurice had one.

Regardless, the Long and Rioli dynasties from the Tiwi Islands produce outstanding footballers. I also should add that my mother, Joan Peris, grew up with the Rioli and Long families at the Garden Point mission, so perhaps there was something in the water at the Garden Point mission that helped develop sporting champions!

On top of that, how good was it to see former Adelaide Crows star, Darwin export and Territorian Andrew McLeod, who has won two Norm Smith Medals himself, present Cyril Rioli with his medal? All Territorians are extremely proud of this historic moment. Again Territorians are punching way above their weight in the sporting arena, but this is a moment that the whole AFL community and all Australians can be proud of: one Aboriginal man from the NT giving the Norm Smith Medal to another Aboriginal man. It just goes to show how mature and modern the game is and shows the AFL is truly a national game with truly a national following. Over three million people watched the AFL grand final, and it was once again a premier sporting event and exciting spectacle. Congratulations to the AFL.

The day after the AFL, of course, was the NRL grand final. The North Queensland Cowboys came from behind in the last minute of the game to crush the Brisbane Broncos in golden point extra time. Again it was an excellent sporting spectacle, which turned out to be a brilliant and close game of Rugby League. I, like millions of others, watched at home and watched in awe of the great Johnathon Thurston, affectionately called JT, who after his fourth Daily M Medal played a brilliant game and won the Clive Churchill Medal for the best on ground. He is an absolute legend and gentleman of the game. His play was fearless and determined. He was also able to lift so quickly after missing a conversion after the final whistle and then kicked the winning field goal. It was a phenomenal effort.

This was also the first time an NRL grand final had two teams that were captained by Aboriginal men: JT for the Cowboys and Justin Hodges for Broncos, both warriors and strong, experienced campaigners in their chosen field. The NRL should be extremely proud of this unique achievement. Rugby League has fostered a relationship with its communities and with players from multicultural backgrounds.
I know Territorians love their Rugby League. My son and grandson love playing for the mighty Brothers back home in Darwin. Once again over three million people tuned in to watch what would be a historic NRL grand final. Thousands of young lads no doubt drank big that day for what might be their dream: to be just like JT.

Finally, I want to make special mention of retiring Sydney Swans star and friend Adam Goodes, who called time on his career this year after a stellar 372 AFL games, including two premierships and two Brownlow Medals with the Sydney Swans. He gave his entire adult life to playing AFL, the game he loved. Whilst it was unfortunate that Adam Goodes did not participate in the retiring players parade around the MCG before the grand final kick-off, he left the game with his head up and with dignity. His achievements far outweigh the small minded bigotry directed towards him in the last weeks of his stellar career.

As a football star and former Australian of the Year, Adam Goodes's leadership and advocacy is nothing but first class. Adam Goodes deserves his moment in the sun just as he deserves to retire on his own terms. I congratulate Adam Goodes for being a truly great Australian and wish him well on the next part of his journey.

Australian Greens

Senator SIEWERT (Western Australia—Australian Greens Whip) (19:57): I rise tonight to speak about part of the Australian Greens' vision for a caring society. We the Australian Greens believe in a caring society, not a dog-eat-dog competition where everybody looks after themselves. This central value—the social justice pillar of the Australian Greens—matters for so many reasons and needs very clear action in this country. A caring society, we believe, is of fundamental value in the fabric of our society. In fact, one of the key reasons that I sought to become a member of the Senate and to represent the Australian Greens is that I believe in, campaign for and work towards building a strong, caring society in Australia.

This week is Anti-Poverty Week, a time for us to reflect on the issues of poverty in this country, to strengthen public understanding and commitment to address the challenges facing too many Australians and also to encourage research, discussion and action on these issues. The Australian Council of Social Services estimates that there are more than 2.5 million people living in poverty in Australia. That includes 600,000 children and 600,000 people with disability. This is too many. It seems to me that for a long time poverty has been off people's agenda. I do not know why when it is so stark, when there are so many people in Australia living in poverty. That is why Anti-Poverty Week is so important. It is time that we addressed this issue. We should not have a society where people are left behind. We should not be ignoring this issue. We should not be ignoring the growing inequality in wealth and income in this country.

There is so much that we need to do to address poverty. Some people think it is one of those intractable problems, but it is not. People who have heard me speak on this issue before will not be surprised when I say one of the first things we can do is increase our income support payments, particularly allowances such as Newstart and youth allowance, by at least $50 a week. We know that, if people are living on Newstart, they are living in poverty. We know now, because the figures are pretty clear, that single parents and their families that were dumped onto Newstart are living in poverty. So increasing Newstart and the youth allowance by at least $50 a week would go a long way.
We know that that is economically achievable because the Greens took a package, costed by the Parliamentary Budget Office, on that to the last election. We believe that we need to take strong action on poverty. If we are to claim that we are a caring, just and compassionate society, we need to be helping those who are struggling in poverty and addressing the growing inequality in wealth and income in this country.

ACOSS and other peak bodies have analysed inequality in Australia. An analysis recently commissioned by ACOSS found that inequality in Australia is significant and is increasing. Their analysis found that the wealth of the top 20 per cent group increased by 28 per cent over the period from 2004 to 2012, while, by comparison, the wealth of the bottom group increased by just three per cent. We know from the many studies that have been carried out in Australia looking at the increasing wealth inequality and income inequality in this country that other analyses have also confirmed ACOSS's analysis. We also know from both international studies and work done in Australia that there are a lot of negative impacts from inequality on people's health and life outcomes, including intergenerational impacts, and we need to be addressing those issues.

There are a number of other organisations who have commented on this during Anti-Poverty Week, but ACOSS in particular, as the peak group, with the other COSSs around Australia, have made some very concrete recommendations about what we could be doing to tackle poverty in this country. Most of these things, unfortunately, I have raised before in the Senate. One is the need for a national plan. I will put a motion calling for a national antipoverty plan before the Senate tomorrow, and I will come back to that. ACOSS also call for increased job openings for people who are long-term unemployed and for improved assistance, including more real work experience and training in partnership with employers.

Another is a substantial increase to unemployment benefits, be they Newstart or youth allowance, by at least $50 a week. There should be a boost to family payments for sole-parent families to reduce child poverty in these households. Many of those 600,000 children I was talking about who are living in poverty are the sons and daughters of single parents who were thrown off parent payment single and parenting payments onto Newstart and, literally, into poverty. By increasing family payments and allowance payments, we will start addressing those issues around poverty. Reversing those appalling measures that were put in place by the Howard government and the Gillard government that, in fact, dumped single parents from parenting payments onto Newstart would help those families as well.

An increase in Commonwealth rent assistance to ease housing stress in low-income households is another thing that ACOSS is calling for, as well as a joint government strategy to accelerate the supply of affordable housing in local communities. These are all measures that will help address poverty in this country. These recommendations are important because a society that ignores inequality and the suffering within our community is worse off as a whole. A caring society works to fight inequality and to give people access to fundamental things such as health, education, decent income support and accommodation. Addressing important mechanisms like the minimum wage helps combat inequality. That is why a caring society also protects the rights of workers and makes sure workers can afford to live and have decent wages.

We had a Senate inquiry into inequality in 2014 that made many recommendations around these really important issues, but still we see little action in addressing these underlying issues.
that need to be dealt with if we are to address poverty. What we see are punitive approaches that penalise young people who do not have work. First, we had the Abbott government trying to keep young people off income support for six months. The government have now come back and said they will keep them off it for five weeks. That measure was rejected by the Senate because it was seen as clearly unfair and in fact, counterproductive because it would put even more barriers in the way of young people trying to find work. We know poverty in itself is a barrier to finding work.

What did this government do? Under the Turnbull government, within days of Mr Turnbull becoming the Prime Minister, that legislation was back in the House of Representatives to bring back into the Senate. So there has been no change of policy and no realisation that keeping young people living on nothing contributes to their debt and poverty and becomes yet another barrier to finding work. Marginalising people does not help them address poverty and find work. Providing positive incentives and wraparound services that actually address the needs of individuals is part of the approach that we should be taking. That is also coming out. It has been clear from the evidence for quite a long time that that is what helps. I was listening to someone talk about it on the radio the other day as if it were a surprise that treating people as individuals in a community is a positive way to make change. Can we please re-think how we approach poverty in this country and act to put a national plan in place.

**Assisted Suicide**

Senator LEYONHJELM (New South Wales) (20:07): In 1997, Kevin Andrews succeeded in pushing a private member's bill through federal parliament. It overturned the first legislation permitting assisted suicide in Australia, enacted in the Northern Territory. Since then, not only does assisting someone to commit suicide remain a serious crime in all states but it is also a crime in the territories. Three states have life imprisonment as the maximum penalty, while in others the maximum penalty varies from five to 25 years. This is extraordinarily cruel. The denial of the right to die at a time of our choosing can result in a lingering, painful death. It is also at odds with the fact that we have both a fundamental and legal right to choose whether we wish to continue living.

It is important to state this clearly, because people forget suicide was once illegal and failed attempts often led to prosecution. In medieval England, suicides were denied a Christian burial. Instead, they were carried to a crossroads in the dead of night and dumped in a pit, a wooden stake hammered through the body to pin it in place. There were no clergy or mourners and no prayers were offered. But punishment did not end with death. The deceased's family was stripped of their belongings, which were handed to the Crown. In fact, this remained the case until 1822. Michael MacDonald and Terence Murphy, in *Sleepless souls: Suicide in Early Modern England*, wrote:

The suicide of an adult male could reduce his survivors to pauperism.

Experts say that there was no significant campaign for a change in suicide legislation. Instead, there came a gradual realisation that the laws of the day were at odds with society's views and that care, not prosecution, was needed. Dr David Wright, co-author of the book *Histories of Suicide: International perspectives on self-destruction in the Modern World*, wrote:

From the middle of the 18th Century to the mid-20th Century there was growing tolerance and a softening of public attitudes towards suicide, which was a reflection of, among other things, the secularisation of society and the emergence of the medical profession.
This freedom is now mostly well accepted. While suicide is often an occasion for sadness, there is also a recognition that people do not belong to their families or to the government. An individual may have good reasons to take his or her own life, but even if they do not, it is still their own decision to make. But there is a catch. The law says we are only permitted to die by our own hand without assistance.

Indeed, in Victoria, New South Wales, South Australia and the ACT, reasonable force can still be used to stop a person from committing suicide. And if we are too weak or incapacitated to end our lives ourselves, we are condemned to suffer until nature takes its course. It is a serious offence for anyone to either help us to die, at our instruction, or even to tell us how to do it for ourselves. One of the consequences of this is that it can compel people to end their lives sooner than they would like. Understandably, people prefer to avoid the risk that they will become incapable of committing suicide themselves.

Most fair-minded people accept that painlessly terminating the suffering of animals is an act of compassion. As a veterinarian, I have often had the decision to put an animal to sleep placed in my hands because animals are not people and cannot give consent. However, for us humans, even when we give consent and beg for help, the law prohibits the same compassion.

There is no better marker of individual freedom than the ability to decide what to do with our own body. If the law prevents us from making free choices about it, then we are not really free at all; our bodies belong to the state. And yet, bodily autonomy is well-recognised in other areas. Nothing prevents us from getting tattoos, dying our hair purple—if we have hair—or sporting multiple studs and pierces. We are just not allowed ultimate autonomy.

Legalisation of assisted suicide is long overdue in Australia. Opinion polls show more than 80 per cent of Australians are in favour, across all political parties. It is high time governments accepted that, on this deeply personal matter, their intrusion is not warranted. Despite what some people think, this is not about bumping off granny to inherit the house. Assisted suicide is simply helping someone to do something that they would do for themselves, if they were not so ill or feeble. The absolutely essential element is voluntary consent, which is emphatically not merely implied consent or acquiescence. Moreover, this is not about living wills or withdrawing medical assistance. Those are different issues.

Equally, those contemplating suicide should be made aware of the availability of palliative care to make their last days less agonising and have treatment options in the case of mental illness. Indeed, the decision to die, with or without assistance, should be rational and well informed in all cases, including an awareness of the attitudes of loved ones left behind.

And of course, consent must be verified. Medical practitioners are no better qualified than anyone else to confirm this, but clearly the decision must be genuine. One of my concerns with Senator Di Natale's Medical Services (Dying with Dignity) Bill—although I support its general intent—is that it overmedicalises the process, giving too much power to doctors. This is apart from the fact that it probably lacks a valid constitutional head of power.

In the short term at least, the easiest approach to facilitate the path to legalising assisted suicide would be repeal of the Euthanasia Laws Act 1997—the Andrews bill I referred to earlier. It removed the power of each of the territories to legalise assisted suicide, with a specific focus on repeal of the Northern Territory's Rights of the Terminally Ill Act 1995. While it is too late to simply reinstate the Northern Territory act, repeal of the Andrews bill

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would send a signal to states and territories that their legislatures may now turn their attention to this issue. As a bonus, it would support federalism in law-making. For too long, the Commonwealth has waded into areas that are properly the business of the states. I advise senators that it is my intention to introduce a bill to repeal the Andrews bill in the next sitting session.

Whatever we might think of the decisions others make about their lives, the law should respect their right to make their own choices. Whether as legislators or private citizens, our approval is neither necessary nor relevant. And the permission of the government should not be required, just as it is no longer required with respect to suicide.

**Environment**

Senator RICE (Victoria) (20:16): We are blessed in this country to have some of the most beautiful forests and national parks in the world, and in the past three weeks I have been fortunate to tour some of them. From Helms Forest in south-west Western Australia—home to old growth karri and jarrah—all the way across the country to the Nullica State Forest in south-east New South Wales, home to the vulnerable quoll, I met with conservationists, forest advocates and community members, who each had their own story about the ongoing impact of logging and habitat loss on the wildlife and forests around Australia.

I also had the pleasure to be part of the Australian Wildlife Tourism Conference in Geelong—and what a useful, timely and informative event it was. Combining my work in both tourism and forests, I talked about the intersection of tourism, the environment and policy, and provided a political perspective on nature based and wildlife tourism. Nature based tourism has the potential to be politically controversial, because it depends on natural environments where there are conflicts over land and resource use. We know it is an economic money-spinner, with huge potential across the recreation, accommodation and hospitality sectors. We also know people want to travel to and around Australia to see our iconic beaches, outback, bushlands and forests. But the ways they are planning their holidays are changing, including a growing environmental awareness influencing the choices about where and how they will travel.

The Productivity Commission's research paper in February told us more than 30 per cent of these tourists favour environmentally friendly tourism and, as domestic or international travellers, they have the money to spend. Across the country, nature based tourism is a $23 billion dollar industry. In Tasmania more people are employed in the tourism industry than in agriculture, fisheries and forestry. In the East Gippsland community in my home state of Victoria, there are 1,500 people directly employed in tourism, compared to just 56 in mining. Despite it being one of the main native forest logging areas in the country there are only about 600 jobs in native forest based logging industries. In fact, the tourism industry nationwide currently employs over half a million people—twice the workforce of the mining industry.

Our native forests play a huge role in nature based tourism across Australia. But if they are logged, mined, polluted, invaded by pest animals and plants and have water deprived from them, these opportunities are lost. Their values to education, health—both physical and mental—and knowledge of the world around us are lost. And there are huge costs to the community as their value as water and carbon stores dissipate. We must protect our environments, our heritage and our special natural places as part of building a sustainable economy into the future. Nature based tourism that preserves habitats and the biodiversity of
precious ecosystems and improves the economic prosperity of local people and communities is a very important part of this new economy.

Part of my forest tour included a trip to the Jamarri Cockatoo Rehabilitation Centre with the Western Australian Forest Alliance and my colleagues Senators Ludlam and Siewert. This sanctuary is home to the Forest Red-tailed black cockatoos as well as Carnaby's and Baudin's cockatoos, which have been listed as vulnerable and endangered by both the state and federal governments because of habitat loss. The wildlife carers at Jamarri have, for more than 20 years, been rehabilitating threatened cockatoos and releasing them into the neighbouring Helms forest, which provides the last high-quality cockatoo habitat in the region.

Despite pleas for the forest to be protected, a large section of it was intensively logged earlier this year. These cockatoos have a heavy reliance on nesting hollows in trees that are over 200 years old. But these ancient trees are still being destroyed for low-value products like firewood, charcoal and woodchips, and plans to keep logging them means they will never have a chance to regrow. The continued logging of mature nesting trees in the karri, jarrah and marri forests in south-west Western Australia has led to the rapid decline of many bird and animal species and, with cockatoos living for 40 years or more, we are yet to see the full impact of this loss. The loss of nesting hollows and reduced numbers of young birds will not be obvious until the older birds die off and the numbers crash. I applaud the efforts of the Western Australian Forest Alliance. Their continued advocacy highlighting the impact of logging and habitat loss must be commended. Thank you so much.

This all has a direct impact on the local economy. Tourism in the south-west of WA accounts for 21 per cent of all visits annually to the state. And after my visit I can see why: the diversity of native flora and fauna in this area of Western Australia is astounding. Yet logging continues, and with it the precious natural resources that tourism depends on are in rapid decline.

The Central Highlands of Victoria is another area of forest where nature-based tourism opportunities are bountiful. It is home to the now critically endangered Leadbeater's possum and the world-famous mountain ash forests. The Central Highlands have been very effectively rebadged by the local community as the proposed 'Great Forest National Park'. We know what is necessary to protect Leadbeater's possums, and that is to stop logging their habitat through this Great Forest National Park. The park will be a boon for nature based tourism and recreational activities, and will contribute social, environmental and economic benefits for the region.

Unless we take actions like this to protect our native forests, we can kiss goodbye to these potential nature based tourism activities. For the good of the community, we must shift away from the environmentally and socially damaging old economy. The logging in Toolangi and the surrounding forests must cease.

Just last week, I visited the forests of south-eastern New South Wales. Talking with forest advocates and conservationists, I was struck by the fact that I was hearing the same story, over and over again—a story so similar to those I had heard in Western Australia, Victoria and Tasmania: our native forests are worth more standing than logged.

In the Glenbog State Forest, over 100 wombats were buried alive by logging operations last year, despite local wildlife carers having identified and mapped their burrows and given this information to the Forestry Corporation. People like Marie and Ray Wynan from the Jarake
Wildlife Sanctuary highlight the plight of the Glenbog State Forest wombats. Their work is invaluable in creating and maintaining local tourism.

The proposed Great Southern Koala Sanctuary is a fantastic initiative that will also offer long-term protection to koalas across the region. You just have to look at images of Australia found in other places in the world to see that koalas benefit the Australian economy. The New South Wales government itself estimates that koalas create over 9,000 jobs and contribute between $1.1 billion and $2.5 billion per year to tourism in Australia. Yet, just like the black cockatoo in WA, the Leadbeater's possum in Victoria and the swift parrot across eastern Australia, habitat loss presents the greatest threat to the survival of the koala. Right now, koala populations across Queensland, New South Wales and the ACT are listed as vulnerable to extinction under the Environment Protection and Biodiversity Conservation Act. Yet the logging continues, removing thousands of hectares of prime koala habitat.

Regional Forest Agreements are the enemy of the amazingly diverse plants and animals that make up and live in our forests across the country. This federal government wants to roll over these failed state and federal agreements for another 20 years—agreements which place the value of a logged native forest over and above the value of a native forest that is still standing. Regional Forest Agreements must go.

There is much more we can do to protect the amazing native forests across our country. We must strengthen the EPBC Act and continue to fight against this government's attacks on green groups. We must stop native forest logging and shift all wood production out of native forests and into well managed, sustainable plantations. And we must remove the inclusion of wood from native forests from the renewable energy target and focus our energy supplies into other forms, such as solar and wind. And we need to better resource tourism and build more sustainable infrastructure to support a robust tourism sector. *(Time expired)*

**Timor-Leste**

Senator XENOPHON (South Australia) (20:26): Tonight I rise to commemorate the 40th anniversary of the murders of Gary Cunningham, Brian Peters, Malcolm Rennie, Greg Shackleton, Tony Stewart and Roger East.

The first five were murdered in cold blood by the Indonesian military on the morning of Thursday 16th October 1975 at Balibo, in what was then Portuguese Timor and is today the Democratic Republic of Timor-Leste. They were all in their twenties at the time of their murders. All were working for Australian media organizations. Two were Australian, two were British and one was from New Zealand. They have come to be known collectively as the Balibo Five. The sixth was veteran correspondent Roger East, who was in his fifties when he was executed on the wharf in the capital, Dili, in front of more than 100 witnesses soon after the 7 December invasion.

The background to the killings is that in 1975 the Indonesian military was conducting a terror-and destabilisation campaign in the border regions of East Timor. The Australian government was aware of what was going on. Declassified intelligence records obtained under the Archives Act by the Australian scholar of international relations, Dr Clinton Fernandes of the University of New South Wales Canberra, and published by him in 2011, have left no doubt on this point. With his permission, I draw on his account in my remarks tonight.
The Joint Intelligence Organisation—the JIO—today known as the Defence Intelligence Organisation, reported that on 7 October Indonesian special forces troops and local allies captured the border village of Batugade, triggering an international armed conflict to which the 1949 Geneva Conventions applied. JIO reported that Brigadier-General Chamid Suweno, the commander of the Airborne Special Forces Centre, visited Indonesian-held areas in East Timor in order to see the situation for himself. Suweno would later command the full-scale invasion of East Timor on 7 December 1975.

Three days after the seizure of Batugade, President Suharto approved a plan to set up small enclaves just inside East Timor in order to nibble away at the East Timorese resistance from these enclaves. The first of these enclaves would be established around the strategic town of Maliana. It was hoped that this strategy would demoralise the resistance, make its position untenable and induce the population to rally to the pro-Indonesian side.

At this time three journalists from Channel Seven and two from Channel Nine were at the town of Balibo, which was not militarily significant in itself but was on the road to the Indonesian objective of Maliana. If the journalists had obtained film footage of Indonesia's military campaign and conveyed it to the outside world, the cover story would have been blown.

Indonesian special forces captured and killed them on the morning of 16 October. Australian intelligence reported that the Indonesian high command was very alarmed at the killing of the five foreign journalists. Worried about the international diplomatic consequences, they called a halt to the military operation. Their concern about a negative international reaction, combined with their own logistical problems and the onset of the wet season, led to nearly five weeks of inactivity as they waited to see what the reaction would be.

But there was no adverse reaction from Australia, Britain or New Zealand. This was the real 'green light'. The lack of international condemnation at the killing of five foreign journalists meant that the Indonesian military could treat the East Timorese as they wished. And that is what they did. The consequences for the East Timorese people were horrific. In 2005, East Timor's Truth Commission estimated that the lowest possible number of conflict-related deaths was 102,800. It did not estimate an upper limit, though it did speculate that the death toll could have been as high as 183,000.

To improve on the accuracy of this figure, Sarah Staveteig, a demographer at the University of California, Berkeley, applied standard demographic methods of indirect estimation and found it likely that 204,000 is a conservative upper-bound estimate on excess mortality. From a starting population of about 648,000 on the eve of the invasion, the scale of the death toll in East Timor is perhaps the largest relative to a total population since the Holocaust. In these circumstances, although journalists are not any more special than other civilians, we commemorate them because journalists played a crucial role in East Timor's independence struggle. In East Timor itself, the Balibo Five and Roger East are remembered with great respect. As Manuel da Silva, an East Timorese man, stated at the 2007 New South Wales coronial inquest into the murders of the Balibo Five:

The reason why I came to be a witness was that I believe that the journalists are martyrs for East Timor and I believe they are East Timorese as well.

Deputy Coroner Dorelle Pinch conducted the New South Wales coronial inquest. It was the first independent judicial inquiry into their deaths. She had the power to compel witnesses to
testify and called 66 witnesses, including a dozen East Timorese who had originally fought on the Indonesian side. The Deputy Coroner found that the journalists could not have been and were not mistaken for combatants. In addition, they clearly identified themselves as Australians and as journalists. They were unarmed and dressed in civilian clothes. They all had their hands raised in the universally recognised gesture of surrender. The Coroner also found that they were shot and/or stabbed to death by the Indonesian military in a deliberate act to prevent them from revealing the truth. The Indonesian military tactical commander gave the order to kill. He was almost certainly acting as part of a plan that emanated from the highest levels of the Indonesian military. The five corpses were dressed in military uniforms, guns placed beside them, and photographs were taken in an attempt to portray them as legitimate targets. And these are findings of the New South Wales Coroner.

Since the killings were associated with, and occurred in the context of, an international conflict, the Coroner referred the case to federal authorities for possible war crimes prosecutions. On 20 November 2014 the Australian Federal Police said, during Senate estimates, that they had terminated their investigation principally on jurisdictional grounds, but:

… there is no doubt in the minds of the AFP investigators and the AFP generally that an unlawful killing occurred with respect to these five Australian journalists.

The Balibo Five were not the last journalists to die at the hands of the Indonesian military. Roger East, as I mentioned earlier, was executed on Dili’s wharf six weeks later. Sander Thoenes of the Financial Times was murdered on 21 September 1999, one day after the INTERFET landed in East Timor. Sander Thoenes is also remembered with respect. There is a memorial for him in Becora, in the east of Dili, and commemorations are held for him every 21 September—the anniversary of his murder. The last journalist to be killed was, in fact, an Indonesian, Agus Muliawan, a 26-year-old man who worked for Tokyo-based Asia Press International. The leader of the unit that killed him had trained alongside Australian troops in the early 1990s. Agus Muliawan is also remembered with respect. As I speak, members of East Timorese civil society and some of their international friends are involved in a five-day Walk Against Impunity from Dili to Balibo:

… to pay respect to the victims of the Indonesian occupation … and to raise awareness about the consequences of impunity: victims see no justice done and perpetrators have green light to continue the atrocities elsewhere …

The Walk Against Impunity began at Becora on 11 October, at the monument to Sander Thoenes, and is traversing Santa Cruz, Liquica, Maubara, Kuikora, Berita, Batugade and Balibo. It will conclude in Balibo, for obvious reasons. I send them my heartfelt greetings and congratulate them on their efforts. As the Czech writer Milan Kundera wrote, ‘The struggle of man against power is the struggle of memory against forgetting.’

Parliamentary Delegation to Indonesia

Senator BACK (Western Australia) (20:35): I rise this evening to report to the Senate on a parliamentary delegation that I had the pleasure of leading two weeks ago to Indonesia, with my colleague Senator Urquhart, who is opposite us, and Mr Ewen Jones from the seat of Herbert in North Queensland and Mr Stephen Jones from the seat of Throsby in New South Wales. Senator Urquhart and I had some difficulty in convincing our Indonesian guests or
hosts that Mr Jones and Mr Jones were not only not identical twins but were not indeed twins at all!

I record the appreciation of our delegation for Australia's Ambassador to Indonesia, Paul Grigson, and his staff, who looked after us tremendously well, and Ms Sophie Dunstone from the Department of the Senate for her excellent work in coordinating the program. It was the first delegation by Australian parliamentarians since the executions of Sukumaran and Chan earlier this year, which caused the withdrawal of our ambassador temporarily. I have to say—and I think Senator Urquhart would agree with me—that the reception we received was very, very cordial, from the parliamentary people with whom we met and the Indonesian media. In fact, I must say to Senator Sinodinos—through you, Madam Acting Deputy President—that the Indonesian media were a good deal more courteous and cordial than we find our own media to be.

Indonesia is the largest recipient of Australian aid, at $375 million this financial year, and of course Papua New Guinea is the second largest recipient of our aid. The focus of Australia's aid—and we had the opportunity to participate and learn more—is in three prime areas: education, trade and investment. The program organised by Foreign Affairs and Trade and coordinated through the embassy in Jakarta gave us the opportunity to explore these in more detail.

There are some 250 Australian businesses operating in Indonesia: in the mining area, including BHP Billiton and Newcrest Mining; in mining services, where Leighton, Thiess and Coates Hire come to mind; in finance and banking, where I refer to the Commonwealth and ANZ banks; in food and beverages, where Coca-Cola Amatil and others are prominent; in manufacturing, with BlueScope Steel; in health, with Ramsay; and, of course, in the ICT area, represented by Telstra.

It is interesting that, although Indonesia is our closest neighbour, we are only its 12th leading trading partner, and it indeed is our 12th leading trading partner. One of the points that were made during our delegation was to investigate and discuss the opportunities for each to increase substantially the trade with the other. The economy of Indonesia is some $888 billion, against Australia's $1.44 trillion. It is, in fact, the largest Muslim country in the world, with 255 million people, the fourth largest population in the world. It is a country with significant challenges, particularly in terms of its socioeconomics and the spread of wealth within the country. While the average income is some $10,000 per year, there are some 100 million Indonesians who live on less than $2 a day.

The Indonesian President, Widodo, has adopted a very strong nationalist approach, claiming that his country can be self-sufficient, especially in foodstuffs. Whilst we were in Indonesia, we learnt of the fact that there has been a ban placed on the importation of rice, in the belief that the Indonesians can be self-sufficient. What that has done, of course, is to cut off or reduce the supply and increase the demand, and up has gone the price.

We have seen exactly the same in beef. There is still a very significant issue associated with malnutrition, particularly lack of protein in young, low-socioeconomic Indonesians, which is the main reason why we introduced the live export of cattle into Indonesia some years ago. It was only in recent times, again, that the President made the observation that the country can become self-sufficient in beef production. We met with the Speaker of the People's Consultative Assembly, His Excellency Zulkifli Hasan, and I made the observation...
to him that indeed the country can be self-sufficient in cattle and beef if it takes an equity position in our northern Australian beef operations—the breeding herds and the production of calves. Indonesians can then transfer those calves to their own country to fatten them and finish them, and in that sense they could indeed honour the obligation to become self-sufficient. The point I made to him is that they are not going to become self-sufficient if they try to breed and raise cattle in that country alone.

I mentioned the question of education, and Australia has a proud record in this space. We invested in some 3,300 madrasahs in Indonesia, but the emphasis in more recent years has been away from physical construction or upgrade and towards improving the professional standards of school principals, administrators and teachers. The four of us, along with others, visited the Madrasah Miftahul Huda in Jakarta, and I am very proud to record that, in the small, young class that we oversaw and spent time with, Senator Urquhart did a wonderful job of imitating a kangaroo. She had all of the children up pretending to be kangaroos. I can only imagine what the Messrs Jones were doing in their class when they were trying to give some indication of what the role of a wombat and a koala was. Nevertheless, we did not get to that stage. It was just fantastic to see not only that this Australian pilot is succeeding in improving standards of principals, teachers and school administrators but that the Indonesian government itself has now picked up this pilot program and is spreading it out through the Indonesian education system to improve the standards of education in the schools.

We then went up to Balikpapan in Borneo, where we visited Thiess Indonesia, a proud Australian company originally based out of Queensland. We observed the training of apprentices in diesel mechanics, in welding and in other trades. They are actually undertaking the Australian certificate III in the trades in which they operate. It was with a high degree of pride that we saw the extent to which young local men and women were being trained in useful trades and skills. When we asked them what the standards were compared to Australia, they said to us that they had taken young tradespeople down to Thiess Bros in Brisbane, where they had worked alongside Australian tradesmen of equal standard. We also visited Coates Hire at Balikpapan, again a company very much associated with providing services to the mining industry. It was interesting that, out of 160 staff, only three were expat Australians, the rest of them being Indonesians.

It was a very successful opportunity for us in Jakarta and in Borneo—in Balikpapan—to engage with locals, particularly in the education space and the mining services space, and to learn of the regard in which they held Australians. We were treated with a high degree of courtesy, and I certainly have the view that the aid that we are providing to that country is being well received. What is known is that, following the tsunami on Boxing Day in 2004, the then Howard government—Senator Sinodinos may have been part of this decision making—committed $1 billion in aid to Indonesia, at a time when Middle Eastern and other Islamic countries were contributing practically nothing.

I want finish up with a brief reference to the 70th anniversary of the invasion by Australian troops in Balikpapan. The 7th infantry division, in what was known as the Oboe landings on that island, was part of the process of liberating Borneo from Japanese influence. Time does not allow me to explain the effort that was undertaken, but some 600 Australians were killed in the actions associated with the liberation of Borneo, and we were very proud to conduct a
wreath-laying ceremony, 70 years afterwards, to commemorate the deaths of those Australian soldiers.

Trans-Pacific Partnership Agreement

Senator CANAVAN (Queensland—Nationals Whip in the Senate) (20:45): The Trans-Pacific Partnership agreement, concluded in Atlanta this week, is a historic deal. It is the first major multilateral trade deal to be concluded in more than 20 years. The Minister for Trade, Andrew Robb, should be congratulated for bringing this deal to a conclusion, and he is right to say that it is the biggest trade deal since the Uruguay Round. Indeed, Australia was a significant contributor to the delivery of the TPP. Negotiations first began in Melbourne in March 2010.

Still, we should not get carried away with the benefits of just this one trade agreement. The last 20 years have been a drought for multilateral trade reform and we should not call one oasis in that desert a forest. The Trans-Pacific Partnership is a missed opportunity to deliver genuine reform of agricultural markets in particular. As The Economist said this week of the Trans-Pacific Partnership:

The sealing of a Pacific trade deal is welcome. But spare the cheers.

Until this week, the world had not seen a big multilateral trade pact for over 20 years. The deal that has broken the drought—the Trans-Pacific Partnership (TPP), which comprises 12 countries in Asia and the Americas, including the United States and Japan—is welcome. But those who believe in free trade, and the benefits it brings, ought not to miss the bigger picture. The backdrop to this week’s deal is a bleak one.

That was a more deflated tone than The Economist struck when the TPP was being negotiated in 2013. The Economist went as far as to say:

Trade talks are threatening to become sexy again.

Some commentators even view the TPP as some sort of the sequel to the WTO multilateral trade negotiations that had become stalled in the Doha Round. A few years ago the Financial Times referred to the TPP as the trade equivalent of Ocean's 12. Unfortunately, at least for some sectors like sugar, the TPP has not turned out to be a good sequel to the Uruguay Round but more like a much hyped but ultimately an underwhelming one—like the Phantom Menace, for example. The key problem with the Phantom Menace as a movie was that while other Star Wars episodes had princesses in distress, planets destroying death stars, a battle between father and son, a lovable cast of eccentric robots and a 900-year-old guru, the plot of the Phantom Menace revolved around trade disputes, Senate negotiations and a very annoying Jar Jar Binks.

I do not share optimism of The Economist. I do not think trade disputes can ever be sexy and Senate negotiations, perhaps, even less so. But I do not want to give up. Just because they cannot be sexy does not mean that they are not important, and they are particularly important for Australia. I want to propose that Australia should not give up and cannot afford to give up on the greater gains that can be made from true multilateral trade reform of agricultural markets. It remains the case that the greatest gains from trade liberalisation will come from the removal of trade barriers and subsidies in agriculture and food.

Before I do that, I want to briefly give the TPP its due. As I said, it is a welcome agreement and it does have considerable benefits for the world, notwithstanding some shortcomings in
particular areas. The TPP is an agreement between 12 countries that between them have a population of more than 800 million people and a combined gross domestic product of around $28 trillion. These 12 countries represent around 11 per cent of the world's population and about 40 per cent of the world's GDP. Overall, the TPP will eliminate tariffs on more than $4 billion of Australia's dutiable exports of agricultural goods to TPP countries, and an additional $2 billion of Australia's exports will receive preferential access through new quotas and tariff reductions.

There have been reductions in tariffs and improved access for beef, sheep meat, wool, pork, cereal and grains, dairy, rice, cotton, wine, horticulture and seafood. So there clearly are some beneficial outcomes here. Of course, we have previously concluded many trade deals with the TPP countries, so good access had already been achieved in many of these areas—again, often thanks to the work of the Minister for Trade, Andrew Robb.

There are also some broader missed opportunities in the agreement. The US Department of Agriculture had assessed the benefits of the elimination of tariffs and protections on agricultural products in a potential TPP, before the deal was settled. The US Department of Agriculture found that:

By commodity, the percentage increases in the value of intraregional trade due to eliminating tariffs and TRQs among TPP members will be largest for rice, sugar, and 'other meat' (which includes animal fats and oils and offals).

Sugar was estimated to deliver the second-highest increase in trade—of $569 million over 10 years to 2025, delivering a whopping 48 per cent increase in the value of trade in sugar between TPP countries. Unfortunately, that outcome will not be delivered because tariffs and protections in sugar will be far from eliminated under the proposed TPP deal.

While the full text of the agreement is yet to be released, it would appear that the United States has not delivered a substantial increase on its sugar quota, as agreed in the Uruguay Round 20 years ago. This is a regrettable outcome. It is a regrettable outcome to the Australian sugar industry and to the broader world because the significant gains that would have otherwise flowed from increased world trade in sugar have been ignored and neglected.

I wish to briefly outline the details of the TPP with regard to sugar for Australia. Total Australian exports of sugar at the moment vary between around $1.5 billion and $2 billion, and around one third of these exports, or around $500 million, often go to TPP countries. TPP market access gains for Australian sugar producers and exporters include an additional 65,000 tonnes of access to the United States. The US will also provide Australia with 23 per cent of future additional WTO quota allocations.

Australia's exports are likely to grow from around 100,000 tonnes a year at the moment, which includes 87,000 tonnes of a base allocation and the extra allocations from the US, to around just over 200,000 tonnes, based on historical US demands for sugar.

There are other benefits I want to mention for Australia, for other countries, in regard to sugar as well. There will be an elimination of Japan's tariffs and a reduction in the levy of high-polarity sugar exports under the TPP. There is an elimination of Canada's tariffs on refined sugar, currently at around C$30 a tonne, within five years of entry into force. And Australia already has duty-free access for raw sugar into Canada. In Mexico, a guaranteed seven per cent of any tariff rate quota for raw sugar in the years in which it is offered has been given to Australia. Australia is only the sixth country that Mexico has offered such an
outcome. There will be an elimination of in-quota tariffs on Vietnam's WTO sugar quota, although not an increase in the quotas overall. And Malaysia will allow Australia to access the wholesale distribution of refined sugar for the food and beverage industries.

While all of these changes are welcome, they are far from the potential gains that could have been achieved, and they do little to amend the distorting impact in particular of the US sugar program. The United States has a long history of protecting its sugar industry. It introduced its first tax on the import of foreign sugar in 1789. Those taxes lasted more than 100 years before they were removed in 1890. What followed, however, was the introduction of subsidies just four years later and another almost 100 years of various subsidies and other import taxes for the US sugar industry. In 1974, the US sugar act expired, but President Ford played politics with the issue, tripling the sugar tariff in an attempt to win the state of Louisiana in the US presidential election.

Over the past 30 years, the US Congress has made its sugar program even more complex and more distortionary. The policy now consists of various planks, not just import tariffs or quotas. There are loans to maintain floor prices for sugar in domestic US markets. There is an allocation of tariff rate quotas for overseas countries, including the allocation of the minimum 1.2 million tonnes of raw sugar that the US must import under the commitments it made in the Uruguay Round. There is a process to allocate upward adjustments to the US sugar quotas in the event that US sugar production cannot be met and a sugar-to-ethanol program where the government purchases excess production of domestic US sugar for eventual conversion to ethanol.

These changes to the US program have been made despite presidential disapproval over the last few decades. Former President Ronald Reagan mentioned that the sugar program was one of the three 'objectionable features that must be changed' in the 1985 farm bill when he signed it into law. President George W Bush vetoed a farm bill in 2008, only to have Congress override his veto.

The upshot of the United States' interventions in its sugar market means that the price of sugar in the US is higher than the rest of the world. In effect, the non-US sugar producers receive a lower price, and US sugar producers receive a higher price, thanks to the US sugar program. Right now, the US sugar price is around 9c per pound higher than the rest of the world.

Using some very simplistic maths, we can work out the potential benefits to Australian producers of the increased quota. As I said previously, under the TPP, Australian sugar producers stand to benefit from an increased 100,000 tonnes to the US. That would mean that it would benefit Australian producers by around $20 million in additional export revenue, before assuming any increase in Australian sugar production. These calculations also, of course, assume no reduction in the US sugar price due to increased US imports of sugar. They are very simplistic, but they are in the order of the benefits that would flow to Australian producers. Clearly, they are benefits—$20 million is not to be sneezed at—but they are also not game-changing for a sector that regularly exports more than 1.5 billion tonnes of raw sugar a year. As Yoda would say, 'Been missed, an opportunity has.'

The United States often prides itself on its defence and promotion of free trade and open markets. For example, Jon Huntsman, the recently departed US Ambassador to China, once said:
When America closes its doors, so does everybody else. We are the primary engine of growth in the world and we are the only beacon of free trade left …

And it is true that the US's position on trade negotiations and trade deals often does have a remarkable impact on the actual outcomes achieved in those negotiating processes. Unfortunately, in this case, the US has not met its own lofty and worth principles when it comes to sugar. I recognise that Australia's negotiating team did all they could to get the best outcome for our country and for our sugar producers. But, in the overall scheme of things, the gains for our sugar industry were not nearly as large as we would have hoped.

Global trade in agriculture is the most distorted and remains the most distorted sector in world trade. And, because of this, it is also the sector with the greatest potential gains to be had from multilateral trade reform. These distortions in world agricultural and food markets mean that Australian farmers, as well as those in developing countries, are unfairly disadvantaged.

Australia has reduced its own tariff levels and other trade-distorting protections on agricultural and food products since the early 1970s. Australia's simple average applied tariff on agriculture is just 1.2 per cent of revenues. Australia is recognised internationally as one of the most efficient agricultural producers. According to the OECD's estimates of producer support, Australia's support for agricultural producers was the third lowest in OECD countries and only behind New Zealand and Ukraine, with support levels of between one and two per cent of gross farm receipts, compared to an OECD average of 17.3 per cent of gross farm receipts. The producer support estimates for many other countries that we compete with were much higher, including Japan, at 49 per cent; Indonesia, at 23 per cent; China, at 20 per cent; the United States, at 10 per cent; and Canada, at nine per cent.

Trade- and production-distorting measures can increase price volatility and create disincentives for farmers to improve productivity. They can also encourage wasteful surplus production that in turn weakens commodity prices and lowers returns at the farm gate.

It is disappointing that the TPP has not made more progress in reducing agricultural barriers, because it is these barriers that represent the greatest distortion to world trade. That was clear in the work that was done to assess the potential benefits of the Doha Development Agenda, the original successor to the Uruguay Round. At least more than half—more than half—of the potential benefits of the Uruguay Round were likely to come from the agricultural sector.

Economists Will Martin and Kym Anderson, from the World Bank, looked at the potential benefits of the Doha round. They found that the full liberalisation of global merchandise trade would increase world income by around $287 billion. A full 62 per cent, or $182 billion, of these gains were to come from the increased trade of agriculture and food. This was a similar result to that of other research done by economists Hertel and Keeney which put agriculture and food's share of the total gains from liberalisation even higher, at around two-thirds of the total gains. Will Martin and Kym Anderson went on to say:

This is consistent with the high tariffs in agriculture and food (17 percent global average) versus other sectors, but is nonetheless remarkable given the low shares of agriculture in global GDP (4 percent) and global merchandise trade (9 percent). Three-quarters of those gains are accounted for by the farm policies of high-income countries. Notice too that as much of that gain from farm reform is due
to South-South agricultural liberalization as would come from developing countries' unrestricted access to high-income country markets.

It is a remarkable result that almost two-thirds of the gains from multilateral trade reform can come from trade that represents just 10 per cent or just a little bit less than 10 per cent of global trade and flows, but that is simply reflective of the high level of distortion and protection that occurs in the sector. Unfortunately the figures that I have quoted here in terms of the potential benefits of the Doha Round are kind of moot because the Doha Round is probably about as dead as disco.

Doha was a big idea. As Fredrick Erixon pointed out, the Doha Round rested on the big idea of an all-inclusive grand bargain. Developing countries would get better access to rich-country markets for agricultural and semi-industrial products; developed countries would get better access to other rich-country markets and to developing country markets for services and advanced industrial and consumer goods. The approach did not work. The reach of Doha probably was beyond the grasp of international trade politics.

I would like to suggest a different approach. I believe that we should return to a renewed focus on achieving progress in discreet areas of trade reform at the multilateral level, not shooting for the stars or the grand bargain. A more focussed approach would concentrate the minds on the specific gains to be had in particular areas. I believe that we should start in agriculture because that is where the largest potential gains lie and that is where the developed countries have the most to gain—including Australia. Some may call this approach too simplistic and naive but I would argue that it would return the WTO to a successful model that delivered results previously in telecommunications, intellectual property and biosecurity. Indeed, it could be argued that the big post Second World War trade agreements like Kennedy and Uruguay were actually focused agreements that largely tackled protections in discreet areas of manufacturing.

However, the real template for this approach is the agreement on textiles and clothing. For many decades, trade in textiles was marked by distortionary quantitative restrictions used to protect the domestic textile industries of the United States, the European Union, Canada, and Norway. Quantitative restrictions, or quotas, tend to be much worse than tariffs in distorting markets and increase efficiency costs and losses to consumers. Reform, however, seemed impossible despite these large distortions. Textiles and clothing industries are highly labour intensive and are often concentrated in a few industrial areas in particular regional locations within countries, making them quite politically powerful. Even in Australia the subsidies on the textiles and clothing sector were some of the last to be removed. But during the Uruguay Round, WTO Members signed an agreement on textiles and clothing. The agreement established multilateral rules and subjected the textiles trade to the basic WTO principles of non-discrimination and national treatment.

The upshot was a staged removal of quantitative restrictions over time, a successful removal that went exactly the timetable as spelt out. At the end of the agreement, trade in textile and clothing products is no longer subject to quotas under a special regime outside normal WTO-GATT rules and is now governed by the general rules and disciplines embodied in the multilateral trading system. These changes have been of great benefit, particularly to developing countries, which often make their first moves in clothing and textiles while they transition from primary production to secondary production economies.
This focused approach has worked in the past, and I argue: why can't we make it work again for industries like sugar, which is so important to our national and particularly to my state of Queensland? Once again, I do congratulate the Australian negotiators on bringing the TPP negotiations to a conclusion. But while the sun sets on these negotiations, we should already be looking for a new dawn. And we should face towards the protections and distortions in agricultural trade markets for those new opportunities.

Road Infrastructure

Forestry

Senator RHIANNON (New South Wales) (21:04): Tonight I wish to discuss an issue of great concern to communities in Sydney that are located near the current WestConnex construction sites in Sydney's inner and western suburbs. This $15.4-billion tollway, the largest infrastructure project this country has embarked on since the Snowy Mountains Hydro-Electric Scheme, is flawed in many ways, from the fundamental and retrograde premise of building massive roads and tunnels to supposedly combat congestion to the serious governance and assurance issues raised by the New South Wales Auditor-General's report in December last year, which called for, among other things, the business case for stages 2 and 3 of the project to be 'formally and thoroughly revisited'. It is a project that has been condemned by local councils that it will impact and is a project that has been mocked by independent transport consultants and anyone who has any expertise on moving people in large cities in the 21st century.

To date, no one has seen this business case for this project while work continues at pace and apparently unhindered by such a formality. Billions of dollars in contracts have been locked in before the environmental impact statement for stage 1, the M4 East tunnel, was released, while work at the former Alexandria landfill site in St Peters, the site for the proposed massive highway stage 2 interchange, has caused significant concern about the excavation and transport of thousands of tonnes of asbestos contaminated materials from the site. Since August, the WestConnex Delivery Authority has removed hundreds of truckloads of contaminated waste each week from this site. We heard Prime Minister Turnbull speak with great passion about public transport. If that passion is real, if it is meaningful for the people of our large cities let alone the whole of the country, this is the type of project that should be cancelled and the money put into public transport. Otherwise it makes a farce of all his fine words.

It is well documented that the Alexandria site contains huge volumes of asbestos, reportedly as much as the equivalent of 70 50-metre swimming pools. Residents had previously been assured that contamination and remediation issues on this site would be dealt with as part of the WestConnex environment impact statement. However, this document has not yet appeared and, to my knowledge, has not even been lodged with the New South Wales Department of Planning. So, understandably, locals were shocked when large-scale earth removal and excavation work began on the site two months ago.

In the initial weeks of work, local residents monitoring the site reported multiple breaches of fundamental safety rules regarding that handling and transport of asbestos. Urgent complaints were made to the New South Wales Environment Protection Authority, the WestConnex Delivery Authority and the Marrickville and City of Sydney councils, which are jointly responsible for the site.

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CHAMBER
Trucks transporting asbestos were not fully covered or washed prior to leaving the site; and the mandated, dedicated complaints line was not even in operation. Even up to last week, residents observed wheels unwashed and work continuing in high winds. Wind speeds were measured at nearly 80 kilometres at nearby Mascot. The WestConnex spokesperson contacted by residents tried to convince them that the work being done on the site would not create dust all that day. Last Saturday night a resident reported that a truck was seen entering the site 10 hours after the regulation closing hours. So many rules but so many breaches!

The local WestConnex Action Group has already blockaded the site several times. Spokesperson Ms Pauline Lockie told New Matilda journalists:

Every time residents visit the site, they’ve reported numerous safety breaches. And it’s only when WestConnex’s contractors know they’re being watched that they are serious about observing safety procedures, such as properly watering the road entry and exit point from the toxic dump.

Acting on behalf of the WestConnex Action Group, the Environmental Defenders Office wrote to the WestConnex Delivery Authority more than three weeks ago, raising urgent questions about the legality of the work and about the handling of asbestos and other contaminated soils from this site.

As I mentioned previously, there is no EIS for this stage of the project and to date no business case. Marrickville Council passed a motion of concern, seeking urgent legal advice with a view to issuing a stop-work order on the site. Lord Mayor of Sydney, Clover Moore, wrote to the New South Wales Minister for the Environment, Mark Speakman, asking that all work halt on the site until the EPA and WDA could hold a public meeting at which residents' concerns and questions could be answered.

But concerns about the site do not end at St Peters. Thousands of trucks laden with asbestos waste have been driven out to the Transpacific landfill in Erskine Park in far Western Sydney and to Marsden Park near Blacktown. Although the Erskine Park landfill is licensed to accept asbestos, it states clearly on its website that it does not accept asbestos. In response to questions from New Matilda, Luke Slechta, environmental specialist at Transpacific Cleanaway, said that the site 'accepts soils contaminated with low levels of controlled substances as per EPA guidelines. The resultant waste is classified as contaminated soil'. The concerns obviously continue.

There are considerably less safety precautions on the large and open Erskine Park site than at St Peters, and that is saying a lot. The material is dumped near the top of a large hill. It has been reported that the waste material is not covered, nor is water applied to it at the time of delivery. Truck wheels are not hosed before leaving the site. When asked whether Transpacific covered the contaminated material at the time it was dumped on the site, Slechta responded that, 'material is covered as soon as practicable'. When asked about whether sprinklers were used on the waste, he responded: 'Erskine Park uses a water cart for dust suppression. The water cart has the ability to also spray water from a hose.'

Slechta said that Transpacific inspect all contaminated waste at the site of origin and that a National Association of Testing Authorities Australia accredited report must be received with any contaminated soils. But so far these claims have not been substantiated with evidence of these reports or who in fact is providing them. The EPA apparently has visited the Alexandria landfill site on six occasions since December last year—that is less than once a month—while massive amounts of toxic waste materials are being dug up and carted from the inner west to
the western suburbs through local streets, where it seems that no-one is adequately monitoring what is being done and dealing with it safely.

Truck drivers are told not to leave their cabins in Alexandria, and workers in full safety gear, with masks, are now washing down the vehicles before they leave the site. But way out west, where no-one can see, I doubt whether the workers or the local businesses or the residents nearby have adequate protection or information about this waste and what is blowing around off the top of this hill in strong winds.

The handling of the Alexandria landfill waste is not the only WDA activity currently triggering concerns about its competence to manage health and safety issues on this massive infrastructure project. Out in Granville, in Sydney’s west, a large amount of asbestos has been unearthed where work has begun on the first stage of WestConnex. Two lanes are being added to the existing M4, bringing the huge tollway far closer to communities living alongside the route.

Piles of asbestos have been fenced off, covered and labelled as toxic in a number of streets in Granville. They were left lying inside work compounds for weeks, very close to residential streets and homes just opposite. A spokesperson for the WestConnex Delivery Authority said that the ‘M4 Widening Construction Environmental Management Plan details the procedures followed for the removal of asbestos material’ and that ‘site inspections of stockpiles are carried out on a daily basis by construction personnel and all asbestos stockpiles have been confirmed as covered’. However, residents have photographed these piles of toxic waste and observed holes in the coverings at different locations. This is deeply worrying. It has huge implications for the health and safety of locals and people visiting that area. In early September the ABC reported that residents were not informed about some of this waste as it was within the ‘boundaries of the project’.

The WestConnex Delivery Authority stated that discoveries of asbestos are ‘not uncommon’, and the environmental impact report for the M4 widening project stated that sampling revealed some asbestos present along this route. However, more asbestos seems to have been found than predicted. There are deeply worrying reports of asbestos having been found earlier this year in Adderley Street in Auburn. This is very close to where children walk to the nearby Auburn North Public School, which is next door to a childcare centre. Additionally, the EPA is aware that stockpiles of asbestos from previous operations have been exposed along the M4 widening works, but they are not presently taking any steps to safely remove this material from residential areas.

There is also a large amount of semicovered asbestos waste along a canal next to the roadworks in Granville. Residents have been appealing to Parramatta Council and the New South Wales government for years to have it safely removed. Scores of residents brought this situation to the attention of the planning department and the WestConnex consortium in a submission to stage 1A of the M4 widening process but received no response. Residents are now concerned that this dangerous asbestos will be further disturbed during construction and from wind generated by traffic speeding along the M4 almost directly over their homes. This is what is happening in Western Sydney today. We know the threat and the dangers posed by asbestos. We have heard from Liberal and Labor politicians about their commitment to Western Sydney, yet this situation has been going on and is continuing to deteriorate.
The WestConnex Delivery Authority is showing contempt for proper process, fundamental safety precautions and due care. We need to ask: how does it get away with such dangerous and irresponsible activities? The answer lies with the weak planning and environment laws in New South Wales and the corrupting culture that still operates out of Macquarie Street. If Prime Minister Turnbull is to be true to his passion for public transport, then, as I said earlier, the WestConnex project should be shelved and all the money should go to long-term, sustainable public transport solutions—and this toxic waste in the inner west and western suburbs should be speedily dealt with.

On another matter, my colleague Senator Janet Rice, the Greens forestry spokesperson, spoke earlier tonight about an excellent plan to save our native forests and provide a wonderful future for the communities around those forests by ending logging in our native forests. I had the opportunity recently to visit the forests in south-east New South Wales with Senator Rice, and I congratulate her on the work that she is doing to save the forests across this country.

One area that we visited was Glenbog State Forest. Sadly, this area has become a case study in animal cruelty. The plight of wombats being buried alive in logging operations in Glenbog State Forest and in other state forests will continue if we do not end these logging practices. Wombats inhabit many of these forests. They face the prospect of being buried alive, where they face a slow inevitable death entombed in their burrows. Whether they die by asphyxiation, starve to death or are just crushed, it involves great cruelty. We know that the situation in the Glenbog State Forest is associated with logging for woodchips. Woodchipping is undertaken by the South East Fibre Exports, and much of it is exported out of Eden. Woodchipping is killing our wildlife. Every time we lose habitat we are losing wildlife, and this is a most extreme example of it.

Some people have done some excellent work to highlight these problems. I congratulate Marie and Ray Wynan and the Wombat Protection Society, who alerted the world—so much of their work became an international media story—by highlighting what was happening to wombats being buried alive in their burrows. They recorded and marked around 150 active burrows in that state forest with yellow tape and paint, yet they still came across crushed tunnels. They marked these tunnels and burrows very clearly with GPS locations so they could save the wombats. I very warmly congratulate them for the work that they undertook. They did have some success where the roads were moved so they were not going across the burrows and logs were not dumped on top of the burrows, but still Marie and Ray Wynan would often turn up the next day and find that the wrong thing had been done.

Marie and Ray did obtain the agreement of the Forestry Corporation of NSW to ensure that the entrances to the burrows would not be obstructed by logging debris or otherwise damaged, but, despite this understanding, logging operations in the Glenbog State Forest subsequently did cause the collapse of burrow entrances. The Environmental Protection Authority inspected the site and provided recommendations about protecting wombat burrows but took no further action. Again, thanks to many very hardworking individuals like Ray and Marie Wynan, many wombats were saved. But it is an extraordinary situation that we are treating wildlife like this.

It needs to be noted that many of our wombats are under severe threat from habitat loss, urban development and a parasitic infection that causes a type of mange. In parts of rural
south-east Australia it is actually legal for farmers to shoot wombats. People find that extraordinary, but it is just part of the mismanagement of this unique species. I congratulate my Greens colleague, David Shoebridge, in the New South Wales state parliament, who tabled a motion about this issue in the Legislative Council last year asking the house to call on the New South Wales government to immediately halt logging in that state forest and urgently review the policies.

As I mentioned, there is an international aspect to this matter. Some Japanese campaigners who came to the Glenbog State Forest were so deeply troubled by what they saw that the organisation the Japan Tropical Forest Action Network has also taken up this campaign, informing clients of Nippon Paper of the devastating consequences for wombats from the logging and woodchipping of its subsidiary South East Fibre Exports. The disastrous impact on the wombat population in Glenbog State Forest could be solved quite easily by ending the logging of our native forests.

We also saw how the urgent need to end the logging in our state forests at the Nullica State Forest, also in the south-east. The logging operation here is an example of why the exemption of the regional forest agreement from the Commonwealth EPBC Act just does not work. This is something that I know has been taken up with Mr Hunt, the Minister for the Environment, but so far he has failed to deal with it. At this forest we saw the habitat of the quoll. The quoll is listed federally as endangered but in New South Wales it is only listed as vulnerable. The exemption for RFA areas under the EPBC Act is based on the assumption that RFAs provide equivalent protection. Even if an effective and enforceable prescription were employed to protect the quoll as vulnerable, it would not be equivalent protection.

Senator Rice and I saw this for ourselves. There was massive damage done to quoll habitat in Nullica State Forest. What has happened to those quolls? Have they been squashed under machines? Have they gone somewhere, looking for another bit of forest? When you start to lose habitat, you lose species numbers and it gets to a point where these populations are not viable.

Harriett Swift, on behalf of the South East Region Conservation Alliance, on 9 September this year wrote to Minister Hunt, pointing out this inconsistency because of the way the RFA becomes senior to the EPBC Act because of the way the laws have been written. Ms Swift wrote, ‘I believe you have an obligation to intervene to halt the Nullica logging to protect the integrity of the EPBC Act and to help ensure the survival of this nationally endangered species.’ If it is recognised as endangered at a national level, surely it deserves the protection under the EPBC Act and surely the environment minister should do the right thing by these constituents and reply to their letter in the first instance and ensure that protection over an act which he has responsibility for is carried out.

International Day of the Girl Child

Senator MOORE (Queensland) (21:24): Sunday, 11 October was the International Day of the Girl Child, an opportunity to recognise the rights of girls all over the world and in particular the unique challenges that they face. Since on 25 September the nations of the world agreed on the sustainable development goals, now is also a time to think about how we can support girls and women to overcome those challenges. Significantly, after a long struggle, one of the new sustainable development goals is a stand-alone goal dedicated to women's empowerment and gender equality. SDG 5 is to 'achieve gender equality and
empower all women and girls'. Unfortunately, as many of us know, this is the only one of the new SDGs that does not have targets and dates instilled in the process. One of the challenges that girls and women face is to ensure that there is effective accountability on this goal.

At the time the SDGs were being signed the Secretary-General of the United Nations, Ban-Ki Moon, said:
The newly adopted Sustainable Development Goals rightly include key targets for gender equality and the empowerment of all women and girls. They offer an opportunity for a global commitment to breaking intergenerational transmission of poverty, violence, exclusion and discrimination—and realizing our vision of a life of dignity for all.

Since 2000, under the millennium development goals, significant progress has been made in improving the lives of women and girls. Those targets were set and there were goals set along the way so we could see how we went. Across the world, including in our own region, there were advances, but still great challenges remain, particularly for girls who are growing up in this new world that they face. That is why the theme for the International Day of the Girl Child for 2015 is 'The power of the adolescent girl—vision for 2030'.

If girls are effectively supported during their formative adolescent years, they will enjoy a more equitable and prosperous future. Girls born this year will be adolescents when we reach the 2030 deadline for meeting the goals and targets of the SDGs. Therefore, it is an important and ideal opportunity to consider the importance of the social, economic and political investment in the power of adolescent girls as fundamental to breaking the intergenerational transmission of poverty and violence. We can make a difference.

On the International Day of the Girl Child 2015 the UN called on UN agencies, member states, civil society organisations and private sector stakeholders all to work together to commit to putting adolescent girls at the centre of sustainable development efforts by making the following investments: high-quality education skills and training; access to technology and other learning initiatives; preparing girls for life, jobs and leadership; and investing in health and nutrition suitable to the adolescent years, including puberty education and in particular one we have talked about many times, which is effective sexual and reproductive health education and services. We together must also promote zero tolerance against physical, mental and sexual violence. We need to work to enact and consistently implement social, economic and political mechanisms to combat early marriage and female genital mutilation. As you know, Australia has had policies against those two issues for many years and we reported back to the UN on our progress. We must invest in the creation and maintenance of public spaces for civic and political engagement, creativity and talent enhancement. I really like that one. We must promote gender-responsive legislation and policies across all areas, especially for adolescent girls who are disabled, vulnerable, marginalised or victims of trafficking and sexual exploitation.

This evening I want to acknowledge the work of Care Australia for its three-year campaign to include stand-alone global goals on gender equality in the new SDGs. Care Australia, as we all know, is an international humanitarian organisation fighting poverty, with a special focus on working with women and girls to bring lasting changes to their communities. Care Australia welcomed the announcement of SGD 5 to achieve gender equality and empowerment for girls, because they had worked strongly in our community to pressure all of us to argue for this special goal. The organisation will now work to pressure for greater
commitment to this goal from leaders across political, private and developmental sectors throughout the world.

Until the signing of the SDGs on 25 September, there remained some uncertainty as to whether the SDGs would include a stand-alone goal on gender equality. Throughout the extensive negotiation process, CARE Australia campaigned for women's and girls' voices to be heard at the negotiations. They insisted that the inclusion of a stand-alone goal was the only way to ensure recognition of the significant role of women and girls in achieving sustainable development. As part of a three-year campaign, in July this year CARE Australia presented a petition to implore Australia's Minister for Foreign Affairs, Julie Bishop, to pressure for a stand-alone SDG on gender equality at the negotiations. Thankfully, our country, along with many others, ensured that that occurred.

To illuminate the issue of gender equality and encourage people to sign the petition, CARE Australia gave a human face to its campaign by presenting the story of a young girl called Anusha—it is not her real name. Anusha, like many other girls in India, was denied the right to live, learn, earn and thrive simply because she was born a girl. When Anusha was nine, her father died, her mother remarried and she was taken in by family. She said:

My brothers found work—there were opportunities available to them that were not even considered for me. I was the only girl. My role was to do endless household chores. I was beaten often. There was no dignity in my life.

Anusha was eventually offered a place at a school for girls run by CARE India, and this was the time her life began to change. She said:

After a few days I felt like a human again – I almost forgot about my past and all the trauma I'd been through.

My teachers asked me to build a purpose in life and gave me the belief to achieve it. I have been nurtured, given wings to fly and seen other girls like me take a route out of physical and mental trauma to soar with dreams and aspirations.

I will study hard, to become a doctor to serve back to my community.

... ... ...

I want this to be true for all girls.

CARE Australia believes that girls like Anusha should grow up to be part of our world, not second-class citizens, and that the time has come for decision makers around the world to make this aim a reality by adopting clear targets on health, reproductive rights, education, political participation, access to finance and jobs, and much more. All of these issues are included in the SDGs which our country and other countries across the world have agreed to be part of. Now we just have to make it happen by 2030.

CARE Australia developed a petition that 1,212 people from multiple countries signed and left heartfelt comments on. In doing so, they demonstrated their strong support for more decisive global action on gender equality to ensure girls like Anusha grow up to be world-class citizens. After the process of the petition and getting this information out into the community, CARE Australia followed up on the extensive and enthusiastic response with a booklet, which I just happen to have here, called Standing up for Gender Equality. It is, again, a stunning piece of work, with extraordinarily beautiful and evocative photographs of women and girls from across our region.
As I said, when people signed the petition, they left their own messages to inspire and to encourage. At the base of each of the photographs in this stunning book, there are people's own expressions and hopes for the future. 'Lift one woman out of poverty and she'll bring four others with her,' says Tom from Australia. 'All people deserve to be treated equally and all of us must stand up and make it happen,' says Joanne from Australia and so on. This extraordinary book is available from CARE Australia, and I really do commend it to people because this gives us an opportunity to learn, to share and also to see the ways in which the lives of women and girls can change. Laura Hill, CARE Australia's campaigns and brand manager, arranged the publication of this book. I believe that this is a living monument to the kind of work that we have committed ourselves to, through the SDGs, in the future.

One of the signees, Kellie from Australia, said:
Every human being has the right to live, learn and thrive regardless of his or her sex. Achieving gender equality will solve many of the issues we face in the world today, creating a better future for everyone. CARE Australia's Chief Executive Officer, Dr Julia Newton-Howes, outlined her feelings in a media release shortly after the announcement of the new SDGs. She said:
We should celebrate the standalone goal on gender equality as a huge step in the right direction. But the real test will be ahead when it comes to financing, implementing and holding governments accountable to the goals.

Melanie Poole, a senior UN advocacy adviser at CARE International, produced a document which provided a more detailed breakdown of the strengths and weaknesses of the new gender SDG to address specific gender issues. She provided grades and comments for different issues. The strength of the SDGs to address gender equality and women's empowerment was given a grade of A minus. She said:
This gender equality goal, with targets on eliminating violence against all women and girls, and giving women equal economic rights and access to financial services, represents enormous progress. Three years ago, this achievement was FAR from guaranteed, and was in fact, resisted by some powerful interests.

Indeed, resistance against having this goal in the SDG process and, more importantly, against having effective targets is growing in some nations of the world. Part of the challenge for us is to identify the resistance and to build the arguments effectively to show that every woman and girl has the right to safe and strong futures and that economic empowerment will empower and engage the whole community. These arguments need to be identified and quantified so that the arguments of more conservative groups that still believe that women's rights are less than male rights can be rejected.

Those arguments need to be rejected and they need to be strongly rejected by all of us who know that they are wrong.

Sexual and reproductive health and reproductive rights: in terms of the strength of the new SDG to address sexual and reproductive health and reproductive rights, again Miss Poole provided a grading of A minus. She explains:
The SDGs advance a strong commitment to universal access to sexual and reproductive health and reproductive rights backed by specific targets such as a universal access to family planning. They also affirm the Cairo platform.

Madam Acting Deputy President Peris, you know I have spoken about the Cairo platform many times in this place. That is our strategic plan—to achieve what the people in Cairo over
20 years ago identified. The SDGs build on that and in fact the particular goal about sexual and reproductive health is lifted straight from the words of Cairo. We had that concept over 20 years ago. We had the challenge and we had the passion to work through it. Now later we have to identify how far we have come but, more importantly, we need to continue the struggle so that what was thought about in Cairo can be achieved by 2030 when we review what has happened in this process. They reaffirm the Cairo platform. It is a very big step, especially after two decades of strong backlash against this agenda.

The SGDs fall short, however, when it comes to recognising the right to safe abortion. Again, this topic could not be agreed at the international level but it does not stop us identifying the urgent need, that where abortion is legal in countries, we should be ensuring that women have the access to achieve it.

In terms of addressing sexual rights, the strength of the SGDs was graded B minus. As Miss Poole explains, the SGDs commit to leaving no-one behind. In terms of the theme of the SGD program, it is to ensure that we leave no-one behind, that we all have the opportunity to progress and to live safely and with respect. Despite strong advocacy from countries such as Norway and the UK, who again were exceptional in their strong advocacy, all references to protection on the grounds of sexual orientation and gender identity have been removed from the SDGs. The rights of lesbian, bisexual, gay, transgender, intersex and gender non-conforming people are therefore not specifically recognised. This has serious ramifications in terms of data collection, funding and service delivery. As the British ambassador has stated, 'The SDGs won't be met until the LGBT rights are included.'

The stories out of some of the African nations and also some of the countries of Central Asia show an increased conservatism and rejection and tyranny for people who express that they are members of the LGBTI community. Once laws are passed in countries which allow this kind of discrimination, it almost has a viral effect. Conservative people in other countries see that that can happen and again the discrimination and the repression continues. The SDGs have not responded to this challenge but again that should not be enough to stop us taking action. I believe Australia has a proud record in this area and we should be part of an international push with countries like Norway and the UK to stand up and say that part of our agenda to achieve international equality, part of our agenda to exclude poverty and discrimination is to ensure that the rights of LGBTI people are recognised and protected. Just because it does not have its own goal does not mean we cannot work towards achieving a result.

We know that there is a large challenge in front of us and, as Dr Julia Newton-Howes has said, CARE will continue to hold world leaders to account and work tirelessly to ensure the voices of women and girls are heard. In that there is a particular challenge for our own country because at the same time as we attended the UN and signed up to the SDG program, we know that there have been significant cuts in our international aid budget under this government for budget purposes.

I believe that over the next few years we need to match our international agreements, we need to match our international commitment to effective funding because one of the elements of the SDG process is to ensure that there is sustainable funding to achieve a result. So when we are looking at our aid budget, we need to scrutinise and to ensure that our commitment will be able to be met and that we will be able to report back to the UN to identify the cases
and the causes we support but be able to show what our budget has been to ensure that action can occur.

The government has been very strong on the issues of women and girls and we congratulate the current government for the number of programs it has maintained in this area, working with NGOs and ensuring that there will be the voices of women and girls heard in our national as well as in our international agenda. But part of the message of the SGD process is that we need to do more and we need to consider what our commitment to funding will be in future. This goes across all 17 of the goals and we need as a nation to look at the process of how we are going to fulfil our commitments.

One of those processes must be the active engagement of this parliament. These issues should not just be located in the portfolio that looks at foreign affairs and no other group looks at the process. We need to engage our parliamentarians actively in considering our place, in considering the process and in considering our response to the messages that were given to us by the people who put together 'Standing up for gender equality'. Twelve hundred people signed a petition which said that there should be an individual gender goal within the SDGs. They have said that that is what they want for Australia and for the other nations of the world. When we look at the photographs, which pull at your heartstrings, to show what an achievement of safety and security can mean to families, we know that with people like John we need to stand up for gender equality throughout the world. I am signing this petition because gender equality is critical and when women are educated children benefit.

On 2015 International Day for the Girl Child we can celebrate that we are part of the SDGs but we need to look to the future to see how we make them happen.

Senate adjourned at 21:43

DOCUMENTS

Tabling

The following documents were tabled by the Clerk pursuant to statute:

[Civil Aviation Act 1988—Civil Aviation Safety Regulations 1998—Exemption — carriage of child (Regional Express)—CASA EX178/15 [F2015L01641].
GSTD 2015/2.
Taxation Determinations TD 2015/18 and TD 2015/19.
Legislative Instruments Act 2003—List of legislative instruments due to sunset on 1 April 2017.
Navigation Act 2012—
Marine Order 31 (Vessel surveys and certification) Amendment 2015 (No. 1)—AMSA MO 2015/5 [F2015L01645].]
Marine Order 58 (Safe management of vessels) 2015—AMSA MO 2015/4 [F2015L01644].
Therapeutic Goods Act 1989—Therapeutic Goods (Listing) Notice 2015 (No. 6) [F2015L01640].

Tabling
The following documents were tabled pursuant to standing order 61(1)(b):
Treaties—Text, together with national interest analysis—
Multilateral—Amendments of 2014 to the Maritime Labour Convention, 2006 Approved by the Conference at its One Hundred and Third Session (Geneva, 11 June 2014).

Tabling
The following documents were tabled by the Clerk pursuant to order:
Departmental and agency appointments and vacancies—Budget (Supplementary) estimates—Letters of advice pursuant to the order of the Senate of 24 June 2008—
Communications portfolio.
Defence portfolio.
Department of Human Services.
Department of Veterans' Affairs.
Education and Training portfolio.
Environment portfolio.
Finance portfolio.
Foreign Affairs and Trade portfolio.
Industry, Innovation and Science portfolio.
Infrastructure and Regional Development portfolio.
Office for Women.
Social Services portfolio.
Departmental and agency grants—Budget (Supplementary) estimates—Letters of advice pursuant to the order of the Senate of 24 June 2008—
Communications portfolio.
Defence portfolio.
Department of Education and Training.
Department of Human Services.
Department of Infrastructure and Regional Development.
Department of Veterans' Affairs.
Environment portfolio.
Finance portfolio.
Foreign Affairs and Trade portfolio.
Office for Women.
Social Services portfolio.
Estimates hearings—Unanswered questions on notice—Budget estimates 2015-16—Statements pursuant to the order of the Senate of 25 June 2014—
Australian Centre for International Agricultural Research.
Defence Housing Australia.
Department of Defence.
Department of Human Services.
Department of Infrastructure and Regional Development.
Department of Social Services.
Department of Veterans' Affairs.
Treasury portfolio.